

Circular No 240/2022
Dated 12 Aug 2022



1, 8 and 15 Sept 2022 | 3:00 pm to 5:15 pm

CPD **Bridges** | In Collaboration with The Malaysian Institute of Arbitrators ("MIArb")

A Three-Part Course: Introduction to Arbitration

The Bar Council Continuing Professional Development ("CPD") Department, in collaboration with MIArb, is delighted to bring you an exciting opportunity to learn about the fundamentals of arbitration. This CPD on-site course consists of three sessions – each session will cover an overview of the different stages involved in a typical arbitration proceeding.

Venue | Raja Aziz Addruse Auditorium, Level 2, Wisma Badan Peguam Malaysia

 Member of the Bar & Member of MIArb | RM90
Pupil in Chambers & Law Student | RM50
Non-Member | RM180

2 CPD Points (Each Session)



**KAREN
NG GEK SUAN**



**EDWARD
KURUVILLA**



**WAI
CHAN MING**



**ALLEN
CHENG PENG HAN**



**MUHAMMAD
SUHAIB IBRAHIM**



**NINA
LAI JIAN XIAN**

Overview

The Bar Council Continuing Professional Development ("CPD") Department, in collaboration with The Malaysian Institute of Arbitrators ("MIArb"), is delighted to bring you an exciting opportunity to learn about the fundamentals of arbitration. This CPD on-site course consists of three sessions – each session will cover an overview of the different stages involved in a typical arbitration proceeding.

Part 1: Introduction, Arbitration Agreements, Seat of the Arbitration, and Appointment of Arbitrator & Jurisdiction

CPD Code: T3/01092022/BC/BC221095/2

Participants stand to gain an understanding of the origins of arbitration; the differences between arbitration and litigation; what constitutes an arbitration agreement; the concept of the seat of the arbitration and its significance; and the appointment, jurisdiction, and powers of the arbitral tribunal.



Trainers: **Karen Ng Gek Suan** and **Edward Kuruvilla**

Part 2: Commencement of Arbitration and Arbitration Proceedings

CPD Code: T3/08092022/BC/BC221096/2

Participants stand to gain an understanding on how an arbitration is commenced; pre-hearing proceedings (including preliminary meetings, pleadings, discovery, and interim reliefs); and the hearing process (including the representation of parties, evidence, conduct of proceedings and examination of witnesses, and time-saving mechanisms).



Trainers: **Wai Chan Ming** and **Allen Cheng Peng Han**

Part 3: Arbitration Award, Challenge, and Enforcement

CPD Code: T3/15092022/BC/BC221097/2

Participants stand to gain an understanding of the object and definition of an award; types of awards; forms and substantive requirements of an award; and the correction, challenges, and enforcement of awards.



Trainers: **Muhammad Suhaib Ibrahim** and **Nina Lai Jian Xian**

Trainers



Karen Ng Gek Suan is a building and construction lawyer based in Kuala Lumpur. She regularly advises on construction contracts, and represents clients in courts and in arbitration, adjudication and Royal Commission of Enquiry proceedings. Karen completed her pupillage at Skrine and continued her practice in Kuala Lumpur, and then regionally as a foreign lawyer in Singapore. In 2012, Karen joined Azman, Davidson & Co and was a partner in their Building & Construction Practice Group from 2015 to 2021. In 2022, Karen established her current legal practice, Karen, Mak & Partners. Karen is also an arbitrator, adjudicator, and mediator empanelled with the Asian International Arbitration Centre (“AIAC”) and Malaysian

Mediation Centre. She is also the Past Deputy President of MIArb (2017–2019); the current International Chamber of Commerce (“ICC”)-YAAF Representative for Malaysia; and a Panel Member of AIAC Academy of Tutors.



Edward Kuruvilla’s practice covers all areas of dispute resolution including arbitration, mediation, and negotiation. He regularly appears at all levels of the Malaysian Courts. An avid writer, Edward Kuruvilla works closely with various leading law publications as an author and a contributor. Edward Kuruvilla is presently a Council Member of MIArb, elected to serve until 2022. He is also an accredited mediator with the Malaysian Mediation Centre.



Wai Chan Ming is a partner of Contract Solutions i PLT Malaysia. He is a quantity surveyor by training with over 26 years of working experience with consultants, developers, and contractors. He joined several construction and consultant companies in performing contract administration and quantity surveying duties for numerous building works contracts.

Chan Ming holds qualifications both in quantity surveying and construction law. He is a Fellow of the Royal Institution of Chartered Surveyors (UK), the Chartered Institute of Arbitrators (UK), the Chartered Association of Building Engineers (UK), MIArb, the Malaysian Society of Adjudicators, and the Asian Institute of Alternative Dispute Resolution. He is a Member of the Chartered Institute of Building (UK), The Academy of Experts (UK), the Australian Institute of Quantity Surveyors, and the Canadian Institute of Quantity Surveyors. He is empanelled as an arbitrator with MIArb, AIAC, and Thailand Arbitration Center (“THAC”). He is certified to act as an adjudicator for statutory adjudication under the Construction Industry Payment and Adjudication Act 2012 (“CIPAA”) in Malaysia. He is also the Honorary Treasurer of MIArb.



Allen Cheng Peng Han is currently a junior partner at Azman, Davidson & Co where he is practising in civil and commercial litigation and arbitration. Throughout his years of practice, he has acted for and advised various developers and contractors in litigation, adjudication, and arbitration proceedings with a main focus on construction-related disputes.

Allen has experience in drafting and amending construction contracts, and advising his clients regarding standard forms of construction contracts such as PAM, PWD, and FIDIC forms.

Apart from construction-related matters, Allen has also assisted and advised his clients on, amongst others, landlord-tenant disputes, defamation claims, foreclosure of land, winding up issue, and insurance claims.



Muhammad Suhaib Ibrahim is a commercial litigator who primarily practises in areas of civil and commercial litigation, international and domestic arbitration, corporate litigation and shareholders’ disputes, estate disputes, fraud, and asset recovery. He is a member of the Halal Practice Group in Skrine and is also a current Council Member of MIArb.

He has appeared as junior counsel in domestic and international arbitration under both AIAC and ICC Rules. He has also been involved in arbitral-related court proceedings such as applications to set aside and enforce arbitral awards.

Suhaib is presently part of a team acting for a beneficiary in a cross-border estate dispute surrounding assets in Malaysia, Hong Kong, and Shanghai.

He also has experience acting in fraud and asset recovery disputes, including obtaining interim injunctions, and freezing and search orders. He regularly works with various law firms in Singapore, United Kingdom, and the British Virgin Islands.



Nina Lai Jian Xian is a senior associate of Shook Lin & Bok, Kuala Lumpur. Her areas of practice include arbitration, building, construction and engineering, dispute resolution, and privacy and data protection. She has experience in advisory, drafting and counsel work on a variety of disputes. She has handled and managed arbitration and related court proceedings, adjudication and related court proceedings under CIPAA, court proceeding and court-assisted mediations relating to construction, contractual, and tortious disputes. In recent years, she has contributed to various publications on construction law and dispute resolution. She is a Member of MI Arb and is currently its Honorary Secretary for the term 2021-2023. She is also part of the Editorial, Publicity and Public Relations Committee of MI Arb.

If you have any enquiries, please email us at: cpd.events@malaysianbar.org.my

Issued by:
Jaspal Singh Gill and Richard Wee Thiam Seng
Co-Chairpersons
Professional Standards and Development Committee



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- Points for the CPD Scheme will not be awarded to Members of the Bar and pupils in chambers who arrive more than 15 minutes late, are not present throughout the event, or leave before its scheduled end.