

be implied that entitled them to a commitment fee, and the agreement could not be varied without the consent of all parties. To insist on such a fee in those circumstances would constitute misconduct, making the arbitrator subject to removal. Additionally, any agreement between one party and its arbitrator or a third arbitrator for the payment of fees, after appointment and without the consent of the other party, would render the arbitrator vulnerable to the imputation of bias.

In this case, the commitment of time sought by the parties was extensive enough to justify a request by the arbitrators for a commitment fee (assuming the request had been made before acceptance of appointment). No agreement was concluded by Norjarl, so no misconduct occurred, Lord Justice Leggatt said. But if, without the concurrence of Hyundai, an agreement were now to be concluded between Norjarl and the arbitrators, that would probably constitute misconduct. Therefore, Norjarl's cross-appeal was dismissed.

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Visitors to Australia

Professor G.J. Siedel, Professor of Business Law, The University of Michigan visited Melbourne and Sydney during March 1991. During his visit he presented lectures on alternative dispute resolution at Monash University and called on the Australian Centre for International Commercial Arbitration, Melbourne.

Professor Siedel specialises in Mini Trial procedures and has researched the subject extensively in the U.S.A.

Mr Douglas A. Stephenson a past Chairman of The Chartered Institute of Arbitrators London visited Sydney, Canberra and Brisbane during March as part of a world tour with his wife.

Whilst in Brisbane the Queensland Chapter Committee arranged for Mr Stephenson to address members of the Chapter and their guests. His topic was Judicial Review of and Preliminary Point of Law with particular reference to the NEMA case. The venue was the United Service Club. The meeting was extremely well supported by Institute members who, following the address and questions, had an opportunity to meet Mr Stephenson during refreshments.