

# ARBITRATION-IN-PRACTICE

## WORKSHOP 2022

CO-ORGANISED BY THE AIAC ACADEMY AND THE CHARTERED  
INSTITUTE OF ARBITRATORS (MALAYSIA BRANCH)

### WORKSHOP 3

# PRELIMINARY MEETING AND PRE-HEARING CONSIDERATIONS & POWERS OF THE ARBITRAL TRIBUNAL

- ▶ Preliminary Meeting Considerations
- ▶ Powers of the Arbitral Tribunal
- ▶ Pre-Hearing Considerations

**DATE** Saturday, 4<sup>th</sup> June 2022

**TIME** 9.00 a.m. - 1.00 p.m. MYT

#### SPEAKERS



**Datuk DP Naban**  
Rosli Dahlan Saravana  
Partnership (RDS)



**Mr. Nahendran Navaratnam**  
Navaratnam Chambers



**Ms. Donna Ross**  
Donna Ross Dispute Resolution

#### TUTORS



**Mr. Foo Joon Liang**  
Gan Partnership



**Ms. Victoria Loi**  
Shook Lin & Bok



**Mr. Shannon Rajan**  
Skrine

For more information, please contact [events@aiac.world](mailto:events@aiac.world) or +603 2271 1000.

Full Name: .....

Company: .....

Address: .....

Email: .....

**Registration Fee : RM 120**



**VIRTUAL via ZOOM**

A private Zoom link will be provided upon successful registration and payment

**Mode of Payment** (Please tick one)

• Cheque / Bank Draft made payable to "AIAC Event"

• Bank Transfer / Account Deposit

Account No: 5143-5650-4056

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Wisma Genting, Jalan Sultan Ismail, 50250 Kuala Lumpur

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### Preliminary Meeting Considerations

- i) Preliminary review of parties' early written submissions.
- ii) Early assessment into the complexities of the issues, considerations as to the employment of different procedural techniques.
- iii) Considerations into a Fast Track Arbitration.
- iv) Dealing with an unresponsive Party.
- v) Preparations to be taken prior to a Preliminary Meeting, i.e: drafting a Procedural Order, time management for the proceedings.
- vi) Steps after first preliminary meeting.
- vii) Execution of Fee Agreement.

### Powers of the Arbitral Tribunal

- i) Conducting the arbitral proceedings – fair, expeditious, economical and final resolution.
- ii) Equal treatment and opportunity to present case.
- iii) Consequences of not providing equal treatment and opportunity to both parties.
- iv) Appoint / remove tribunal secretaries.
- v) Other powers that may be exercised by the Arbitral Tribunal – Rule 13.5 of the AIAC Arbitration Rules 2021.

### Pre-Hearing Considerations

- i) Summary Determination Requests – Issues to consider when allowing Summary Determination Requests.
- ii) Procedural matters to be considered.
- iii) Feasibility of virtual and non-virtual proceedings – Virtual Arbitration Protocol.
- iv) Preparations for hearings.