

Stuart Hetherington

From: lawrence.teh@dentons.com
Sent: Sunday, 21 October 2018 7:02 am
To: Stuart Hetherington
Subject: CMI London EXCO meeting: Agenda no.15 - Singapore regional office
Attachments: MARLAW Phil Letter proposal to Settle Arrears.pdf

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Dear Stuart

My report on the regional office's activities from March 2017 to date follows:

1. CMI Asia - renewal of representative office status

A request for another year's extension of the Representative Office in Singapore of the CMI will be made in March 2019, as per past practice. EUR2,500 has been budgeted for renewal costs.

2. CMI Asia – visits to Asian NMLAs

Since my last report in April, I have met with the following Asian NMLAs in the course of and by extending my business travels:

(1) Meeting with Hong Kong MLA on 28th June 2018.

I met with officers of the Hong Kong MLA over lunch when I was in Hong Kong to speak at an ICC international arbitration conference. Aside for maintaining ties, I encouraged attendance at CMI events including the Tokyo conference in 2020.

(2) Draft Convention on Judicial Sale

Using my position as Administrator of CMI and representative of the Singapore regional office, I persuaded the Singapore authorities that its delegation to UNCITRAL should support the Swiss motion that UNCITRAL take the draft Convention into its work agenda. This was an extended effort of speaking to the Singapore port authority, the judiciary, the ministry of law, the attorney-general's chambers and the chamber of maritime arbitration. Singapore was part of the delegates who spoke out in favour of UNCITRAL taking the draft Convention into its work agenda and UNCITRAL did so in June 2018.

(3) Meeting with Malaysian MLA on 26th July 2018

I met with officers of the Malaysian MLA over lunch when I was in Kuala Lumpur on client business. Aside for maintaining ties, I encouraged attendance at CMI events including the Tokyo conference in 2020.

(4) Resolution of Philippine MLA arrears

This year I made a breakthrough in resolving the issue of the Philippine MLA's arrears of subscription for the years.

From the records of the CMI, the arrears came about in the following way:

- In 2008, there was an amount of €1,114.61 in subscriptions that was not paid
- In 2009, the annual subscription amount was €1,602.37. which MARLAW paid early and received a credit of 10% as an early bird discount. In the fall of 2009, the CMI Assembly voted to reduce subscriptions to €1,000. This resulted in an aggregate credit, after taking into account exchange rates and bank charges to a credit amount of negative € 722.13.
- In 2010, the amount of €1,000 in subscriptions was not paid
- In 2014, the amount of €1,000 in subscriptions was not paid.
- This gives the following computation:

2008		€ 1,114.61
2009		(€ 722.13)
2010		€ 1,000.00
2014		€ 1,000.00
Total		€ 2,392.48

Through consultation with Stuart and Chris and with the mandate given to me by them, I negotiated settlement terms of payment of 50% of the arrears over two years. These terms are now formally proposed by the Philippine MLA (attached) and are now presented to EXCO for approval.

(5) Database on Judicial Decisions on International Conventions

Please see report on the above. The Singapore regional office has been the effective interface with NUS/CML, sending letters to all NMLAs encouraging them to nominate representative contributors and also to make submissions to the database.

(6) Meeting with Japanese MLA on 6th September 2018

I met with officers of the Japanese MLA when I was in Tokyo on business. A full report of my activities appears in my report on preparations for the Tokyo 2020 conference.

(7) Efforts to form a maritime law association in the Middle East-North African region

I have been part of discussions since 2015 with a Dubai firm known as Fichte & Co. on the question of the formation of an Emirates maritime law association. By 2017, I received reports that the authorities in Dubai might be averse to formation of associations generally because of political sensitivities. This part of my work overlaps with an approach by Deucalion Rediades who spoke with me during the Genoa assembly and wrote to me in October 2017 saying that he had met a North-African contact, who used to have a presence in Dubai for some time. The contact was not surprised that a maritime law association in the Emirates was proving difficult to form, saying that the authorities there did not generally encourage the formation of associations (for political reasons). He was also of the view that there were very few lawyers in individual countries in North Africa to warrant the formation of national MLAs or sustain them in the long run. As such, he agreed in principle with the concept of a regional MLA for the Middle East and North Africa (MENA). There was some suggestion that a MENA maritime law association could be formed offshore. Stuart directed that I look into this and I made contact with Deucalion's contact, Mr. Ashraf El Swefy of El Swefy Law Firm. Mr. El Swefy informed me that he did not think it was possible for a MENA maritime law association to be formed in Egypt. I hope to visit Mr. El Swefy when I am in Cairo shortly before the London assembly. At the same time, I heard from Fichte & Co. that they may have found a way to register an Emirates maritime law association. Details are still coming in and I may have more to report in London.

Kind regards

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