

[Webinar]

# Civil Law and Asian Cross-Border Transactions

## Introduction

This two-module webinar aims to promote the knowledge and practice of civil law in cross-border transactions in Asia. Leading academics and practitioners from France and Singapore will present at the webinar. Similarities and differences between the contract law of the common law and the civil law traditions will be discussed.

## Civil Law and Asian Cross-Border Transactions Modules

Module 1	Civil Law Concepts of Contract Law	25 August 2020 3.00pm - 4.30pm
Module 2	Treatment of Specific Civil Law Concepts in Cross-Border and Financial Transactions	25 August 2020 5.00pm - 6.30pm

Click [here](#) to register for “Civil Law and Asian Cross-Border Transactions” Bundle ( 2 modules) at SGD 214.00 (Inclusive of 7% GST)

Click [here](#) to register for Module 1 at SGD 117.70 (Inclusive of 7% GST)

Click [here](#) to register for Module 2 at SGD 117.70 (Inclusive of 7% GST)

Register by  
19 August 2020

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# Civil Law Concepts of Contract Law

Date: 25 August 2020

Time: 3.00pm - 4.30pm

1.0 Public CPD Point

## Synopsis

After a brief introduction to the origins, history and propagation of the civil law of contract, particularly in Asia, we will look at how it is different from the common law: without a concept of consideration, offers with a deadline are binding; a more subjective approach affects the formation (ex: mistake, misrepresentation) and the interpretation of the contract; performance must be in good faith; remedies include specific performance (when possible) and penalty clauses which are allowed; and one can prove contracts by any means in commercial matters.

Objectives and skills targeted: acquiring knowledge of some of the basic concepts governing the formation, interpretation and performance of contracts in civil law jurisdictions.

## Programme

2.30PM	Participants to log in to Webinar
3.00PM	Presentation by Professor Stéphane Braconnier, University Paris II Panthéon-Assas
3.30PM	Presentation by Associate Professor Gary Bell, National University of Singapore
4.00PM	Q&A moderated by Mr Sriram Chakravarthi, Singapore Academy of Law
4.30PM	End

Registration SGD 117.70 (Inclusive of 7% GST)

Register here:  
[www.sal-e.org.sg](http://www.sal-e.org.sg)

Register by  
19 August 2020

### SILE Attendance Policy

Participants who wish to obtain CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes logging in at the start of the webinar and logging out at the conclusion of the webinar in the manner required by the organiser, and not being away 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.

 Webinar	<b>LIFTED by</b> 	1 PUBLIC CPD POINT
	Legal Practitioner ● Specialisms In-House Counsel ● Specialisms Legal Support ● Others	Practice Area: Others/Multi-Disciplinary Training Level: General

## Speakers



### **Professor Stéphane Braconnier**

**University Paris II Panthéon-Assas**

Stéphane Braconnier is Professor of Law at University Paris 2 Panthéon-Assas, where he manages the Master program in "Economic Public Law" and the LL.M. in International Business Law on the Singapore campus.

He holds undisputed expertise in several fields of Public Business law: Public Procurement law, outsourcing of Public services and Public-Private Partnerships and Public Competition law.

He is the author of numerous publications on these subjects and has frequently moderated seminars and training sessions in both France and abroad.

Stéphane is Chair for the Legal Council of the French Institute for PPP ( I.G.D.) [Public-Private Partnerships (Institut de la Gestion Délégée)] and has taught in several universities around the world.

Since 2010, he is Dean of Paris Panthéon-Assas' University Campus in Singapore and manages all institutional and academic activities of the University in Singapore.



### **Associate Professor Gary Bell**

**National University of Singapore**

Gary Bell Associate Professor at the Faculty of Law of the National University of Singapore (NUS) where he is the Director of the LL.M. in Asian Legal Studies and the LL.M. In International Arbitration and Dispute Resolution. He has degrees in both civil law (B.C.L) and common law (LL.B.) from McGill University and in American law (LL.M.) from Columbia University. He specialises in Indonesian contract law which belongs to the Dutch/French tradition with a code similar to the Code Napoléon. At the NUS he has taught courses on Indonesian Law, Civil-Law Contract Law in Asia, International Commercial Arbitration, Legal Systems of Asia and the International Sale of Goods. He is a Fellow of the Chartered Institute of Arbitrators and has acted as an arbitrator in many commercial disputes particularly when the governing law is that of a civil law jurisdiction. He clerked at the Supreme Court of Canada, started his academic career at McGill, is a titular member of the International Academy of Comparative Law, was the Founding Director of the Asian Law Institute, is on the Executive Editorial Board of the American Journal of Comparative Law and the Executive Board of the American Society of Comparative Law. He has taught as a visitor at McGill, the University of Tokyo, and Paris II Pantheon-Assas.

## Moderator



### **Mr Sriram Chakravarthi**

**Singapore Academy of Law**

Sriram Chakravarthi is Senior Director and Chief Legal Counsel at the Singapore Academy of Law (SAL).

As Senior Director, Sriram is responsible for spearheading SAL's efforts in promoting the international profile of Singapore law and Singapore as a legal solutions hub.

Prior to joining SAL, Sriram was an equity partner in the corporate finance practice of a leading Singapore law firm and was instrumental in growing the firm's regional practice.

Sriram holds bachelor's degrees in Commerce and Law and obtained a Master of Laws degree from Tulane University, USA. He completed the General Management Program at Harvard Business School in 2017.

# Treatment of Specific Civil Law Concepts in Cross-Border and Financial Transactions

Date: 25 August 2020

Time: 5.00pm - 6.30pm

1.0 Public CPD Point

## Synopsis

This session aims to provide participants with insight into the convergences and divergences of common law and civil law, viewed from transactional and litigation angles. The session will include substantive discussion of the concept of trust, and of the termination of contractual relationships by outside causes (including force majeure, frustration and hardship clauses).

Objectives and skills targeted: acquiring knowledge of how various civil and common law systems play a role in dealing with unforeseen circumstances in terms of breach of contract and attendant remedies.

## Programme

4.30PM	Participants to log in to Webinar
5.00PM	Discussion between Mr Salim Moollan QC, Essex Court Chambers & Mr Erwan Barre, RHTLaw Asia
6.00PM	Q&A moderated by Mr Paul Tan, Rajah & Tann Singapore
6.30PM	End

Registration SGD 117.70 (Inclusive of 7% GST)

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 Webinar	<b>LIFTED</b> by 	1 PUBLIC CPD POINT
	Legal Practitioner ● Specialisms In-House Counsel ● Specialisms Legal Support ● Others	Practice Area: Others/Multi-Disciplinary Training Level: General

## Speakers



### Mr Salim Moollan QC

Essex Court Chambers

Salim Moollan QC specialises in international commercial and investment arbitration. He has acted as Counsel in high profile investment arbitration cases (*White Industries v. India*, *Philip Morris v. Australia*), and currently acts as lead Counsel in a number of prominent investment arbitrations for both States and investors. In the commercial field, he acts in high-value cases in (in particular) the energy and telecoms fields. He frequently sits as arbitrator (party-appointed and chair) in investment and commercial arbitrations. He has an in-depth knowledge of the procedural regimes of all major international arbitral institutions, being a past chairman and current vice-chairman of UNCITRAL, a past Vice-President of the ICC Court, a past member of the LCIA Court, a member of the World Bank's ICSID Panel of Arbitrators and a former editor of the ICSID Law Review; and having worked closely with these and other institutions in the establishment of an African platform for international arbitration in Mauritius. The holder of a mathematics degree from Ecole Polytechnique, Paris (in addition to a first class law degree from Cambridge University and to a degree in economics and political science from Sciences-Po, Paris), he also has a unique grasp of technical and quantum expert issues. He is also called to the Mauritian Bar and appears from time to time before the Mauritian Courts in complex and high value cases. He frequently appears in the Privy Council on issues ranging from civil law to administrative law and tax matters. He is a Visiting Professor in International Arbitration Law at King's College London.



### Mr Erwan Barre

RHTLaw Asia

Erwan Barre is a Partner (Foreign Lawyer) at RHTLaw Asia and the Co-Head of our Corporate and Capital Markets Practice. He also heads our Healthcare & Life Science Industry Group. He joined RHTLaw Asia in 2015 after practicing for 16 years with Sullivan & Cromwell and Paul Hastings, two leading US law firms, in Paris and New York.

He has been involved in many M&A, joint venture, capital markets and financing projects in Asia, Europe and the US, including several game changing transactions. Most of these deals were cross-border.

Erwan has extensive experience representing clients across many industries, with an emphasis in the Technology and Life Science industries. He has also represented clients in other industries, including aerospace, real estate, hospitality and energy.

Erwan holds an MBA from the Neoma (ESC Reims) Business School in France (1990), a pre-doctoral degree (DEA) in business law from the Pantheon-Sorbonne (Paris I) University (1993), and an LL.M. degree from Columbia University in the US (1996).

Erwan is admitted in France (1996) and New York (1998) and registered to practice as a foreign lawyer in Singapore.

He has been recognised as a leading practitioner in his field by professional publications, such as Chambers and Legal 500, and he is regularly invited as guest speaker at numerous industry conferences in Asia and in Europe.

## Moderator



### Mr Paul Tan

Rajah & Tann Singapore

Paul Tan is a partner of Rajah & Tann Singapore LLP. He is called to the Singapore and English bars. His “impressive commercial disputes practice” includes instructions as lead counsel before international arbitral tribunals, the Singapore International Commercial Court, and arbitration-related litigation. His cases often involve complex issues of private and public international law.

Paul is recognised as a “leading individual” for international arbitration (Legal 500), “whose status has ascended for him to be known as a first-rate lawyer in investor-state disputes right through to construction cases.” He is particularly known for his “intellectual strength” and as a “standout and gifted advocate” (Chambers & Partners). He was named “Disputes Star of the Year” in 2016 by Asialaw.

He is an elected member of the council of the Law Society of Singapore, a member of the ICC’s Commission on the Belt-and-Road Initiative, regional co-leader of the Association Suisse de l’Arbitrage (Southeast Asia), a committee member of YSIAC, and a member of the Thought-Leadership committee of ICC Singapore. He is the co-editor and contributing author of “Singapore Law: 50 Years in the Making”, and a co-author of forthcoming works to be published on Singapore arbitration law and practice by Academy Publishing and Oxford University Press, and a co-author of the forthcoming edition of Mustill & Boyd’s treatise on international commercial and treaty arbitration.