

The Chartered Institute of Arbitrators (Singapore)

Course Information

ACCELERATED ROUTE TO FELLOWSHIP
24 & 25 JANUARY 2019, SINGAPORE



10.5 Public CPD Points

Practice Area: Alternative Dispute Resolution

Training Level: Advanced



What is the aim of the module?

To provide a fast-track route towards Fellowship through the International (i.e. non-domestic) Arbitration Pathway. The Accelerated Route Towards Fellowship has been designed for busy, legally qualified professionals who have substantial unassessed knowledge and experience of international arbitration. The aim of the programme is to assess whether the candidate has the knowledge required to apply the principles and procedure of international arbitration using arbitration legislation based on the UNCITRAL Model Law and Arbitration Rules and is capable of progressing to Module 4 – International Arbitration Award Writing. Candidates must evaluate their personal suitability to undertake the programme, appreciating that the assessments are intensive and that they will be assessed against standard benchmarks. This programme focuses on the process, practice and procedures in international arbitration – with the exception of writing a reasoned and enforceable Award. It is an essential requirement for qualification as a Fellow and for those who aim to practice as an arbitrator.

What are the learning outcomes?

On successful completion of this course candidates will be able to:

- Identify and explain in depth all the key elements of the international arbitration process;
- Evaluate issues and apply the principles of the UNCITRAL Model Law appropriately;
- Demonstrate practical skill in carrying out the tasks required in preparing for and progressing an international arbitration; □ Demonstrate skill in controlling an international arbitration, communicating effectively with the parties, applying the UNCITRAL Arbitration Rules and adopting appropriate procedures.

What is covered within the syllabus?

- Arbitration agreements;
- The legal framework: the importance of the seat, the New York Convention, procedural laws, and procedural rules; conflict of laws, the Rome Convention;
- The use and adoption by State entities of the UNCITRAL Model Law;
- The UNIDROIT Principles of International Commercial Contracts;
- Types of Arbitration: ad-hoc, institutional, documents only, time limited;
- Commencement of the arbitration, terms of reference;
- Obligations of the tribunal, responsibilities and obligations of the parties;
- The arbitrator's terms and conditions of appointment;
- An arbitrator's jurisdiction and powers;
- Challenges to jurisdiction, conflicts of interest;
- Managing the arbitration process: communications, preliminary meeting, interlocutory matters, dealing with factual and opinion evidence and disclosure of documents;
- Security for costs;
- Presenting the claim and the defence: alternative methods;
- Preparation for and procedure at a typical hearing, contrasting common law and civil law jurisdictions;
- Essentials of an enforceable award;
- Costs, offers and interest; alternative approaches in different jurisdictions.

Contact Us: To register for a course or for more information, please contact the Secretariat, CI Arb (Singapore) Branch
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How is the course delivered?

This is an assessment programme as opposed to a teaching module. Learning will be based on private study prior to the oral assessment workshop, reinforced by tutor input and peer discussion during the workshop. The programme is delivered over a period of two days, with assessment workshops on both days. The programme dates advertised are the dates when candidates will be required to attend the assessment workshops.

How will I be assessed?

Assessment of this programme is split into two parts, both of which must be passed:

- Assessment 1 - An interactive 2-day assessment in a series of workshops, where situations will be presented to candidates in groups for their consideration. Candidate's knowledge, judgment and interactive/self-presentation skills are assessed by oral exercises.
- Assessment 2 - Written exercises before and during the 2-day workshops:
 - one written exercise on arbitration law to be submitted before the assessment workshops (10%);
 - one written exercise on arbitration law to be submitted during the workshops (20%);
 - two written exercises to be submitted during the workshops (10% each);
 - one written exercise to be completed overnight (30%); and
 - a final written exercise (20%).

Details of the assessment are as follows:

- Assessment 1 (Oral Exercises). This assessment is on a pass or fail basis. Candidates must pass all the workshop sessions. Candidates who fail the workshop will be required to re-sit this assessment.
- Assessment 2 (Written Exercises). Candidates must achieve a minimum overall mark of 55% to pass this assessment.

Candidates are permitted to use any materials they wish throughout the workshops.

Results are dispatched to candidates normally eight to twelve weeks from the date of the submission of the examination.

What are the entry requirements?

In order to register for the Accelerated Route to Fellowship, candidates must:

- have successfully completed and passed Module 1 Law of Obligations and Civil Evidence, a relevant course offered by a CI Arb Recognised Course Provider or a course offered by a CI Arb Branch or have obtained an exemption through a relevant legal qualification such as a degree or diploma in law or hold a legal practice certificate;
- have substantial knowledge of international arbitration.

English Language Competence - CI Arb training and assessment is carried out in English it is therefore essential that candidates are proficient in both written and spoken English. Where English is not a candidate's first language it is recommended that they have achieved a standard that is, as a minimum, equivalent to the International English Language Testing System (IELTS) level 7 or a score of 94-101 in the Test of English as a Foreign Language (TOEFL) system. CI Arb issues this advice as a guideline and, while it will not require any evidence of this standard prior to enrolment on a course, candidates who do not have this standard of English may be disadvantaged.

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What is the course fee and what does it include?

The course fee is S\$2500 nett for CI Arb Member, S\$2700 for members from Supporting Organisations and S\$3000 for non-members. The fee includes registration on the course, the first attempt at the assessments, study materials and refreshments throughout the day.

What happens when I register for the course?

Upon successful registration on the programme, candidates will receive confirmation they are booked on the programme. Joining instructions and course materials will be sent to candidates approximately 2 weeks before the course start date by email.

Candidates will be provided with an electronic copy of a Workbook to assist them with their studies together with a suggested reading list. It is recommended that candidates are familiar with the UNCITRAL Model Law and Arbitration Rules and the substantive law in their respective jurisdiction together with the relevant Act(s) and Scheme(s) and important case decisions (where applicable). Candidates should also refer to the recognised standard text books to supplement their study in their respective jurisdiction where these are available.

What is CI Arb's policy on cancellation of courses?

CI Arb reserves the right to cancel or change the date, venue or content of programmes and the names of speakers, lecturers and tutors. Candidates will be provided with adequate notice of any change. If CI Arb has to cancel a course, candidates will be provided with a full refund or the opportunity to transfer their registration to the next course.

Should a candidate wish to cancel his or her registration of a course, notification must be received in writing to secretariat@ciarb.org.sg at least two weeks before the date the course is due to commence. If a candidate fails to give such notice, the CI Arb may apply a cancellation charge of 50% of the course fee or such other amount as it may in its sole discretion determine.

What is the Attendance Policy?

Participants who wish to obtain CPD Points must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, participants are reminded to sign in on arrival and sign out at the conclusion of each day of the event in the manner required by the organiser. Participants must not be absent from each day of the event for more than 15 minutes. Participants who attend Day 1 and comply strictly with the Attendance Policy on that day may obtain 5.5 Public CPD Points. Participants who attend Day 2 and comply strictly with the Attendance Policy on that day may obtain 5 Public CPD Points. Participants who do not comply with the Attendance Policy on any particular day of the event will not be able to obtain CPD Points for that day. Please refer to <http://www.sileCPDcentre.sg> for more information.

What is my next step when I complete the course?

On successful completion of this programme, candidates:

- may be eligible to claim CPD points.
- candidates will be eligible to apply for Member grade of CI Arb and take advantage of a range of educational and professional benefits
- may progress onto Module 4 of the International Arbitration Pathway.

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