

€ TRAINING

Judicial Arbitration



26 - 30 August 2024
Kuala Lumpur (Malaysia)

Judicial Arbitration

REF: U1389 DATE: 26 - 30 August 2024 Venue: Kuala Lumpur (Malaysia) - Fee: 5300 Euro

Introduction:

Arbitration is very different from mediation where the mediator helps parties reach their own resolution. Still, arbitration is less formal than a trial, and the rules of evidence are often relaxed. Arbitration is usually quicker and less expensive than a trial.

Course Objectives:

At the end of this course the participants will be able to:

- Comprehensively understand the different types of dispute resolution methods
- Understand the main dispute resolution clauses in international oil and gas contracts
- Know the available mechanisms to resolve international oil and gas disputes
- Be aware of the approaches to conflict, management, avoidance, and settlement
- Be able to assess and apply the best means to resolve disputes in different potential scenarios

Targeted Audience:

- Legal Managers, Legal Counsel
- Commercial and Business Managers
- Contracts Administrators, and Managers
- Commercial, Financial, and Insurance Professionals
- Project and General Management

Course Outlines:

Unit 1:

- The definition, types, and advantages of arbitration.
- The difference between arbitration and other systems.
- Arbitration Agreement Terms of the validity of the Agreement - Effects of the arbitration agreement.
- Condition and interlocutor arbitration.
- The difference between the arbitrator and the judge and the conditions to be met by the arbitrator.
- Obligations of the arbitrator in the stages of the proceedings and their implications.
- The arbitrator retracts the arbitration task after acceptance and direct proceedings.
- Arbitration proceedings and arbitration litigation.
- Formal objections to arbitration.

Unit 2:

- The arbitration agreement and its extension to non-signatories.
- The extent to which the arbitral tribunal is obliged to follow the formal procedures prescribed by law.
- Jurisdiction of the Arbitral Tribunal to consider expedited applications.
- Procedures for the response and removal of the arbitrator and the court competent to respond.
- Rejection and dismissal of the arbitrator.
- Substantive objections to arbitration.

- Procedures for the award of the award and the conditions to be met in the judgment.
- Ratification of the arbitral award and the competent court.

Unit 3:

- Defeating the judgment of the arbitrator and the competent court.
- Controls on the determination of international and domestic commercial arbitration in the light of the provisions of the Uniform Arbitration Law.
- Arbitration in real estate disputes.
- Arbitration of disputes arising from construction and contracting contracts.
- Arbitration in marine disputes.
- Arbitration in trademark disputes, patents, and technology transfer contracts.
- Arbitration Overview.
- The definition, types, and advantages of arbitration.
- The difference between arbitration and other systems.

Unit 4:

- Arbitration Agreement Terms of the validity of the Agreement - Effects of the arbitration agreement.
- Condition and interlocutor arbitration.
- The difference between the arbitrator and the judge and the conditions to be met by the arbitrator.
- Obligations of the arbitrator in the stages of the proceedings and their implications.
- The arbitrator retracts the arbitration task after acceptance and direct proceedings.
- Arbitration proceedings and arbitration litigation.
- Formal objections to arbitration.
- The arbitration agreement and its extension to non-signatories.

Unit 5:

- The extent to which the arbitral tribunal is obliged to follow the formal procedures prescribed by law.
- Jurisdiction of the Arbitral Tribunal to consider expedited applications.
- Procedures for the response and removal of the arbitrator and the court competent to respond.
- Rejection and dismissal of the arbitrator.
- Substantive objections to arbitration.
- Procedures for the award of the award and the conditions to be met in the judgment.
- Ratification of the arbitral award and the competent court.
- Defeating the judgment of the arbitrator and the competent court.
- Controls on the determination of international and domestic commercial arbitration in the light of the provisions of the Uniform Arbitration Law.