



Seminar on Understanding Third Party Funding in Singapore



27 July 2017, Thursday
5.00pm – 6.30pm



137 Cecil Street, Level 3, Tokyo Room 1
Singapore 069537



No. of Public
CPD Points:
1.5 Points

Practice Area:
**Corporate/
Commercial**

Training Level:
General

About the Seminar

In January this year, Parliament passed legislative amendments that introduced a legal framework for third party funding (“TPF”) in international arbitration in Singapore. TPF was previously prohibited under Singapore law (except in the limited context of insolvency). The amendments abolish the common law tort of champerty and maintenance and confirm that TPF is not contrary to public policy or illegal under Singapore law if it is used by eligible parties in the categories prescribed. The amendments also prescribe the qualifications that third party funders’ must satisfy to fund an international arbitration.

So what is this creature known as TPF and what does it mean for practitioners in practical terms?

This basic introduction to TPF will provide an overview of the effect of the amendments with a discussion on the amendments conducted.

The seminar will also provide practitioners with the opportunity to hear first-hand from a Funder and Practitioner about TPF. The speaker will also be sharing on the third-party funding process from initial engagement to final recovery, touching upon important aspects, including: appropriate types of cases for funding, the protection of client privilege, preparing a case for investor due diligence, a typical funding arrangement and the role of the funder over the course of a matter.

The session will conclude with a panel discussion where the speakers will further explore on their views on TPF, and participants can engage in further discussion with the speakers.

Programme Outline

5.00pm – 5.20pm (20mins)	<p>Third Party Funding in Singapore</p> <p>A discussion on the Civil Law (Amendment Act). What is permitted under the new legislation?</p> <p>Dinesh Dhillon – Partner, Allen & Gledhill LLP</p>
5.20pm – 5.40pm (20mins)	<p>Third Party Funding - The Funder's perspective</p> <p>Tom Glasgow - Investment Manager, IMF Bentham Pte Ltd</p>
5.40pm – 6.00pm (20mins)	<p>Third Party Funding - The Lawyer's perspective</p> <p>Robert Kirkness - Counsel, Freshfields Bruckhaus Deringer</p>
6.00pm – 6.30pm (30 mins)	<p>Panel Discussion</p> <p>Moderator: Cameron Ford – Corporate Counsel, Rio Tinto</p> <p>Panellists: Dinesh Dhillon - Partner, Allen & Gledhill LLP Tom Glasgow - Investment Manager, IMF Bentham Robert Kirkness - Counsel, Freshfields Bruckhaus Deringer</p>

Speakers' Profiles



Dinesh Dhillon – Partner, Allen & Gledhill LLP

Dinesh practises international arbitration and litigation.

He has acted as lead counsel in international arbitration for global multinational corporations in the telecommunications, airline, hotel, commodities, construction, manufacturing and projects industries. Apart from corporates, he has also represented sovereign states in international arbitration cases. He has represented clients in landmark cases before the Singapore courts relating to jurisdiction of arbitral tribunals, challenges to arbitration awards and attempts to resist enforcement of foreign arbitration awards.

Dinesh has represented multinational companies in cases before the Singapore High Court and Court of Appeal relating to banking, corporate, employment, entertainment, insurance, property and shareholder disputes. He has also acted for statutory boards in judicial review cases.

Dinesh was called to the Singapore Bar in 1995. In 2004, he obtained the Graduate Certificate in International Arbitration from the National University of Singapore. He is recommended for his expertise in international arbitration and commercial litigation in leading publications, such as Chambers Global and The Legal 500 Asia Pacific where he has been described as “outstanding”, a “well respected litigator” and “strong on strategy and case management”.

He is a Fellow and Vice President of The Singapore Institute of Arbitrators, Co-Chair of the International Bar Association's Asia Pacific Arbitration Group, Honorary Treasurer of the Law Society of Singapore and Honorary Treasurer of the Pro Bono Services Office.



Tom Glasgow – Investment Management, IMF Bentham Pte Ltd

As Investment Manager (Asia), Tom Glasgow leads IMF Bentham's Singapore office. He is responsible for assessing and managing funded cases throughout Asia, including arbitration, litigation and insolvency claims in Singapore and Hong Kong.

Prior to joining IMF Bentham, Tom was a senior member of Allen & Overy's international arbitration and disputes practice in Asia, where he handled complex multi-jurisdictional commercial matters for leading global businesses across a range of sectors, including financial services, automotive, energy production, industrial manufacturing and construction. Tom has managed international arbitrations under most leading sets of institutional rules, seated in Hong Kong, Singapore, Tokyo, Manila and London, as well as related court applications across various jurisdictions in Asia and elsewhere.

Tom holds dual degrees in law and international relations, and is a qualified lawyer in both New Zealand and Hong Kong. He has a strong interest in international disputes, litigation finance and the development of legal services. He frequently speaks and publishes on these topics.



Robert Kirkness - Counsel, Freshfields Bruckhaus Deringer

Robert is counsel in Freshfields' Singapore-based international dispute resolution team. Robert has represented both investors and States in numerous disputes under investment treaties, and he has represented commercial clients in a wide-range of international commercial disputes under all the major arbitral rules and systems of law. His recent cases include acting as counsel for a Canadian mining company in its third-party funded claim against Venezuela, which resulted in an award of more than US\$1.2 billion, and acting as counsel for East Mediterranean Gas and its foreign shareholders in a series of four parallel investment treaty and contract arbitrations relating to Egypt's cessation of gas supplies to Israel following the 2011 Arab Spring. Robert has worked for third-party funded clients on a number of high-profile disputes and advised third-party funders on the merits of potential claims. He is recognised as a future leader in international arbitration by Who's Who Legal, and as a "Next Generation" lawyer in international arbitration in Singapore by Legal 500.



Cameron Ford - Corporate Counsel, Rio Tinto (Moderator)

Cameron is corporate counsel with Rio Tinto in Singapore practising in commercial law and disputes, having been in Singapore for six years. He has been a partner in a law firm and a barrister at the independent Bar in Australia, practising in commercial and administrative dispute resolution. He later became Head of Dispute Resolution for four States for National Australia Bank and then counsel for Downer Group in Australia and Singapore on a large SIAC construction arbitration. When that ended he became acting Head of Legal for Rio Tinto in Mongolia for 6 months before returning to Rio Tinto in Singapore.

Cameron is a mediator, arbitrator and a Security of Payment adjudicator in Australia, having written over a dozen determinations. He is a Fellow of the Chartered Institute of Arbitrators, a Fellow of the Singapore Institute of Arbitrators, a Fellow of the Australian Centre for International Commercial Arbitration and is on the arbitrator panels of SIAC, KLRAC and Beijing Arbitration Commission. He obtained his LLB from the University of Queensland, LLM from the University of Melbourne and a Graduate Certificate in International Arbitration from NUS.

Registration Fees

Membership Category	Fees (Inclusive of 7% GST and course materials)
Law Society Member / Employee of Small Law Firm (Singapore law Practice with 5 or less lawyers)	\$86.67
Other Law Society Member / Employee of a Law Practice (except from Small Law Firm)	\$96.30
Non-Members of Law Society	\$128.40

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Terms and Conditions

- Allocation of seats is on a first-come-first-serve basis.
- Registration closes on **30 June 2017, Friday (5.00pm)**, or when all seats are filled.
- The registration fee is due and payable upon registration and must be received prior to the event.
- Payment must be made by the closing date stated. Registration will only be confirmed upon receipt of full payment.
- The Law Society reserves the right to refuse to register or admit any participant, and to cancel or postpone the course or seminar.
- If you are unable to attend, a substitute delegate is welcomed, provided that the Law Society is notified in writing of the name and particulars of the substitute delegate at least 3 working days before the seminar.

Cancellation and Refund of Fees

- Participant who cancels their registration before the commencement date shall be liable to pay the percentage of the seminar fee set out as follows:
 - i. 20 days before commencement date: 25% of seminar fee.
 - ii. 19 to 8 days before commencement date: 50% of seminar fee.
 - iii. 7 days or less before commencement date: 100% of seminar fee.
- Participant who is unable to attend the seminar due to medical exigencies will be subjected to a cancellation fee of 50% of seminar fee.

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No of Public CPD Points: 1.5 Points
 Practice Area: Corporate/Commercial
 Training Level: General

Participants who wish to claim CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. This includes signing in on arrival and signing out at the conclusion of the activity in the manner required by the organizer, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to <http://www.silecpdcentre.sg/> for more information.

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