

**DISPUTE BOARDS, CONFLICT
AVOIDANCE PANELS AND HYBRID
DISPUTE RESOLUTION PROCESSES—**

UPSTARTS OR THE MAINSTREAMS OF THE FUTURE?

DATE

15 November 2017

TIME

6.15pm – 7.45pm

VENUE

KLRC Seminar Room 1

Bangunan Sulaiman, Jalan Sultan Hishamuddin
50000 Kuala Lumpur, Malaysia

PROGRAMME

5.45pm Registration

6.15pm Dispute Boards, Conflict
Avoidance Panels and Hybrid
Dispute Resolution Processes
– *Upstarts or the Mainstreams
of the Future?* by Michael Cover
and John Wright

7.15pm Q&A Session
by Datuk Professor Sundra Rajoo

7.45pm End of programme

There has always been swirling around the world of private dispute resolution the idea that each of the various processes, arbitration, mediation and adjudication, might not be the complete answer nor what the parties might actually need. Arbitration on its own can be costly and time-consuming, although it produces a definite answer. It may do little to improve relationships between the parties on long term projects. Mediation, if a settlement is achieved, has the capability of maintaining and even rebuilding relationships but there is no guarantee of an outcome. Adjudication and other similar processes are often, in the case of the construction industry, created by legislation, although otherwise creatures of contract, are often holding processes that keep cash flowing. Historically it might be said that there has not been as much overlap and communication as there could have been between the neutrals who practice in these areas.

This Evening Seminar at the Kuala Lumpur Regional Centre for Arbitration will look at and define the existing models and then look at Dispute Boards, now a familiar feature of major projects funded by the Multilateral Development Banks, and move through existing although tricky concepts, such as to Arb-Med and Med-Arb, into the new world of Conflict Avoidance Panels, as exemplified by the Transport for London initiative and the new UK initiative on IT Contracts.

The Evening Seminar will be moderated by Datuk Professor Sundra Rajoo and the speakers John Wright and Michael Cover are both experienced third party neutrals, whose expertise spans the various forms of dispute resolution to be covered. John and Michael are both Members and Directors of ArbDB Chambers, comprising arbitrators, mediators and dispute board members, having offices in London, Dubai and here in the Kuala Lumpur Regional Centre for Arbitration. The evening will be rounded off by networking refreshments at the KLRC.

For more information, please contact:
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 14 November 2017

Full Name: _____

Company/Organisation: _____

Designation: _____

Address: _____

Tel: _____ Fax: _____ Email: _____

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SPEAKERS



Michael Cover is a Member of ArbDB Chambers, Arbitrators, Mediators and Dispute Board Members. He has over 30 years' experience as a lawyer, both in private practice and as in-house counsel. He is a CEDR-Accredited Mediator and has been involved in over 200 mediations. Michael is named as one of the world's leading mediators in The International Who's Who of Commercial Mediators 2015. He is a Fellow of the Chartered Institute of Arbitrators and a Chartered Arbitrator.

Michael accepts instructions as arbitrator, mediator and adjudicator. He is on the panels of many of the leading UK and international dispute resolution institutions, including CEDR, CI Arb, KLRCA, DIAC, ACICA, AAA/ICDR and HKIAC, as well as being on the RICS Dispute Board Register.



John Wright was an English solicitor for many years; his practice now involves him sitting exclusively as an Arbitrator, Adjudicator, Mediator and Dispute Board Member, frequently in the construction field but also encompassing disputes arising in the energy, insurance, real estate, maritime and international trade areas.

His expertise in these fields has been recognised for many years by Legal Directories. Chambers and Partners has noted his "experience and considerable gravitas in major dispute resolution" and his "innate sense of good judgment"; it has described him as "calm, cool, clear and concise"; "tactically aware and experienced"; "a star, extremely qualified and very pleasant"; and in the 2015 Edition as "wonderful to work with. Very clear in explaining things, has deep knowledge in the field and gives sound advice". The Legal 500 has referred to him as "an exceptional lawyer – very impressive". He is listed as one of the world's leading construction lawyers in the 2017 Edition of the International Who's Who of Business Lawyers.



Datuk Professor Sundra Rajoo is the Director of the Kuala Lumpur Regional Centre for Arbitration (KLRCA) and President of the Chartered Institute of Arbitrators (2016). His roll of honour includes being Founding President of the Society of Construction Law, Malaysia and the Malaysian Society of Adjudicators. He is also the Past President of the Asia Pacific Regional Arbitration Grouping (APRAG), which is a federation of nearly 40 arbitral institutions in the Asia Pacific region.

Datuk Professor Sundra Rajoo is a Chartered Arbitrator and an Advocate & Solicitor of the High Court of Malaya (non-practising). He is a Professional Architect, Registered Town Planner and a Fellow of the Royal Institution of Chartered Surveyors. He has had numerous appointments as chairman, co-arbitrator of three-man panels and sole arbitrator in international and domestic arbitrations. He serves on the panel of numerous international arbitral institutions and organisations.

He is an Adjunct Professor at the Law Faculty of University of Malaya, Visiting Professor at the Faculty of Built Environment, University of Technology Malaysia and past Visiting Professor at the Law Faculty, National University of Malaysia. He is a member in the Monetary Penalty Review Committee set up under the Malaysian Financial Services Act 2013.

Datuk Professor Sundra Rajoo has authored, co-authored and edited several books on arbitration, contract and construction law, including, *A Practical Guide to Statutory Adjudication in Malaysia*, 2017; *Law, Practice and Procedure of Arbitration, 2nd Edition*, 2016, Lexis Nexis; *Arbitration in Malaysia: A Practical Guide*, 2016, Sweet & Maxwell; *Construction Law in Malaysia*, 2012, Sweet & Maxwell; *The Malaysian Arbitration Act 2005 (Amended 2011) – An Annotation*, 2013, Lexis Nexis; *The PAM 2006 Form*, 2010, Lexis Nexis; *The Arbitration Act 2005 – UNCITRAL Model Law as Applied in Malaysia*, 2007, Sweet & Maxwell; *The Malaysian Standard Form of Building Contract (The PAM 1998 Form)*, 1999, Malayan Law Journal. He also wrote the chapter on Annulment of Investment Arbitration Awards, *The Investment Treaty Arbitration Review*, 2016 edited by Barton Legum, Law Business Research.

In July 2015, Datuk Professor Sundra Rajoo was conferred an Honorary Doctorate in Laws from the Leeds Beckett University in England.

THIS EVENING SEMINAR
WILL LOOK AT AND
DEFINE THE EXISTING
MODELS AND THEN
LOOK AT DISPUTE
BOARDS, NOW A
FAMILIAR FEATURE OF
MAJOR PROJECTS
FUNDED BY THE
MULTILATERAL
DEVELOPMENT BANKS,
AND MOVE THROUGH
EXISTING ALTHOUGH
TRICKY CONCEPTS.