

DATE

6th April 2016

TIME

6.00pm – 7.30pm

VENUE

Seminar Room 1
Kuala Lumpur Regional
Centre for Arbitration

Bangunan Sulaiman,
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur, Malaysia

PROGRAMME

5.30pm Registration

6.00pm **Mediating Oil, Gas, Engineering
& Construction Disputes**
by Dr Robert Gaitskell QC

7.00pm Q&A Session (Moderated by
Tan Sri Dato' V.C George)

7.30pm End of programme

06.04.2016

**MEDIATING
OIL, GAS,
ENGINEERING &
CONSTRUCTION
DISPUTES**

The fluctuating oil price has generated a significant number of disputes as projects get cancelled prematurely. Informed parties are aware that there are 7 dispute resolution procedures available to them: besides arbitration and court litigation there is (in appropriate cases) adjudication under the CIPAA 2012, and also expert determination for specific technical and financial issues, dispute boards where the FIDIC form is used, early neutral evaluation and, most interestingly, mediation. This presentation by Dr Robert Gaitskell QC, C.Eng, of Keating Chambers, London, commences with a mock mediation, and then moves to an overview of how mediation fits into the range of procedures from which parties may choose when tackling a dispute. The pay-off for choosing the right procedure is enormous: a mediation costs a tiny fraction of the expense of an arbitration, and takes only a day or two, and there is a success rate of 70 – 80%.



Dr Robert Gaitskell, QC, of Keating Chambers, London is a specialist arbitrator, adjudicator, mediator and dispute board member, practising in one of the Commonwealth's pre-eminent sets of construction advocates. He is both a senior barrister (Queen's Counsel) as well as a Chartered Engineer. After graduating BSc(Engineering) he worked as a professional engineer in Africa and in Europe, and then was called to the English bar, since when he has

specialised in engineering and construction disputes world-wide.

He has represented a foreign government in the Privy Council in London, and advised the Corporation of London on a major infrastructure project, besides presenting cases around the world. He has conducted over 100 international arbitrations, under all the major appointing bodies, including the ICC, LCIA, DIAC, ICDR/AAA, Swiss Chambers of Commerce, LMAA, Law Society, HKIAC, EBRD, EDF, UNCITRAL, etc. He has carried out over 100 mediations (including in S.E. Asia, Africa and Europe), and has great experience as the chairman of international dispute boards – currently chairing the DB for the world's largest energy project, the ITER F4E nuclear fusion power plant in France.



Tan Sri Dato' V C George was called to the English Bar from Lincoln's Inn in 1956. He was a legal practitioner at the Bar in Malaysia from 1957 until 1980, from 1970 largely involved in litigation work in commercial matters. He was Chairman of the Selangor (and KL) Bar Committee for 1972 and 1973 and of the Bar Council, 1974 to 1976.

In 1981, he was elevated to the Bench of the High Court of Malaya and eventually served as Head of the Commercial Division of the Kuala Lumpur High Court. In 1993, he was appointed as a Court of Appeal Judge, and retired in 1995.

After his retirement from the Bench, he worked as a Consultant with a legal firm and has also been an arbitrator since 1996 and is involved in both domestic and international arbitrations arising from commercial disputes.

He was appointed to the Board of Directors of the Financial Mediation Bureau in 2005. Prior to that, he served as Chairman of the Council of the Banking Mediation Bureau (BMB) and of the Insurance Mediation Bureau (IMB) from 1996 till 2005.

For more information, please contact
Business Development Team of KLRCA,
Phone: **+603 2271 1000**
Email: **events@klrca.org**

ADMISSION IS FREE. LIMITED SEATS AVAILABLE.

For registration, please email your details below to **events@klrca.org** or fax to **+603-2271 1010** by **2 April 2016**

Full Name: _____

Company/Organisation: _____

Designation: _____

Address: _____

Tel: _____ Fax: _____ Email: _____