

SAMRITH KAUR

Advocate & Solicitor of the High Court of Malaya

Messrs. Samrith Sanjiv & Partner

Adjudicator, Arbitrator & Mediator

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Partner, Dispute Resolution Division

Messrs Samrith Sanjiv & Partners

Ms. Samrith Kaur, an advocate and solicitor is the Managing Partner at Messrs. Samrith Sanjiv & Partners in Kuala Lumpur. She graduated with Bachelor's degree in law from University of Coventry, United Kingdom and secured her Certificate of Legal Practice at University of Malaya. She also holds a Master degree in Law from University of Malaya where her area of interest was in Alternative Dispute Resolution.

She is a Fellow of the Chartered Institute of Arbitrators, United Kingdom and with the Malaysian Institute of Arbitrators since 2008. She was past Vice Chairman of the Chartered Institute of Arbitrators, Kuala Lumpur Branch (2012-2014). Ms. Samrith is a Certified Mediator and is on the panel of Bar Council Malaysian Mediation Centre (MMC) since 2009 and as Arbitrator, Mediator and Adjudicator on the panel Asian International Arbitration Centre (AIAC). She has been actively involved in construction matters since 2008 She has been appointed to act as a sole arbitrator by parties in ad-hoc arbitrations and by institutes for construction and contractual disputes. She was appointed as a panel of three member arbitrators for the first time in history of SEA Games during the 29th SEA Games Kuala Lumpur 2017 and is currently the President of the Sports Law Association of Malaysia (SLAM). She is also a Domain Name Dispute Resolution Panellist with AIAC and Asian Domain Name Dispute Resolution Centre in Hong Kong where she sits as a sole panellist..

She has acted as Counsel for various multinational companies in a variety of construction, corporate and commercial disputes which include advising various companies specialised in civil building, oil and gas industry, refinery plant maintenance, telecommunication and employment related matters. Samrith has also successfully mediated various disputes involving multinational companies, contractual, employment and family related matters. She has co-authored a handbook on Practice & Procedure of Mediation and published several articles in law journals and delivers talks at the conferences. Ms. Samrith is also actively involved in providing training to Arbitrators, Adjudicators and Mediators.

Areas of Practice

Arbitration & Alternative Dispute Resolution, Construction & Engineering, Contracts, Sale of Goods, Oil and Gas, Corporate and Commercial Disputes, Mediation, Sports Law, Employment Law and Information, Communication and Technology Law.

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Drafting and Negotiation of Contracts

- Samrith has drafted and negotiated contracts on behalf of multi-national companies involved in various infrastructure projects throughout Malaysia. These contracts include main building contract, Highway Expressway Projects, Design & Built works for Dam Project in Kedah, Water Rights contracts with state government, sub-contracts, management contracts, consultancy contracts including those related to architects, engineers and quantity surveyors, contracts for supply and sale of goods agreements.

Other Professional Work and Publications

- Presented a Talk on- New Directions in Resolving Medical Disputes in Malaysia: Is ADR a Viable Option jointly organised by The Chartered Institute of Arbitrators and International Islamic University Malaysia (IIUM) (2011 to 2017)
- Presented a Talk on – Adjudication & CIPAA 2012: Application To Construction Contracts organised by Royal Institute of Surveyors Malaysia (Sarawak Branch) (August 2014)
- Presented a Talk on – Impact of CIPAA 2012 on Consultants and Consultancy Practice organised by the Association of Consulting Engineers Malaysia (September 2014)
- Participated in panel discussion on Trends and Important Substantive and Procedural Issues in ADNDRC decisions at Domain Name Dispute Resolution Conference (December 2016)
- Presenting a Talk on Mediating Community Disputes organised by Justices of Peace, Penang Branch (July 2017)
- Presented a Talk on Adjudication In Practice- Updates & Development organised by KPK Quantity Surveyors (Semenanjung) Sdn Bhd (May 2019)
- Presented a Talk on Adjudication In Practice- Updates & Development organised by Institute of Engineers, Malaysia (IEM) (July 2019)
- Conducted Workshop on Tender and Contracts Document & Procedures organised by GAMUDA (November 2019)
- Tutor at Diploma in International Arbitration (Chartered Institute of Arbitrators (UK))
- Mediation Trainer for AIAC training the Justices of Peace, Penang Branch (2016 to present)
- Tutor for AIAC Certification for Adjudication Course (2014-2019)
- Course Director, Tutor, Examiner of the Following Courses conducted by Chartered Institute of Arbitrators:

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- Accelerated Route to Fellowship Course
- Introduction to Arbitration Course
- Lecturer at International Islamic University Malaysia for the ADR Society Members
- Lecturer at Judicial and Legal Training Institute (ILKAP)
- Lecturer at Universiti Teknologi MARA on Arbitral Awards (2019)
- Participated as speaker in L2 Construction Series Webinar, Malaysian Institute of Arbitrators, Construction Industry Law Centre (CLIC), Asian Law Student Association (ALSA) International.
- Co-author of Practice and Procedure of Mediation (2020),
- Article on Resolving Disputes in Sikh Community through Mediation
- Justice of Peace as Community Mediators: The Way Forward

Professional Affiliations

Member of Chartered Institute of Arbitrators

Member of Malaysian Institute of Arbitrators

Member of the Malaysian Bar Council

Member of the Society of the Construction Law

Malaysian Society of Adjudicators (MSA)

Member of Sports Law Association Malaysia (SLAM)

Qualifications

Advocate & Solicitor of the High Court of Malaya

Bachelor of Laws (Hons), Coventry

Certificate of Legal Practise

Degree of Master of Laws (UM)

Fellow of the Chartered institute of Arbitrators, FCI Arb (2008)

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Certification of Mediation (MMC & AIAC) (2009)

KLRCA Certification in Adjudication (2012)

Fellow of the Malaysian Institute of Arbitrators FMI Arb (2014)

AIAC Certificate Programme in Sports Arbitration (2016)

Contact Details

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