



East Asia  
Branch

**CI Arb**

## **Branch Chairman Report 2015/2016**

### **Highlights of 2015/2016**

The East Asia Branch Affairs are run by a Committee comprising of 16 elected members and 1 ex-officio who hold the following positions:-

Committee Chair	Richard Leung
Immediate Past Chair	Christopher To (ex-officio)
Vice Chairs	David Fong and Mary Thomson
Branch Secretary/Deputy Sec	Edward Chow and Nicholas Turner
Branch Treasurer	Lawrence Lee
Public Relations Officer	Fan Yang
Other members	Paul Barrett, Louise Barrington, Martin Doris, Kanice Chan, Cordia Yu, Joseph Leung, Kanice Chan, Helen Au, Kim Barton

Other than the above, we have a number of sub-committee with members helping us in carrying out various activities.

### **Membership**

As at March 2016, the total Branch membership stood at 1768. Out of these, 460 (26 %) were associates, 892 (50%) were members and 416 (24%) were fellows. A table showing the distribution of branch membership around the region is set out below.

<u>Region</u>	<u>No as of March 2016</u>	<u>No as of March 2015</u>
Australia	0	2
Cambodia	2	0
China	98	86
Hong Kong	1452	1428
Indonesia	47	43
Japan	57	55
Korea	34	29
Macau	5	7
Philippines	43	37

Sri Lanka	1	1
Taiwan	14	15
USA	0	2
Singapore	1	0
UK	5	3
Vietnam	9	6
<b>Total</b>	<b>1768</b>	<b>1714</b>

The Branch had about 1714 in March 2015. There was a growth of 54 members (3.15%).

The Branch had recently completed a few training courses in HK, Macau and Shanghai in late 2015 and early 2016. Results have only been recently published and it is expected that more members would join the Chartered Institute (and be members of EAB) soon.

Thanks are due to Cordia in taking care of the membership affairs.

#### **Financial Position**

According to the Branch Treasurer Pack prepared and submitted to CI Arb for the 12 calendar months in year 2015, the Branch made a small surplus of HK\$28,888.

The funds available as at Dec 2015 stood at about HK\$2.37M. Upon the completion of the training courses held in late 2015/early 2016, the Branch now has funds in the bank of about HK\$3M. The Branch is financially healthy.

Thanks are due to Lawrence in taking care of the finance for the Branch.

#### **Professional Development & Training**

For arbitration assessment courses, the Branch had been holding courses leading to various grades of membership including:-

- (i) an ARF in April 2015
- (ii) an award writing examination held in August 2015 in HK and Beijing
- (iii) an ARM in HK in November 2015
- (iv) an entry course in HK for HKIE in November 2015
- (v) Both entry and ARM courses in Macau in Nov/Dec 2015
- (vi) as mentioned earlier, an ARM course held in Shanghai in March 2016 as well

Thanks are due to Paul, Mary, Christopher, Fan, David and others for planning and organizing the courses from time to time.

## **Mediation**

Since 2010, the Branch had collaborated with other professional bodies and joined the JMHO for promoting mediation awareness. And the Branch had also joined the Guangzhou HK & Macau Mediation Alliance to promote mediation in the Pearl Delta regions and Qianhai.

From time to time, there were conferences held in HK and/or PRC in which the Branch had shown its support and provided speakers thereat.

In the years to come, the Branch would explore the possibility of providing also regular training courses under the CIArb Mediation Route in HK (and of course with the accreditation from HKMAAL if possible).

Thanks for Lawrence who sat on those collaboration committees for the Branch.

## **Programme**

Our evening talks on international arbitration topics were being well attended over the year. Since May 2015 to present, we have held about 9 evening seminars/talks (not counting the seminars held by the YMG) with a fellow cocktail in Hong Kong so far. These talks covered a wide variety of topics such as: commercial courts and arbitration, land premium arbitration, issues regarding *res judicata* in arbitration, sharpening the edges of HK as the seat for arbitration, cross-examination of expert witnesses, adjudication and so on.

Other than that, some other new topics such as investment arbitration would be looked into as there may be a growing demand for investment arbitrations.

Besides, the Annual Dinner recently held on 9 March 2016 was very well attended with over 180 people. The Branch was honoured to have the International President of the Chartered Institute of Arbitrators Datuk Professor Sundra Rajoo to be the guest speaker.

Thanks are due to Kim, Edward and their subcommittee members for management of the programmes particularly in seeking guest speakers from time to time and arrangement of all these events.

## **Regional & Chapter Development**

The Branch had continued and extended its programme of activities throughout the East Asia Region: Indonesia, Japan, Philippines, Taiwan, Korea and the PRC. Local chapters/committees/convenors manage affairs in each territory which communicate and report to the Branch from time to time.

Besides the courses mentioned in PD&T above, an entry course was held in Cambodia in October 2015, an ARM was held in Indonesia in December 2015,

Thanks are due to Mary and David for their leadership of the Regional Sub-committees.

### **Young Members**

The Branch's YMG is also very busy organizing talks and social events. Since May 2015, the YMG has organized about 18 events in Hong Kong so far comprising of academic talks, site visits, university promotions and the popular flagship event, i.e. the Annual Party.

Thanks are due to Helen, Gina and Lawrence for their enthusiasm and dedication.

### **Vis East Moot**

The Willem C. Vis (East) International Commercial Arbitration Moot was at its 13<sup>th</sup> year. A total of 115 teams took part in March 2016 Moot. The moot has made Hong Kong a popular attraction from renowned arbitrators/lawyers coming over to HK as judges and students from almost all over the world.

Thanks are due to Louise in taking care of the Vis East affairs.

### **Conference**

The Branch had completed the Centenary Celebration in March last year and did not hold any big conference during this term. However the Branch has resolved to hold Biennial Conference within various regions within the Branch and the 1<sup>st</sup> one will be held in Beijing in September 2016 in collaboration with CIETAC. Further information would be released in due course.

### **Publication and Website**

The Branch continues to be represented on the Editorial Board of "Asian Dispute Review" journal.

The Branch website had been revamped in 2015 and updated regularly.

The Branch newsletters continue to be published quarterly. We have often made contributions on our programmes to the Institute quarterly journal "Resolver".

Thanks are due to Paul, Helen, Kancie for managing all these.

### **Institute Representation**

The Branch continues to hold important positions within the Institute. Mr. Anthony Houghton SC

represents the East Asia region on the Board of Trustees.

### **Government Representation and Consultation**

The Branch continues to be appointed by the government on various consultation committees concerning arbitration and/or mediation.

During this term, the Branch had made 2 submissions in relation to the security of payment legislation consultation and the third party funding consultation.

### **Vote of Thanks**

We would like to take this opportunity to thank all committee members, subcommittee members, guest speakers on various talks and all Branch members for their support and active participation in the past session.

### **Development Business Plan 2016**

In the near future, the Branch would be providing education training and other CPD programmes including talks, events, workshops and building relations with universities and other professional bodies.

The Branch would keep on responding to government consultations on various changes and issues related to arbitration and ADRs.

The Branch would also attempt to collaborate and develop partnerships with the business, law, construction and maritime communities, organize events, gatherings and YMG activities as well as various arbitral bodies (locally and internationally) with a view to foster better relationships and to promote HK as the international arbitration and dispute resolution centre.

The Branch had submitted an application for space in the West Wing government building. It is expected that the allocation result will come out soon. The Branch intends to have a small office to be set up so as to provide better services to members within the Branch. There will be a certain amount of capital expenditure to be incurred in that regard, if the Branch is granted with space in the West Wing.

Richard Leung  
Branch Chair  
April 2016