

**THE CHARTERED INSTITUTE OF ARBITRATORS (EAST ASIA BRANCH)  
MINUTES OF THE 49<sup>th</sup> ANNUAL GENERAL MEETING  
HELD ON THURSDAY, 22<sup>nd</sup> APRIL 2021  
AT HONG KONG INTERNATIONAL ARBITRATION CENTRE  
AND BY ZOOM**

Mr Nicholas Turner, Branch Chair, chaired the meeting.

The meeting was attended by Mr Nicholas Turner (Branch Chair), Mr David Fong (Branch Vice-Chair), Ms Helen Au (Branch Secretary), Mr Donovan Ferguson (Deputy Branch Secretary), Mr John Cock (Branch Treasurer), Mr Richard Leung, Mr David Luk, Mr Christopher To, Mr Micky Yip, Ms Karen Mills, Ms Gina Leung, Mr Chun Wai Ling, Mr Jagmeet Makkar, Ms Saniza Othman, Ms Anny Wong, and other Branch members.

Mr Nicholas Turner welcomed the members, and confirmed that there were sufficient members present to form the quorum. The Annual General Meeting commenced at 6:15 pm.

The following business was conducted:-

**1. To approve the Minutes of the 48th Annual General Meeting**

1.1 The Minutes of the 48<sup>th</sup> Annual General Meeting were posted on the Branch website prior to the meeting, with an additional link to the PDF copy being made available on Zoom (included as **Annexure A** to these minutes).

1.2 The Branch Chair invited comments and none were made. The Minutes were taken as read.

1.3 A motion to approve the minutes was proposed by Saniza Othman, and seconded by Anny Wong.

1.4 The motion was passed unanimously.

**2. To receive the Branch Chair's Report**

2.1 The Branch Chair's Report was posted on the Branch website prior to the meeting, with an additional link to the PDF copy being made available on Zoom. The Branch Chair briefly went through his report, which is included as **Annexure B** to these

minutes. The Branch Chair invited queries and/or comments on the report and none were made.

2.2 The Branch Chair thanked all committee members.

2.3 A motion to approve the Branch Chair's Report was proposed by John Cock, and seconded by Karen Mills.

2.4 The motion was passed unanimously.

### **3. To receive the Financial Statement of the Branch for the period ending 31<sup>st</sup> December 2020**

3.1 The Financial Statement of the Branch together with the Hon Treasurer's Note, was posted on the Branch website prior to the meeting, with an additional link to the PDF copy being made available on Zoom (included as **Annexure C** to these minutes). The Branch Treasurer gave a brief presentation highlighting the key issues, and commented that the Branch was financially healthy with a deficit for 2020 of just over HK\$330,000 leaving net assets of around HK\$4.498 million.

3.2 The Branch Treasurer presented the financial statement in greater detail and explained that in 2020, as was the case last year, EAB did not receive the subvention from 12 Bloomsbury Square, pursuant to the "new funding model introduced by the Trustees from 2019 onwards. EAB had budgeted a deficit of about HK\$1.5 million, so the actual deficit was substantially less than what was budgeted. The reason for this was because (i) the costs of the fitting-out of West Wing had yet to be incurred; (ii) branch office administration and event expenses was less than budgeted (having events been either cancelled or moved online at no expense as a result of COVID-19 restrictions); (iii) course profitability was higher than forecast. Overall this meant that the operating costs of the Branch were lower than anticipated.

3.3 A motion to approve the accounts was proposed by Karen Mills, and seconded by Christopher To.

3.4 The motion was passed unanimously.

#### **4. To elect members of the Branch Committee**

4.1 The Branch Secretary explained that as the nominations received exceeded the available positions on the Branch Committee, a vote was deemed necessary and has been conducted.

4.2 The Branch Secretary reported on the Independent Scrutineer's Report on the Election of Branch Committee Members for the year 2021/2022 dated 20<sup>th</sup> April 2021, and offered to make a copy available to members, if requested at the meeting.

4.3 The procedures agreed upon as set out in the Scrutineer's Report are as follows:-

- (a) To receive voting papers by post or e-mail.
- (b) To review the voting papers received on or before 14<sup>th</sup> April 2021 and examine for votes for 5 or less candidates.
- (c) To check the name of electors with the membership list provided by the Branch.
- (d) To check the e-mail address of those replies by e-mail are registered with the Branch Secretary as one of the instructions set out in the voting papers.
- (e) Those voting papers received after 14<sup>th</sup> April 2021 will not be taken into account for election purposes.
- (f) To count and record the number of votes in favour of each candidate.

4.4 On the basis of the agreed procedures, it was confirmed:-

- (a) A total of **66** ballot papers were received on or before 14<sup>th</sup> April 2021.
- (b) **1** ballot paper was rejected on the ground that the membership of the elector was invalid.
- (c) **3** ballot papers were rejected on the ground that the e-mail address of the electors were invalid.
- (d) **1** ballot paper was rejected on the ground that no proper indication of "X" or "√" on the voting paper.

- (e) A total of **61** ballot papers were taken into account for the election.
- (f) **2** ballot papers were rejected on the ground that the voting papers were received after 14<sup>th</sup> April 2021.

4.5 The conclusion showed the total number of votes in favour of each candidate, in accordance with the information contained on the above-mentioned **61** ballot papers.

4.6 The Branch Secretary then read out the election result of the Scrutineer's Report, i.e. the number of valid votes in favour of each of the candidates (in alphabetical order, by surname):-

1.	Arie Eernisse	12
2.	Arif Edison	8
3.	Mingchao Fan	37
4.	Donovan Ferguson	42
5.	Gina Leung	30
6.	Tim Yimin LIU	25
7.	Jagmeet Makkar	21
8.	Karen Mills	22
9.	Saniza Othman	20
10.	Andrew Rigden Green	18
11.	Edward Mark Taylor	16

4.7 Accordingly, the list of the Elected Branch Committee Members (2021/2022) shall be as follows (in alphabetical order, by surname):-

1.	Stephen <u>CHU</u>	
2.	John <u>COCK</u>	
3.	Mingchao <u>FAN</u>	(re-elected)
4.	Donovan <u>FERGUSON</u>	(newly elected)
5.	David <u>FONG</u>	
6.	Gina <u>LEUNG</u>	(newly elected)
7.	Glenn <u>HALEY</u>	

8. Lawrence LEE
9. Richard LEUNG
10. Tim Yimin LIU (newly elected)
11. David LUK
12. Karen MILLS (newly elected)
13. Christopher TO
14. Nicholas TURNER
15. Albert YEU
16. Micky YIP

## **5. To appoint the Honorary Auditors**

5.1 The Branch Chair offered a vote of thanks to Messrs Bakers Tilly Hong Kong Limited, who had acted as the auditors for the past year.

5.2 A motion to appoint Messrs Baker Tilly Hong Kong Limited as honorary auditors for the forthcoming year was proposed by Robert Wachter, and seconded by Christopher To.

5.3 The motion was passed unanimously.

## **6. To transact any other necessary business**

6.1 David Fong moved a vote of thanks to the Branch Chair and outgoing members. The motion was passed.

6.2 There being no other business, the meeting formally closed at 6:42 pm.

Nicholas Turner

Branch Chair 2020/2021