

## CURRICULUM VITAE FOR BRANDON MALONE

LLB, LLM, DipLP, NP, FRICS, FCIArb, WS, Advocate, Barrister, Arbitrator, Adjudicator, Mediator

**Full Name:** Brandon James Malone

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**Profile** Brandon Malone is a Barrister and Advocate based in London and Edinburgh. He is an international arbitrator and adjudicator and has over 30 years of experience in commercial dispute resolution. Brandon has a wide commercial practice but has a focus on construction, engineering, energy, infrastructure, and technology. He has a particular interest in the implications of technology for dispute resolution (and avoidance), including blockchain, cryptocurrencies and NFTs, Artificial Intelligence, Web3 and cyber security. He was chair of the board of the Scottish Arbitration Centre from 2011 to 2022 and remains a board director.

**Arbitrator Experience** Brandon has been appointed as an arbitrator in over twenty cases as sole arbitrator, co-arbitrator and presiding arbitrator. These cases have proceeded under a variety of ad hoc and institutional rules, including those of the Chartered Institute of Arbitrators (CIArb), the London Court of International Arbitration (LCIA), the International Center for Dispute Resolution (ICDR), the American Arbitration Association (AAA), and the Singapore International Arbitration Centre (SIAC). The subject matter of these cases includes crypto currency and blockchain, property development agreements, energy infrastructure projects, road construction, partnership agreements, waste disposal contracts and commercial and agency contracts. Cases have been seated in London, Singapore, Malta, Paris, and Poland under the laws of Scotland, England and Wales, Singapore, Kenya, Armenia, the State of Maryland and others. Cases range in value up to \$50,000,000. Current cases include a presiding arbitrator appointment in a large energy infrastructure dispute in East Africa, and a sole arbitrator appointment by SIAC in an infrastructure dispute between a Chinese Contractor and a West Asian government.

**Adjudicator Experience** Brandon has been appointed as a construction adjudicator in over fifty cases under the UK statutory adjudication scheme. These cases have involved a wide variety of issues including delay and disruption, professional negligence, building defects, cladding, PFI/PPP service contracts, payment provisions and contractual interpretation. The buildings involved have included hospitals, hotels, public buildings and petrochemical plants. Disputes have ranged in value up to \$15,000,000.

**Admissions** Scotland (Solicitor 1993, Solicitor Advocate (Civil) 2002, Advocate, 2022)  
England and Wales (Solicitor 2017, Solicitor Advocate (Civil) 2021, Barrister 2021)  
DIFC Court, Dubai, UAE (Part II Registered Practitioner, Rights of Audience, 2021)

## Career to Date

2022 to date	Member of the Faculty of Advocates, Ampersand Advocates, Edinburgh <a href="http://www.ampersandadvocates.com">www.ampersandadvocates.com</a>
2018 to date	Barrister and Arbitrator, Door Tenant, Quadrant Chambers, London <a href="http://www.quadrantchambers.com">www.quadrantchambers.com</a>
2019 to date	Senior Legal Consultant, HFI Consulting International, Aberdeen and Dubai <a href="http://www.hfi-consulting.com">www.hfi-consulting.com</a>
2021 to date	Arbitrator, Arbitra International, London, Washington DC, Abu Dhabi <a href="http://www.arbitra.co.uk">www.arbitra.co.uk</a>
2014 to 2022	Director, Brandon Malone & Company, Edinburgh <a href="http://www.brandonmalone.com">www.brandonmalone.com</a>
2011 to 2014	McClure Naismith LLP, Edinburgh, Glasgow, London, Partner, Head of Contentious Construction and Arbitration
1997 to 2011	Bell & Scott LLP, Edinburgh (Partner from 2001 to 2011)
1992 to 1997	Peterkins, Aberdeen, trainee, solicitor then Associate in litigation team dealing with commercial dispute resolution

## Professional Qualifications:

Advocate, (Scottish Bar) 2022  
Barrister at Law (Inner Temple) 2021  
FIDIC Certified Adjudicator 2021  
Notary Public, 1994  
Fellow of the Chartered Institute of Arbitrators (FCIArb) 2015  
Chartered Surveyor, Eminent Fellow of the Royal Institution of Chartered Surveyors (FRICS) 2013  
RICS Accredited Mediator 2020  
IMI Qualified Mediator 2020  
Solicitor (Scotland), 1993 to 2022  
Higher Rights of Audience (Solicitor Advocate) (Civil) (England and Wales) 2021  
Extended Rights of Audience (Solicitor Advocate) (Civil) (Scotland), 2002 to 2022  
Solicitor of the Senior Courts of England and Wales, 2017 to 2021

## Tertiary Education

LLB, University of Aberdeen, 1991  
Diploma in Legal Practice, University of Aberdeen, 1992  
LLM, Construction Law (with Distinction) University of Strathclyde, 1999  
UK Oil and Gas Law Seminar, CEPMLP/CMS 2014  
RICS Mediation Accreditation Course 2020  
Higher Courts (Civil Advocacy) Qualification, The City Law School, University of London 2021

## Arbitral Institution

### Roster Membership:

International Centre for Dispute Resolution (ICDR) , New York, USA  
Singapore International Arbitration Centre (SIAC) , Singapore  
Dubai International Arbitration Centre (DIAC), Dubai, UAE  
Saudi Center for Commercial Arbitration (SCCA) , Riyadh, Saudi Arabia  
Shanghai Arbitration Commission (SHAC), Shanghai, China  
China International Economic and Trade Arbitration Commission (CIETAC), Beijing, China  
Qatar International Center for Conciliation and Arbitration (QICCA), Doha, Qatar  
KCAB International, Seoul, South Korea  
Asian International Arbitration Centre (AIAC) , Kuala Lumpur, Malaysia

International and Investment Disputes Panel of the Arbitration Centre at RSPP,  
the Russian Union of Industrialists and Entrepreneurs, Moscow, Russia  
Energy Disputes Arbitration Center (EDAC), Ankara, Turkey  
Abu Dhabi Global Markets (ADGM) Arbitration Centre, Abu Dhabi, UAE  
Thailand Arbitration Centre (THAC), Bangkok, Thailand  
British Virgin Islands International Arbitration Centre (BVIIAC), Tortola, BVI  
Hong Kong International Arbitration Centre (HKIAC), Hong Kong  
Faculty of Advocates Dispute Resolution Service, Edinburgh, Scotland  
Arbitration and Mediation Center of Armenia (AMCA), Yerevan, Armenia  
Mauritius International Arbitration Centre (MIAC), Port Louis, Mauritius  
GCC Commercial Arbitration Centre, Manama, Bahrain

**Adjudicator Nomination Body  
Panel Membership**

Royal Institution of Chartered Surveyors  
UK Adjudicators  
Construction Industry Council  
Chartered Institute of Arbitrators (Scottish Branch)  
Chartered Institute of Arbitrators Presidential Panel  
Faculty of Advocates Dispute Resolution Service, Edinburgh  
TECSA  
TECBAR

**Dispute Resolution Boards** FIDIC President's List of Approved Adjudicators

**Current Appointments:**

2011 to date	Board Member, Scottish Arbitration Centre (Founding Chairman 2011 to 2022) ( <a href="http://www.scottisharbitrationcentre.org">www.scottisharbitrationcentre.org</a> ).
2017 to date	Chair, ICCA – NYC Bar – CPR Working Group on Cybersecurity in International Arbitration
2013 to date	Co-Director, International Centre for Energy Arbitration <a href="http://www.energyarbitration.org">www.energyarbitration.org</a>
2015 to date	Member, ICC UK Arbitration and ADR Committee <a href="http://www.iccwbo.uk/pages/dispute-resolution">http://www.iccwbo.uk/pages/dispute-resolution</a>
2008 to date	Visiting Lecturer, LLM Construction Law, University of Strathclyde
2012 to date	Honorary Lecturer, LLM International Arbitration Law, Centre for Energy Petroleum Mineral Law and Policy, University of Dundee
2006 to date	Chartered Institute of Arbitrators, Scottish Branch Committee member (Chairman 2023-2025 term, Vice Chair from 2022 to 2023)
2024 to date	Teaching Fellow, University of Aberdeen Law School
2024 to date	Member of the Discipline Panel, Scottish Rugby

**Past Appointments**

2016 to 2022	Member, Scottish Civil Justice Council <a href="http://www.scottishciviljusticecouncil.gov.uk">www.scottishciviljusticecouncil.gov.uk</a>
2018 to 2022	Congress Chair, ICCA 2022. ICCA 2022 was the XXVth Congress of the International Council for Commercial Arbitration, held in Edinburgh 18 to 21 September 2022
2018 to 2022	UK Member, ICC Commission on Arbitration and ADR

2011 to 2022	Convener, Law Society of Scotland Arbitration Accreditation Committee
2013 to 2018	External Examiner on the Construction Law and Arbitration LLM at Robert Gordon University
2011 to 2014	Visiting Lecturer in International Commercial Arbitration Law, University of Edinburgh

**Professional Memberships:** The Honourable Society of the Inner Temple  
Faculty of Advocates  
Chartered Institute of Arbitrators (FCIArb)  
Worshipful Company of Arbitrators  
Society of Writers to the Signet  
International Bar Association  
Royal Institution of Chartered Surveyors (FRICS)  
International Council for Commercial Arbitration  
London Court of International Arbitration  
Asian Institute of Alternative Dispute Resolution (FAiADR)  
Dispute Resolution Board Foundation  
Silicon Valley Arbitration & Mediation Center  
Adjudication Society  
Society of Construction Law

## **Publications/Articles**

Keeping Disputes Cybersecure in the Virtual Age, Dispute Resolution Magazine, American Bar Association Dispute Resolution Section · Apr 1, 2022

Online Dispute Resolution - Theory and Practice 2nd Edition (Chapter on Smart Contracts and Blockchain), Boomjuridisch 2021

Does a Right to a Physical Hearing Exist in International Arbitration (Scotland Chapter) ICCA Projects, 2021

"National Report Scotland" International Council for Commercial Arbitration (ICCA) International Handbook on Commercial Arbitration, 2019 (Kluwer Law International)

Handbook on Third-Party Funding in International Arbitration (Scotland Chapter) 2018 (Juris)

Getting the Deal Through – Arbitration Guide – Scotland 2014, 2015, 2016 Law Business Research

Arbitration World: Institutional and Jurisdictional Comparisons (Scotland Chapter) 5<sup>th</sup> Ed. Sweet & Maxwell, September 2015, and 6th Edition, December 2018

International Arbitration (Scotland Chapter), Chambers & Partners Publishing, 2015 and 2020

International Centre for Energy Arbitration, Initial Report, 2015, with Professor Peter Cameron

'Do we need Special Rules for Energy Disputes?', with Professor Peter Cameron and Andrew Mackenzie, IBA Arbitration News, March 2015

Kendall on Expert Determination, 2014, 5<sup>th</sup> Edition, Freedman and Farrell (contributed Scotland Section)

International Bar Association Arbitration Committee Arbitration Guide for Scotland 2013, revised 2018

"Commercial Sense" J.L.S.S. 2010, 55(12), 26-29.

Annotations to the Building (Scotland) Act 2003, Current Law, W. Green/Sweet and Maxwell

"New Scotland, New Danger" Cons. Law 1999, 10(9), 26-29