

BICAM

OPENING CEREMONY AND CONFERENCE

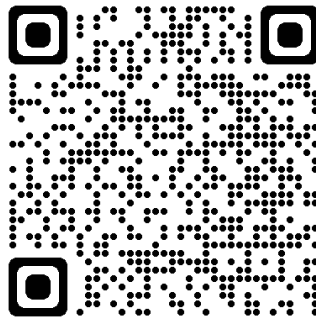
A NEW DAWN FOR ADR

FORMAT IN PERSON 

 20 July 2023 (Thursday)

 BICAM, Kota Kinabalu, Sabah

REGISTER NOW



BICAM
BORNEO INTERNATIONAL CENTRE
FOR ARBITRATION AND MEDIATION

Event Partners:

LEGAL
plus



Programme

LIMITED SEATS
AVAILABLE

12.30pm **Registration**

1.15pm **Welcoming Remarks by BICAM**

1.30pm

SESSION 1

Unveiling Lessons From The Past; Unearthing Strategies For The Future in ADR

This panel discussion aims to shed light on the invaluable past experience and lessons learned in ADR. The panellists will also provide participants with insights into the effectiveness of ADR as a dispute resolution mechanism in the evolving cross-border business landscape and its potential to shape the future.



Moderator: Dr. Colin Ong KC

Chartered Arbitrator and King's Counsel at 36 Stone (London), Eldan Law LLP (Singapore), Senior Partner at Dr Colin Ong Legal Services (Brunei) and Protem Council Member

Speaker:

Professor Steve Ngo | Founding President, Beihai Asia International Arbitration Centre, Singapore

Francis Xavier S.C. | Regional Head, Dispute Resolution Group, Rajah & Tann Singapore LLP

Foo Joon Liang | Partner, Gan Partnership

Shanti Abraham | Founder, Shanti Abraham & Associates

Janice Tay | Partner, Wong & Partners



2.45pm

Coffee Break

3.15pm

SESSION 2

Why Do You Choose Arbitration or Why Do You Not Choose Arbitration? – From the Perspectives of End Users, Parties' Representatives and Arbitrator

In today's dynamic business environment, arbitration continues to gain prominence as a preferred method of dispute resolution. Join us in this panel discussion as we explore the users' preferences and current trends in arbitral proceedings, arbitration agreement and procedural rules.



Moderator: Dato' Mah Weng Kwai

Retired Court of Appeal Judge of Malaysia, Consultant of MahWengKwai & Associates and Protem Council Member

Speaker:

Ir. Harbans Singh K.S | Principal, HSKS Dispute Resolution Chambers and Protem Council Member

Datuk Brenndon Keith Soh | Legal Advisor to the Chief Minister of Sabah

Datuk Nor Asiah Binti Mohd Yusof | State Attorney-General, Sabah

Datuk Mohd. Hanafiah Bin Mohd. Kassim | Permanent Secretary, Public Works Department Sabah

Crystal Wong Wai Chin | Partner, Lee Hishammuddin Allen & Gledhill



4.30pm

**BICAM Opening Ceremony and
Sunset Cocktail**

7.00pm

End

SESSION 1

Unveiling Lessons From The Past; Unearthing Strategies For The Future in ADR

MODERATOR



DR. COLIN ONG KC

Chartered Arbitrator and King's Counsel at 36 Stone (London), Eldan Law LLP (Singapore), Senior Partner at Dr Colin Ong Legal Services (Brunei) and Protem Council Member

Colin has a broad commercial, construction and corporate practice. His experience as counsel in arbitration, litigation and arbitrator cuts across a wide sector of commercial areas, including: banking, construction, insurance, mining, energy disputes, intellectual property, licensing, shipping and general commercial trade-related matters. He was the 1st ASEAN practising lawyer to be elevated to a Master of the Bench of the Inner Temple (2010) and to be appointed Queen's Counsel (now King's Counsel). He is listed as a top 30 elite arbitration practitioner by biennial Expert Guides: Best of the Best (2017/2019/2021). Ranked by Who's Who Legal ("WWL") as a Thought Leader in Arbitration, Construction and Litigation (2019-2023).

Colin regularly leads international law firm teams as well as sits as arbitrator in large quantum matters in seats around the World. He has acted as lead counsel for and against a number of national oil and gas companies as well as major international oil companies in both upstream and downstream oil and gas disputes. He has sat as arbitrator and/or acted as lead counsel in over 380 arbitrations under diverse arbitration rules including: AAA, BANI, CIETAC, HKIAC, ICC, KCAB, LCIA, LMAA, MNAC, OIC, PCA, SCMA, SIAC, TAI, UNCITRAL and WIPO. He is a visiting professor of both civil law and common law across different jurisdictions. He holds several legal qualifications including LLB (Sheffield), DipLCarb; LLM and PhD in law (Queen Mary, London) and professional fellowships including FCI Arb, FMI Arb, FSI Arb, SIME and SCIAB. He has been visiting professor at the University of Hong Kong, the National University of Malaysia, the National University of Singapore, the University of Malaya, King's College London, Universitas Indonesia, and Queen Mary, University of London. The cases on which he is instructed to act as lead counsel often raise complex jurisdictional and conflict of laws issues.

Colin is the youngest member of China's Supreme People's Court International Commercial Expert Committee. Vice Chair of the IBA Arbitration Committee; Chairman of International Advisory Boards of both THAC (Thailand) and JIART (Japan). Member of the ICC Taskforce on ADR and Arbitration and the ICC Taskforce on the New York Convention. He was a former consultant to the ASEAN Centre for Energy. He was a core drafter of the Malaysian PAM 2006 Standard Building Forms of Contract. Listed in all legal directories including Legal 500 English Bar (Asia-Pacific) Leading Silks in Construction (Tier 1); Commercial and Shipping.

Legal 500 Commercial Silks 2022:- "He is lethal in his case strategy and as a cross-examiner; he is surgical sharp like a par excellence surgeon."

Legal 500 Construction Silks 2022:- "a very charismatic advocate who is exceptionally creative."

Who's Who Legal Thought Leaders 2022:- "One of the most highly regarded arbitration practitioners in Asia. He is extremely well known as arbitrator and counsel."

SPEAKERS



PROFESSOR STEVE NGO

Founding President, Beihai Asia International Arbitration Centre, Singapore

Professor Ngo is an international arbitrator, academic and arbitration specialist. He is the founding President of Beihai Asia International Arbitration Centre, Singapore.

As an experienced practitioner, his professional and academic activities focus on Southeast Asia, East Asia and South Asia, the three key global economic growth regions. He has been consulted by both the private and public sectors on arbitration-related matters including being part of the legal team defending an Indonesian government ministry. He has also been consulted on potential investor-state arbitration, evaluating cases against and for the state party. He previously held independent expert and advisor roles on arbitration and dispute resolution matters for a Southeast Asian government body in relation to the mining & energy sector.

As a seasoned lecturer and speaker, he has delivered numerous lectures on arbitration and dispute resolution in the region throughout the region. He has a wide range of research interests in the area of international arbitration and dispute resolution which includes cultural elements in disputes settlement, arbitration reform, current trends and innovation in dispute resolution. He has authored many publications on arbitration and international dispute resolution, including a book on the UNCITRAL Model Law on International Commercial Arbitration written in the Indonesian language.

He is empanelled as an arbitrator in many arbitration centres in the region. At present, among others, he is an Advisory Board Member of the Centre of Alternative Dispute Resolution, National Law University, Delhi; Member of the Asia Advisory Board of the American Arbitration Association – International Centre for Dispute Resolution (AAA-ICDR); Member of the Advisory Board of Gujarat International Maritime Arbitration Centre (GIMAC) and Council Member of the Hong Kong International Mediation Centre. He is also a Common Room Member of Green Templeton College, University of Oxford.

He held a number of academic appointments among others, Distinguished Professor (Honorary) of the Rajiv Gandhi National University of Law; Honorary Professor, National Law University Delhi; Honorary Professor National Law University, Odisha; Honorary Professor, National University of Management, Phnom Penh; part-time Professor, Changzhou University, Shi Liang School of Law; Senior Visiting Fellow, Tongji Intellectual Property & Competition Law Research Center, Tongji University, School of Law. Previously he was Vice-Chairman, KIIT Arbitration Centre, KIIT School of Law; Visiting Professor, Atmajaya Catholic University Jakarta, School of Law; Visiting Professor, Universitas Padjajaran, Indonesia; International Visiting Professor, KIIT School of Law, Bhubaneswar; part-time Professor, Guangxi University for Nationalities; Visiting Scholar, Shanghai Academy of Social Sciences and Adviser of the University of London International Programmes, Postgraduate Law Programmes (International Dispute Resolution).



FRANCIS XAVIER S.C.

Regional Head, Dispute Resolution Group, Rajah & Tann Singapore LLP

Francis is Rajah & Tann's Regional Head of Disputes Group; he practises cross-border commercial litigation and international and treaty arbitration.

A veteran in the field, Francis has 33 years of legal practice and has a track record of being involved in novel and unprecedented cases. He has appeared before the SICC on numerous occasions (at both trial and appellate levels) and was in fact involved in the very first case heard before the SICC.

Francis is recognised as a leading disputes lawyer – Asia Law Profiles (2017-2022); Asia Pacific Legal 500 (2014-2019, 2021, 2022); Ranked Lawyers Chambers Global (2016-2022); Dispute Resolution Chambers Asia-Pacific (2016-2022); Best Lawyer in Litigation Practice, Best Lawyers International (2015-2020); Global Arbitration Review (2010); Best Litigation Lawyers in Singapore (2013); Asia Law Leading Lawyers (2009). He was recently named as one of Asia's Top 15 Litigators by Asian Legal Business (2021).

Francis was also recognised by Asia Business Law Journal 2018 as amongst Singapore's top lawyers and is the winner of a Business Excellence Award (2019) issued by Corporate Insider, the Gateway to the World of Business; named as a dispute resolution star by Benchmark Litigation Asia Pacific (2019-2022). He was recently ranked as a leading disputes lawyer by Chambers Asia Pacific (2020, 2022); Labour, Employment & Benefits, Who's Who Legal (2016, 2018, 2019); Who's Who Legal : Thought Leaders – Labour & Employment (2020); Who's Who Legal : Arbitration (2020, 2021); The Best Lawyers (2020 Editions) Singapore; the 5th Annual Global Business Edition of Best Lawyers (2020); Who's Who Legal : Litigation (2020, 2022).

He is a Chartered Arbitrator and also a Past Chairman of the Singapore branch of the Chartered Institute of Arbitrators. He is the immediate past global President of the Chartered Institute of Arbitrators and also the immediate Past President of the Inter-Pacific Bar Association.

He is the General Editor of two major publications - "Civil Litigation in Singapore" (Sweet & Maxwell, 2017) and "Arbitration in Singapore: A Practical Guide" (2nd Edition, Sweet & Maxwell, 2018).

SPEAKERS



FOO JOON LIANG
Partner, Gan Partnership

Joon Liang is a partner of Gan Partnership, a firm he co-founded in 2011. He is a Fellow of the Chartered Institute of Arbitrators, United Kingdom, (CI Arb), Fellow of the Singapore Institute of Arbitrators (SI Arb), and Fellow of the Hong Kong Institute of Arbitrators (HKI Arb).

Joon Liang is the Past Chairman of the Malaysian Branch of CI Arb. He sits on the panel of arbitrators and adjudicators of the Asian International Arbitration Centre and is appointed to the panel of arbitrators of the Hainan International Arbitration Court. He sits on the Securities Industry Dispute Resolution Center's panel of Adjudicators. He is a member of the ICC Malaysia Arbitration Committee.

Who's Who Legal says that "Foo Joon Liang has impressive experience in high-value construction disputes across litigation and arbitration proceedings." He is ranked as a Litigation Star in Construction, by Benchmark Litigation and is ranked in the Chambers Asia Pacific 2023 Dispute Resolution: Construction.

In recent years, Joon Liang has been focusing on engineering related disputes. Among the high-profile cases he led were the highly publicised failure of a hill slope in Penang and a bridge collapse in the Klang Valley. He also advises on major hydroelectric and infrastructure projects in the region.



SHANTI ABRAHAM
Founder, Shanti Abraham & Associates

Shanti Abraham holds an LLB (Honours) (National University of Singapore), a Diploma in International Arbitration and is a Fellow of the Chartered Institute of Arbitrators (FCI Arb). She has been called to both the Singapore and Malaysian Bar and presently practices in Kuala Lumpur. Her diverse practice ranges from corporate work to the whole range of dispute resolution from Litigation, Arbitration (Counsel and Arbitrator), Adjudication and Mediation - as a practising Mediator and Mediation Advocate. She also advises on structuring dispute resolution systems for effective problem solving.

She is an Arbitrator, Adjudicator and Mediator with the Asian International Arbitration Centre and an International Mediator with the Singapore International Mediation Centre and American Arbitration Association-ICDR, a Principal Mediator of the Singapore Mediation Centre and a Mediator with the Malaysian International Mediation Centre; Securities Industry Dispute Resolution Centre (SIDREC) and various other local and international panels. Apart from cross-border commercial mediation, Shanti also practices family-related mediation (including child-inclusive mediation).

Shanti is presently the Chairperson of the Investor-State Mediation Taskforce of the International Mediation Institute (IMI) and was a key thought leader of the Malaysian Covid 19 Mediation Initiative.



JANICE TAY
Partner, Wong & Partners

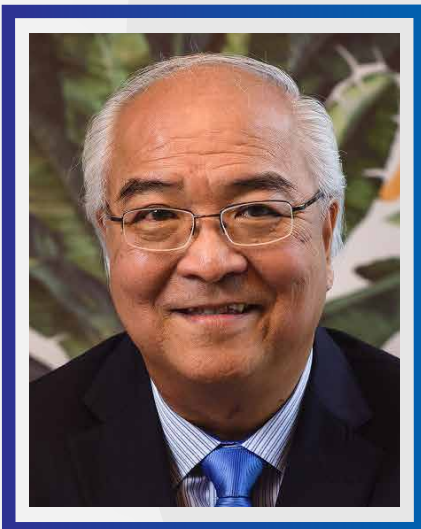
Janice is the head of the International Arbitration, and Construction and Engineering, team at Wong & Partners (member firm of Baker & McKenzie International).

She is a qualified Arbitrator, Mediator and Adjudicator, and is recognised by The Legal 500's Arbitration Powerlist - South East Asia region. She is the current Chair of CI Arb, Young Members Group.

SESSION 2

Why Do You Choose Arbitration or Why Do You Not Choose Arbitration? – From the Perspectives of End Users, Parties' Representatives and Arbitrator

MODERATOR



DATO' MAH WENG KWAI

Retired Federal Court Judge of Malaysia, Consultant of MahWengKwai & Associates and Protem Council Member

Dato' Mah Weng Kwai served as an officer in the Judicial and Legal Services from 1973 to 1985 and practiced as an Advocate & Solicitor for over two decades until 2009. He was appointed as a Judicial Commissioner of the High Court in 2010 and subsequently became a Judge of the High Court and the Court of Appeal in 2011 and 2012, respectively.

After retiring from the bench in 2015, Dato' Mah became a legal consultant, arbitrator, and mediator. He also holds important positions in various commissions and committees, including the Human Rights Commission of Malaysia (SUHAKAM), the Malaysian Aviation Commission (MAVCOM), the Malaysian Judicial Appointments Commission (JAC), the Institutional Reforms Committee (IRC), the Securities Industry Dispute Resolution Center (SIDREC), and the Advertising Standards Authority (ASA).

SPEAKERS



IR HARBANS SINGH K.S

Principal, HSKS Dispute Resolution Chambers and Protem Council Member

Ir. Harbans Singh KS. is a Professional and Chartered Engineer. Chartered Arbitrator, Mediator, and Adjudicator. Called to the Malayan Bar in 1995, he is, at the moment, however, not in active practice as an Advocate & Solicitor. He commenced his career with the Public Works Department (JKR), Malaysia, before joining an international German consultancy practice with whom he worked locally and then in Koblenz as a designer, resident engineer and contract administrator Later. Ir. Harbans served with a local consultancy firm in various professional capacities and presently is heading HSH Consult Sdn. Bhd and HSKS Dispute Resolution Chambers. He is a regular contributor to "The Ingenieur", "The Malayan Law Journal", "The Law Review" and other publications and is the recipient of a number of awards, including IEM's Tan Sri Hj. Yusoff Prize for an outstanding Technical Paper (2001), the Cedric Barclay Award and the Chartered Institute of Arbitrator's Award for the Diploma in International Commercial Arbitration examination (2003). Ir. Harbans is also the author of a series of four books entitled "Harbans' Engineering and Construction Contracts Management", co-author of "Construction Law in Malaysia", "Law and Practice of Mediation" and "The PAM Contract 2006", a contributor to 'The Malaysian Standard Precedents and Forms (Vol. N)' and is a regular speaker at courses/seminars and conferences both locally and internationally.



DATUK BRENNDON KEITH SOH

Legal Advisor to the Chief Minister of Sabah

Datuk Brenndon Keith Soh, JP is a highly accomplished legal professional with a distinguished civil litigation and corporate law career. He holds a Bachelor of Laws LLB (Hons) degree from the University of Leeds, and subsequently completed the Bar Vocational Course at the Inns of Court School of Law, London. In the year 2000, he was called as an Advocate to the High Court in Sabah and Sarawak in Kota Kinabalu, where he commenced private practice. He has appeared in all levels of the Malaysian courts having advised and acted in a broad spectrum of disputes involving land matters, claims in contract and tort, judicial review, constitutional law, construction, company and shareholder disputes and intellectual property. He is a regular conference speaker and an advocacy trainer with the Borneo Advocacy Training Centre.

He was elected as the President of the Sabah Law Association in 2015 and was subsequently the inaugural President of the statutory body known as the Sabah Law Society in 2017. He later served as Sabah's State Attorney-General in 2020. Presently, he is the Legal Advisor to the Chief Minister of Sabah and having played a pivotal role in the Commercial Collaboration Agreement ("CCA") negotiations between the State Government of Sabah and PETRONAS on 07.12.2021 is also an Executive Director (Legal / Commercial) of the State owned oil and gas company, SMJ Sdn Bhd.

In addition to his esteemed legal roles, he sits on the Board of Trustees for WWF-Malaysia and serves as a Director for both Asian Supply Base Sdn Bhd and Sabah International Petroleum Sdn Bhd and is also an Alternate Director of Petronas LNG9 Sdn Bhd.

SPEAKERS



DATUK NOR ASIAH BINTI MOHD YUSOF

State Attorney-General, Sabah

Datuk Nor Asiah holds the esteemed position of State Attorney-General of Sabah, a role that demands the highest level of legal expertise, integrity, and commitment. Her journey to this influential position has been marked by a series of remarkable achievements and an impressive academic background.

Datuk Nor Asiah graduated with a Bachelor of Laws with Honors from the renowned International Islamic University in Malaysia. Armed with her exceptional legal education, she embarked on a professional career that has left an indelible mark on the legal landscape of Sabah.

Her journey in the legal field began in 1995 as a legal officer in the Ministry of Tourism, Culture, and Environment. In 2004, she took on the responsibility of a legal officer for the Ministry of Finance, where her dedication and expertise were recognized by her colleagues and superiors.

In 2013, she was entrusted with the significant role of heading the litigation division, a testament to her exceptional legal acumen. Her dedication to the pursuit of justice and excellence led her to be appointed as the Deputy State Attorney-General Chambers of Sabah on July 5th, 2018, a position that further solidified her reputation as an exceptional legal mind.

Since December 2020, Datuk Nor Asiah has been serving as the State Attorney-General Chambers of Sabah, bringing her wealth of experience and knowledge to bear in this critical role. Her contributions have not been limited to the legal realm alone. She has also been actively involved in various state government appointments, demonstrating her commitment to the progress and development of Sabah.

Among her notable appointments, she serves as a Member of Majlis Tertinggi Ugama Islam Sabah, Board of Director of SEDCO, Board of Director of SAFODA, Board of Director of SEDIA, Board of Director of Invest Sabah, Board of Director of Qhazanah Sabah Berhad, Board of Director Tanjung Aru Eco Development, Board of Director Perdagangan & Pelancongan Sabah, Member of Energy Commission of Sabah, and a Member of Majlis Pembangunan Teknologi and Inovasi Sabah.



DATUK MOHD. HANAFIAH BIN MOHD. KASSIM

Permanent Secretary, Public Works Department Sabah

Datuk Mohd. Hanafiah is the Permanent Secretary for the Sabah Ministry of Works Sabah since the end of July 2022 to date. Prior to this office, he was the Deputy Permanent Secretary for the Sabah Ministry of Finance for about two and a half years. He was also the Deputy State Secretary (Administration) from January 2019 until the end of May 2020. For about twenty years prior, Datuk Hanafiah was attached with the State Attorney General Chambers Sabah as Senior State Counsel in the Litigation Divisions.



CRYSTAL WONG WAI CHIN

Partner, Lee Hishammuddin Allen & Gledhill

Crystal is a Partner of Lee Hishammuddin Allen & Gledhill. She has an active arbitration practice throughout Malaysia, Singapore and the ASEAN region, with an emphasis on electricity, conventional and renewable energy generation, water supply, and complex infrastructure & engineering projects. She is a trusted advisor to clients comprising of utility companies, independent power producers, government-linked companies and multinational companies. Her experience includes an extended stint with a leading international utilities conglomerate.

Crystal is a Fellow of the Chartered Institute of Arbitrators (CIArb) and sits on the panel of arbitrators for the Asian International Arbitration Centre (AIAC) and Chinese Arbitration Association, Taipei. Crystal also holds numerous committee appointments, including Committee Member of the Arbitration Committee for the Bar Council of Malaysia, Honorary Secretary and a Director of the CIArb, Malaysia Branch. She is also the sole member from Malaysia of the Rising Arbitrators Initiative, and the founder of the Malaysian Chapter of Energy Related Arbitration Practitioners. Crystal's contribution to publications and speaking engagements, particularly on arbitration and energy, have spanned national and international conferences and have been included in various books and journals.

Having grown up in Sandakan, Sabah, Crystal has a deep connection to the region and is dedicated to promoting the growth and development of Alternative Dispute Resolution (ADR) in this area.