

ANTHONY LO SURDO SC

8 Wentworth Chambers, Sydney
Lonsdale Chambers, Melbourne
William Forster Chambers, Darwin
Outer Temple Chambers, London, Dubai
Arbitra International, London, Washington DC

Curriculum Vitae



Appointed Senior Counsel (KC equivalent): 6 October 2011

Admissions

Barrister: 9 August 1996

Solicitor: 3 July 1987

Jurisdictions

Throughout Australia and internationally

Educational and Professional Qualifications

Bachelor of Arts (University of Sydney, 1985)

Bachelor of Laws (University of Sydney, 1987)

Accredited Mediator (LEADR) (1993)

Master of Laws (University of Sydney, 1996)

Additional Professional Qualifications

National Accredited Mediator (2008)

Arbitrator (2010)

Expert Determiner (2010)

Advanced Mediator (2013)

CONTACTS:

ANTHONY LO SURDO SC: +612 9223 3181 losurdo@8wentworth.com.au

SYDNEY: Wentworth Chambers, Level 8, 180 Phillip St, Sydney NSW 2000; Clerk:

Carla Wilson +612 8231 5905 cwilson@8wentworth.com.au

MELBOURNE: Lonsdale Chambers, Level 10, 460 Lonsdale Street, Melbourne Vic 3000

Clerks: Brett Bowker/Luke Hales +613 9225 7222 brett@greenslist.com.au;

luke@greenslist.com.au

DARWIN: William Forster Chambers, Level 1, 26 Harry Chan Avenue, Darwin NT 0801

Clerk: Marie Turbill + 618 8982 4700

clerk@williamforster.com

LONDON, DUBAI: Outer Temple Chambers, 222 Strand, London, WC2R 1BA

Clerk: Sam Carter +44 (0) 207 353 6381; Sam.Carter@outertemple.com

INTERNATIONAL: Arbitra International, 100 St Paul's Churchyard, London EC4M

8BU, +44 (0) 207 936 7070, info@arbitra.co.uk

Fellow, Australian Centre for International Commercial Arbitration (2016)
Fellow, Resolution Institute (2016)
International Mediation Institute, Certified Mediator (2017)
Singapore International Mediation Institute, Certified Mediator (2017)
Fellow, Chartered Institute of Arbitrators (2020)
Grade 1 Arbitrator, Resolution Institute (2020)
Registered International and Domestic Arbitrator, Papua New Guinea (2020)
Accredited Mediator, Instructor and Coach – Advanced Mediator Training, Papua New Guinea (2021)
Registered Expert Determiner, Resolution Institute (2021)
Registered Mediator, Papua New Guinea (2022)
Unrestricted Mediator Practising Certificate, Papua New Guinea (2023)

Professional Memberships and Accreditations

NSW Bar Association
NSW Bar Association ADR Committee; Chair, Mediation Sub-Committee
Victorian Bar Association
Australia and New Zealand Sports Law Association (ANZSLA)

Biographical Summary

Anthony has a broad practice both at trial and appellate level spanning diverse areas including commercial, equity, corporations, insurance law, professional indemnity, property and sports law. He has a particular interest in banking and insolvency in respect of which he has written extensively and has been named in *“Doyles Guide to the Australian Legal Profession”* in 2011 and again in 2015-2020 as one of Australia’s leading insolvency and restructuring barristers.

Anthony is accredited as an advanced mediator, arbitrator and expert determiner. He is regularly retained as a mediator in complex multi-party disputes. He has also been ranked by *“Doyles Guide to the Australian Legal Profession”* as a leading mediator in New South Wales in 2018-2023.

He is also often appointed as an arbitrator in commercial and sports-related disputes both domestically and internationally. He has been recognised by *“Doyles Guide to the Australian Legal Profession”* in 2019-2023 as one of Australia’s leading Senior Counsel in Arbitration.

Advisory and Advocacy

Anthony has advised and/or has appeared for:

- ASIC in relation to breaches of continuous disclosure provisions, breaches of market manipulation requirements, misleading and deceptive conduct and unconscionable conduct, and disciplinary proceeding involving insolvency practitioners.

- Banks and other financial institutions in relation to the enforcement of security interests and banker/customer disputes.
- Creditors of insolvent companies and individuals.
- Directors in relation to breach of directors' duties and insolvent trading claims.
- Insolvency administrators (voluntary administrators, receivers, trustees in bankruptcy and liquidators).
- Insurers in relation to indemnity issues generally, professional indemnity (including advising and appearing in defence of surveyors, architects, valuers, brokers, town planners, builders and lawyers) and product liability.
- Lessors (including major shopping centre proprietors) and lessees in relation to disputes which have arisen between them (including proceedings for possession and for relief against forfeiture).
- Vendors and purchasers of land, builders and developers.
- Corporations and individuals in relation to contractual disputes (including share sale agreements and agreements for the sale of interests in other personal property).
- Professional Sportspersons, Clubs and Associations including for Triathlon Australia in 2012 in an arbitration hearing which concerned an appeal by World Champion Emma Snowsill against her non-inclusion in the Australian Olympic Team, for athletes charged with breaches of the world anti-doping regulations and for Kurtley Beale in a code of conduct hearing brought by the Australian Rugby Union (ARU) in the ARU Code of Conduct Tribunal.

Arbitration

Anthony is an accredited arbitrator, a Fellow of the Chartered Institute of Arbitrators, a Fellow of the Australian Centre for International Commercial Arbitration, a Fellow of Resolution Institute and registered in the Australian Register of Practising Arbitrators as a Grade 1 Arbitrator. He has been recognised by "*Doyle's Guide to the Australian Legal Profession*" in 2019 - 2023 as one of the country's leading Arbitration Silks.

Arbitral Panel Appointments

Court of Arbitration for Sport (General and Football Lists)
London Court of International Arbitration (LCIA)
Qatar International Center for Conciliation and Arbitration (QICCA)
Abu Dhabi Global Markets Arbitration Centre (ADGM)
Dubai International Arbitration Centre (DIAC)
Asian International Arbitration Centre (AIAC)

Thailand Arbitration Centre, Distinguished Panel of Arbitrators (THAC)
Singapore International Arbitration Centre (Reserve List) (SIAC)
Hong Kong International Arbitration Centre (HKIAC)
Shanghai Arbitration Commission (SAC)
Korean Commercial Arbitration Board (KCAB)
Japan Commercial Arbitration Association (JCAA)
Australian Centre for International Commercial Arbitration (ACICA)
National Court of PNG, International and Domestic Arbitrator Register
National Sports Tribunal, Australia
Acting Racing Appeals Tribunal, NSW
Football Australia (FA) Appeals Committee
FA Dispute Resolution Chamber
FA Disciplinary and Ethics Committee
Football NSW (FNSW) Appeals Tribunal
Basketball Australia, Hearing Panel and Appeals Tribunal
District Court of NSW
Local Court of NSW
Australian Communications and Media Authority (**ACMA**) register of bargaining code arbitrators

Experience

Having regard to his experience in international arbitration, in June 2016, Anthony was appointed a Fellow of the Australian Centre for International Commercial Arbitration and a Fellow of the Chartered Institute of Arbitrators in 2020. Also, in 2020, Anthony's professional credentials were recognised by his Honour Deputy Chief Justice Kandakasi of the National Court of Papua New Guinea as an international arbitrator and included in the Court's Register of International and Domestic Arbitrators.

In recognition of his specialist knowledge of arbitration and sports law:

- in January 2016, Anthony was appointed by the International Council of Arbitration for Sport (ICAS) as an arbitrator of the Court of Arbitration for Sport (CAS) and his name appears on both the general list and the football list;
- in January 2019, he was appointed as the Acting Racing Appeals Tribunal (NSW);
- in February 2019, he was appointed to the International Panel of Arbitrators maintained by Sport Resolutions (UK);
- in March 2020, he was appointed as one of the inaugural part-time members of the National Sports Tribunal; and
- in September 2021, he was appointed to The FA (England) Judiciary Panel.

He has sat as both a sole and panel arbitrator including as Chair in over 100 domestic and international arbitrations involving commercial, employment, disciplinary and governance disputes.

CAS

Anthony is regularly appointed as President, Sole Arbitrator and as Co-Arbitrator in CAS procedures involving eligibility, selection/non-selection, disciplinary, regulatory, commercial and employment issues in the ordinary and appeal divisions.

He has also been appointed to the CAS ad hoc panels for the Commonwealth Games, Gold Coast, Australia (2018), Asian Games, Jakarta, Indonesia (2018), the FIBA World Cup, Beijing, China (2019), the FIFA Women's World Cup, Australia and New Zealand (2023) and the Asian Games, Hangzhou, China (2023).

Sport Resolutions (UK) (2019-2022)

In 2019, Anthony was appointed as a member of the International Tennis Federation (ITF) International Panel for the Davis Cup and in 2020 to the same panel for the Fed Cup.

In 2020, Anthony was appointed as Chair of an ITF Independent Tribunal Panel to determine a dispute between the ITF and a Member Federation.

The FA Judicial Panel (2021-2022)

Anthony chaired several hearings concerning safeguarding issues.

National Sports Tribunal

Anthony has acted as conciliator and as the Chair of an arbitral panel concerning a member protection policy issue.

Football Australia

As a member of the FA Appeals Committee since 2008, Anthony has determined both disciplinary and non-disciplinary disputes that have arisen between the FA, Member Federations, Clubs, and Players mostly involving players and coaches of international repute.

As a member of the FA Dispute Resolution Chamber since 2008, Anthony has determined commercial disputes and appeals that have arisen between the FA, Member Federations, Clubs, and Players under the FA Grievance Resolution Regulations, some of which have involved players and coaches of international repute.

As a member of the FA Disciplinary and Ethics Committee also since 2008, he has determined disciplinary issues arising from on-field incidents involving players and coaches of international repute competing in the A-League, Australia's Premier National football league. He became Co-Chair of that Committee in 2021.

In 2022, Anthony was appointed as Deputy Chair of the FA Dispute Resolution Chamber.

Football NSW

As the Chairman of the Football NSW Appeals Tribunal since 2012, Anthony has determined appeals involving both disciplinary and non-disciplinary disputes that have arisen between FNSW, Members of FNSW, Clubs and Players under the FNSW Grievance and Disciplinary Regulations.

Acting Racing Appeals Tribunal

As the Acting Racing Appeals Tribunal, Anthony has determined appeals heard on a *de novo* basis from first instance decisions in the thoroughbred, harness racing and greyhound industries.

Other Arbitral Appointments

Anthony has been nominated by the President of Resolution Institute as a sole arbitrator in domestic commercial disputes, by Surf Life Saving New South Wales to preside over a Judiciary Committee hearing in a code of conduct matter, by Australian Sailing in relation to a member protection policy complaint and by parties in a property-related dispute.

Mediation

Anthony is accredited as an advanced mediator by Resolution Institute (formerly LEADR). He is also accredited the New South Wales Bar Association under the National Mediator Accreditation System Standards (NMAS). He is ranked by “*Doyle’s Guide to the Australian Legal Profession*” as a leading mediator in New South Wales, 2018-2023.

In 2021, Anthony was accredited as a mediator and as an instructor and coach in Papua New Guinea and in 2022 registered as a mediator in that country.

As part of his ongoing commitment to excellence in mediation, in 2017 Anthony attained certification as a mediator by the International Mediation Institute (IMI) and the Singapore International Mediation Institute (SIMI) and in doing so joins a select number of mediators in Australia to achieve that qualification and the only Silk.

In recognition of his specialist knowledge of mediation and sports law, in January 2016, Anthony was appointed by the International Council of Arbitration for Sport (ICAS) as a mediator of the Court of Arbitration for Sport (CAS) and in February 2019 he was appointed to the mediation panel of Sport Resolutions (UK).

Mediation Panel Appointments

Court of Arbitration for Sport
International Mediation Institute
ADGM

Singapore International Mediation Institute
AIAC Mediation Panel
ACICA Mediation Panel
Accredited and Registered Mediator, Papua New Guinea
Resolution Institute Panel of Advanced Mediators
Supreme Court of NSW
District Court of NSW
Northern Territory Government, Petroleum Regulation
Queensland Competition Authority
ACMA register of bargaining code mediators

Experience

Anthony has acted as mediator in a vast array of matters since he was first accredited in 1993. He has mediated hundreds of complex disputes since 2009. He uses his experience as both Senior Counsel and as a mediator to quickly identify the issues and to gain an understanding of the position of each party in the mediation so as to assist in facilitating a fair and efficient resolution to a dispute.

Anthony's work as a mediator includes:

- Banking disputes
- Contractual disputes
- Corporations law disputes including claims arising from insolvency
- Partnership disputes
- Disputes between joint venturers
- Disputes between lenders and valuers involving allegations of negligent property valuation
- Medical negligence
- Personal injuries
- Claims for compensation from victims of institutional abuse
- Claims involving alleged negligence by lawyers
- Claims involving the alleged negligence of town planners
- Claims involving the alleged negligence of accountants
- Claims against investment advisors including financial planners
- Claims against directors and officers
- Employment disputes
- Claims involving restraints of trade
- Shareholder disputes
- Succession claims
- Planning disputes
- Building and construction claims
- Property disputes
- Sports disputes
- Claims for compensation in relation to instances of historic institutional sexual abuse

- Disputes between petroleum companies and landholders under the Petroleum Regulations 2020 (NT)

Expert Determiner

Anthony is accredited by the NSW Bar Association as an expert determiner and is also registered by Resolution Institute as an expert determiner. He has been nominated by the President of Resolution Institute as an expert determiner and jointly appointed by parties.

Editorial Appointments

General Editor, Banking and Finance Law of Australia (LexisNexis) (2014 – 2020)

Editorial Panel of the Australian Banking and Finance Law Bulletin (LexisNexis)

Editorial Panel of the Australian Civil Liability Bulletin (LexisNexis)

Editorial Panel of the Insolvency Law Bulletin (LexisNexis)

Personal Interests

- Reading
- Walking
- Football (Soccer) (including as a qualified NSW Referee (FFA 3))
- Rugby League and AFL