



CHAIRMAN'S OCTOBER MESSAGE

We are barely left with two and a half months to the end of 2020. It has been a challenging year for most, to say the least. As the world grapples with life with COVID-19, more businesses are heading back to work under what could be described as the new normal. Here in Singapore, we remain in Phase 2, although more people are returning to their offices with capacity limits and social distancing in place at the workplace.

In line with the resumption of business activity, we have seen more events taking place. The SIAC held its biennial Congress in early September 2020. It was the first time the event was held virtually. On 8 October 2020, the ICC Singapore Arbitration Group held its townhall where there was a presentation on the recent amendments to the Singapore International Arbitration Act as well as the proposed changes to the ICC Rules.

On CIArb training and courses, we completed the final Module 4 Course in May 2020. On behalf of the branch, I extend my heartiest congratulations to the 25 candidates who successfully completed the award writing assignment and examination. I also congratulate those who have recently completed the peer interview and have been admitted as Fellows of CIArb.

On 27 August, the Module 1 course officially commenced, with Timothy Cooke teaching the first tutorial on 24 September. Also in September, members of the Singapore branch including Andrew Yeo, Mahesh Rai, Colin Ong QC and myself conducted an Introduction to International Arbitration Course for 43 candidates in Brunei. The course was conducted online using CIArb's big blue button platform. We look forward to the candidates completing the online assessment and joining as associate members of CIArb.

May I take this opportunity to again thank all tutors and members of faculty for giving of their time to teach all the courses the branch conducts. Many do not appreciate the time and effort that goes into preparing for the classes as well as marking assignments and examination scripts.

On 22 September, Catherine Dixon, the Director General of CIArb hosted an online meeting with the Chairs of the branches in Asia Pacific. It was a good opportunity for the branches to discuss the challenges they each face in light of the COVID-19 pandemic and how the branches can collaborate more in terms of events and courses.

In the Courts, the UK Supreme Court delivered its much awaited judgment in *Enka Insaat ve Sanayi AS v OOO Insurance Co Chubb* [2020] EWCA Civ 574 . The case involved a contract which provided for disputes to be resolved by ICC arbitration, with London as the seat, but contained no choice of law clauses relating to either the main contract or its arbitration agreement. The UK Supreme Court held that where there is no law chosen to govern the contract or the arbitration agreement, the law governing the latter would be the law of the seat – in this case, English law – as this is the law with which the dispute resolution clause is most closely connected.

On this basis, by a majority the judges affirmed that the Court of Appeal had been right to grant an anti-suit injunction ordering the halt of court proceedings that Chubb had brought against Enka in Moscow in the wake of a fire that caused severe damage at the power plant construction site in 2016.

Finally, the highlight in the branch's social calendar is the Annual Members' Evening which is usually held in the fourth quarter of the year. In light of the continued restrictions on gatherings, we will not be holding the event this year. Do however check out the branch webpage <http://www.ciarb.org.sg/> for updates on other upcoming events and courses.

Paul Sandosham, Chairman