

2016 Annual Report The Multi-Service Global Hub for ADR

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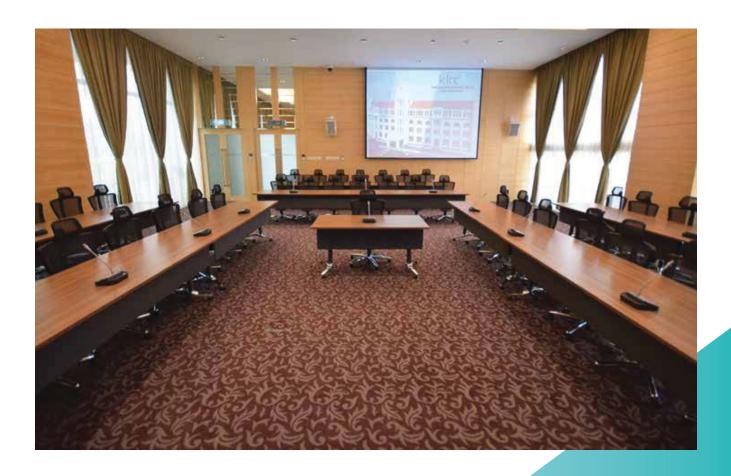
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About KLRCA

The Kuala Lumpur Regional Centre for Arbitration (KLRCA or the Centre) is a not-for-profit, non-governmental international arbitral institution that was established in 1978 under the auspices of the Asian-African Legal Consultative Organization (AALCO). It was the first centre of its kind to be established by AALCO in Asia.

The Centre provides institutional support for domestic and international arbitration and other alternative dispute resolution (ADR) proceedings. In addition, the KLRCA offers hearing facilities and ancillary administrative services to tribunals operating ad hoc or under the auspices of another institution. Established pursuant to the host country agreement between Malaysia and AALCO, the Centre has been accorded privileges and immunities for the purposes of executing its functions as an independent, international organisation.

The Centre is led by the Director, Datuk Professor Sundra Rajoo and has an advisory board chaired by the Attorney General of Malaysia and comprises renowned international arbitrators.

KLRCA Advisory Board

The Advisory Board of KLRCA was appointed by the Minister in the Prime Minister's Department of Malaysia, Datuk Seri Mohamed Nazri Aziz, effected 15th of August 2011. Chaired by the Attorney-General of Malaysia, the Board advises KLRCA on its strategic direction in its aim to be the preferred arbitration centre in the Asia Pacific region as well as in positioning Malaysia as an arbitration-friendly destination.



Yang Berbahagia Tan Sri Dato' Sri Haji Mohamad Apandi Ali

Attorney General of Malaysia & KLRCA Advisory Board Chairman

Tan Sri Dato' Mohamed Apandi Ali, the ninth attorney-general of Malaysia is a former Federal Court judge. Apandi read law at the University of London, with other government scholars and graduated in 1972.

He ran a private practice from 1982 until 2003 before entering the judicial service. He became a High Court Judge in 2007, a Court of Appeal judge in 2010 and on Sept 30, 2013, he was elevated to the Federal Court.

The Board consists of renowned and respected Malaysian and international arbitrators. They are:



YBhg Tan Sri Dato' Cecil Abraham

Founding Partner, Cecil Abraham & Partners



Mr Vinayak P Pradhan Consultant of Skrine, and Former

President of the Chartered Institute of Arbitrators, UK



Professor Philip Yang

Honorary Chairman of the Hong Kong International Arbitration Centre



Professor Robert Volterra Messrs Volterra Fietta, UK



Mr Sumeet Kachwaha Partner, Messrs Kachwaha & Partners, India

Minister In Charge



YB Dato' Sri Azalina binti Othman Said

Minister in the Prime Minister's Department

Azalina Othman Said is a Minister in the Prime Minister's Department. She has been an elected Member of Parliament for P157 Pengerang constituency in Johor since 2004. She was Malaysia's Minister for Tourism from 2008 to 2009 and the Minister for Youth and Sports from 2004 to 2008

Before entering politics, Azalina was a practicing lawyer and host of various television talk shows, mainly discussing about political, economic and social issues

Azalina holds a Master of Laws (LLM) from the London School of Economics and Political Science, United Kingdom.

AALCO Secretary General



H.E Professor Dr. Kennedy Gastorn

Secretary-General of the Asian-African Legal Consultative Organization (AALCO)

Prof. Kennedy Gastorn, of United Republic of Tanzania, is the sixth Secretary-General of the Asian-African Legal Consultative Organization (AALCO). He took office on 15th August, 2016. He was elected for a four-year term at the Fifty-Fifth Annual Session held in New Delhi (HQ), India.

Prior to his current appointment, Prof. Gastorn was the Director of International Affairs of the University of Dar es Salaam, Tanzania and the immediate past Head of the Department of Public Law, University of Dar es Salaam School of Law. He was also a member of the National Environmental Advisory Committee in the Vice President's Office United Republic of Tanzania. He has been involved with the Government of Tanzania as a consultant on various issues such as Drafting Regulations and Guidelines for the purposes of giving effect to the provisions of the Environmental Management Act, 2004 of Tanzania in 2012 (Permanent Secretary, Vice President's Office United Republic of Tanzania), and other national and international institutions as a consultant on issues such as Drafting a Scalable Model on Mediating and Arranging of German-African University Partnerships (2014), Stiftung Partnerschaft mit Afrika e.V.

Director of KLRCA



Datuk Professor Sundra Rajoo

Director of the Kuala Lumpur Regional Centre for Arbitration (KLRCA)

Datuk Professor Sundra Rajoo is the Director of the Kuala Lumpur Regional Centre for Arbitration (KLRCA) and President of the Chartered Institute of Arbitrators (2016). His roll of honour includes being Founding President of the Society of Construction Law, Malaysia and the Malaysian Society of Adjudicators. He is also the Past President of the Asia Pacific Regional Arbitration Grouping (APRAG), which is a federation of nearly 40 arbitral institutions in the Asia Pacific region.

Datuk Professor Sundra Rajoo is a Chartered Arbitrator and an Advocate & Solicitor of the High Court of Malaya (non-practising). He is a Professional Architect, Registered Town Planner and a Fellow of the Royal Institution of Chartered Surveyors. He has had numerous appointments as chairman, co-arbitrator of three-man panels and sole arbitrator in international and domestic arbitrations. He serves on the panel of numerous international arbitral institutions and organisations.

He is visiting professor at the Faculty of Built Environment, University of Technology Malaysia and past visiting professor at the Law Faculty, National University of Malaysia. He is a member in the Monetary Penalty Review Committee set up under the Malaysian Financial Services Act 2013.

Datuk Professor Sundra Rajoo has authored, co-authored and edited several books on arbitration, contract and construction law, including, Law, Practice and Procedure of Arbitration, 2nd Edition, 2016, Lexis Nexis; Arbitration in Malaysia: A Practical Guide, 2016, Sweet & Maxwell; Construction Law in Malaysia, 2012, Sweet & Maxwell; The Malaysian Arbitration Act 2005 (Amended 2011) – An Annotation, 2013, Lexis Nexis; The PAM 2006 Form, 2010, Lexis Nexis; The Arbitration Act 2005 – UNCITRAL Model Law as Applied in Malaysia, 2007, Sweet & Maxwell; The Malaysian Standard Form of Building Contract (The PAM 1998 Form), 1999, Malayan Law Journal. He also wrote the chapter on Annulment of Investment Arbitration Awards, The Investment Treaty Arbitration Review, 2016 edited by Barton Legum, Law Business Research.

In July 2015, Datuk Professor Sundra Rajoo was conferred an Honorary Doctorate in Laws from the Leeds Beckett University in England.

Director's Message

KLRCA's relentless drive towards progress through innovative and inclusive efforts for the local and global Alternative Dispute Resolution (ADR) community; intertwined with greater commitment and focus, ground breaking ADR capacity building programmes, avant-garde products and services has moved into unchartered territories, enabling the Centre to inch closer in becoming the multi-service global hub for ADR.

Enhancing its global status and presence through the successful organising of world class talks and conferences, delivery of thought provoking and solution based lectures throughout the globe, strategic co-operation agreements with reputable local and international institutions, and registering record case loads – were hallmarks of a significant 2016.

2016 has been an exceptional year for the Centre and I would like to present this report by stating; the substantial successes that KLRCA has displayed throughout the year - are a tribute to all our stakeholders who have engaged, and with passion, embarked on a shared commitment of enhancing the alternative dispute resolution industry in this country and the entire region we call home.

Overwhelming response and positive feedback from candidates across the world that have attended our events will see us take on a more active role in education and capacity building in 2017.

Highlights for the upcoming year include the launch of KLRCA's 2017 Rules, a new and improved website with an interactive user friendly interface, the Kuala Lumpur International ADR Week (KLIAW 2017) and a host of innovative certification programmes alongside leading ADR and academic institutions.

Together with my team, we will continue to push our boundaries and barriers to ensure KLRCA fulfills its potential in becoming a complete global ADR hub.

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DATUK PROFESSOR SUNDRA RAJOO Director of KLRCA

2016 Overview

Staggering increase in ADR cases administered, including



adjudication cases recorded in 2016



Multi-Service Global hub for ADR



35 MOUs with leading global institutions



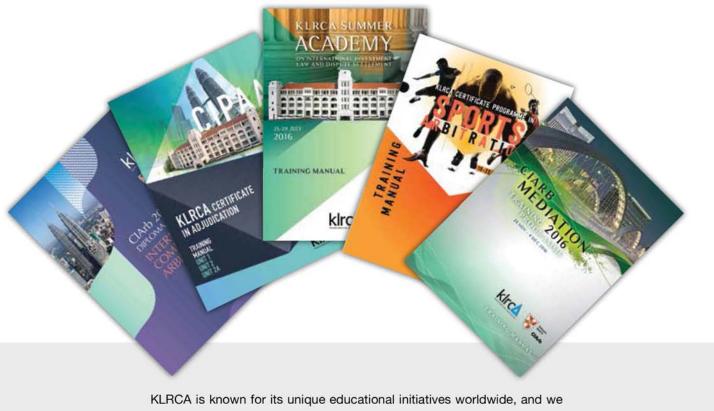
from 68 countries



dedicated Investment Arbitration Conference hosted in Asia



The KLRCA International Investment Arbitration Conference (KIIAC 2016) provided an excellent opportunity for delegates to evaluate a wealth of global information and exchange insights pertaining to various facets of the investment arbitration spectrum including policy, governance, advocacy and research.



continue to work on our annual projects as well as bringing new initiatives to Kuala Lumpur.



KLRCA has collaborated with a number of industries in advancing ADR as an effective mode of resolution

2016 Events & Capacity Building

All events:



Papers/Presentations delivered at:



Important Events:

Construction Industry Payment and Adjudication Act (CIPAA) 2012 Programmes

• 2 KLRCA Certificate in Adjudication Courses

- 1 CIPAA Conference
- 4 Talks

750+ Participants Attended

KLRCA Talk Series is a

sequence of monthly talks held at the Centre. It is a free forum that is meant to be informative to all those who are interested in arbitration and ADR.

15 Talks

1400+ Participants Attended

KLRCA International Investment Arbitration Conference

260+ Participants Attended

KLRCA Sports Law Conference (In collaboration with Sports Law Association of Malaysia: Pro:Tem)

150+ Participants Attended

KLRCA Summer Academy on International Investment Law and Dispute Settlement

50+ Participants Attended

KLRCA Mediation Forum

150+ Participants Attended

KLRCA Certificate in Sports Arbitration

45+ Participants Attended





KLRCA continued with its efforts to raise awareness on CIPAA as well as to train future adjudicators to be part of the KLRCA Panel of Adjudicators through the KLRCA Certificate in Adjudication Programme. CIPAA 2012 was officially enforced on 15 April 2014. Two certification training programmes were planned for 2016.

KLRCA Certificate in Adjudication

- Kuala Lumpur, 28 May 1 June 2016
- Kuala Lumpur, 3 December 7 December 2016

The first half of the year also saw the Centre successfully organise the CIPAA conference that led to a sold out auditorium

• CIPAA Conference 2016: Gaining Strength, 18 May 2016, Kuala Lumpur



Construction Industry Payment and Adjudication Act (CIPAA) 2012





· A party that takes the dispute to the court despla an agreement can be successfully opposed by the other party, and have the court proceedings stayed in favour of arbitration

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Significance of Arbitration Agreement

Diploma in International Commercial Arbitration

KLRCA and the Chartered Institute of Arbitrators (CIArb) Malaysia Branch jointly organised the Diploma in International Commercial Arbitration 2016 course. The course held from 9 - 17 January 2016 was attended by more than 30 participants from Malaysia and many parts of the world with a faculty panel made up of distinguished and renowned international arbitrators.





DATE 9 - 17 January 2016

Kuala Lumpur Regional Centre for Arbitration Places are strictly limited

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CIArb 2016 **DIPLOMA COURSE IN NTERNATIONAL** COMMERCIAL ARBITRATION

In interosive interdential course in international Convential Arthouson is offered or nine days. Participants will be taught the practice of international commercial battern including all maps forms of international antibitations and phated dispute televant mechanisms such as WPO. WTO and investment Tracky Advication integration dispute the ability in appear as coursel or set as an arbitrator methodown integration dispute backs of the appear as coursel or set as an arbitrator methodown integration.

are service in the service days comprises a server of leatures covering the fundamental of international commercial arbitration. They follow and analyzes lengt concepts and international commercial arbitration. They follow and analyzes lengt control deals with Table law Assumes, inferences in the latters half of the Control deals with Table law Assumes, inferences many latter and the latter half of the Control deals with Table law Assumes, inferences in the latters half of the Control deals with Table law Assumes, and they specialist areas such as construction additudes and martime arbitration.

In addition, during the week days distribution sensions, participants take part in practical group workdrops under the guidance of experienced arbitration. Studients will be grown process? Intering in the conduct of an international arbitration and will discuss a single of problems which may arise in the studient of conducting an international arbitration.

On reconstill completion of the Diploms Genne and Module 4 Arrand Willing Commution, conditions will be available a CMAb Diploms in testinacional Commercial Arbertacion

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For enquiries regarding the ac-content of the course, please of Ma. Rashda Rana SC Course Desertion Ernall: ranhola.turna3C093 Datuk Professor Sondra Rajoo

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KLRCA Talk Series













- Practical Views on Dispute Prevention and Resolution in Major International Project (Pierre Michel Genton, Paul-A. Gelinas & Ramdas Tikamdas), 16 January 2016
- Bid Rigging Are You at Risk (Shanthi Kandiah & Dr. Sivasangaran Nadarajah), 20 January 2016
- Multiplication of Arbitral Institutions in Asia and the Middle East (Mark Beer, Tun Zaki Tun Azmi, Datuk Professor Sundra Rajoo & Dato' Mah Weng Kwai), 26 January 2016
- Reflections on Construction Disputes in Mega-Projects (Chow Kok Fong & Datuk Professor Sundra Rajoo), 29 January 2016
- Efficient Arbitration: Lessons to Be Learnt from The Civil Law (Dr. Christopher Boog & Lim Chee Wee), 31 March 2016
- Mediating Oil, Gas, Engineering & Construction Disputes (Dr. Robert Gaitskell, QC & Tan Sri Dato' V C George), 6 April 2016
- Conflict of Interest in Arbitration: Recent Developments (Khawar Qureshi QC & Dato' Arief Emran Arifin), 18 April 2016
- The Latest Trends in International Arbitration and Selecting the Right Tribunal for Your Case (Mark Goodrich & Dato' Anantham Kasinather), 26 May 2016



- 9. Critical Issues on International and Domestic Arbitration: Judges' Perspective (Dato' Mah Weng Kwai, YA Dato' David Wong Dak Wah, YA Dato' Setia Hj Mohd Zawawi Salleh, YA Dato' Umi Kalthum Abdul Majid, YA Justice Vernon Ong Lam Kiat, YA Datuk Dr. Prasad Sandosham Abraham, YA Dato' Mary Lim Thiam Suan, YA Justice Lee Swee Seng & YA Justice Azizul Azmi bin Adnan), 17 June 2016
- Maritime Delimitation, Sovereignty Disputes and International Arbitration - A Practitioner's Perspective (Stephen Fietta & Dr. Ioannis Konstantinidis), 30 June 2016
- 11. Arbitration in Asia The Good, The Bad and The Ugly! (Peter Godwin & Lam Wai Loon), 23 June 2016
- 12. Securing Your Digital Assets (Jayce Yeo, Yeo Yee Ling & Khoo Guan Huat), 4 August 2016
- Developments in UK Family Arbitration (Judge Cryan, Pamela Scriven QC & Honey Tan Lay Ean), 29 August 2016
- 14. An Evening with David. Rivkin: Efficiency in International Arbitration (David Rivkin, Steven Thiru, & Tan Sri Cecil Abraham), 24 October 2016
- Straying from the Facts in a Hot Tub: Expert Evidence and Managing the Expert Witness (Revantha Sinnetamby & Kevin Prakash),
 8 November 2016







KLRCA Conference / Forum / Training Programmes





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CERTIFICATE PROGRA

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- 1. KLRCA International Investment Arbitration Conference, March, Kuala Lumpur
- 2. KLRCA Summer Academy on International Investment Law and Dispute Settlement, July, Kuala Lumpur
- 3. 2nd IPBA-KLRCA Asia-Pac Arbitration Day, September, Kuala Lumpur
- 4. KLRCA Certificate Programme in Sports Arbitration, September, Kuala Lumpur
- 5. ICC-KLRCA International Arbitration Conference, October, Kuala Lumpur
- 6. KLRCA Mediation Forum, November, Kuala Lumpur
- 7. KLRCA-CIARb Mediation Programme, November, Kuala Lumpur
- 8. ADNDRC (Domain Name Dispute) Conference, December, Kuala Lumpur
- KLRCA-SLAM (Sports Law Association of Malaysia: Pro-Tem) Sports Law Conference, December, Kuala Lumpur

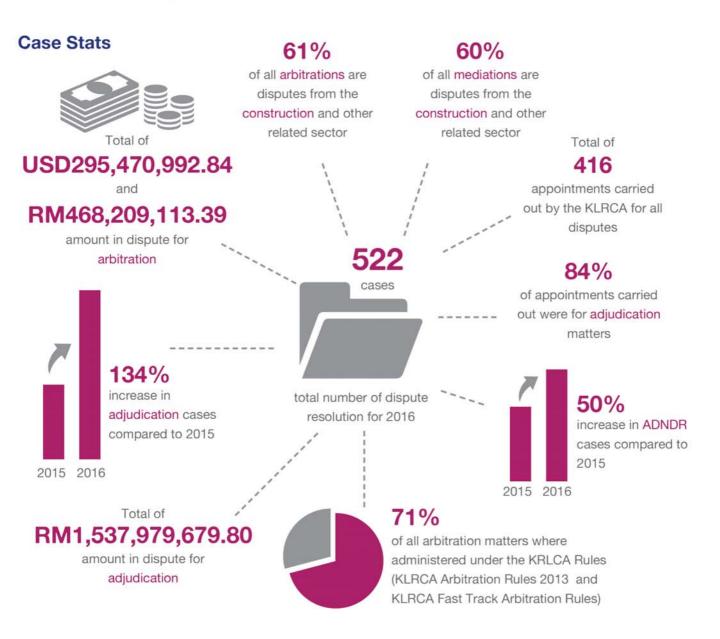




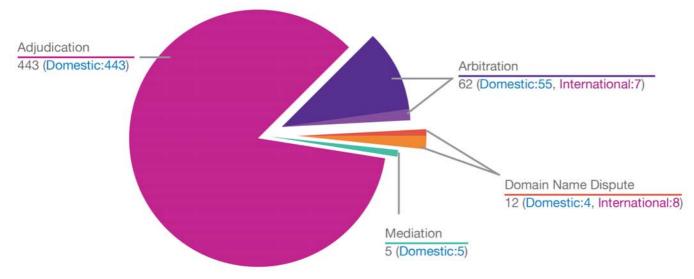
- 1. Resolving Disputes with Companies from Asia: What is the Best Approach?, January, San Francisco
- 2. Young Arbitrators Forum International Chamber of Commerce (ICC): Introduction to ICC Arbitration, February, Petaling Jaya
- 3. ASEAN Judge Training, February, Singapore
- 4. 2016 Shanghai International Arbitration Forum Boosting "One Belt One Road", March, Shanghai
- 5. KLRCA-MIARB Joint Talk, April, Kuala Lumpur
- 6. The 3rd MIARB Annual Review for 2015, May, Kuala Lumpur
- 7. APAG Training Day Best Practices in International Arbitration, June, Kuala Lumpur
- 8. Annual Summit on Commercial Dispute Resolution in China, June, London
- 9. The 4th FDI Moot "Asia Pacific Regional Rounds", August, Seoul
- 10. 1st Regional Conference 2016: Bridging the Gaps, August, Kuala Lumpur
- 11. LAWASIA International Moot Competition 2016, August, Sri Lanka
- 12. ASEAN Economic Integration Forum, September, Kuala Lumpur
- 13. International Conference on Challenges in Domestice & International Arbitration, September, Chennai
- 14. International Malaysia Law Conference, September, Kuala Lumpur
- 15. CIETAC China Arbitration Summit, September, Beijing
- 16. Indonesia & SE Asia: 4th Annual International Arbitration Summit, September, Jakarta
- 17. Maritime Law Conference, October, Kuala Lumpur
- 18. SMC Adjudication Conference 2016, October, Singapore
- 19. International Dispute Resolution Master Class, October, Beijing
- 20. National Initiative on Strengthening Arbitration and Enforcement in India, October, New Delhi
- 21. The Asia-Pac Regional Arbitration Group Conference 2016, October, Bali
- 22. 2nd International Conference on Arbitration, October, Doha
- 23. Penang Mediation Skills Course, October, Penang
- 24. The 2016 Dispute Resolution in Asia Workshop, November, Kobe Japan
- 25. Iskandar Malaysia Construction Law Conference, November, Johor Bahru
- 26. Islamic Arbitration Conference, December, Sharjah

Other Events

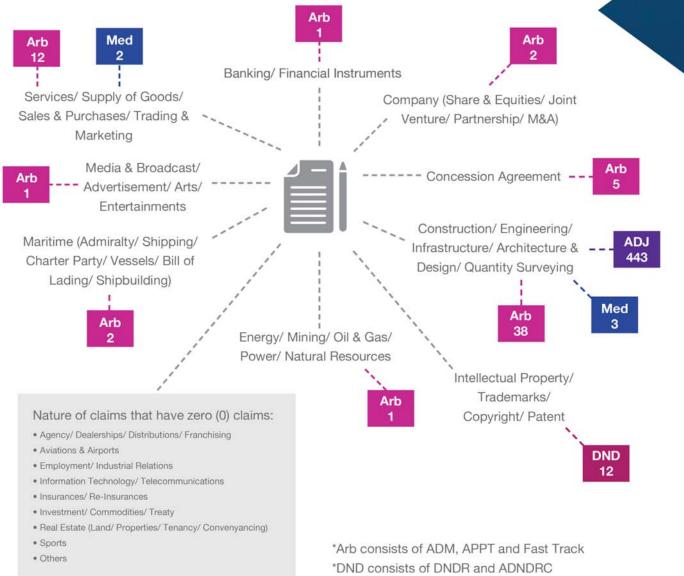
Case Analysis



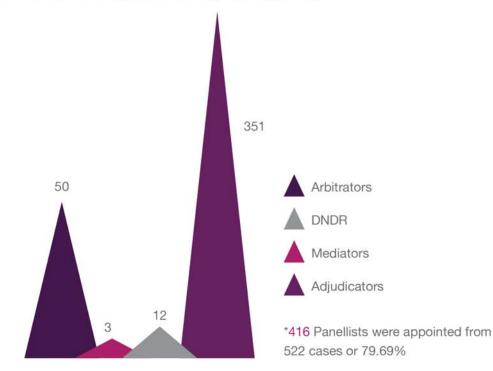
1. No. of cases Registered in 2016 and Categories of Cases



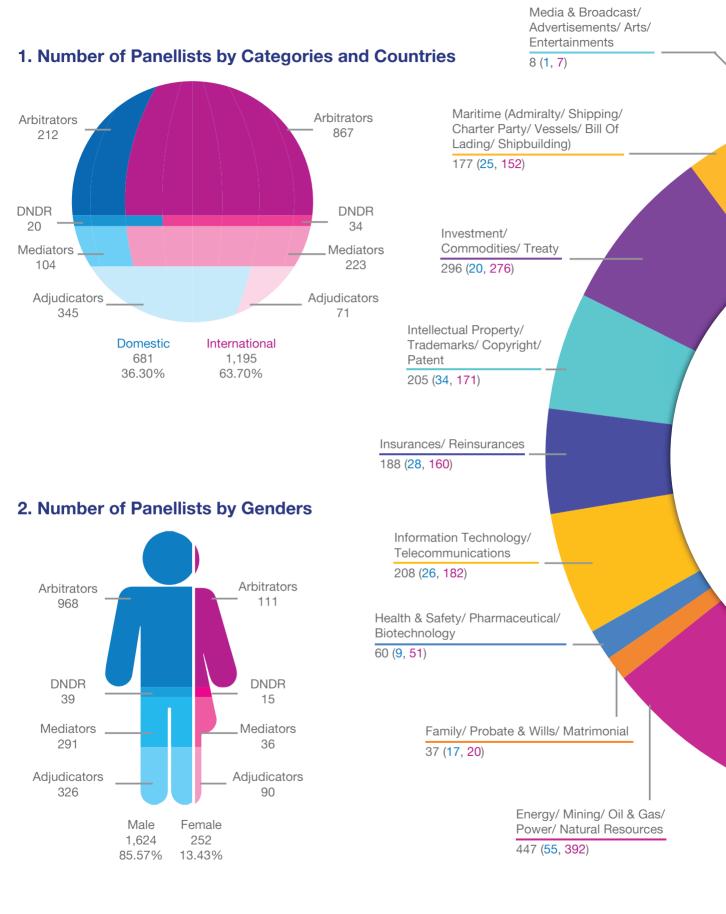
2. Nature of Claims

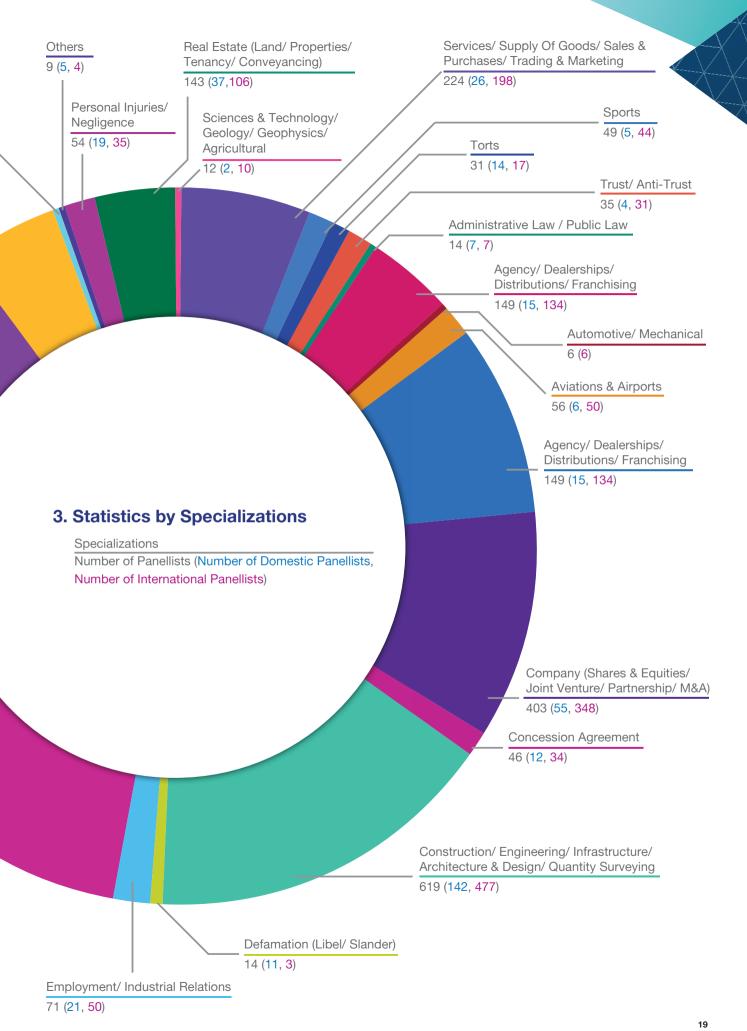


3. Total No. of Panellists Appointed by Categories



Breakdown of Panellists





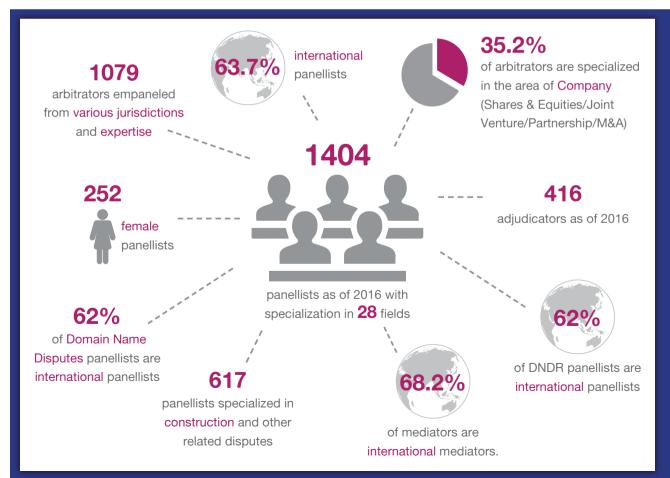
4. Statistics by Countries

Country	Number of Panellists	Number of Adjudicators
Malaysia	256	238
Singapore	137 14	
Indonesia	11	
Philippines	3	
Thailand	4	
Vietnam	2	
Cambodia	1	
Hong Kong	82 1	
China	40	
Japan	8	
Korea	13	
Taiwan	1	
India	20	
Pakistan	5	
Nigeria	2	
Mauritius	2	
Maldives	2	
Australia	46 2	
United Arab Emirates (UAE)	17 2	
Bahrain	1	
Jordon	1	
Qatar	2	
Kyrgzstan	2, 1	
Uzbekistan	1	
Eygpt	5	
Lebanon	2	
Monaco	1	
Tunisia	1	
Syria	1	
United Kingdom (UK)	149	
United States of America (USA)	67	
New Zealand	7	
Switzerland	34	
Ireland	4	
Austria	11	
Finland	4	
Germany	29	
Canada	10	
Sweden	8	
France	51	
Italy	14	
Spain	9	
Belgium	14	
Poland	3	
Bulgaria	1	
Russia	11	
Ukraine	7	
	2	
Serbia		

Czech Republic	4
Greece	1
Romania	1
Hungary	1
Portugal	3
Columbia	1
South Africa	1
Brazil	2
Argentina	1
Bolivia	1
Cyprus	2
Barbados	1
Lithuania	1
Latvia	2
The Netherlands	7
Nepal	1
Chile	1
Jamaica	1
Belarus	2
Botswana	1
Sri Lanka	1,2
Bangladesh	1,2
Brunei	1

*1404 Panellists are still active while 9 Panellists withdrawn

Panellist Stats



Cost and Duration Study

Introduction

This Cost and Duration Analysis is conducted for cases registered and concluded under the KLRCA Rules 2013 (the 2013 Rules). The Analysis takes into account all cases registered and concluded with the KLRCA and related data **from 1st October 2013 up to 31st December 2016** (the Analysis period).

The KLRCA Rules

KLRCA's Schedule of Fees

One of the salient features of the KLRCA Rules is pursuant to Rule 12(2), where unless otherwise agreed by the parties and the arbitral tribunal, the fees of the arbitral tribunal shall be fixed by the Director of the KLRCA in accordance with the Schedule of Fees. KLRCA's Schedule of Fees caters separately for international and domestic arbitrations. Accordingly, the fees for international arbitrations are stipulated in US Dollars (USD) while fees for domestic arbitrations are stipulated in Ringgit Malaysia (RM). In ensuring timeliness, Rule 11(1) stipulates that the arbitral tribunal shall render its final award within a period limited to **3 months**. The time limit stipulated begins from the date of the closing of final submissions (written or oral). To further ensure accountability, the arbitral tribunal is required to inform the Director of said date.

Methodology

Cases taken into account for the purposes of this Analysis are cases administered by the KLRCA, and concluded under the 2013 Rules (domestic and international) during the Analysis period.

Duration

Duration is recorded as from the date of Registration till the date of final conclusion.

Costs

As for costs, all arbitration proceedings considered during the Analysis period were identified and the total costs¹ were tabulated to identify the average and median. We categorized the costs data to correspond with domestic and international arbitrations, where domestic costs are denominated in Ringgit Malaysia (RM), and international arbitrations are denominated in USD.

Analysis of Cost & Duration of KLRCA Arbitrations

Duration

In terms of time taken for conclusion of proceedings under KLRCA administration, the average duration was **10.84 months**². In comparison to 3 other leading arbitral institutions, the KLRCA stands to be more time effective. In fact, the KLRCA is one of a handful of arbitral institutions, on average, to conclude an arbitration within a year.

Costs

In terms of costs, both domestic & international proceedings were considered separately where domestic arbitrations are denominated in RM while international arbitrations are denominated in USD.

i) Domestic Arbitrations:

The average total cost for domestic arbitrations during the Analysis period was RM132,533.56.

Broken down, the average administration fee was only **RM25,490.79**³. This competitive average has been achieved despite the highest domestic arbitration claim being valued at **RM967,960,365.55**.

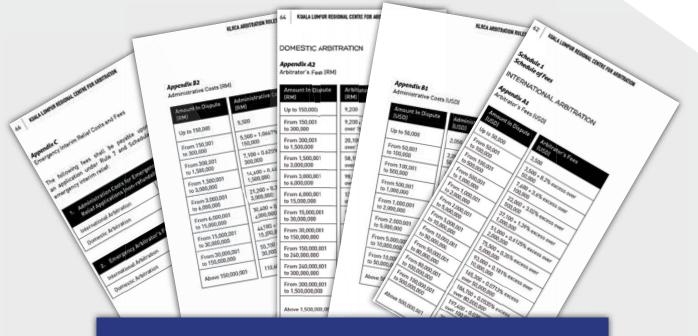
ii) International Arbitrations:

The average total cost for international arbitrations registered and concluded during the Analysis period (both sole arbitrator and 3 member tribunals) was **USD53,059.96**.

Broken down, Arbitrators' fees on average (per arbitrator) was **USD42,708.94**, while the KLRCA's average administration fees was **USD10,351.02**⁴.

Conclusion

In comparison, the KLRCA emerges as one of the most effective in terms of cost and duration among all other arbitral institutions. Moving forward, the KLRCA will capitalise on its position as the most effective in terms of cost and duration to place itself as a key alternative dispute resolution hub. The geographic advantage of Malaysia along with its low cost of living is an added advantage when comparing the cost effectiveness of this jurisdiction. The KLRCA stands to be more cost effective and time effective when compared to other leading arbitral institutions which have conducted the same study based on the institutions and case load.



Schedule of Fees

¹Total costs includes tribunal fees and KLRCA's administrative fees.

² This includes arbitrations with sole arbitrator panels as well as 3-member panels.

³ The 2013 Rules contain a Schedule for both Administration and Arbitrators fees (by scale), dependent on the total value of the claim.

⁴ Administration fees are only dependent on the total claim, and not the number of arbitrators appointed.

Our Facilities

In 2016, we had over





Bangunan Sulaiman is on the historical mile of Kuala Lumpur



KLRCA's Bangunan Sulaiman "has potential to be the best outside the Peace Palace." – GAR Hearing Centres Survey



Located conveniently close to the KL Sentral Station, the transportation hub of the city



Full Breakdown







- Extra Large Hearing Room with Court Recording & Transcription System (CRT)
- World-Class Hearing Rooms
- 2 Extra Large Hearing Rooms (Seating capacity : 60 pax)
- 3 Large Hearing Rooms (Seating capacity : 22 pax) (1 large hearing room with CRT)
- 10 Medium Hearing Rooms (Seating capacity : 14 pax) (1 medium room with CRT)
- 6 Small Hearing Rooms (Seating capacity : 10 pax)
- 3 Extra Small Hearing Rooms (Seating capacity : 6 pax)









- 12 Breakout Rooms
- 2 Discussion Rooms
- Auditorium (Seating capacity : 186 pax) Highest seating capacity recorded at 245 pax
- Pre-Function Room
- Seminar Room (Classroom seating : 60 pax; Theatre seating : 100 pax)
- Roof Top Garden Pavillion
- One Stop Business Centre
- Arbitrators' Lounge
- Private Dining Room
- Outdoor Dining Area
- Ample Covered Car Park Spaces
- Specialised Alternative Dispute Resolution (ADR) and Construction Law Library (Open to the public)
- Ultra-modern Video Conferencing Equipment













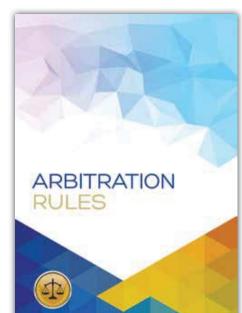






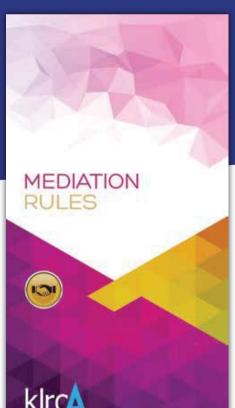


Our Products





REGIONAL RESOLUTIO GLOBAL SOLUTION



REGIONAL RESOLUTION

KLRCA Arbitration Rules

The KLRCA Arbitration Rules cover all aspects of the arbitral process, providing a model arbitration clause, setting out procedural rules regarding the appointment of arbitrators and the conduct of arbitral proceedings, and establishing rules in relation to the form, effect and interpretation of the award.

KLRCA Fast Track Arbitration Rules

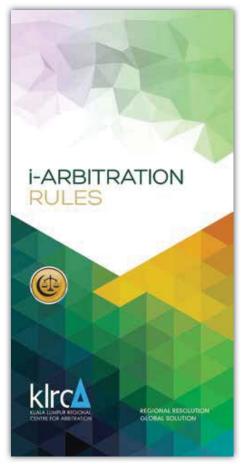
The KLRCA Fast Track Arbitration Rules are designed for parties who wish to obtain an award in the fasted way with minimal costs. The new Fast Track Rules have been modified to run more cohesively with international trends in arbitration proceedings and KLRCA's functions in line with current practices in international commercial arbitration.

FAST TRACK ARBITRATION RULES

KLRCA Mediation Rules

The KLRCA Mediation Rules are a set of procedural rules covering all aspects of the Mediation process to help parties resolve their domestic or international disputes. The streamlined rules ensures that the mediation process addresses all parties' interests which in turn will preserve the working relationship of parties and ensure those who negotiate their own settlements have more control over the outcome of their dispute.

klra



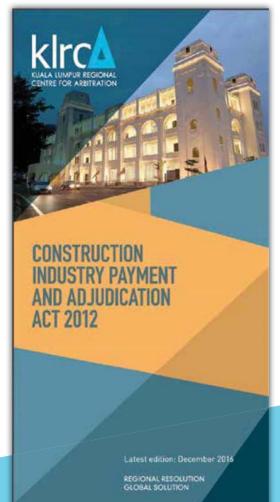
KLRCA i-Arbitration Rules

KLRCA i-Arbitration Rules are suitable for arbitration of disputes arising from commercial transactions premised on Islamic principles. The Rules incorporate a reference procedure to a Shariah Advisory Council or Shariah expert whenever the arbitral tribunal has to form an opinion on a point related to Shariah principles. This is in addition to covering all aspects of the arbitral process, providing a model arbitration clause, setting out procedural rules regarding the appointment of arbitrators and the conduct of arbitral proceedings, and establishing rules in relation to the form, effect and interpretation of the award.

These rules (4 rules above) are translated and available in eight (8) languages: English, Bahasa Malay, Bahasa Indonesia, Arabic, Spanish, Korean, Russian and Mandarin.

KLRCA & Construction Industry Payment and Adjudication Act (CIPAA)

KLRCA i-Arbitration Rules are suitable for arbitration of disputes arising from commercial transactions premised on Islamic principles. The Rules incorporate a reference procedure to a Shariah Advisory Council or Shariah expert whenever the arbitral tribunal has to form an opinion on a point related to Shariah principles. This is in addition to covering all aspects of the arbitral process, providing a model arbitration clause, setting out procedural rules regarding the appointment of arbitrators and the conduct of arbitral proceedings, and establishing rules in relation to the form, effect and interpretation of the award.



*The Centre will be launching its new rules, 'The KLRCA Arbitration Rules 2017" on 15th May 2017 at the Kuala Lumpur International ADR Week (KLIAW 2017).

Initiatives

REDEFINING ADR: Asia and beyond

2017

KITA

Kuala Lumpur International Arbitration Week ("KLIAW")

The KLIAW is the event of the year at KLRCA. Three days, from 15th to 17th May 2017, offer an array of interesting talks, panel discussions and keynotes delivered by top notch practitioners. The KLIAW will delve into different subjects: arbitration hot topics, One Belt One Road initiative, CIPAA, mediation discussion and a host of ADR related themes. It is a must for lawyers as it will also be a very good chance to increase the network.

Launch of the new KLRCA Arbitration Rules

Fast development of international arbitration market requires arbitral institutions to quickly adopt to all changes, and KLRCA is not an exception. Following the review and consultation process, KLRCA will be launching its reviewed Arbitration Rules during the Kuala Lumpur International Arbitration Week.

Sports Arbitration

KLRCA is an official Court of Arbitration for Sport (CAS) Alternative Hearing Centre and conducts its own Certificate Programme in Sport Arbitration. Furthermore, the Olympic Council of Malaysia has for the first time introduced the KLRCA as an independent body that will adjudicate cases arising during the Kuala Lumpur SEA Games in August 2017.

KICAYPG YOUNG PRACTITIONERS GROUP Launch of KLRCA Young Practitioners Group ("YPG KLRCA")

The official launch of the YPG KLRCA will be held during the First ICC/KLRCA Vis Pre-Moot on 17th March 2017. The group currently counts with over 200 members from 15 jurisdictions. Great expectations are being placed on this new endeavour of the KLRCA that aims to promote ADR worldwide amongst young practitioners.

Launch of Regional Help Desks

Due to the increased international interest in the KLRCA and our new international collaborations, KLRCA will be launching Regional Help Desks (America, Europe, Asia, CIS etc.). Each desk will be managed by the KLRCA case counsel specializing on a particular region. The purpose of such a platform is to provide direct links to our stakeholders and partners.

Pilot Project in Construction Mediation



The KLRCA in association with the Society of Construction Law, Malaysia (SCL) and the Chartered Institute of Arbitrators, Malaysia has commenced its Pilot Scheme for construction mediation. This is in furtherance of the Practice Direction No. 4 of 2016 issued by the Chief Justice of Malaysia with effect from 15th July 2016 which provides for institutionalised mediation.



Collaborative efforts with the OBOR project

The KLRCA has liaised with other institutions around the world to prepare for the disputes that may arise from China's OBOR initiative. KLRCA intends to create an arbitration alliance with institutions ranging from Asia to Africa and Europe to welcome and better resolve any and all disputes.

Domain Name Dispute Resolution project

The KLRCA aims to raise awareness about the ways to protect the domain name. An interactive and dynamic workshop will be set up by the midst of this year to address all these queries.

First ICC/KLRCA Vis Pre-Moot

A joint ICC/KLRCA effort will bring together 40 teams from 15 countries to Kuala Lumpur on 17th-19th March 2017. Teams from Brazil, USA, France, Japan, India, Cambodia, Malaysia and other countries will compete for traditional annual awards and special prizes in the form of internship opportunities.

KLRCA Summer Academy on International Investment Law and Dispute Settlement



Following success of the KLRCA International Investment Arbitration Conference and KLRCA Summer Academy on International Investment Law and Dispute Settlement last year, we hope to make this dynamic course an annual event. This initiative is of a special importance after signing a landmark Collaboration.

Strategic Partnerships (MOUs)

KLRCA Agreements

1. USA

20/11/2014 Collaboration KLRCA & The International Centre For Settlement Of Investment Disputes (ICSID) 17/09/2015 Collaboration KLRCA & The International Arbitration Institute Of The University Of Miami School Of Law

2. Jamaica

10/03/2016 Collaboration KLRCA & Mona International Centre For Arbitration and Mediation Limited and UWI Faculty of Law at Mona

3. Colombia

09/07/2010 Cooperation KLRCA & Bogota Chamber Of Commerce Arbitration And Conciliation Centre



09/01/2015 MoU

KLRCA & Kigali International Arbitration Centre (KIAC)

5. United Kingdom

01/01/2012 MoU KLRCA & Islamic Finance Lawyers (ISFIN) 08/09/2015 Tenancy KLRCA & Chartered Institute Of Arbitrators (CIArb)

6. Switzerland

08/05/2012 Collaboration KLRCA & International Council Of Arbitration For Sport (ICAS)

7. United Arab Emirates

07/12/2016 Collaboration KLRCA & The Sharjah International Commercial Arbitration Centre

8. Russia

29/05/2015 Collaboration KLRCA & Russian Arbitration Association (RAA)

9. Japan

14/03/2016 Collaboration KLRCA & Kobe University

10. China

26/03/2012	Collaboration	KLRCA & Hainan Arbitration Commission (HAC)
11/12/2012	Collaboration	KLRCA & Hong Kong International Arbitration Centre (HKIAC), Chinese International Economic and Trade Arbitration Commission (CIETAC), Korean Internet Address Dispute Resolution Committee (KIDRC), Asian Domain Name Dispute Resolution Centre Limited (ADNDRC)
17/12//2014	Cooperation	KLRCA & Shanghai International Economic and Trade Arbitration Commission (SHIAC)
22/04/2016	Collaboration	KLRCA & Beijing Arbitration Commission (BAC)

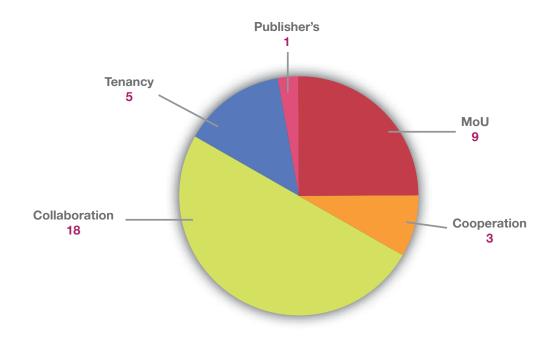
11. Hong Kong

	11. Hong Kon	g		
	01/10/2009	MoU	KLRCA & As	sian Domain Name Dispute Resolution Centre (ADNDRC)
	03/07/2012	Collaboration	KLRCA & H	ong Kong International Arbitration Centre (HKIAC)
	20/10/2012	Collaboration	KLRCA & In	vest KL
8 •	11/12/2012	Collaboration	Chinese Inte (CIETAC), K	Hong Kong International Arbitration Centre (HKIAC), ernational Economic and Trade Arbitration Commission iorean Internet Address Dispute Resolution Committee iian Domain Name Dispute Resolution Centre Limited
	12.	Bangladesh		
	r	13/05/2016 C	ollaboration	KLRCA & Bangladesh International Arbitration(BIAC)
in the second second	13.	India		
		26/03/2013 C	ollaboration	Government Of Malaysia & Asian-African Legal Consultative Organization (AALCO)
13 12	14.	Thailand		
		04/11/2011 C	Collaboration	KLRCA & Thailand Arbitration Centre (THAC)
	15.	Brunei		
17		15/01/2015 C	Cooperation	KLRCA & Brunei Darussalam Network Information Centre Sdn Bhd
16	16.	Indonesia		
10		05/02/2015 (Collaboration	KLRCA & Badan Arbitrase Nasional Indonesia (BANI)
	°			
₩				
17. Malaysia				

17. Malaysia

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27/01/2011	MoU	KLRCA & The Associated Chinese Chambers Of Commerce And Industry Of Malaysia (ACCCIM)
20/09/2012	MoU	KLRCA & Universiti Kebangsaan Malaysia (UKM) - Supp.
03/10/2013	MoU	KLRCA & Labuan Financial Services Authority (Labuan FSA)
20/10/2015	Collaboration	KLRCA & The Asian Football Confederation (AFC)
03/11/2015	MoU	KLRCA & Monash University
15/12/2015	MoU	KLRCA & Securities Industry Dispute Resolution Center (SIDREC)
01/01/2016	Tenancy	KLRCA & Malaysian Institute of Arbitrators (MIArb)
29/04/2016	Collaboration	KLRCA & International Malaysian Society of Maritime Law (IMSML)
01/05/2016	Tenancy	KLRCA & Malaysian Corporate Counsel Association (MCCA)
05/05/2016	Publisher's	KLRCA & Current Law Journal (CLJ)
01/06/2016	Tenancy	KLRCA & Securities Industry Dispute Resolution Center (SIDREC)
21/06/2016	Tenancy	KLRCA & The Chartered Institute of Arbitration(CIArb)(Malaysia Branch)
14/12/2016	MoU	KLRCA & Taylor's University

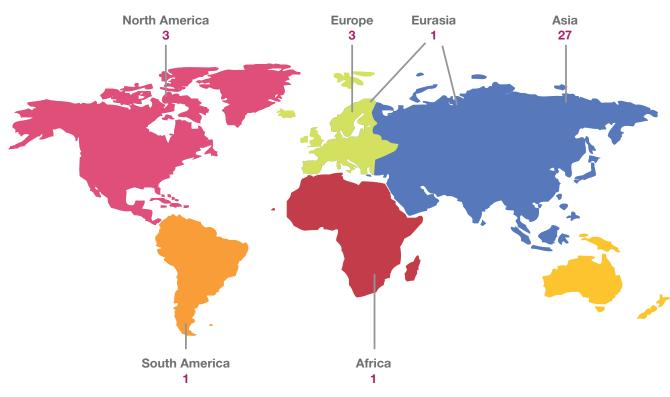
Breakdown of KLRCA Agreements by Type



Breakdown of KLRCA Agreements by Year and Region



Breakdown of KLRCA Agreements by Region



Media Reporting & Recognition

KLRCA was featured over 40 times in print and broadcast media. That is an average of 3.33 mentions per month



WORLD NATIONS TURN TO ISLAMIC ARBITRATION SERVICES AS SHARIAH FINANCE GOES INTERNATIONAL ..

Volume 13.1ssue 26 m Daily Cover Story m

Islamic Finance news 14

GLOBAL: Litigation through the courts may be the most popular choice for hilamic financial commercial disputes, however, an increasing number of market participants are gravitating outside the courts to settle transaction disputes and the internationalization of <u>Shariah</u> in finance reaches an at-time high.



Tuesday, 28 June 2016

POINTS OF INTEREST

CIPAA 2012: MITIGATING PAYMENT ISSUES WITHIN THE CONSTRUCTION INDUSTRY

The implementation of the Construction Industry Payment and Adjudication Act (CIPAA) 2012 in April 2014 was a timely one as it alleviates the long-suffering issue of lengthy payment times in the construction industry.



Datuk Professor Support Rojon, Director of Kuala Lumpur Records Cantte for Arbitration: INURCA's shares with Property.com on how CRAA 2010 serves to Molitate require and tomain permitte and provide remarkets for the necovery of payment in life combruction industry.

AT IS CIMA 2012 AND HOW DOES IT AFFECT CONSTRUCTION AND DEVELOPMENT USTRY?

The Act introduces statisticity adjudication to resolve payment related construction disputes and to facilitate cash flow problems within the construction inclusion.

Payment default has been a major hurdle in a large member conduction projects in Malapsia. It derages such flow and consequently work-progress. This cause delays in ordiscts, or even works, hell it allocation, The Act Introduced default, payment terms for construction, contracts, step/abling the visue and horizonary of progress payments where such terms are provided for under the contract and consists the socialistic of inducting the tage when paid classe. This serves to feedback regular and timely payments, as well as a timeling disude modulion mechanism and a strendy for payment secondy.

Since coming into operation, the Acthos general strength, and provided afflucted partials with a trust of platform to resolve payment disputals under construction contracts for projects carried out in Makysia.

WHAT ARE KLRCA'S OBJECTIVES IN THE CONTEXT OF THE CONSTRUCTION INDUSTRY AND ITS ROLE IN IMPLEMENTING CIRAA 20127

KLICA is the sole adjudication authority of the CRAA Act 2022. Since the Act was inclemented, the Malagulary construction including has employed mean disadultation process. The letter total adjudicated amount stands at 2P0258 million - this shows that the system is working.

It remains parameters to KURCA in ensuring that the contraction industry is well equipped with the right industry of the term of the second second second second motions can be complex and difficult at times for an uniformed part, especially simple three is also a need to address the various practical and administrative issue that arise to ensure clarity and intensionary to the statedors.

Nation Hand + Hans + Rahari

Malaysia moves to address disputes along Belt and Road

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BY THE REAL VI



Warm welcome: Ong Delt) sharing a light moment with Joing after arriving in Deging.

BELJING: Malaysia wants to push for an arbitration alliance with China to address disputes that arise among countries along the Belt and Road route.

Tan Sri Ong Ka Ting, the chairman of Malaysia-China Business Council (MCBC), said the existence of such an alliance would provide better legal protection for investments and projects under China's Belt and Road initiative.

"The rules will be more transparent and the awards (of the arbitration centres) will be enforced with certainty," he said.

Ong, who is also the Prime Minister's Special Envoy to China, is in Beijing for the annual joint business council meeting between MCBC and China Council for the Promotion of International Trade (CCPIT).



何莎丽鄉(左)鼓励国内企业及公司将古隆坡区域伸 我中心作为调解商业则纷的选项。右为桑逸拉拉祖。

阿莎麗娜:更快更省錢 KLRCA可調解國內商業糾紛

(吉隆坡23日讯)首 相響部长拿發斯里阿莎頭螺 说,虽然吉隆坡区域仲裁 中心(KLRCA)是一个国际 性的仲裁组织,但她认为该 中心可作为国内商业纠纷案 件的调解中心、并鼓励国内 企业及公司将它视为一个选 項·在更快速及节省费用的 情况下解决纠纷。

阿莎丽娜今日到吉隆坡 区域仲裁中心进行访问时在 新闻发布会上表示,她与该 中心进行讨论后认为这是可 行并值得推广的·比起将商 业纠纷直接带上法庭, 企业及公司其实可考虑向该 中心申请仲裁。

她指出,商业纠纷如 股东及董事之间的商务纠纷 带上法庭后,基于案件的累 积,将会增加法庭的负担。 毕竟直量法庭同时还需审理 各种不同的案件。 她说,有别于将案件带

上法庭时·有可能发生的情 况就是其中一方因各种理由 无法出庭,导致案件花了很 长的时间才能解决。

"除了将案件带上法 庭,国内企业及公司可将该 中心视为一家调解中心,其 优势在于可更快速及更省钱 的情况下解决纠纷。因为该 中心的仲裁者都非常专业、 可在短时间内解决纠纷。

警照公账会建议

查IMDB合理

另一方面・阿莎丽總认 为·暨方根据国会公共账目 委员会所提出的建议调查。 马发展公司(1MDB)案件的 做法是合理的·并认为警方 不应逾越相关的建议。 询及内围将警方的调

查局限在公账会所提出的建 议是否有利益冲突时,她表 示·公账会是进行分析及调 查的最终单位。

Community _____

Lotan 17 August 1914

Mediation services extended to Butterworth

COURT-ANNEXED mediation which is currently available in Penang at its high courts and subordinate courts in George Town will be extended to the Butterworth subordinate courts.

Judicial Commissioner Lim Chong Fong, who was assigned in October last year by the Chief Judge of Malaya to manage the mediation centre in Penang, said he intended to extend such mediation to the Butterworth courts on Jan 1 next year.

He said court-annexed mediation at the Penang high courts and George Town subordinate courts were presently undertaken by judges, magistrates and court registrars.

Lim said a practice direction on court-annexed mediation issued by the Chief Registrar of the Federal Court came into force on July 16 this year

Tuntutan dalam sektor binaan cecah RM1.4 bilion

KUALA LUMPUR 18 Mei Jumlah tuntutan dalam industri binaan meningkat kepada RM1.4 bilion sejak Akta Pembayaran dan Penimbangtara Industri Pembinaan (CIPAA) 2012 dikuatkuasakan pada 2014.

Pengarah Pusat Timbang Tara Serantau Kuala Lumpur (KLRCA), Prof. Datuk Sundra Rajoo berkata, jumlah terkini yang telah dibayar bernilai RM278 juta.

Berdasarkan statistik, katanya, pihak membuat tuntutan kebiasaannya memenangi kes mereka walaupun kadang kala tidak mendapat jumlah penuh. "Sehingga kini, sebanyak RM278

juta telah dibayar dan ini menun-jukkan sistem berjalan lancar," katanya sempena Persidangan CIPAA

Kelima di sini hari ini CIPAA 2012 mula berkuat kuasa pada 15 April 2014 selari Mahkamah Ti-Pembinaan Kuala Lumpur dan Shah Alam pada 14 April 2014.

Akta ini terpakai kepada semua kontrak kerja pembinaan, pembekalan barangan binaan dan kontrak rundingan pembinaan yang dibuat secara bertulis.

Akta itu berhubung dengan kerja pembinaan yang dijalankan sepenuhnya atau sebahagiannya di Malaysia termasuklah kontrak pembinaan yang dibuat oleh Kera-



jaan Per hupun geri. Dalan KLRCA (Adjudika (MSA) n Persidan Kelima meningl sedaran kuasaan but. Sekto

SUNDRA RAJOO

meliputi tan dan pembuatan jadi penyumbang u pertumbuhan ekono Jumlah nilai kerja per suku pertama 2016 s cah RM31.9 bilion.



CIPAA awareness to change construction industry

By Ushar Daniele ammail.com.m

KUALA LUMPUR - KLRCA director Datuk Sundra Rajoo said the Construction Industry Payment and Adjudication Act (CIPAA) 2012 has gained strength since it came into effect, but an awareness campaign is needed to enforce it.

Sundra said the act had provided par-

Sunora said the act had provide par-ties with a trusted platform to resolve their payment disputes under construc-tion contracts for projects in Malaysia. He said the aim of the 5th annual CI-PAA conference organised yesterday by the Kuala Lampur Regional Centre for Arbitration (KLBCA) and the Malay-ion Society of Advectores waren to insian Society of Adjudicators were to in-crease awareness and enforcement of the CIPAA.

"The total value of construction work done in the first quarter of the year alone was RM31.9 billion and the construction sector, alongside services and man-ufacturing, continues to be the major

vice president of the Chartered Insti-tute of Arbitrators (Malaysia branch) Lam Wai Loon said the CIPAA was at par with international standards, citing it was something we should be proud of.

He said the act has been implemented in United Kingdom, New Zealand, Aus-tralia as well as Singapore and Malaysia being the fifth country to implement.

"The act benefits the local construc-tion industry and the implementation of CIPAA was evidence of that," Lam told Malay Mail.

Mniky Mail. He said CIPAA had provided a good system and had received support by all stakeholders including court judges but the lack of talents was the main concern. "We do not have enough talents and

with CIPAA in place we must have a number of good adjudicators for us to deal with cases effectively." He said the legal system in place was

a stepping stone but the lack of talents hinders the intention of KLRCA to bring

change to the industry.

"The lack of awareness and the adap-tation of the new system is the few chal-lenges we face so what we intend to do is to raise more awareness so we can get more arbitrators on board." Lam said the success rate of arbitration

is apparent since 2009. "Since then, the entity was rebranded and Datuk Sandra aims to turn Malaysia into a regional hub for arbitration," Lam said.

He said word-of-mouth has spread on CIPAA and to-date there are 363 empanelled adjudicators.

The act which came into effect four years ago introduced default payment terms for construction contracts, stipu-lating the value and frequency of prog-

lating the value and frequency of prog-ress payments where such terms are pro-vided for under the contract. The act also prohibits the practice of "pay when paid" clause and the act serves to facilitate regular and timely payments, a binding dispute resolution includes for the submechanism and a remedy for payment recovery.



2 (From left) Gulf Arab States Law vers Union honorary president Prince Dr Bandar Salman Mo-hammed Al Saud, Minister in the hammed Al Saud, Minister in the Prime Minister's Department Nancy Shukri, Asian-African Legal Consultative Organisa-tion secretary-general Professor Datuk, Dr Rahmat Mohamad, Sothonne Law School Profes-sor Emeritas of International Law in Paris Brighte Stern, and Kuala Lumpur Regional Centre for Arbitration (KLR/A) director Datuk Professor Sundra Raion the Arbandon (Edward) and the Arbandon (Edward) at the inaugaral KLBCA's inter-rustional investment Arbitration Coefference in collaboration with the Institute of Malaysian and International Studies in Kuala Lumpur on March 10.



for to Malaysia's economic



KUALA LUMPUR REGIONAL CENTRE FOR ARBITRATION

ESTABLISHED UNDER THE AUSPICES OF THE ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANISATION

ADDRESS	Bangunan Sulaiman, Jalan Sultan Hishamuddin, 50000 Kuala Lumpur, Malaysia.
TEL	+603 2271 1000
FAX	+603 2271 1010
EMAIL	enquiry@klrca.org



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