



## THE MALAYSIAN INSTITUTE OF ARBITRATORS

A Talk on  
**"Too Many Parties And How Many Bites?  
Misjoinders And When A Challenge Should Be Mounted"**  
By

**Chan Leng Sun**  
**Wednesday, 12 March 2014**

### **Brief Synopsis**

The fundamental difference between arbitration and court litigation is the limited power that an arbitral tribunal has to join parties for the sake of efficiency or efficacy. In the absence of a statutory power, or one conferred by arbitral rules, the consent of parties is paramount. The Singapore Court of Appeal recently grappled with the question of joinder and the consequences of a misjoinder in an important judgment in PT First Media v Astro [2013] SGCA 57.

### **Outline:**

- Problem of joinder in arbitration
- What happens if one party disagrees with the decision of a tribunal to join parties to the arbitration?
- When the right to challenge a tribunal's jurisdiction is lost

### **The Speaker**

**Chan Leng Sun, Senior Counsel**  
**President of the Singapore Institute of Arbitrators (SIArb)**

Leng Sun heads the Dispute Resolution practice in Baker & McKenzie.Wong & Leow and is qualified in Malaysia, Singapore and England. Leng Sun was appointed Senior Counsel, Singapore's equivalent to the Queen's Counsel, in January 2011. In addition to years of experience in maritime-related work, he has a broad commercial practice that covers international trade, insurance and company law.

Apart from being counsel, Leng Sun is an arbitrator and adjudicator on the panel of leading arbitral institutions. He was Chairman of the Singapore Law Society ADR Committee and currently serves on numerous advisory panels and statutory boards. Leng Sun has taught at the law schools of the National University of Singapore and the Singapore Management University. He was a legal officer of the United Nations Compensation Commission in Geneva and a SIAC-CIAC Observer to the UNCITRAL Working Group on Arbitration. He has published widely in international journals and is the author of the book Singapore Law on Arbitral Awards, which has been cited with approval by Courts in Singapore and Australia.

**Time : 6.00 pm to 7.30 pm**  
**Venue : The Malaysian Institute of Arbitrators, Unit 508, Lobby 2, Block A, Damansara Intan, Jalan SS 20/27, PJ**  
**Fee : MIArb members RM30.00**  
**Members of Supporting Organisations RM50.00**  
**Non-Members RM70.00**

Light refreshment will be served.

### **REGISTRATION FORM**

The Malaysian Institute of Arbitrators  
Unit No. 508, 5<sup>th</sup> Floor, Lobby 2, Block A  
Damansara Intan, Jalan SS20/27  
47400 Petaling Jaya, Selangor DE

Tel: 03-77265311  
Fax: 03-77265322  
Email: info@miarb.com  
Website: www.miarb.com

I wish to attend the Talk on **Too Many Parties And How Many Bites? Misjoinders And When A Challenge Should Be Mounted** on **12 March 2014**. Enclosed is a crossed Cheque No. \_\_\_\_\_ of \_\_\_\_\_ Bank, made payable to "The Malaysian Institute of Arbitrators" for RM \_\_\_\_\_

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Member of Organisation: \_\_\_\_\_ Membership No: \_\_\_\_\_ Profession: \_\_\_\_\_  
Address: \_\_\_\_\_  
Tel. No (O): \_\_\_\_\_ Tel. No (M): \_\_\_\_\_ Postcode: \_\_\_\_\_  
Fax No: \_\_\_\_\_

The organiser reserves the right to : (i) change the programme / venue at any time; (ii) cancel or postpone the event at any time and under such circumstances, will refund registration fees in full, otherwise no refunds will be made for cancellations but substitution is allowed. Receipts will be issued at the venue. Photocopies of registration forms are acceptable.