

# VIAC – Questionnaire for Arbitrators

1. **Name:** Mr. JAYEMS DHINGRA

2. **Citizenship:** SINGAPORE

3. **Contact information:**

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4. **Current position:**

- Certified International Arbitrator
- Chartered Arbitrator
- Accredited Adjudicator
- Accredited Mediator
- Management Consultant

5. **Education:**

- 1) LL.M. (IP Law) University of Turin, Italy, jointly with WIPO & ITCILO
- 2) Post Graduate Certificates in IP Laws related Programs for Trademarks, Copyrights, Patents, Software Licensing, Collective Management Organizations (CMOs), IP Management, including Advanced Course on Arbitration and Mediation Procedure under the WIPO Rules, awarded by WIPO
- 3) Associate Faculty, (f.k.a. SIM-University) Singapore University of Social Sciences (SUSS)
- 4) Certificate of Attendance in “International & Comparative Oil & Gas Law”, a Course conducted by National University of Singapore, in Year 2012
- 5) Admitted to the Panel of Accredited Adjudicators and completed KLRCA Adjudication Conversion Course held in July 2012 and refresher course in December 2017 at Kuala Lumpur, Malaysia
- 6) Graduate Certificate in International Arbitration, awarded by National University of Singapore (NUS), Singapore, (2005)
- 7) M. Sc. (Maritime Studies), Nanyang Technological University (NTU), Singapore, (2006)
- 8) M. Tech (Knowledge Engineering) National University of Singapore (NUS), (2003)
- 9) M. B. A. (General Management), University of Hull, UK, (1994)
- 10) Chief Marine Engineer’s “First Class Certificate of Competency”, South Shields, (DOT, UK), (1985)
- 11) B. E. (Electrical), Punjab University, Chandigarh, India (1976)

6. **Practiced experience in arbitration**

**Conducted Arbitrations as Chairman, Tribunal Member and Sole Arbitrator, and Published Several Arbitral Awards for Disputes Related to:**

- + Charter Party Disputes and Maritime Contracts arbitrations
- + Rig-building, Shipbuilding and Ship Repair Contracts
- + Sub-sea Pipe Laying, Offshore Construction and related Works
- + Offshore Support Vessels Charters and Shipbuilding Contracts
- + Power Plants, Highways Infrastructure and Construction Projects
- + Real Estate Agencies and Sales Purchase Agreement
- + High Rise Commercial Complexes, Airports and Civil Construction Works

- How many arbitrations have you participated in (domestic/international); under which Rules?  
**18+ (Eighteen); SCMA, AIAC, KLRCA, SIAC, SISV, LMAA, ICC Rules**
- How often have you acted as Chairman?  
**Twice**
- How often have you acted as Sole Arbitrator?  
**16 (Sixteen)**
- How often have you acted as Co-Arbitrator?  
**Two (One Co-arbitrator + One as pupil)**
- How often have you acted as Counsel?  
**2 (Two)**
- How often have you acted in a different function (e.g. Administrative Secretary)?
  - **As ADR Consultant and Claims Consultant in more than 20 occasions.**

**Business Verticals with Significant Exposure**

- i) Marine, Transportation by Sea and Shipping Management
- ii) Offshore Exploration & Production Industries
- iii) Oil & Gas Pipelines, Storage Terminals, Tank Farms and Petrochemical Industries
- iv) Shipbuilding and Ship repair industries.
- v) Offshore Supply Bases, Ports and Floating Terminals for Coal & Bulk Cargo
- vi) Infrastructure Projects, M & E Segments and Civil Construction Works, for Commercial Complexes, Power Plants, Highways, Stadiums, Airports etcetera
- vii) Process Automation & Electrical manufacturing industries
- viii) Industrial Trading, Distributorship and Agency Networks for Trade & Commerce
- ix) Information & Communication Technology Systems

**7. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):**

## Latest Research Papers and Articles Published

- Dhingra J. (2020, to be published). *Can Arbitration be an Effective Forum for Enforcing Claims against Non-Contractual Third Parties, for Infringement of Intellectual Property Rights?*
- Dhingra J. (2017, December). *Can Seamless Flow of Trade and Sustainability of OBOR Economies be Fathomed – Without Harmonization of Trade Laws And Adoption of UN Model Laws?* Paper for publications of 2017 UNCITRAL Emergence Conference, hosted by University of Macau and The United Nations Commission on International Trade Law, Regional Centre, Korea.
- Dhingra J. (2016, December). *Relevance of Arbitration in Threat to Sovereignty Cases and Applicability of UNCLOS 1982.* Paper for publications of 2016 UNCITRAL Emergence Conference, hosted by University of Macau and The United Nations Commission on International Trade Law, Regional Centre, Korea.
- Dhingra J. (2016, December). *Are the State Regulators Being Challenged or Undermined by Financial Technology & Borderless Digital Payment Platforms?* Paper presented at 2016 UNCITRAL Emergence Conference, hosted by University of Macau and The United Nations Commission on International Trade Law, Regional Centre, Korea.
- Dhingra J. (2016, June). *Engaging the Disengaged - in Virtual Classrooms for Adult Learners.* Paper presented at the eLFA 2016, The Eleventh e-Learning Forum Asia 2016, Shanghai, China.
- Dhingra J. (2015, November). *Can Justice be served without Transparency in International Commercial Arbitrations?* Paper presented at 2015 UNCITRAL Emergence Conference, hosted by University of Macau and The United Nations Commission on International Trade Law, Macau.
- Dhingra J. (2015, June). *Pedagogy in Virtual Learning Environment without Compromising the Quality of the Scholarly Curriculum.* Paper presented at eLFA 2015, The Fifteenth e-Learning Forum Asia 2015, Singapore.
- Dhingra Jayems. "Growing Potential for Procedural Misconduct in Un-administered Maritime Arbitrations." International Congress of Maritime Arbitrators XIX, Hong Kong (May 2015).
- Dhingra Jayems. "It's Time to Unseal Sealed Offers in International Arbitration – as a Negotiation Strategy or Pressure Tactics?" *Arbitration International* 28, Issue 3 (2012): 505 - 526.
- Dhingra Jayems. "Force Majeure Event Clauses - A Risk Sharing Strategy in Charter Party for Offshore E & P Rigs and Shipbuilding Contracts." *International Congress of Maritime Arbitrators XVIII* (May 2012): 392 – 405.

## Development of Training Courses and Workshops

The following is a short list of Training Courses & Workshops, developed and delivered by Jayems Dhingra as the Course Director, for senior management personnel and corporate counsels from Oil & Gas industry segments.

- 1) Chartering of Tankers and Post-fixture Disputes Management – With Elements of International Arbitration and Litigation Systems. (3 days)
- 2) EPCIC Contracts Management and Essential Elements of International Contracts Laws. (3 days)
- 3) OSV Chartering and Charter Party Management - with Essential Elements of International Maritime Laws. (5 days)

- 4) Interpreting and Managing Charter Party for Supply Vessels – in context of International Maritime Legislations. (3 days)
- 5) Management of International Arbitration Proceedings - for Disputes in Oil & Gas and EPCIC Contracts, in a Cost Effective and Efficient Manner. (2 days)
- 6) Managing and Resolving Disputes Through Alternative Dispute Resolution (ADR) Channels - “Complaints Management, Mediation and Arbitration Processes” – for Real Estate Agents. (Half Day, CEA Approved CPD Course)
- 7) Mediator Training Course & Workshop Sessions - Towards SISV Accreditation Program of Mediators from Construction Industry and Real Estate Agency Segments. (Five Days, CEA Approved CPD Course)

## **8. Membership in arbitral institutions / functions in arbitral institutions/organizations:**

### **Admitted to the Panels of Arbitration and Mediation Institutions**

- 1) Admitted to the Panel of Arbitrators of ACICA and AMTAC, Australia
- 2) Admitted to the Panel of Arbitrators of Korean Commercial Arbitration Bureau (KCAB), Seoul, Korea
- 3) Admitted to the Panel of Arbitrators of Saudi Centre for Commercial Arbitration (SCCA), Saudi Arabia
- 4) Admitted to the Panel of International ADR Practitioners, AIADR, Kuala Lumpur, Malaysia
- 5) Admitted to the Panel of Arbitrators of CIArb, UK
- 6) Admitted to the Panel of International Arbitrators of DIAC, UAE
- 7) Admitted to the Panel of International Arbitrators of KLRCA, Malaysia
- 8) Admitted to the Panel of International Mediators of KLRCA, Malaysia
- 9) Admitted to the Panel of DNDR Arbitrators of KLRCA, Malaysia
- 10) Admitted to the Panel of Arbitrators, SISV, Singapore
- 11) Empanelled Adjudicator of KLRCA, Malaysia
- 12) Accredited Expert Witness by Singapore Institute of Surveyors and Valuers (SISV) and Admitted to the Panel of Expert Witnesses of SISV, Singapore
- 13) Admitted to the Panel of Arbitrators of HKIAC, Hong Kong
- 14) Registered as Arbitrator with LCIA, London
- 15) Registered as Arbitrator with SCC, Stockholm
- 16) Registered as Arbitrator with SIAC, Singapore
- 17) Accredited Mediator by Singapore Institute of Surveyors and Valuers (SISV) and Admitted to the Panel of Mediators, SISV, Singapore
- 18) Appointed Mediator, with Community Mediation Centre, Ministry of Law, Singapore

### **Professional Qualifications, Accreditations and Memberships**

- 1) Hon. Secretary and Council Member of the Governance Council of the Asian Institute of Alternative Dispute Resolution (AIADR)
- 2) Member, Board of Management, Chartered Institute of Arbitrators, London, UK till 2018
- 3) Member, Drafting Committee, LNG Sales and Purchase Agreement for Oil & Gas Industry (2019-2020), by AIPN (USA)

- 4) Member, Drafting Committee, International Dispute Resolution Agreement for Oil & Gas Contracts (2017), by AIPN (USA)
- 5) Member, Drafting Committee, Drilling Contract (2018-19), AIPN (USA)
- 6) Member, Legal Committee (till 31 Dec 2015), Hong Kong General Chamber of Commerce (HKGCC)
- 7) Member, Professional Development Committee (2017-2018), Corporate Governance, Risk and Compliances (GRC) Committee (2015-16), of Singapore Institute of Directors
- 8) Chairman, CaseTrust Advisory Council of Consumers Association of Singapore, since 2015
- 9) Member, Central Governance Committee and Member, Editorial Committee of Consumers Association of Singapore, since 2015
- 10) Member, Shipping & Transport Committee (till 31 Dec 2016), Hong Kong General Chamber of Commerce (HKGCC)
- 11) Committee Member of the CIArb East Asia Branch (Hong Kong) Committee from 2006 to 2010
- 12) Director / Committee Member of the CIArb (Singapore) Chapter & Branch from incorporation till June 2010
- 13) Fellow, Asian Institute of ADR (FAIADR)
- 14) Member, International Council for Commercial Arbitrators (ICCA), The Netherlands till 2018
- 15) Member, Association of International Petroleum Negotiators, (AIPN) USA
- 16) Chartered Arbitrator and Fellow, Chartered Institute of Arbitrators, UK
- 17) Fellow, Hong Kong Institute of Directors (FHKIoD)
- 18) Member, Singapore Institute of Directors (M.S.I.D.)
- 19) Fellow, International Institute of Mediators, Singapore (FIIM)
- 20) Member, Singapore International Mediation Institute (SIMI)

## 9. Languages

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language):

**English**

## 10. In which legal system have you trained?

**X Civil Law**

Austrian Law

Czech Law

German Law

Other \_\_\_\_\_

**X Common Law**

Hungarian Law

Polish Law

Slovakian Law

Swiss Law

Ukrainian Law

**X European Law**

## 11. What is your main jurisdiction of practice?

Singapore, Hong Kong, Malaysia, UK, and UAE

## 12. In which jurisdictions are you admitted to the bar?

Not Applicable. (I do not practice as a Lawyer).

## 13. Special expertise or specializations (please list a maximum of five):

**X Antitrust/Unfair competition**

Aviation

Banking & Finance

Capital markets

**X CISG**

Civil fraud disputes

**X Commercial disp. / transactions contracts**

Commodity market

Company/Corporate/M&A

**X Construction**

**X Contract law**

Other \_\_\_\_\_

Damages

Distribution

**X Domain name disputes**

Employment

**X Energy**

**X Engineering**

Entertainment

Healthcare & Pharmac.

Hotel/Gastro./Tour.

**X Inform. technology (IT)**

**X Infrastructure**

Insolvency

Insurance

**X Intellect. property (IP)**

ISDS/ Foreign invest.

**X Joint Ventures**

Licensing

Life sciences

**X Maritime arbitration**

Media

**X Mining**

**X Natural resources**

**X Power plants**

Private Intern. Law

Public Intern. Law

**X Real estate**

**X Shipping**

**X Sports**

State/Public

**X Technology**

Telecommunication

**X Transport**

## 14. Date of birth: 05 December 1955

VIAC offers arbitration practitioners the possibility to present themselves on its website. VIAC reserves the right to publish any presentations submitted and to remove it as the case may be. Parties are free to nominate an arbitrator of their choice and so is the VIAC Board when appointing an arbitrator. These presentations do not constitute recommendations but may assist the parties in choosing an arbitrator willing to conduct proceedings according to the Vienna Rules. The fact that an arbitration practitioner appears on this list, does not authorize this person to use the title "VIAC-arbitrator".

✓ I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.

✓ I hereby consent that the data provided in this questionnaire may be processed for the appointment of arbitrators and published by VIAC. This includes in particular publication on the

website of VIAC as well as use in any presentations, etc. This consent may be withdrawn at any time by contacting VIAC at our general contacts, in particular by email addressed to office@viac.eu. The consequence of any such withdrawal will be that my data will no longer be processed by VIAC. For further information, see our privacy statement at <http://www.viac.eu>.

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**18 June 2020**

Date and signature