

Sir Bernard Rix

SILK: 1981 | CALL: 1970

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Overview

Sir Bernard retired in 2013 as a Lord Justice of Appeal with 20 years' experience in the Commercial Court and the Court of Appeal. Since 2013 he has accepted appointments as an arbitrator and mediator in a wide variety of settings, including oil and gas, shipping, insurance, sale of goods, and share purchase transactions. He has acted as an expert witness, mock arbitrator and special master in the US federal courts.

He has experience of arbitrations under the rules of, amongst others, the LCIA, ICC, SIAC, HKIAC, JCAA and LMAA as well as ad-hoc. Sir Bernard has conducted virtual arbitration hearings including taking witness and expert evidence remotely.

He is an International Judge of the Singapore International Commercial Court and a member of the Cayman Islands Court of Appeal. He is also Professor of International Commercial Law at The Centre of Commercial Law Studies at Queen Mary, University of London.

As a barrister, Sir Bernard practised in commercial chambers at 3 Essex Court (now Twenty Essex). He specialised in international commercial and arbitral disputes (as both barrister and arbitrator) and also appeared in the courts of Singapore and Hong Kong. He was Chairman of the Commercial Bar Association in 1992–1993.

In 1993 Sir Bernard was appointed to the High Court and sat predominantly in the Commercial Court, of which he was judge in charge from 1998 to 1999. In that period, he was responsible for introducing to the Commercial Court the Woolf Reforms to civil procedure law (the Civil Procedure Rules) and redrafting the

Professional memberships

- British Institute of International and Comparative Law: Trustee
- British Insurance Law Association: President
- Centre for Commercial Law Studies, Queen Mary University of London: Chairman, Advisory Council
- CIArb: Fellow
- Commercial Bar Association: Former Chairman (1992–93)
- Harvard Law School Association of the UK: Former President
- London Philharmonic Orchestra: Director
- University of Oxford, New College: Honorary Fellow
- University of London, Queen Mary's: Honorary Fellow

Education

- Harvard Law School
- New College, Oxford

In 2000 Sir Bernard was appointed to the Court of Appeal where he delivered a wide range of judgments on arbitration, aviation, banking, insurance and reinsurance, private and public international law, oil and gas, sale of goods and shipping disputes.

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Example cases and appointments

- *Yukos v Rosneft (No 2)* [2013] 1 All ER (Comm) 327: Court of Appeal judgment on the act of state doctrine.
- *Dallah v Government of Pakistan* [2010] Bus LR 384: Court of Appeal judgment on international enforcement of arbitration awards (upheld by the Supreme Court).
- *R (Al-Skeini) v Secretary of State for Defence* [2007] QB 140: Court of Appeal judgment (upheld by the House of Lords) on the jurisdictional scope of the European Convention of Human Rights.
- *Kuwait Airways v Iraqi Airways (Nos 4 and 5)* [2002] 2 AC 883: parts 22–35 and 43–54 of the Court of Appeal judgment, upheld by the House of Lords, on international law.
- *The Angelic Grace* [1994] 1 Lloyd's Rep 168: Commercial Court judgment, upheld by the Court of Appeal ([1995] 1 Lloyd's Rep 87) which is the modern origin of the anti-suit injunction for breach of an arbitration clause or an exclusive jurisdiction clause.
- *Channel Tunnel Group Ltd v Balfour Beatty Construction Ltd* [1992] 1 QB 656: (Court of Appeal, affirmed in the House of Lords) concerning the operation of the arbitration clause in the contract for construction of the Channel Tunnel.
- *Congreso del Partido* [1983] 1 AC 244 (HL): which introduced the commercial exception to English law's previous absolute doctrine of sovereign immunity.
- *Mareva Compania Naviera SA v International Bulkcarriers SA* [1975] 2 Lloyd's Rep 509: the eponymous origin of the "Mareva injunction", now called a freezing order.

Recommendations

He is very astute and very good on the law. [Chambers UK Bar 2021](#)

A very hard-working arbitrator. [Chambers UK Bar 2020](#)

Very able, amiable and penetratingly quick. [The Legal 500 UK Bar 2020](#)

An exceptional arbitrator [Who's Who Legal 2018](#)

He is a very clever man – extremely quick and responsive, particularly as chairman. [Who's Who Legal 2018](#)

Very experienced, bright and commercial. [Chambers UK 2018](#)

Down to earth. [The Legal 500 UK Bar 2017](#)