



BIOGRAPHY

BRUCE COLLINS KC

**F.C.I. Arb
BA LLB (Hons)(Sydney)
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Bruce Collins is an international lawyer who has practised extensively in commercial law and commercial engineering and construction arbitration for more than 40 years, specialising in complex commercial, engineering, construction and infrastructure cases while conducting a broad equity and commercial practice. Collins completed his Articles of Clerkship at Mallesons Stephen Jaques in Sydney. His additional interests in public and private international law began in 1973 at the International Court of Justice in The Hague as the Associate to the Chief Justice of Australia, Sir Garfield Barwick, then a Judge ad hoc, during the Nuclear Testing case against France. Collins was the Australian member of the ICC International Court of Arbitration in Paris for six (6) years and has been a member of several ICC Committees and Task Forces

He was admitted to the Bar of England and Wales to which he was called by Lincoln's Inn. He is also admitted to the Bars of Ireland, Fiji and several of the Australian States and Territories. He has been an Adjunct Professor of Law, Visiting Professor of Law and an Honorary Lecturer in International Commercial Arbitration at a number of institutions around the world.

Collins was the Chairman of Eleventh Floor Wentworth (Barristers) Chambers Ltd, a member of Professional Conduct Committees of the New South Wales Bar and a member of the Ethics, Education and Human Rights Committees of the Bar. He was an early member of the Australian Advocacy Centre (conducted from Melbourne). He was a Board Member of the St James' Ethics Centre for five years, a

director of Cricket New South Wales for seven years during which time he chaired five sub-committees and was a Director of Cricket Australia (2003-2004) sitting on the Audit Committee. For six years he was the President of the Primary Club of Australia, a charity founded by Australian sportsmen and women which raises and provides funds for Australians with disabilities. During his Presidency more than one million dollars was raised for those purposes. He was the Chairman of the Sydney Cricket Association for six years.

He has been involved as a Senior Counsel in numerous complex mining and infrastructure cases involving roads (several multi-lane expressways instructed by the former Department of Main Roads), tunnelling, mining operation (excavation and extraction and bulk material handling), coastal erosion, multi-storey buildings and other complex cases relating to the operation of coal-fired power stations and bulk material coal handling systems and the construction of multi-lane expressways. His infrastructure and engineering experience also extends to hydro-electric power stations, port facilities and LPG facilities.

Collins has delivered lectures by invitation and taught commercial arbitration subjects pro bono in Beijing on three separate occasions, including to the Beijing Young Arbitrators Forum, a Combined Universities Forum and a two-day intensive seminar on Cross-Examination in International Commercial Arbitration. On several occasions he sat in Hong Kong and in Vienna as an arbitrator and judge pro bono in the International Vis Moots in which senior law students from many countries around the world competed.

His visits to Moscow involved teaching arbitration at the Higher School of Economics and three stints of lectures over several days at the Pericles Institute of International Law in Moscow as a Visiting Professor. He has also lectured on the subject of sports arbitration and Olympic Selection appeals at the City University, Moscow.

For four years Collins was the part-time lecturer in Equity for students in the Solicitors and Barristers Admission Course at the University of Sydney. He also lectured in Trusts and in Trial Process at the University of New South Wales.

He has been engaged pro bono by the US Department of Commerce in Washington to instruct arbitration practitioners in Bahrain, Sri Lanka, Hong Kong and elsewhere. Together with colleagues from Hong Kong he was invited to assist in the drafting of new arbitration rules for the Sri Lankan Arbitration Centre. This work was part of his personal pro bono programme in cities around the world. He is often requested to speak and contribute to black letter arbitration related conferences around the world. In the last four years he has delivered papers and lectures pro bono in Lagos, Bangkok, Moscow,

Kiev, Minsk, Hong Kong, Singapore, Istanbul, Djakarta, Seoul, Kathmandu, Beijing, Johannesburg and other cities.

Collins was the founding Chairman of the Bradman Museum Trust and the Bradman Foundation, establishing the Bradman Museum. He was the principal fundraiser for the project and established and oversaw the Bradman Trust residential coaching clinics (some thousands of children have been coached since 1989), established the Bradman Scholarships to Oxford and Australian Universities, the Bradman Library, arranged the conduct of international cricket matches at the refurbished Bradman Oval, all with the close and active personal participation and support of Sir Donald Bradman AC.

On three occasions he has been appointed by the New South Wales Government as an Assistant Independent Commissioner against Corruption to conduct separate public Inquiries into corrupt conduct and report to the New South Wales Parliament. He has been a Supreme Court appointed Referee and Supreme Court Neutral Evaluator. In 1995 and 1996 Collins was the Chairman of the New South Wales Rugby League Appeals Committee. He has for several years been a member of the Court of Arbitration for Sport, the World Sailing Judiciary and he is a member of the panel or arbitrators of the London Sports Resolution body. He has been the Australian Olympic Appeals Consultant for the Summer and Winter Games for the last 10 years. He has been appointed to Arbitration Panels for the Asian Cup (Football) in Sydney, to an ad hoc panel designed to resolve broadcasting disputes connected with the European Games in Baku in Azerbaijan, the European Games in Seoul, and to an ad hoc panel set up to resolve disputes relating to the FA in England. He is a member of numerous panels of arbitrators including CEITAC, Beijing, the Hong Kong International Arbitration Centre, the Singapore International Arbitration Centre, the Kuala Lumpur Arbitration Centre, the Shanghai Arbitration Centre and the Korean Commercial Arbitration Board. He is a member of the specialist Spanish Court CIMA set up by the Spanish Arbitration Association in Madrid to hear and determine appeals from arbitrators. He has been appointed to an arbitral panel by the Stockholm Chamber of Commerce. He has chaired a London Court of International Arbitration Panel hearing an international oil sales dispute between English and African companies and sat on an ICC panel in Singapore as a party appointed arbitrator. He is currently serving on panels administered by the ICC, the Singapore International Arbitration Centre and the Arbitration Foundation of Southern Africa.

He has lectured as a principal lecturer in the University of Stuttgart Engineering Masters program. He was appointed by the New South Wales Government to chair and constitute the New South Wales Government Inquiry into Insolvency in the Construction Industry, which heard evidence from 100 witnesses and reported to the New South Wales Government upon completion (the Honourable Greg Pearce MLC was the responsible Minister). Collins now acts as an independent international arbitrator in commercial cases which often involve conflicting expert evidence and the considerations and reading

of technical drawings in complex infrastructure, engineering and construction issues. The field of expert evidence and the development of efficient dispute resolution protocols is one of his specialities.

As Counsel he has appeared in international commercial arbitrations in China and has appeared for the Australian Government in arms related arbitration in the United States. He was an advisor to the Australian Government in the WTO proceedings in which the Ukraine challenged the Australian Anti-Smoking legislation. He recently advised an Australian public company carrying out gold mining operations in Thailand concerning the creeping appropriation of that company's gold mining operations by the Thai Government. He has also lectured in BIT treaty work of which that case was an example. He advised the Australian Government in relation to the manner in which the multibillion dollar Telstra superannuation funds ought properly be treated. He was junior counsel to the then A M Gleeson QC in the Australian Senate Inquiry into the conduct of then Mr Justice Murphy of the High Court of Australia. He has appeared in Superior Courts ranging from the Privy Council in London to the High Court of Australia and the Superior Courts of each of the Australian States and Territories.

Recent Activities

- Appointed as one of the foundation members of the National Sports Tribunal
- Appointed to the World Sailing Judiciary
- Reappointed to the Court of Arbitration for Sport
- Re-elected as the President of the Sydney University Cricket Club (2002 to the present)
- Visiting guest lecturer in International Commercial Arbitration at the Australia National University in Canberra
- Appointed President of an ICC Panel hearing an international hotel dispute between parties in Denmark and Turkey
- Appointed President of an ICC Panel hearing a dispute between Russian and Chinese companies concerning an iron ore mining operation close to the border between Russia and the People's Republic of China
- Appointed to an Appellate Panel of the Court of Arbitration for Sport in Lausanne, Switzerland
- Invited to deliver a series of lectures in International Commercial Arbitration at the University of Peking, Shenzhen
- Appointed a panellist by the Arbitration Foundation of Southern Africa
- Invited to devise and present a day-long seminar on cross-examination in International Arbitration at the Korean Commercial Arbitration in Seoul
- Invited by the Mauritian International Arbitration Centre to deliver a week-long series of lecture in International Commercial Arbitration in Johannesburg, South Africa
- Appointed by Sport Australia to Chair an Independent Inquiry into the Australian

Women's Olympic Hockey Squad

- Appointed as an expert witness in Hong Kong International Arbitration Centre proceedings to give evidence concerning constructive trusts
- Appointed as Chairman of the Australian Construction Law Discussion Group
- Appointed to the International Arbitration Court of the Arbitration Foundation of Southern Africa (serving pro bono)
- Appointed as sole arbitrator in an international commercial dispute between a South African and Ugandan companies.
- Collins has recently been nominated by the Arbitration Foundation of Southern Africa to sit as an arbitrator on the Panel of the CAJAC (the China-Africa Joint Arbitration Centre formed to determine disputes between the Peoples Republic of China and Chinese state owned entities and companies and countries on the African continent arising out of the Chinese Belt and Road initiative).
- Appointed as arbitrator in a large engineering and construction dispute by the leading Chinese firm of attorneys in Beijing.

Current Non-legal Projects

- Gathering together from clubs, Cricket Associations and individuals within NSW and interstate a collection of second-hand cricket gear to be shipped to an orphanage in Kabul, Afghanistan where 700 children between the ages of 8 and 18 have professed and demonstrated a love of cricket. This project repeats one Collins undertook with Ben Heraghty several years ago. The then Prime Minister John Howard OM AC strongly supported the project by providing, through the Royal Australian Airforce, a Hercules Transport Aircraft which flew the gear to the Middle East for onward delivery to the orphanage in Kabul where the children relished the opportunity to play with real cricket gear rather than the branches of trees, discarded palings and stones wrapped with insulation tape.
- Establishing and leading the project to design and construct a new Cricket Pavilion at St Paul's College Oval where Sydney Premier Grade Cricket is played each weekend when the Sydney University Cricket Club plays and hosts home games.

Articles and Papers Completed in draft and intended for publication

- The Use of documents in Cross-Examination¹

¹ Based on Readers' Lectures presented to the New South Wales Bar, 1985 - 2005

- Bringing Sport into Disrepute After Darcy's Case²
- The Adverse Inference³
- Challenges to Arbitrators⁴
- Expert Evidence⁵
- Good Faith in English and French Contract Law
- Fiona Trust. More or Less "room" for movement⁶
- Athlete Selection Appeals⁷
- Shoeless Joe Jackson's encounters with the Law⁸
- The Duty of Fiduciaries: The Conflict Rule, One Rule or Two
- The Remedial Constructive Trust in Australia⁹

Chambers

Collins is a foundation member of Arbitration Chambers in Hong Kong and Arbitration Chambers in the Middle Temple in London and in New York. He has taken Chambers in State Chambers, 52 Martin Place, Sydney to facilitate his objective of working particularly in Sydney.

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Collins lives at Wildes Meadow in the Southern Highlands of New South Wales. His interests outside the law include cricket, golf, rugby and all sport, reading history and spending time with his six children and sixteen grandchildren. He is a practising Anglican.

Sir Donald Bradman, at the Official Opening of the Bradman Museum, Regent Hotel, Sydney, 13 October 1989 said:

"Those who administer the Bradman Museum will play their part in fostering cricket and its virtues for the benefit of society. In its own fashion cricket continues to throw up wonderful servants. Recently I

² A paper delivered at the International Sports Law Conference at Trinity College, Cambridge

³ Based upon papers delivered to international conferences in Paris, Minsk and Kiev

⁴ A paper presented at conferences in Istanbul and Paris analysing the IBA Rules and the bases upon which the parties may bring challenges to the appointment of arbitrators

⁵ Papers delivered at a variety of conferences in international cities

⁶ A paper dealing with the proper drafting of commercial arbitration clauses

⁷ A paper delivered at the City University, Moscow

⁸ A legal analysis of the consequences of the decision of the United States Baseball Commissioner to ban for life the great Joe Jackson after the 1919 World Series scandal involving the Chicago White Sox.

⁹ Published in the English Trustee Quarterly

received a letter from one such person who was called the 'Father of Cricket' in his region. It went on to say that he was captain, secretary, committee, groundsman, player and a unique type of treasurer, who collected subscriptions from the few who care to pay and made up the rest out of his own pocket. This is some enthusiasm that I would like to recommend to the secretary or the Chairman of the Bradman Trust.

Now, before concluding, I would like to end on a serious note. I have purposely refrained this evening from commenting on people who have been very generous to the trust both with their donations and to the work they have put in for it, but nobody has been in a position to pay a proper compliment to the Chairman, Bruce Collins. Only those who have worked with Bruce in this matter, have any idea of the volume of time and effort that he put into this project over a period now of the last two to three years. Knowing what the fees of barristers are, I should think if we worked out the value of the time it would be a colossal contribution, but in addition to that is the enthusiasm and the integrity that he has put into work. Bruce, I would like you to know, on my behalf and on behalf of your colleagues, how much everybody appreciates what you have done and what you are doing. May I conclude by thanking you all very much indeed for honouring me and for coming to this dinner this evening. I hope in due course you will see the reality of this dream come true, and with a little bit of luck I hope I might be spared to share that pleasure with you." Sir Donald Bradman AC