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# The 4<sup>th</sup> Asian Maritime Law Conference

19-20 May 2011 • Amara Singapore

Competition, Shipbuilding  
and Arbitration

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# SPEAKER PROFILES

Day 1 Thursday 19 May 2011



**Ms Kala Anandarajah**  
*Equity Partner*  
**Rajah & Tann LLP,**  
**Singapore**

Kala Anandarajah heads the Tier 1 Competition & Antitrust Practice at Rajah & Tann LLP. The Asia Pacific Legal 500 notes that 'Kala Anandarajah is a leading authority in corporate governance, compliance and competition issues'. Involved in almost every major competition matter in recent times, she is cited as amongst the Best of the Best - Women in Business Law 2010, and as a leading Antitrust lawyer by the The International Who's Who of Competition Lawyers from 2006 to 2011 and the Euromoney Guide to the World's Leading Competition and Antitrust Lawyers from 2006 to 2010, amongst others.



**Ms Vivian Ang**  
*Partner*  
**Allen & Gledhill LLP,**  
**Singapore**

She graduated in 1980 from the National University of Singapore with an LLB (Hons) degree and holds a Masters in Maritime Law (Cardiff).

She joined Allen & Gledhill as a Partner in 1989 and presently co-heads the Maritime and Aviation Practice Group. Her practice encompasses litigious and non-litigious shipping and aviation matters, insurance, international trade and transportation, banking, domestic and international arbitration and mediation. She is the Vice-Chair of the International Bar Association (IBA) Maritime and Transport Law Committee.



**Mr Michael J Cavanaugh**  
*Partner*  
**Holland & Knight LLP,**  
**USA**

J. Michael Cavanaugh is a partner with Holland & Knight, Washington D.C. He advises ocean carriers, cruise lines, financial institutions, logistics companies, intermodal carriers and government clients on ocean shipping and shipbuilding legislative and regulatory matters, acquisitions, commercial issues, port privatization and development and offshore hydrocarbon and wind energy development. U.S. Maritime Administration (1974-77). Adjunct Professor, George Mason University School of Law, teaching

International Commercial Law (1997-2005). Member - U.S. Maritime Law Association and Maritime Administrative Bar Association. Ohio State University (B.S., 1971) and Stanford Law School (Juris Doctor, 1974).

**Mr Duncan Gillespie**  
*Partner*  
**DLA Piper, UK**

Duncan specialises in all aspects of competition law matters, including both UK and EC merger control matters, cartel and market investigations, competition law litigation and state aid matters. Duncan has an engineering degree and before retraining as a lawyer spent a number of years working in IT for a major international clearing bank. Duncan co-authored a PLC Manual Chapter on UK Merger Control.



**Mr Stuart Hetherington**  
*Partner*  
**Colin Biggers and Paisley,**  
**Australia**

Stuart Hetherington is the Vice President of CMI and a former President of the Maritime Law Association of Australia & New Zealand. He is currently chairing the review of the Salvage Convention 1989 which the CMI is undertaking, and previously chaired the topic of Places of Refuge.

Stuart was called to the Bar in the United Kingdom in 1973, emigrated to Australia in 1974 and has worked in the maritime legal area since 1976. He is a partner at Colin Biggers & Paisley in Sydney and heads up the Trade & Transport group. He is the author of Annotated Admiralty legislation.



**Mr Joe Hurley**  
*Partner*  
**HWL Ebsworth Lawyers,**  
**Australia**

Joe is the Senior Admiralty and Maritime lawyer at Independent Firm, HWL Ebsworth and heads up its National Group, which is the largest, dedicated Maritime Practice in Australia. Joe practices in most areas of Maritime law and has been linked to most of Australia's leading Maritime cases in the last 10 years. He qualified in England with Richards Butler and moved to Australia 17 years ago.

He is a qualified Solicitor and was admitted initially as a Barrister in Australia. He is internationally well-known, is a Former Chair

of the IBA's Maritime Committee and opened our First Conference 4 years ago. He has been named as one of the World's ten most highly regarded Maritime lawyers in both the 2010 and 2011 Independent "Who's Who legal" Journal.



**Ms Gina Lee-Wan**  
*Partner*  
**Allen & Gledhill, Singapore**

Gina Lee-Wan co-heads Allen & Gledhill's Maritime and Aviation practice focusing on ship financing, leasing, sale and purchase. Chambers Asia, Chambers Global, The Asia Pacific Legal 500 and Who's Who Legal: Singapore has listed Gina as a leading shipping practitioner.

Gina is a Deputy Commissioner of Maritime Affairs for Vanuatu in Singapore, on the Advisory Panel of Singapore Maritime Foundation, on the General Committee of the Singapore Chamber of Maritime Arbitration, an Honorary Legal Advisor to the Singapore Shipping Association and a Governor of Tanglin Trust School Limited.



**Ms Wendy Ng**  
*Vice President*  
**Group Legal, Neptune Orient Lines Limited,**  
**Singapore**

Wendy Ng is Vice President, Group Legal at Neptune Orient Lines Limited, the world's seventh largest container shipping company. Wendy has been involved in various roles in the maritime industry since qualification, practicing as a litigation lawyer in the initial years and thereafter heading the claims team at a P&I Club prior to her current position. She is qualified in Singapore and the UK, and is a Committee Member of the Maritime Law Association of Singapore.



**Mr Nick Sansom**  
*President*  
**The Maritime Law Association of Singapore,**  
**Singapore**

Nick Sansom is principal officer of Standard Asia, which is a P&I Club incorporated in Singapore and part of the Standard P&I Club group of clubs. He was previously executive director of the Singapore Chamber of Maritime Arbitration, Head of Marine in Asia for Marsh insurance brokers and principal officer of the Singapore branches of the UK P&I and TT Clubs. Nick is a graduate of the London School of Economics and trained as a barrister. He is a council member of the Singapore Shipping Association, chairing its Legal and Insurance Committee, and is a member of the Ship Liability and Insurance Committee of the Asian Shipowners Forum. He is a member of the General Committee of the Singapore Chamber of Maritime Arbitration and is president of the Maritime Law Association of Singapore.



**Mr John P G Simpson**  
*Partner*  
**Ince & Co Singapore LLP,**  
**Singapore**

John joined Ince & Co London in 1999, moving to Ince Singapore in 2007. He was made a partner in 2010. John's principal areas of practice are international trade, shipping and offshore oil and gas contracts.

John regularly advises in relation to the drafting of contracts across the range of the firm's shipping practice, including shipbuilding contracts, charterparties and commodities contracts as well as associated disputes. John also advises on salvage, general average and shipping casualty matters. John acts for shipowners, offshore oil and gas contractors, P&I Clubs, H&M underwriters and for a wide range of commodities traders (oil, coal, ferrous and non-ferrous metals and soft commodities) and for the commodity trading arms of various investment banks in London and Singapore.



**Mr Takayuki Matsui**  
*Partner*  
**Max Law Office, Japan**

Takayuki Matsui is a partner of Max Law Office. He works principally with shipowners, operators, P&I clubs and shipyards on both non-contentious and litigious

matters, including TOMAC arbitrations. Shipfinance is one of his specialties. He is a board member of the Documentary Committee of the Japan Shipping Exchange. He is an author of Time Charter Party (2004). Before becoming a lawyer he practiced as a claim manager in the marine claim department of a Japanese insurance company for 5 years.



**Mr Monir Uddin**  
*Marine Engineer and Associate*  
**London Offshore Consultants Pte Ltd,**  
**Singapore**

Monir is a Marine Engineer and Associate in LOC's Singapore office. He has acted on behalf of P & I clubs, Admiralty lawyers, shipowners and charterers on a variety of marine casualty and claims matters, including hull and machinery damage investigations and surveys, off-specification fuel oil disputes and cargo oil contamination claims. He has also undertaken pre entry and in service condition surveys on tankers, bulk carriers and container ships.

In addition to the above, he has acted as marine warranty surveyor for major oil field development projects, attending for vessel surveys and approvals of marine operations. Prior to joining LOC, he managed chemical tankers and was involved in the planning and execution of dry dockings, and has also taken delivery, as Superintendent, of two new built tankers.



**Mr Lucien Wong**  
*Managing Partner*  
**Allen & Gledhill LLP,**  
**Singapore**

Mr Wong was called to the Singapore Bar in 1979. He specialises in banking, corporate and financial services work and has extensive experience in debt and equity, mergers and acquisitions, banking transactions, and securitisations. Today, Mr Wong is highly regarded in his field and has key appointments in both the national and international organisations; Board Member, Monetary Authority of Singapore, Member, Board of Trustees, National University of Singapore, Board of Directors, Singapore Airlines Ltd, Singapore Press Holdings, etc. Mr Wong is the only Singapore lawyer to be named as one of Asia's top 25 M&A lawyers by Asian Legal Business (Asia, 2009). He was conferred a

Special Award for his outstanding contribution to the legal profession at the Chambers Global Awards (London, 2007), and recently received a Lifetime Achievement Award at the first Chambers Asia Awards (Singapore, 2010).



**Prof Zhao Jinsong**  
*Professor of Law*  
**Shanghai Jiao Tong University, China**

As an ex-mariner with working experience as China legal consultant of two City shipping firms in London and Hong Kong, and also as CEO of a Chinese shipyard, Jinsong is a qualified PRC lawyer and the Head of Shipping Team with the AllBright Law Offices in Shanghai, practicing all aspects of shipping law and shipping finance.

Jinsong is Professor of Maritime Law, Vice Director of the Centre for Oceans Law and Policy, KoGuan Law School, Director of Ocean and Shipping Institute of CUTI, and Professor of International Shipping of the School of Naval Architecture, Ocean and Construction Engineering, Shanghai Jiao Tong University, where he is involved into research on shipping finance and advising the government on the construction of Shanghai to be an international shipping hub by 2020.



# CONFERENCE PROGRAMME

Day 1 Thursday 19 May 2011

## 0815-0900 Conference Registration

**0900-0910 Welcome speech** by Mr Nick Sansom, President, Maritime Law Association of Singapore (MLAS)

**0910-0920 Welcome speech** by Ms Vivian Ang, Vice - Chair, International Bar Association (IBA) Maritime and Transport Law Committee

**0920-0945 "The CMI in Asia"** by Mr Stuart Hetherington, Vice President, Comité Maritime International (CMI)

**0945-1000 "Singapore, Asia and beyond"** by Mr Lucien Wong, Chairman, Maritime and Port Authority of Singapore (MPA)

## 1000-1030 Coffee Break

### *About Competition Law in Shipping*

Competition or anti-trust laws in Europe, the United States, Singapore and elsewhere in the world have a pervasive effect on shipping business. The laws are designed to enhance competitiveness and economic efficiency, prohibiting coordination among competitors that may lead to the formation of cartels or monopolization of certain businesses that adversely affect competition or do not have any net economic benefit to the country in question. In this session, we have industry experts who will be providing insight and updates on the laws and exemptions impacting the EU, the USA, Singapore, and Australia. There will also be a panel discussion on the comparisons between and advice on compliance with the various regimes.

## 1030-1300 Competition Law in Shipping

### *Chair:*

Ms Wendy Ng, Neptune Orient Lines Limited, Singapore

### *Panelists:*

Mr Duncan Gillespie, DLA Piper, UK  
Mr Michael Cavanaugh, Holland & Knight LLP, USA  
Ms Kala Anandarajah, Rajah & Tann, Singapore  
Mr Joe Hurley, HWL Ebsworth Lawyers, Australia

## 1300-1400 Lunch

### *About Shipbuilding*

The order books of Asian shipyards remain healthy as a result of orders placed before the global financial crisis, with some yards still blocked up until the end of 2012. Whilst this is no doubt keeping the yards happy, there are a number of buyers who are less interested in taking delivery of vessels than they were a few years ago. In this session, our experienced speakers will address common issues which can lead to disputes between owner and yard and the rights and obligations of both sides when such issues arise in their particular jurisdictions. We will then consider how the new Asian Sale Form for sale of ships operates once a vessel has been delivered. Topics to be discussed include: common technical issues arising in relation to the construction of ships; obtaining refund guarantees and enforcing claims against them in China; Japanese shipbuilding issues and in particular the effect of force majeure following the recent tragic earthquakes; and the new Asian Sale Form.

## 1400-1545 Shipbuilding, Part 1

### *Chair:*

Mr John Simpson, Ince & Co Singapore LLP, Singapore

### *Panelists:*

Mr Monir Uddin, London Offshore Consultants Pte Ltd, Singapore  
Prof Zhao Jinsong, Shanghai Jiao Tong University, China

## 1545-1615 Coffee Break

## 1615-1730 Shipbuilding, Part 2

### *Chair:*

Mr John Simpson, Ince & Co Singapore LLP, Singapore

### *Panelists:*

Mr Takayuki Matsui, Max Law Office, Japan  
Ms Gina Lee-Wan, Allen & Gledhill, Singapore

1800-1930 *Networking Reception  
at Maxwell Chambers*

Day 2 Friday 20 May 2011

## 0815-0900 Conference Registration

### *About Shipbuilding Arbitration*

The settling of disputes in shipping can be somewhat complicated, time consuming and expensive. Since international trade involves the national jurisdiction of different countries, one party would more likely distrust the courts of the other, leading to more complications and disputes. This session will provide an oversight of arbitration in the region and provide updates on a number of important developments in the field of international commercial arbitration.

## 0900-1015 Shipbuilding Arbitration, Part 1

### *Chairs:*

Capt Frederick Francis, Singapore Maritime Academy, Singapore  
Ms Corina Song, Allen & Gledhill, Singapore

### *Panelists:*

Mr Shuji Yamaguchi, Okabe & Yamaguchi, Japan  
Mr Yu Genrong, SLOMA & CO, China

## 1015-1030 Coffee Break

## 1030-1300 Shipbuilding Arbitration, Part 2

### *Chairs:*

Capt Frederick Francis, Singapore Maritime Academy, Singapore  
Ms Corina Song, Allen & Gledhill, Singapore

### *Panelists:*

Mr Amitavar Majumdar, Bose & Mitra, India  
Mr Tony Budidjaja, Budidjaja & Associates, Indonesia  
Mr Chan Leng Sun SC, Ang & Partners, Singapore

## JOIN THE MARITIME LAW ASSOCIATION OF SINGAPORE

The Maritime Law Association of Singapore (MLAS) aims to promote the study and advancement of maritime law and its administration in Singapore, and to promote and consider with other associations proposals for the unification of maritime law and practice of different nations.

The MLAS is the national member of the Comité Maritime International (CMI) and represents Singapore at CMI conferences and colloquia. It organises regular talks throughout the year featuring speakers of local and international reputation and is the host of the Asian Maritime Law Conference series, which has now become a yearly event. Any person above 21 years of age who is interested in the objects of the MLAS (including non-lawyers in the shipping industry) are eligible for membership in the MLAS. Membership forms are available on the MLAS website at <http://www.mlas.org.sg/Members.htm>

