

**THE CHARTERED INSTITUTE OF ARBITRATORS (EAST ASIA BRANCH)**  
**MINUTES OF THE 50<sup>th</sup> ANNUAL GENERAL MEETING**  
**HELD ON THURSDAY, 28<sup>th</sup> APRIL 2022**  
**AT HONG KONG INTERNATIONAL ARBITRATION CENTRE**  
**AND BY ZOOM**

Mr David Fong, Branch Chair, chaired the meeting.

The meeting was attended by Mr David Fong (Branch Chair), Mr Chris To (Branch Vice-Chair), Mr Donovan Ferguson (Branch Vice-Chair and Branch Secretary), Mr John Cock (Branch Treasurer), Mr Nicholas Turner (Past Chair), Mr Paul Barrett, Mr Stephen Chu, Mr Glenn Haley, Mr Lawrence Lee, Mr David Luk, Mr Jagmeet Makkar, Ms Karen Mills, Ms Saniza Othman, Mr Ronald Pang, Mr Albert Yeu and Mr Micky Yip, and other Branch members.

Mr David Fong 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 49th Annual General Meeting**

1.1 The Minutes of the 49<sup>th</sup> Annual General Meeting were posted on the Branch website prior to the meeting (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 Lawrence Lee, and seconded by Saniza Othman.

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. The Branch Chair briefly went through his report (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 Jagmeet Makkar, 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 2021**

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 (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 end of 2021 of just under HK\$180,000 leaving net assets of around HK\$4.3 million. The Branch is still financially robust.

3.2 The Branch Treasurer presented the financial statement in greater detail. EAB had budgeted a higher deficit than that which was actually incurred. The reasons for this were because (i) the costs of the fitting-out of West Wing had yet to be incurred (but would be in the coming year); (ii) Branch expenses for production of the Asian DR journal, newsletter and website were substantially lower than budgeted; (iii) course profitability was higher than forecast even though the number of courses was lower. 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 Lawrence Lee, and seconded by Albert Yeu.

3.4 The motion was passed unanimously.

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

4.1 There were record nominations this year. Some of the highest number of votes cast ever in elections occurred. Previous years saw 61, 181, 43, 176 and 49 voting papers counted.

4.2 The Branch Secretary explained that as the 13 nominations (the highest we have received) received exceeded the available positions of 5 on the Branch Committee, a vote was deemed necessary and has been conducted.

4.3 The Branch Secretary reported on the Independent Scrutineer's Report on the Election of Branch Committee Members for the year 2022/2023 dated 26<sup>th</sup> April 2022, and offered to make a copy available to members, if requested following the meeting.

4.4 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 20<sup>th</sup> April 2022 and examine for votes for 5 or less candidates.
- (c) To check the name of electors with the membership list provided by the Branch as at the date of close of elections.
- (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 20<sup>th</sup> April 2022 will not be taken into account for election purposes.
- (f) To count and record the number of votes in favour of each candidate.

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

- (a) A total of **205** ballot papers were received on or before 20<sup>th</sup> April 2021.
- (b) **21** ballot papers were rejected.
- (c) The reasons were that voters did not have valid membership, the voting papers selected more than 5 candidates, the voting papers were sent from an account which was not registered with the Branch Secretary, the voting papers were not sent to the correct email account, the voting papers did not correctly mark which candidates were voted for and the voting papers were received after the deadline for voting.

(d) A total of **174** ballot papers were taken into account for the election.

4.6 The conclusion showed the total number of votes in favour of each candidate, in accordance with the information contained on the above-mentioned **174** ballot papers.

4.7 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):-

		Number of votes in favour of the candidates
1.	CHAN, Ka Sing (Vod)	53
2.	COCK, John	59
3.	DIMSEY, Mariel	40
4.	FONG, David	100
5.	LEE, Thomas	37
6.	OTHMAN, Saniza	32
7.	PANG, Ronald	49
8.	TAM, Tsun Ki (Lawrence)	69
9.	TURNER, Nicholas	47
10.	WACHTER, Robert	24
11.	YEU, Albert	72
12.	YIP, Micky	84
13.	ZHANG, Yulin (Jerry)	60

4.8 Accordingly, the list of the Elected Branch Committee Members (2022/2023) shall be as follows (in alphabetical order, by surname):-

1. Stephen CHU
2. Mingchao FAN
3. Donovan FERGUSON
4. David FONG (re-elected)
5. Gina LEUNG
6. Glenn HALEY

7. Lawrence LEE
8. Richard LEUNG
9. Tim Yimin LIU
10. David LUK
11. Karen MILLS
12. Lawrence TAM (newly elected)
13. Christopher TO
14. Albert YEU (re-elected)
15. Micky YIP (re-elected)
16. Jerry ZHANG (newly elected)

## **5. To elect a candidate to go forward to Congress as the EAB nominee for President**

5.1 The Branch Secretary explained that as 2 nominations were received to be the EAB nominee for President of CI Arb, a vote was deemed necessary and has been conducted.

5.2 The Branch Secretary reported on the Independent Scrutineer's Report on the Election of President Nominee for the year 2022/2023 dated 26<sup>th</sup> April 2022, and offered to make a copy available to members, if requested following the meeting.

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

- (g) To receive voting papers by post or e-mail.
- (h) To review the voting papers received on or before 20<sup>th</sup> April 2022 and examine for votes.
- (i) To check the name of electors with the membership list provided by the Branch as at the date of close of elections.
- (j) 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.
- (k) Those voting papers received after 20<sup>th</sup> April 2022 will not be taken into account for election purposes.

- (l) To count and record the number of votes in favour of each candidate.

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

- (e) A total of **216** ballot papers were received on or before 20<sup>th</sup> April 2022.
- (f) **29** ballot papers were rejected.
- (g) The reasons were that voters did not have valid membership, the voting papers selected more than 5 candidates, the voting papers were sent from an account which was not registered with the Branch Secretary, the voting papers were not sent to the correct email account, the voting papers did not correctly mark which candidates were voted for, the voting papers voting for both candidates and the voting papers were received after the deadline for voting.
- (h) A total of **187** ballot papers were taken into account for the election.

5.5 The conclusion showed the total number of votes in favour of each candidate, in accordance with the information contained on the above-mentioned **187** ballot papers.

5.6 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):-

		Number of votes in favour of the candidates
1.	THOMSON, Mary	44
2.	TO, Christopher	143

## 6. To appoint the Honorary Auditors

6.1 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.

6.2 A motion to appoint Messrs Baker Tilly Hong Kong Limited as honorary auditors for the forthcoming year was proposed by John Cock, and seconded by Lawrence Lee.

6.3 The motion was passed unanimously.

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

7.1 Glenn Haley moved a vote of thanks to the Branch Chair and outgoing members. In particular, thanks to Nicholas Turner (Past Chair) and John Cock (Hon Treasurer). David Fong additionally thanked Glenn Haley and Paul Barrett for their support and service. The motion was enthusiastically although silently supported.

7.2 There being no other business, the meeting formally closed at 6:38 pm.

David Fong

Branch Chair 2021/2022