

ACICA SYMPOSIUM

Underwriting Cross-Border Contracts – the significance of the New York Convention 60 years on

The Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention) is one of the most successful treaties in the area of commercial law and has served as a model for subsequent international legislative texts. ACICA invites you to celebrate with it the 60th anniversary of this important Convention.

This symposium will explore the key role that the Convention has played in the growth of international trade over the course of the last 60 years, its significance in terms of enforcement of arbitration agreements and arbitral awards and the important role of the Courts in this process, as well as touching on recent international developments with respect to the enforcement of settlement agreements.

Offering a line-up of experienced speakers, this symposium will provide an in-depth understanding

of how the New York Convention operates to support a system of worldwide enforcement of arbitration agreements and awards, promoting global trade, safeguarding commercial relationships and managing cross-border risk.

Who should attend?

This is a crucial symposium for those involved with cross border transactions and investment including:

- Practising lawyers and barristers
- Corporate Counsel
- Arbitrators
- Mediators
- Business Professionals
- Academics

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Date: 23 October 2018

Time: 4:45pm for a 5pm start, followed by a networking reception

Venue: Herbert Smith Freehills,
Level 36, 250 St Georges Terrace,
Perth WA 6000

Price: ACICA & ACC members: \$40
General: \$80

CPD: Eligible for one CPD point

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ACICA

Australian Centre for
International Commercial Arbitration

Speaker Profiles



Wayne Martin AC QC

Former Chief Justice,
Western Australia
Supreme Court

Mr Martin retired from the office of Chief Justice of Western Australia in July 2018 after more than 12 years in that role.

Prior to his appointment as Chief Justice in 2006, Mr Martin practised at the senior Bar as a member of Francis Burt Chambers, having taken silk in 1993. He practised in all areas of commercial litigation, including mining, energy, resources, construction and infrastructure access. He appeared regularly as counsel in all Australian courts and in domestic and international arbitrations. He served as Senior Counsel Assisting the Royal Commission into the Collapse of the HIH Group of Insurance Companies between 2001 and 2003.

As Chief Justice, Mr Martin heard cases in all areas of the Court's jurisdiction. He formed and managed the arbitration list of the Supreme Court of Western Australia between 2012 and his retirement in 2018.

In 2012 Mr Martin was appointed a Companion in the General Division of the Order of Australia for eminent service to the judiciary and to the law, particularly as Chief Justice of Western Australia, to legal reform and education, and to the community.



Andrea Gleason

Director, Western
Australia State Office

Department of Foreign
Affairs and Trade (DFAT)

A career diplomat, Andrea leads the Department's engagement with its diverse stakeholders in Western Australia, across government, business, academia and civil society.

Andrea has served overseas at the Australian Embassies in Washington DC and Stockholm. She has extensive experience in trade policy issues and negotiations. Her previous assignments include Director, APEC Trade and Investment Section, and Director, Trade Policy Section. She holds a Graduate Diploma in Foreign Affairs and Trade from the Australian National University and a Bachelor of Economics (Honours) from the University of Queensland.

Andrea is an advisory board member of the University of Western Australia's Oceans Institute and Murdoch University's Asia Research Centre. She is also a member of the Forrest Research Foundation's Selection Committee for doctoral and postdoctoral fellows.



Simon Davis

Francis Burt Chambers

Simon Davis has a general commercial, civil and construction practice, with particular experience and expertise in commercial arbitration, both international and domestic. Since joining the Bar in 2004, Simon has acted and advised on a variety of matters across a wide range of industry sectors, and has appeared regularly in superior courts and tribunals, arbitrations and mediations.

Simon also acts as arbitrator, expert and mediator in international and domestic matters.

Before coming to the Bar, Simon had 12 years' experience in major commercial law firms – from 2000 to 2004 at Allens in Perth; and from 1993 to 2000 at Freshfields in London and Paris, where he gained particular experience in international arbitration.

Simon is a Fellow and Councillor of the Chartered Institute of Arbitrators, and an Honorary Fellow in the Faculty of Law of the University of Western Australia, where he co-teaches the International Commercial Arbitration unit.



Elizabeth Macknay

Partner, Herbert Smith
Freehills

Liz is a commercial litigator and helps clients resolve disputes primarily in the mining and energy sectors. She works with clients to avoid and manage complex commercial litigation, contentious regulatory matters, bribery and corruption issues, and international arbitrations. She specialises in advising clients about the unique risks and sensitivities – both legal and commercial – that arise from matters involving contentious regulatory issues and bribery and corruption.

Based in Perth, she has worked with clients based in and outside Australia for over 15 years to help them resolve disputes. Her experience encompasses all forms of dispute resolution including mediation, litigation, expert determination and arbitrations (both domestic and international).



Dr Sam Luttrell

Partner, Clifford Chance

Dr Sam Luttrell is a Partner in the International Arbitration Group at Clifford Chance, based in Perth. His practice covers international commercial arbitration and investor-State arbitration, with a focus on disputes in the energy and resources sectors. In addition to his work as counsel, Sam is a member of the ICC Commission on Arbitration and ADR and has published extensively on international arbitration and international investment law.

