



## International Judge Lord Jonathan Mance presents his views on “A Matter of Trusts”

As part of the activities supporting the signing of the “Singapore Convention on Mediation”, the Singapore International Commercial Court (SICC) and the Singapore International Dispute Resolution Academy (SIDRA), in association with White & Case LLP, presented a thought-leadership seminar on “A Matter of Trusts” at the Level 8 Viewing Gallery of the Supreme Court on 5 August. International Judge (J) Lord Jonathan Mance was part of a distinguished panel that touched on the issue of trusts. The panellists and attendees were engaged throughout the whole session where many of the panellists, experts in their own right, expounded on the subject of trusts. The panel was moderated by Robert Kirkness, Barrister, Thorndon Chambers, and comprised:

- Lord Jonathan Mance, International Judge of the SICC
- Cavinder Bull SC, CEO, Drew & Napier LLC
- Andrew Butler, Barrister, Thorndon Chambers
- Toby Landau QC, Barrister, Essex Court Chambers Duxton
- Julie Raneda, Partner, Schellenberg Wittmer
- Hazel Tang, Counsel, International Chamber of Commerce
- Mary Walker, Barrister, 9 Wentworth Chambers

The speakers spoke at great length on the legal nature of a trust and the types of disputes to which trusts gave rise; the equitable jurisdiction of the courts as the traditional preserve of trusts; disputes and the challenges that trusts disputes present for arbitration and mediation and the institutional and legislative responses to those challenges; and the options for resolving trusts disputes in Singapore, including the potential role for the SICC.



## SICC engages legal counsel in Association of Banks in Singapore Seminar

The SICC, in collaboration with the Association of Banks in Singapore (ABS), conducted a seminar on 11 September 2019 at ABS' premises on how the SICC was an effective forum for transnational dispute resolution. It was well supported by more than 40 legal counsel from both local and international banks, including Credit Suisse, ICBC, State Bank of India, Mizuho Bank and OCBC. Specially structured for ABS members, Justice Quentin Loh, Judge-in-Charge of the SICC shared many insights on how SICC can meet the demands of today's dispute resolution landscape especially in multi-party and multi-contract situations – especially for financial institutions. Perspectives by users of the Court were shared by Ms Debbie Lam, Managing Director & Head, Group Legal, Business Compliance & Secretariat, DBS Bank and Mr Francis Xavier SC, Regional Head, Dispute Resolution, Rajah & Tann Asia.



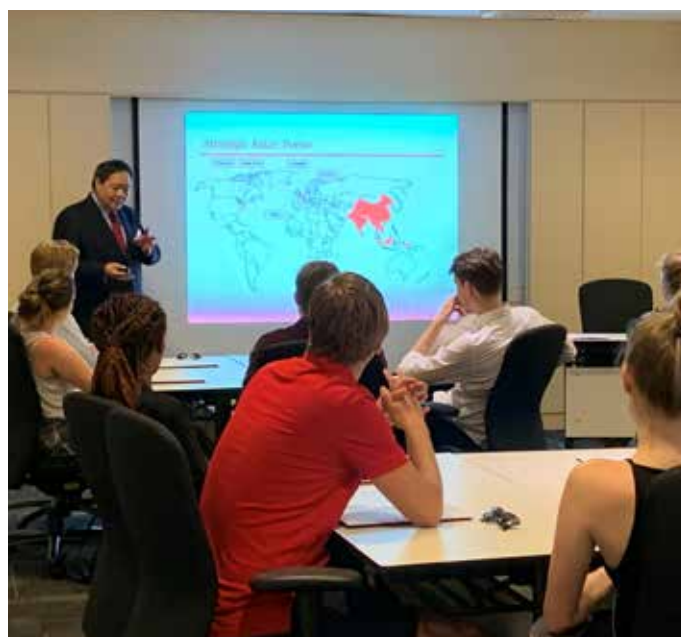
A panel discussion then ensued with an exploration of the pros and cons of commercial arbitration and mediation, and how they compared with litigation at the SICC – a court uniquely structured with international best practices in mind. The panel also addressed questions from the audience on how banks could use the SICC as an effective alternative dispute resolution forum where disputes are becoming increasingly more complex in line with rising levels of trade, finance and investment in the Asia Pacific. The panel also highlighted that the availability of appeal and the transparency and open proceedings accorded by the SICC were elements preferred by financial institutions.

## SICC OUT & ABOUT

**S**ICC continues to attract the interest of judiciary, academia, legal professionals and students, not just from within Singapore but from various parts of the world as well.

### Engaging the inquisitive young legal minds

Students from the Faculty of Law at the University of Groningen, who were on an International Study Project, were given insights to the SICC. It was a journey of discovery for them as they discussed how the SICC was a court well-structured for cross-border commercial disputes, including those governed by foreign law. The students were particularly intrigued by SICC's flexible procedures such as the right of representation by foreign lawyers in certain matters and the ability to apply the IBA Rules on the Taking of Evidence in International Arbitration.





## SICC OUT & ABOUT



The event saw about 50 lawyers from Australia, Vietnam and Singapore networking and having a series of discussions on the legal trends across Asia and the Pacific.

### A unique view on the SICC

Asia Law Network (ALN) together with the Law Society of Singapore, Singapore Corporate Counsel Association (SCCA), ALN's Australian partners AlphaCreates and ASEAN Legal Tech Association co-hosted the "Insider Guide to Legal in Singapore" roundtable discussion. The event saw about 50 lawyers from Australia, Vietnam and Singapore networking and having a series of discussions on the legal trends across Asia and the Pacific. The SICC had the opportunity to present to the visiting lawyers on the ideation leading to the set-up of the SICC and other unique features of the Court such as the transparency and open proceedings, the availability of appeal and the simple and straightforward application process for registration of foreign lawyers. The session was followed by a very interactive and engaging roundtable discussion moderated by Dharmendra Yadav, Vice-President, SCCA with the panel of speakers including Yingyu Wang of Taylor Vinters Via LLC, Sashi Nathan of Withers Khattarwong LLP and Darius Tay of BlackOak LLC who discussed "Mergers of Local and International Firms: Challenges Faced and Opportunities Presented". Most panellist shared the same sentiments of having "synergy" that has to be present before any merger or alliance can be possible as well as other topics including the role of SICC as an effective alternative to international arbitration.

## SICC OUT & ABOUT

### Ambassador of Switzerland to Singapore learns about the SICC

His Excellency Fabrice Filliez, Ambassador of Switzerland to Singapore, paid a visit to the SICC. His Excellency was given a briefing on SICC's novel approach to International Dispute Resolution. With a keen interest in law, Ambassador Filliez commented positively on the flexible procedures that the SICC has adopted, and the impressive panel of international judges who hail from both common law and civil law jurisdictions.



## A briefing on SICC to Morocco's Chief Justice

Set against the backdrop of the recent signing of a Memorandum of Understanding for cooperation on judicial exchange, training and cooperation between the Supreme Council of the Judicial Power of the Kingdom of Morocco and the Supreme Court of Singapore, His Excellency Chief Justice Mostafa Faress and his delegates requested to visit the SICC. They were briefed by AR Una Khng on how the SICC had heard and decided upon a range of international commercial disputes, as well as the Court's procedures and the execution of judgments. The delegation were also shown the technology used in Singapore courts and how the SICC adopted technology for its proceedings with video-conferencing facilities available in the courtroom for its case management conferences.



### Recent Judgments

20 June 2019

BXS v BXT [2019] SGHC(I) 10:

<https://go.gov.sg/sicc-judgment-2019-sghc-10>

31 July 2019

BXY and others v BXX and others [2019] SGHC(I) 11:

<https://go.gov.sg/sicc-judgment-2019-sghc-11>

10 September 2019

Arovin Ltd & Anor v Hadiran Sridjaja [2019] SGHC(I) 13:

<https://go.gov.sg/sicc-judgment-2019-sghc-13>

11 September 2019

BXS v BXT [2019] SGHC(I) 14:

<https://go.gov.sg/sicc-judgment-2019-sghc-14>

12 September 2019

B2C2 Ltd v Quione [2019] SGHC(I) 12:

<https://go.gov.sg/sicc-judgment-2019-sghc-12>

14 October 2019

Sheila Kazzaz and Anor v Standard Chartered Bank and Ors [2019] SGHC(I) 15:

<https://go.gov.sg/sicc-judgment-2019-sghc-15>

### Registered Foreign Lawyers

As at 31 Oct 2019, the SICC has 97 registered foreign lawyers (RFLs) on its register. Foreign lawyers are welcome to apply to be registered with the SICC. To view the full list of RFLs and find out more about registration, please visit

<https://go.gov/registration-foreign-lawyers>

### SICC Model Clauses

The SICC has model clauses available, including clauses for submission of disputes to the jurisdiction of the SICC (both pre- and post-dispute) and in relation to the parties' rights of appeal. You may view them here:

[https://www.sicc.gov.sg/docs/default-source/guide-to-the-sicc/sicc\\_model\\_clauses.pdf](https://www.sicc.gov.sg/docs/default-source/guide-to-the-sicc/sicc_model_clauses.pdf)

### Enforcement of SICC Judgments

SICC judgments are enforceable in many jurisdictions, both civil and common law. You may access a Note on enforcement of SICC judgments here:

<https://go.gov/sicc-enforcement-guide-note>

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