



School *of* Law, UCLan Cyprus

# Professional Arbitration Course

## Level 1: Domestic Arbitration

**12, 19 October 2019** | 10:00 - 17:00

# Professional Arbitration Course

## Level 1: Domestic Arbitration

### Course Outline

The Law School of UCLan Cyprus offers a professional course on Arbitration. The course will consist of 3 levels, focusing on domestic arbitration, international arbitration and the award-drafting process respectively. It should be stressed that the successful completion of the course only constitutes the starting point of a career in the field of arbitration, which cannot be achieved without further practical experience. Arbitration is a private means of dispute resolution, which is offered as an alternative to litigation and it provides final and binding decisions.

The first module will be taught in lecture form over a 2-week period and at the end of the module a portfolio will be submitted. The first module focuses on the basic principles of arbitration and on the framework of domestic arbitration in Cyprus. The module is suitable for both lawyers and non-lawyers, thus some general legal concepts will be also covered. Each subject will be examined both on its theoretical and practical aspects, in order to prepare the participants for a successful career as arbitrators in domestic disputes.

### The Course will aim to provide participants with

- Knowledge and understanding on the requirements for a valid arbitration agreement and its enforceability
- Understanding of the role of *lex arbitri* and the substantive law
- Analysis of the role of the court and the ways that the arbitral seat can intervene in the process of arbitration
- A guide on rules and practices applicable for enforceable domestic awards and the grounds for challenging awards
- An understanding of the powers and duties of arbitrators and practical guidance on how to conduct arbitral proceedings and communicate effectively with the parties

Practitioners will gain advanced knowledge of the domestic legal framework and the best practices on conducting domestic arbitration proceedings. The Course will be delivered at an **intermediate-to-advanced level**.

### This Course will be relevant to

- Practising lawyers, professionals from the construction industry, the provision of public services, the banking industry and public bodies.
- Advanced students in law, finance and business, and cognate academic disciplines;

### Course Structure

- Knowledge and understanding on the requirements for a valid arbitration agreement and its enforceability
- Understanding of the role of *lex arbitri* and the substantive law
- Analysis of the role of the court and the ways that the arbitral seat can intervene in the process of arbitration
- A guide on rules and practices applicable for enforceable domestic awards and the grounds for challenging awards
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Saturday, **12 October** 2019

### MORNING SESSION

- a) Introduction to the course, and what are the two types of arbitration (institutional and ad hoc)
- b) Rules of contract: formalities and validity of the contract, law governing the contract, main grounds for breach of contract, remedies
- c) Rules of evidence: how to obtain evidence, admissible and inadmissible evidence, witnesses

### LUNCH BREAK

### AFTERNOON SESSION

- a) What are the necessary formalities of the arbitration agreement and what are the rules governing its validity and enforcement
- b) What are the mandatory provisions and the optional provisions

Saturday, **19 October** 2019

### MORNING SESSION

- a) How to establish a tribunal and to nominate the arbitrators
- b) What is the role of the court in the arbitration process, when a court can intervene and how - Interim orders – section 26

### LUNCH BREAK

### AFTERNOON SESSION

- a) What are the duties and responsibilities of arbitrators: Practical skills in controlling a domestic arbitration and communicating effectively with the parties
- b) What are the rules regarding the enforcement and challenges of awards in Cyprus

The course will be delivered in two days and will have a total duration of **twelve hours** (excluding lunch breaks) covering different substantive elements.

Certificates of completion will be issued. This Course is designed for the continuous professional development (CPD) of young and other professionals in Cyprus and internationally. UCLan Cyprus through its Law School is an accredited provider of CPD programmes under the relevant Cyprus Bar Association scheme.

The course will be held at UCLan Cyprus on **Saturday, 12th October 2019, between 10:00 and 17:00 and Saturday, 19th October 2019, between 10:00 and 17:00 (with one-hour lunch breaks)**. The price for participation is €500 per participant which includes the delivery of the Course, refreshments and light lunch on both dates.

To book to attend the course, please complete the registration form at <https://bit.ly/2mdykfL> and submit it to [lawacademy@uclancyprus.ac.cy](mailto:lawacademy@uclancyprus.ac.cy)  
For any information, please call **24694097**.

The running of this Course is subject to a satisfactory number of participants booking their places on or before **Monday 7 October 2019**. Accordingly, participants who wish to attend should kindly book their places as soon as reasonably possible.

**Payment of the fees can be made to the following bank account or through JCC Smart, UCLan Cyprus**

Bank account at Hellenic Bank Ltd/ Cyprus Cooperative Bank

Account Name: UCLan Cyprus Ltd

IBAN: CY89 0070 4430 0000 0000 4005 5808

Swift Address: CCBKCY2N

REF: Professional arbitration course level 1 (state your name)

**JCC** smart.com

## Nicos Elia



As a highly-motivated, commercially minded and results orientated claims consultant and dispute resolution professional within the construction and engineering industries, he has a proven track record of providing exemplary levels of service to major stakeholders, including contractors, subcontractors, employers, public and semi government bodies.

During his 28 years of experience, he worked as a Quantity Surveyor, Claims Management Consultant, Lawyer representing Contractors and

Employers in court and in arbitration proceedings. He has acted as an Expert Witness, an Arbitrator and Dispute Adjudication Board (DAB) on major construction and Engineering disputes. He has over 1000 hours of experience as a trainer of construction professionals on matters relating to construction law, contract administration, claims preparation and dispute resolution.

His progressive career roles within the construction and engineering industry enabled him to gain an all-round experience and a detailed understanding of all facets of the dispute resolution process.

## Andy Sphicas



He started working as an Engineer in 1977 and in the years to come, he worked his way up the hierarchy of the company, which is considered one of the top 40 construction companies in the world. In 1991 – 1992, he was General Manager in a company in Botswana, between 2002 – 2005 he was Technical Manager of another contracting company and since the beginning of 2006 he is a Consultant on Construction Contracts and he undertakes project management and financial evaluation.

Through his work as Project Engineer, Senior Project Engineer, Project Manager and Senior Project Manager with large companies, on large and complex projects of diverse nature, for big clients and leading consultants, in multi-cultural societies and diversified environments, he has gained valuable experience in and knowledge of

the construction work, the construction business and the construction world in general.

He participates actively in the Disciplinary Committee of the Technical Chamber of Cyprus and in the work of the Chamber in general. As an accredited mediator with Chartered Institute of Arbitrators, he is registered with Greek ministry of justice as interstate Mediator. Since 2001 he has been a lecturer in training programs on Dispute Resolution and Arbitration, Programming Construction Works, Project Management, Claims for Time, Direct Loss and/ or Expenses, Project Estimating and Tendering, Contract Law, Effective Letter-writing in Construction etc, all of which are approved by the Human Resource Development Authority of Cyprus. Finally, so far he has been appointed as arbitrator in about 65 disputes between Employers and Contractors, Contractors and Sub-Contractors and Employers and Consultants.

## Dr. Despina Christofi (administrator)



Dr. Despina Christofi is a Lecturer in International Commercial Arbitration and Investment Law in UCLan Cyprus. She holds a PhD in Law (University of Central Lancashire, 2018), an LLM in International Commercial Law (University of Glasgow, 2014) and an LLB (Hons) (University of Leicester, 2013). Her research interests evolve around EU economic and financial governance in times of crisis, European Banking Union, banking supervision and regulation, harmonization of Private International law in the EU, Alternative Dispute Resolution methods and International Investment Arbitration. During 2014-2017, she was a Research Assistant, Jean Monnet Module running at the Law School of UCLan Cyprus, 'The Law of Financial and Economic Governance in the EU' (FecoGov).

Among the modules she teaches on the LLB and LLM are Private International Law, International Commercial Litigation, International Commercial Arbitration, International Commercial Mediation, and the Law of International Financial Transactions. In September 2018, she successfully completed the UCLan Civil and Commercial Mediation training Course, which is a registered Civil/ Commercial Mediation Training Course (CMC). Furthermore, she is a Lecturer and Administrator of the Professional Courses at UCLan Cyprus (2015-18), Arbitration module: Associate Arbitrator level and Arbitrator level, focusing on domestic and international commercial arbitration. Finally, she has been actively involved in giving expert legal opinions in EU financial crisis law and banking law for Cypriot law firms and legal authorities.