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**Danny Mok, Sai Kit**

 F.I.C.S        M.C.I.Arb         A.C.I.I

 Independent Full Time Maritime and Commercial Arbitrator



Danny has a genuine and proven commercial background. He has a sound legal brain and knowledge of the law.

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**Danny’s Background**

Danny was born in 1970 and is a home-grown Hongkonger. He speaks and writes Cantonese, Putonghua and English. He graduated from the Hong Kong Polytechnic (now the Hong Kong Polytechnic University) in 1991, studied shipping studies in the Nautical Department, where he acquired a broad range of knowledge on ship operation and management, liner and tramp business, ship chartering and broking, shipping economics and finance, marine insurance, general legal knowledge, international trade law and shipping law.

After graduation, Danny worked for an independent ship management company in Hong Kong as a management trainee. The company provided ship management services to European and Japanese shipowners. During his eight-month tenure, he assumed rotation placements at different departments and visited various types of cargo ships as a boarding agent.

Going forward, Danny joined a publicly listed international shipping company as a shipping executive in 1992. In the early days of the business, the company’s main focus was on ship chartering, operation and trading. It later developed as a major Supramax bulker owner and operator and is now one of the major ship owning / management companies in the world.

Danny was first trained in the post fixture department where he was responsible for checking the charterparties and laytime calculations. He was then involved in operational and chartering works and finally settled in the business department where he assisted and gave advice to his colleagues and handled claims and disputes for the company. The combination of knowledge and experience he had gained in his early days laid the foundation stone of his career.

Danny gained his first arbitration experience in 1992. It was a London arbitration and the dispute was about the validity of the Notice of Readiness tendered at a place where ships usually waited for proceeding further to the river ports. His interest in arbitration had grown immensely since then.

As the company’s business expanded, Danny handled a wide range of shipping and commercial disputes in relation to bareboat charter, time and voyage charters, sale of ship, ship building, agency and sale of goods. He also played an integral role in resolving matters in relation to average damage, collision, general average and salvage. He did adjusting works for appropriate insurance claims.

The well documented collapse of the financial and shipping markets in 2008 led to a spate of non-performance disputes of all kind. Danny increasingly handled a number of high value claims which saw him involved in settlement negotiations, arbitrations, court proceedings, mediations, global actions in relation to security for claims and enforcement of the awards or judgments. He came across many interesting and creative arguments raised and a few deadly tactics deployed.

After 22 years of service, Danny decided to leave the company in order to further his interest in arbitration. He resigned from his position as Director of the Legal Department in July 2014.

Danny has been an independent, full-time maritime and commercial arbitrator since August 2014.

**Danny’s Alternative Dispute Resolution Experience**

Shipping and international trade are highly competitive and litigious business. During his employment, Danny was heavily involved in arbitrations, mediations and settlement negotiations. He handled arbitrations by himself or through instructing lawyers. As a natural growth of his career, he started part-time arbitrating in 2001 when he received his first appointment from a shipowner outside Hong Kong. He now arbitrates in Hong Kong, London and Singapore and accepts appointment on ad-hoc and institutional basis. He has experience as arbitrator in arbitration conducted under the following rules and procedures:

* The Hong Kong International Arbitration Centre Administered Arbitration Rules
* The London Court of International Arbitration Rules
* The International Chamber of Commerce Rules of Arbitration
* The Singapore International Arbitration Centre Rules
* The London Maritime Arbitrators Association Terms
* The UNCITRAL Arbitration Rules

Highlights of Danny’s experience in ADR:

* Acting as party in a charterparty dispute concerning the owners’ claim for about USD 40 million against the default charterers. The charterers contended that there was no binding contract between the owners and charterers. The main dispute was heard in London by a three-man arbitral tribunal with satellite actions taken by the parties in South Africa, Hong Kong and Singapore.

* Acting as party and giving oral witness evidence in a London arbitration concerning the owners’ claim for about USD 30 million as damages against the charterers for repudiatory breach of the charterparty.

* Acting as party and factual witness in a London arbitration in relation to the owners’ claim for about USD 18 million against the charterers for repudiation of the charterparty. The dispute concerned about the validity of the anti-technicality notice. It was settled on the eve of the hearing.

* Acting as party in relation to technical and legal disputes under shipbuilding contracts, resulting in negotiations and arbitration. Danny orchestrated from start to finish.

* Acting as presiding arbitrator in a hearing held in Hong Kong concerning a guarantee claim under the shipbuilding contract.

* Acting as third arbitrator in an arbitration concerning a re-sale of a newbuilding under the Norwegian Sale Form.

* Acting as co-arbitrator in hearings held in London concerning the termination of the shipbuilding contract where complex and complicated technical and legal issues were heard.

* Acting as co-arbitrator in a hearing held in London in relation to the charterers' right to cancel the charterparty.

* Acting as sole and co-arbitrator in a number of sale of goods arbitrations in respect of disputes relating to quality issue, non-delivery of cargo, cancellation of contract and failure to open a letter of credit.

* Acting as party in two mediations, one held in London and the other in Hong Kong, in relation to sale of goods and charterparty disputes.

In addition to his practical legal and commercial experience, Danny is a co-author of the Chinese book “仲裁法 – 從1996年英國仲裁法到國際商務仲裁” (Arbitration Law – from The Arbitration Act 1996 to international commercial arbitration). It was published by Law Press – China in 2006.

**Danny’s Professional Qualifications and Memberships**

Danny obtained memberships from Institute of Chartered Shipbrokers (ICS), Chartered Institute of Arbitrators (CIArb) and Chartered Institute of Insurance (CII) in the early days of his career. He is currently:

* a Fellowship of the ICS
* a Member of CIArb
* an Associate Member of CII and Chartered Insurance Practitioner

Danny is also a member of the following organisations :

* Panel Member of the Hong Kong International Arbitration Centre
* Member of the Hong Kong Maritime Arbitration Group
* Supporting Member of the London Maritime Arbitrators Association
* Member of the Baltic Exchange