

From: Rohanaahliza Yusof rohanayusof@siac.org.sg
Subject: ARB083/16/AB - Letter to Parties re Constitution of Tribunal
Date: 29 June 2017 at 1:47 PM
To: cheryl@intelleigen.com, vivek.n@allenandgledhill.com, vincent.leow@allenandgledhill.com, hoh.jianyong@allenandgledhill.com
Cc: richard.tan@rtanarbitrators.com, richardt.an.arbitrator@gmail.com, Aliona Bitkivskaja alionabitkivskaja@siac.org.sg

RY

Dear Sirs

SIAC ARBITRATION NO. 083 OF 2016 (ARB083/16/AB)

On behalf of Ms Aliona Bitkivskaja, we enclosed our letter dated 29 June 2017.

Thank you.

Regards

Rohanaahliza Yusof

Case Management Officer

Singapore International Arbitration Centre

32 Maxwell Road #02-01 Maxwell Chambers Singapore 069115

T: (65) 6713 9777

F: (65) 6713 9778

E: rohanayusof@siac.org.sg

NOTE: Please be informed that my new email address is rohanayusof@siac.org.sg. Thank you for your kind attention.

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Our Ref: ARB083/16/AB

29 June 2017

CLAIMANT:

GEO MILLENIUM SYSTEM PTE LTD

c/o INTELLIGEN LEGAL LLC

100 Peck Seah Street

#08-04

Singapore 079333

Attn: Cheryl Ng

By Email:

cheryl@intelleigen.com

RESPONDENT:

NCS PTE LTD

c/o ALLEN & GLEDHILL

One Marina Boulevard

#28-00

Singapore 018989

Attn: Vincent Leow / Vivekananda N /

Hon Jian Yong

By Email:

vivek.n@allenandgledhill.com

vincent.leow@allenandgledhill.com

hoh.jianyong@allenandgledhill.com

Dear Sirs,

SIAC ARBITRATION NO. 083 OF 2016 IN THE MATTER OF AN ARBITRATION UNDER THE ARBITRATION RULES OF THE SINGAPORE INTERNATIONAL ARBITRATION CENTRE (5TH EDITION, 1 APRIL 2013) BETWEEN GEO MILLENIUM SYSTEM PTE LTD ("CLAIMANT") AND NCS PTE LTD ("RESPONDENT")

1. We are pleased to inform you that the Vice President of the Court of Arbitration of the Singapore International Arbitration Centre ("SIAC"), acting in his capacity as the President of the Court of Arbitration of SIAC, has appointed Mr Richard Tan as the sole arbitrator in the subject matter.
2. Please see attached a copy of Mr Tan's Letter of Appointment dated 28 June 2017 for your reference. The Tribunal is therefore constituted.

Terms of Appointment

3. We draw your attention to our *Practice Note for Administered Cases* (PN - 01/14, 2 January 2014) and our *Practice Note on the Appointment of Administrative Secretaries* (2 February 2015) ("*Practice Notes*"). The arbitrator has agreed to accept his appointment under these *Practice Notes* and his remuneration will be ascertained in accordance with the SIAC Schedule of

Arbitrator's Fees (available on our website: www.siac.org.sg). Based on the information that is currently known to us, the arbitrator's fees are subject to a limit of **SGD 138,100.00**.

4. The above limit may be revised should there be any additional claims or counterclaims. Please note that the actual remuneration payable to the arbitrator will be fixed by the Registrar of the Court of Arbitration of SIAC in accordance with, *inter alia*, the stage of proceedings at which the matter is concluded.

Next Steps

5. The Parties should consult with the Tribunal in relation to the conduct of the arbitral process. The Secretariat will be pleased to assist where appropriate.
6. In addition, we would be grateful if the Parties could let us know when a hearing has been fixed in this matter.
7. Please do not hesitate to contact Ms Rohanaahliza Yusof or the undersigned should you have any questions or require any clarification.

Thank you.

Yours sincerely,



Aliona Bitkivskaja
Associate Counsel

Encl –

1. Copy of Mr Tan's Letter of Appointment dated 28 June 2017
2. Contact Information Sheet
3. SIAC Schedule of Fees applicable to this matter

cc:

Mr Richard Tan

By Email:

richard.tan@rtanarbitrators.com

richardt看an.arbitrator@gmail.com

LETTER OF APPOINTMENT OF ARBITRATOR

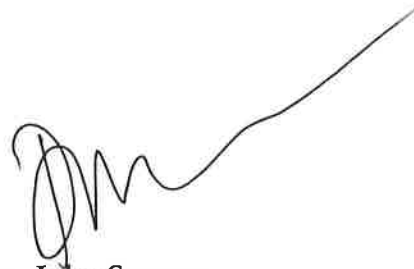
SIAC ARBITRATION NO. 083 OF 2016 IN THE MATTER OF AN ARBITRATION UNDER THE ARBITRATION RULES OF THE SINGAPORE INTERNATIONAL ARBITRATION CENTRE (5TH EDITION, 1 APRIL 2013) BETWEEN GEO MILLENIUM SYSTEM PTE LTD ("CLAIMANT") AND NCS PTE LTD ("RESPONDENT")

Pursuant to Rule 7.2 of the Arbitration Rules of the Singapore International Arbitration Centre (5th Edition, 1 April 2013), I hereby appoint

RICHARD TAN

as the sole arbitrator in the above arbitration.

Dated this 28th day of June 2017


John Savage
Vice President
Court of Arbitration

ARB083/16/AB – CONTACT INFORMATION SHEET

A. Contact details of Parties and their Representatives

CLAIMANT	COUNSEL
GEO MILLENIUM SYSTEM PTE LTD 31 Toh Guan Road East #04-04, LW Technocentre Singapore 608608	INTELLEIGEN LEGAL LLC 100 Peck Seah Street #08-04 Singapore 079333 Attn: Cheryl Ng Tel: +65 6720 0670 Fax: +65 6720 0671 Email: cheryl@intelleigen.com
RESPONDENT	COUNSEL
NCS PTE LTD 5 Ang Mo Kio Street 62 NCS Hub Singapore 569141 Attn: Chief Executive Officer Tel: +65 6570 4040 Fax: +65 6484 4068	ALLEN & GLEDHILL One Marina Boulevard #28-00 Singapore 018989 Attn: Mr Vincent Leow / Mr Vivekananda N Hon Jian Yong Tel: +65 6890 7807 / +65 6890 7154 / +65 6890 7471 Fax: +65 6302 3248 / +65 6302 3306 Email: vivek.n@allenandgledhill.com vincent.leow@allenandgledhill.com hoh.jianyong@allenandgledhill.com

B. Contact details of the Tribunal

Sole Arbitrator	MR RICHARD TAN 21 Bukit Sedap Road Singapore 279920 Tel: +65 9736 1881 Email: richard.tan@rtanarbitrators.com richardt看an.arbitrator@gmail.com
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C. Contact details of the Secretariat (SIAC)

Associate Counsel	Ms Aliona Bitkivskaja 32 Maxwell Road #02-01 Singapore 069115 Tel: +65 6713 9777 Fax: +65 6713 9778 Email: alionabitkivskaja@siac.org.sg
Case Management Officer	Ms Rohanaahliza Yusof 32 Maxwell Road #02-01 Singapore 069115 Tel: +65 6713 9777 Fax: +65 6713 9778 Email: rohanayusof@siac.org.sg



Singapore International Arbitration Centre

SCHEDULE OF FEES

(All sums stated are in Singapore dollars)

This Schedule of Fees is effective as of 1 August 2014 and is applicable to all arbitrations commenced on or after 1 August 2014.

CASE FILING FEE⁺ (Non-Refundable)

Singapore Parties S\$2,140*

Overseas Parties S\$2,000

+ A filing fee is applicable to all arbitrations administered by SIAC, and to each claim or counterclaim.

* Fee includes 7% GST.

ADMINISTRATION FEES

The administration fees calculated in accordance with the Schedule below apply to all arbitrations administered by SIAC and is the maximum amount payable to SIAC.

Sum in Dispute (S\$)	Administration Fees (S\$)
Up to 50,000	3,800
50,001 to 100,000	3,800 + 2.200% excess over 50,000
100,001 to 500,000	4,900 + 1.200% excess over 100,000
500,001 to 1,000,000	9,700 + 1.000% excess over 500,000
1,000,001 to 2,000,000	14,700 + 0.650% excess over 1,000,000
2,000,001 to 5,000,000	21,200 + 0.320% excess over 2,000,000
5,000,001 to 10,000,000	30,800 + 0.160% excess over 5,000,000
10,000,001 to 50,000,000	38,800 + 0.095% excess over 10,000,000
50,000,001 to 80,000,000	76,800 + 0.040% excess over 50,000,000
80,000,001 to 100,000,000	88,800 + 0.031% excess over 80,000,000
Above 100,000,001	95,000

The administration fees do not include the following:

- Fees and expenses of the Tribunal
- Usage cost of facilities and support services for and in connection with any hearing (e.g. hearing rooms and equipment, transcription and interpretation services etc)
- SIAC's out-of-pocket expenses



Singapore International Arbitration Centre

ARBITRATOR'S FEES

For arbitrations conducted and administered under the Arbitration Rules of SIAC, this is the schedule of fees payable unless the parties have agreed to an alternative method of determining the Tribunal's fees pursuant to Rule 30.1.

The fee calculated in accordance with the Schedule below is the maximum amount payable to one arbitrator.

Sum in Dispute (S\$)	Arbitrator's Fees (S\$)
Up to 50,000	6,250
50,001 to 100,000	6,250 + 13.800% excess over 50,000
100,001 to 500,000	13,150 + 6.500% excess over 100,000
500,001 to 1,000,000	39,150 + 4.850% excess over 500,000
1,000,001 to 2,000,000	63,400 + 2.750% excess over 1,000,000
2,000,001 to 5,000,000	90,900 + 1.200% excess over 2,000,000
5,000,001 to 10,000,000	126,900 + 0.700% excess over 5,000,000
10,000,001 to 50,000,000	161,900 + 0.300% excess over 10,000,000
50,000,001 to 80,000,000	281,900 + 0.160% excess over 50,000,000
80,000,001 to 100,000,000	329,900 + 0.075% excess over 80,000,000
100,000,001 to 500,000,000	344,900 + 0.065% excess over 100,000,000
Above 500,000,000	605,000 + 0.040% excess over 500,000,000 up to a maximum of 2,000,000

EMERGENCY INTERIM RELIEF FEES

The following fees shall be payable in an Emergency Interim Relief application under Rule 26.2 and Schedule 1 of the Arbitration Rules of SIAC:

1. **Administration Fee for Emergency Arbitrator Applications:** An application under Rule 26.2 and Schedule 1 must be accompanied by a payment of:

Singapore Parties S\$5,350*

Overseas Parties S\$5,000

**Fee includes 7% GST.*

2. **Emergency Arbitrator's Fees:** The Emergency Arbitrator's fees shall be capped at 20% of a sole arbitrator's maximum fee calculated in accordance with the Schedule of Fees in force at the time of commencement of the arbitration, but shall be not less than S\$20,000, unless the Registrar otherwise determines. A deposit will be required from the applicant to cover the Emergency Arbitrator's fees and expenses shortly after the application is made.