

Dispute Resolution on i-law.com

Content update: March 2023



Highlights:

- ▶ *Arbitration Law Monthly* product update
- ▶ Hong Kong case review of 2022
- ▶ *Arbitration Law* looseleaf product focus

Dispute Resolution on i-law.com

Written by experts in arbitration and mediation law, Dispute Resolution on i-law.com contains a large collection of news, commentary and English and international law case reports.

Dispute Resolution on i-law.com features our industry-leading titles, *Arbitration Law Monthly* and *Arbitration Law* looseleaf. It also includes fully searchable access to key texts including *Civil Jurisdiction and Judgments* and *Merkin and Flannery on the Arbitration Act 1996*.

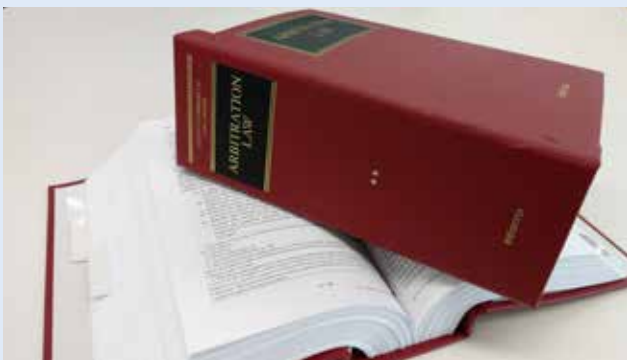
Arbitration Law looseleaf – product highlight

Stay on top of all the latest developments in both commercial and consumer arbitration cases and arbitral processes and discover their implications in the UK and abroad.

Written by commercial law expert Professor Robert Merkin KC, and updated three times per year, *Arbitration Law* is available in hardcopy and online via i-law.com.

Arbitration Law provides you with:

- ▶ Regular updates, so unlike an ordinary textbook, the content of *Arbitration Law* changes in line with the law, ensuring the information is always up to date.
- ▶ Coverage of over 3,000 cases – including all case law arising from the Arbitration Act 1996.
- ▶ A comprehensive global reference guide – including all cases from international jurisdictions that have adopted common law, including Canada, Singapore, Hong Kong, Australia and New Zealand. This provides a well-rounded international viewpoint.
- ▶ Analysis of all the important international Conventions (UNCITRAL Model Law, New York Convention) and EU measures (Brussels I Regulation, Brussels Regulation Recast, Lugano and Rome Conventions)



About the author

Professor Robert Merkin KC (General Editor of Arbitration Law and Arbitration Law Monthly, Co-Author of Arbitration Act 1996 and Singapore Arbitration Legislation Annotated)

Professor Robert Merkin KC is Lloyd's Professor of Commercial Law at the University of Exeter and is also Special Counsel for Duncan Cotterill in New Zealand. He is past president of the British Insurance Law Association, vice-president of the International Association of Insurance Law (AIDA) and was a consultant to the English and Scottish Law Commissions for their project on the reform of insurance law. Rob gives regular seminars for companies, brokers, regulators and law firms in the UK and internationally. He is the author of a number of texts and his works have been cited in many cases internationally.

Service Issue 93

The current update to *Arbitration Law* is now available on i-law.com. Service Issue 93 includes analysis of the most important recent court judgments and industry developments. It also reflects on changes suggested by the Law Commission's Consultation Paper 257, concerning proposals to reform the English Arbitration Act 1996.

The next Service Issue, SI 94, will be published in July 2023.

Recent important cases discussed in the latest update include:

- ▶ *CVG v CVH* [2022] SGHC 249; [2023] 1 Lloyd's Rep 130
- ▶ *EGF v HVF* [2022] EWHC 2470 (Comm); [2023] 1 Lloyd's Rep 139
- ▶ *National Investment Bank Ltd v Eland International (Thailand) Co Ltd* [2022] EWHC 1168 (Comm); [2023] 1 Lloyd's Rep 174
- ▶ *Royal & Sun Alliance Insurance Ltd v Tughans* [2022] EWHC 2589 (Comm); [2023] 1 Lloyd's Rep 90
- ▶ *Soleymani v Nifty Gateway LLC* [2022] EWCA Civ 1297; [2022] 2 Lloyd's Rep 570

[Access Arbitration Law on i-law.com](#)

Dispute Resolution on i-law.com

Delivering specialist commentary, analysis and practical guidance on all aspects of international arbitration alongside case reports from jurisdictions across the world

Available on i-law.com

customersuccess@lloydslintelligence.com
about.i-law.com

Lloyd's List Intelligence

Product focus: Arbitration Law Monthly

In each content update we focus on new articles available in our case law resource, *Arbitration Law Monthly*.



Extension of time: the court's discretion

Henshaw J in a lengthy and comprehensive judgment in *Hays v Bloomfield Investments LLC* [2022] EWHC 1648 (Comm) has considered the circumstances in which a failure to bring an appeal against an arbitration award within the 28 days permitted by section 70(3) of the Arbitration Act 1996 should be excused by the grant of an extension of time under section 80(5).

www.i-law.com/ilaw/doc/view.htm?id=433361

Scope of arbitration clause: replacement contract

In *Briggs Marine Contractors Ltd v Bakkafrøst Scotland Ltd* [2023] ScotCS CSOH 6, a decision of Lord Braid in the Outer House of the Court of Session, the question was whether an arbitration clause in a written contract continued to apply to a dispute under an alleged replacement contract so as to justify a stay of proceedings brought on the replacement contract. Although the case was heard in Scotland, the relevant contracts were governed by English law.

www.i-law.com/ilaw/doc/view.htm?id=433362

Scope of arbitration clause: liability and quantum disputes

In *DC Bars Ltd and Another v QIC Europe Ltd* [2023] EWHC 245 (Comm) Sir Nigel Teare has held, in effect, that quantum disputes are concerned purely with calculation of sums owing on the basis that there is liability. This ensures that substantive issues are resolved in public, and only the maths is behind closed doors.

www.i-law.com/ilaw/doc/view.htm?id=433363

Enforcement of peremptory orders: effect of jurisdictional challenge

S3D Interactive Inc v Oovee Ltd [2022] EWCA Civ 1665 was an appeal from the decision of Butcher J in *RQP v ZYX* [2022] EWHC 2949 (Comm), previously discussed in *Arbitration Law Monthly*, raising the question whether an outstanding challenge to the jurisdiction of an arbitral tribunal precludes the enforcement by the court, under section 42 of the Arbitration Act 1996 of a peremptory order made by the tribunal.

www.i-law.com/ilaw/doc/view.htm?id=433283

Serious irregularity: apparent bias and interim payments

The decision of Andrew Baker J *EGF v HVF and Others* [2022] EWHC 2470 (Comm) discussed two distinct allegations of breach of duty by the tribunal: its handling of evidence of fraud, giving rise to an allegation of potential bias; and its decision to make an interim payments order in the form of an award.

www.i-law.com/ilaw/doc/view.htm?id=433364

Arbitration Law Monthly is a specially designed information service that offers critical and essential analysis of global court arbitration decisions. Access it on i-law.com and at www.arbitrationlawmonthly.com

2022 review of Hong Kong SAR arbitration case law

Now published in *Arbitration Law Monthly*.

This special feature explores selected arbitration-related court decision highlights and legislative initiatives in 2022, which will likely have significant ramifications for the arbitration community.

"The law is constantly evolving. As legal practitioners, we are dedicated towards providing first-class legal services whilst keeping abreast of recent changes to case decisions and legislative initiatives. These lines of decisions, notwithstanding the varying principles at play, are conducive towards strengthening Hong Kong as an unparalleled arbitration seat in the world."

Written by Edward Liu, Maggie Lee, Manly Lam and Bridget Yim, Haiwen & Partners LLP.
www.i-law.com/ilaw/doc/view.htm?id=432854



February 2001

First issue of *Arbitration Law Monthly* published

[Click here to access the first issue](#)

Lloyd's Law Reports Bound Volume Series: Volume 2 2022 – available now

Admiralty – Arbitration – Aviation – Carriage of goods by sea – Charterparty – Collision – Conflict of laws – Demurrage – Docks and harbours – General average – Limitation of liability – Practice.



Lloyd's Law Reports is the unrivalled source of authoritative content, edited by Professor Robert Merkin KC and Dr Johanna Hjalmarsson, both experts in the maritime and commercial sector. Legal professionals around the globe regard Lloyd's Law Reports as the leader in providing them with the latest case law and approved judgments.

Volume 2 2022 features judgments carefully selected for their importance and relevance to the legal landscape. Each reference will be accompanied by keywords which will help you identify the key issues addressed in each judgment and headnote.

18,563

Number of cases published in *Lloyd's Law Reports*

Figure accurate at 31 March 2023.

Lloyd's Law Reports is available on i-law.com, as a single subscription, or as part of the Maritime and Commercial channel. *Lloyd's Law Reports* features keywords, headnotes and verbatim text of key judgments handed down on arbitration and contract issues.

Key books on i-law.com

Here are our key books titles available as part of Dispute Resolution on i-law.com. See i-law.com for all available titles

Merkin and Flannery on the Arbitration Act 1996, 6th Edition



Professor Robert Merkin KC and Louis Flannery KC

This book is an essential resource for anybody involved in arbitration. It is an updated section-by-section commentary on the Arbitration Act 1996, split into a separate set of notes for each section, and subdivided into the relevant issues within that section.

It contains elements of international comparative law, citing authorities from many other common law and civil law jurisdictions.

[View this title on i-law.com here.](#)

[Full details of this publication can be found here.](#)

Civil Jurisdiction and Judgments, 7th Edition

Professor Adrian Briggs KC

Now in its 7th edition, this book remains an established treatise in the field of civil jurisdiction and judgments. It aims to make a full and complete statement of English law on civil jurisdiction and the effect of foreign judgments against the backdrop of significant uncertainty about the consequence of Brexit on the law of civil jurisdiction and judgments.

[View this title on i-law.com here.](#)

[Full details of this publication can be found here.](#)



Rules of Evidence in International Arbitration



Nathan O'Malley

Now in a fully updated second edition, *Rules of Evidence in International Arbitration: An Annotated Guide* remains an invaluable reference for lawyers, arbitrators and in-house counsel involved in cross-border dispute resolution. Drawing on current case law, this book looks at the common issues brought up

by the evidentiary procedure in international arbitration.

[View this title on i-law.com here.](#)

[Full details of this publication can be found here.](#)

International Investment Dispute Awards: Facilitating Enforcement

Esra Yildiz Üstün

This book examines how international investment arbitral awards can be facilitated. It sets out to achieve a fuller conceptualisation and theorisation of awards through a discussion of relevant issues and themes, as well as demonstrating how they can be achieved through a comparative approach that has been conceived and developed with reference to existing deficiencies in the research literature.

[View this title on i-law.com here.](#)

[Full details of this publication can be found here.](#)

[View the full list of titles available with channel access to Dispute Resolution on i-law.com here.](#)



Managing your email preferences

An integral part of your service, publication email alerts notify you each time new content is added to our online platforms, ensuring you know about the latest articles as soon as they are available (and ahead of any print subscriptions). To opt in, or check that your preferences are up to date, follow the instructions below.

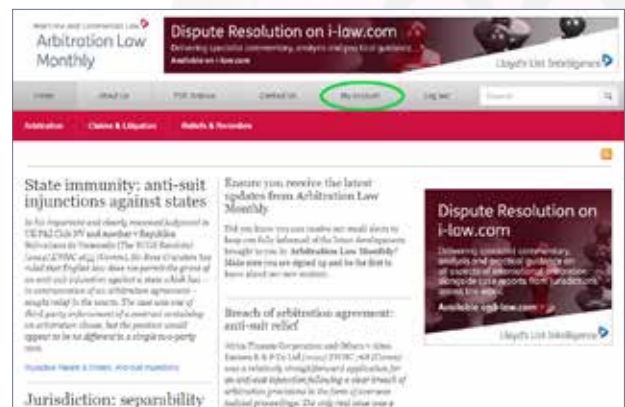
If you subscribe to titles via i-law.com

Once you have logged into your account, click on “My tools” then “Email alerts”. You can then select and update all relevant titles in the “Publication Alerts” tab.



If you access content via www.arbitrationlawmonthly.com

You can sign up by clicking the banner at the top of the website homepage. Alternatively, log in, click on “My Account”, then select “Email Alert Subscriptions” in the right hand toolbar. Check the “Editor’s Picks” box and click on “Update” to complete the process.



If you have signed up but are not receiving your publication alerts, or have any other queries, contact customersuccess@lloydslistintelligence.com.

Can't find an article on i-law.com?

Do you need to access an older article that isn't on i-law? Some of our law titles have been in circulation for many years, and in some instances you may require content that was published before the digital archive currently available on i-law. If you're unable to find a report or article online, please check with us, as we should be able to locate a hardcopy and issue you with scanned pages.

Contact customersuccess@lloydslistintelligence.com