Hon Paul Heath KC



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Hon Paul Heath KC was called to the New Zealand Bar in 1978, practised as a barrister and solicitor until 1998, when he was appointed Queen's Counsel. In March 2002, after serving for five years as a consultant (two years) and member (three years) of the New Zealand Law Commission, Paul was appointed as a Judge of the High Court of New Zealand. Between 2003 and 2017, he sat as an ad hoc member of the Court of Appeal on numerous occasions, on both the Civil Appeal Division and Criminal Appeal Division. Paul was also a Commercial List Judge and a member of the Commercial Panel of the High Court when he retired from the Bench in April 2018, and joined Bankside Chambers.

Paul continues to undertake judicial work in four jurisdictions: he is a Judge of the Court of First Instance of the Abu Dhabi Global Market (ADGM) Courts, a Judge of the Court of Appeal of Fiji, a Judge of the Court of Appeal of Tonga and Chief Justice of the Pitcairn Islands.

In addition to his judicial work, Paul practises primarily as an arbitrator, both in domestic and international arbitrations. He also provides commercial mediation services and strategic advice in complex disputes, particularly in his specialist field of insolvency and restructuring. He is one of a number of members of Bankside Chambers available to take arbitration and other assignments in Singapore, under the name of Bankside Singapore.

While a member of the New Zealand Law Commission (an independent statutory law reform agency), Paul was the Commissioner in charge of a project called *Improving the Arbitration Act 1996*. Although completed under Paul's supervision, a report was published in February 2003. A number of its recommendations were incorporated in 2007 Amendments to the Arbitration Act. After his retirement from the Bench, Paul was engaged to advise the Parliamentary Select Committee dealing with the Arbitration Amendment Bill then before Parliament.

Paul is a Fellow of the Chartered Institute of Arbitrators (UK) and a Fellow of the Arbitrators' and Mediators' Institute of New Zealand. He is on the panel of arbitrators available for appointment through (among other institutions) the Singapore International Arbitration Centre and the Hong Kong International Arbitration Centre. In New Zealand, he is a member of panels for the appointment of arbitrators that have been established by the Arbitrators' and Mediators' Institute of New Zealand and the New Zealand International Arbitration Centre. In June 2019, Paul was appointed as a member of P.R.I.M.E Finance's Panel of Experts for Dispute Resolution.

Paul's specialist area is cross border insolvency. In 1999 and 2000, he was New Zealand's delegate to Working Group V of the United Nations Commission on International Trade Law and chaired two of its meetings when holding the position of Vice Chair. He has been involved in much judicial education in this area; most recently on assignments from the World Bank and INSOL International in India and Peoples' Republic of China. Paul has also been engaged by the Asian Development Bank as a consultant on court related projects in Myanmar and Sri Lanka. He is one of the co-consulting editors of the leading New Zealand text on insolvency law, Heath & Whale on Insolvency. In 2000, Paul was inducted as a Fellow of the American College of Bankruptcy. He is also a Life Member of the Restructuring, Insolvency and Turnaround Association of New Zealand (RITANZ).

In recognition of his acknowledged skills in both insolvency and dispute resolution, Paul is one of the Co Chairs of INSOL International's ADR Colloquium, which is considering how private dispute resolution can

complement the role of courts in dealing with cross border insolvency disputes under legislation based (primarily) on the UNCITRAL Model Law on Cross Border Insolvency. The other Co Chair is Felicity Toube KC.

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