

JAY PATRICK SANTIAGO

Counsel, Hong Kong International Arbitration Centre, Hong Kong



KEY QUALIFICATIONS

Legal experience covers general, commercial, and tax litigation in the Philippines, international and domestic commercial arbitration in Hong Kong and the Philippines, intra-corporate dispute resolution, tax advisory, corporate and regulatory compliance, government procurement, and mergers and acquisitions.

Experience in commercial arbitration and/or dispute resolution includes:

- Managing ad hoc and administered arbitration proceedings under the Hong Kong Arbitration Ordinance (Cap 609) (adopting the UNCITRAL Model Law with 2006 amendments), UNCITRAL Arbitration Rules (1976 and 2010), Hong Kong International Arbitration Centre (HKIAC) Procedures for the Administration of International Arbitration, and 2013 HKIAC Administered Arbitration Rules, involving maritime, energy (e.g., CDM Emissions Reduction Purchase Agreements), commercial, insurance, and construction disputes.
- Communicating with parties and arbitrators (prospective and appointed/confirmed) in the course of arbitration proceedings to ensure expedient proceedings and compliance with the relevant rules.
- Speaking in various conferences about international dispute resolution and commercial arbitration.
- Speaking in various talks about drafting of arbitration and dispute resolution clauses and enforcement of arbitral awards.
- Recommending amendments to the Philippine Arbitration Law (Republic Act No. 9285) as a member of the Technical Working Group for Arbitration organized by the Philippines' Department of Justice Office for Alternative Dispute Resolution.

- Participating in the 2014 revisions of the arbitration rules of the Philippines Dispute Resolution Centre.
- Participating in the drafting of the mediation rules of the Philippines Dispute Resolution Centre.
- Participating in the 2016 revisions of the mediation rules of the Hong Kong International Arbitration Centre.
- Representing a multinational logistics service provider seeking to recover sums of money withheld by its local service provider in breach of their service agreement, in an international commercial arbitration administered under the arbitration rules of the Philippine Dispute Resolution Center.
- Representing a multinational logistics service provider seeking to recover sums of money against a leading local retail service provider in breach of their service agreement, in an international commercial arbitration administered under the arbitration rules of the International Chamber of Commerce.
- Representing a leading local grower and producer of bananas in defense of a claim for breach of a production sharing agreement filed by a multinational food company, in an international commercial arbitration administered under the arbitration rules of the International Chamber of Commerce.
- Collaborating foreign counsel in a claim against a seller of real property located in the Philippines for breach of contract, in an international commercial arbitration administered under the arbitration rules of the Singapore International Arbitration Centre.
- Representing and advising a major multinational mobile phone manufacturer in various consumer complaints before the Philippine Department of Trade and Industry.
- Representing and advising major Philippine petroleum companies in litigation against the city government of Manila involving an ordinance imposing mandatory relocation of oil depots.
- Representing and advising a major Philippine bank and its officers in defense of alleged violation of banking regulations before the Central Bank of the Philippines and various Philippine courts.

- Representing and advising a major Japanese logistics company in defense of alleged violations of customs and importation regulations. Experience in corporate and regulatory compliance includes:
 - Preparing and advising local and multinational companies about corporate and reportorial requirements in compliance with regulations of government agencies including the Philippine Stock Exchange, Philippine Economic Zone Authority, Securities and Exchange Commission, and Bureau of Internal Revenue.
 - Assistant corporate secretary of various companies, including a multinational cosmetics company and a multinational semiconductor company.
 - Investigating and/or preparing documents regarding prevention and/or possible violation of the US Foreign Corrupt Practices Act and customs regulations for various companies, including a multinational logistics company and a multinational electronics company.
 - Preparing Dawn Raid Guidelines in preparation for potential government searches in the premises of a multinational pharmaceutical company.

PUBLICATIONS

- Contributor, PI Arb Commercial Arbitration Handbook (2015)
- Contributor, Mediation in Asia (2015)
- Author, Arbitration in the Philippines, Corporate Disputes Magazine (July-Sept 2015)
- Contributor, Baker & McKenzie Dispute Resolution Around the World (2014)
- Contributor, Baker & McKenzie International Arbitration Yearbook (2011-2013)
- Co-author, The Philippine Contribution to the Movement Towards Sustainable Energy: A Look at the Philippines' Renewable Energy Act of 2008, International Financial Law Review (2009)

MEMBERSHIP IN PROFESSIONAL SOCIETIES

- Trained arbitrator, Philippine Dispute Resolution Center, Inc.

- Vice President for International Initiatives, Philippine Institute of Arbitrators (2014-2015)
- Member, Chartered Institute of Arbitrators (East Asia Branch)
- Member (Buddy), Young ICCA (International Council for Commercial Arbitration)
- Member, HK45
- Member, International Chamber of Commerce Young Arbitrators' Circle
- Member, ASEAN Law Association
- Member, Phi Kappa Phi International Honors Society

