



Nathan Landis

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Nathan Landis is an experienced and versatile dispute resolution lawyer who has appeared in a broad range of matters in a number of different jurisdictions; his practice focuses on dispute resolution in the energy and resources sector.

Nathan has extensive experience representing clients in the resources industries, and in particular in joint venture disputes, contractual issues and regulatory investigations. During his career, he has appeared as counsel in a range of courts and tribunals within Australia and in the Middle East. He has experience conducting domestic and international arbitrations under ad hoc and a wide range of institutional arrangements.

Nathan commenced his legal career as an associate to the Hon Justice Dowsett of the Federal Court of Australia. He later worked in the dispute resolution team of Mallesons Stephen Jaques. He joined Cochrane Lishman Carson Luscombe in January 2010 after practising in the Middle East with DLA Piper. Nathan became a foundation member of Clifford Chance's Perth office when the firm launched in Australia in May 2011.

Nathan joined the independent Bar in October 2013 and practised in the resources sector until joining IMF Bentham (now Omni Bridgeway). As a senior investment manager, Nathan managed a extensive portfolio of claims spanning investment treaty disputes, international commercial arbitration and litigation. Nathan re-joined the independent Bar in September 2021.

Nathan currently serves as a legal officer in the Army Reserve. In a military career spanning over 25 years, he has appeared in military discipline proceedings and provided advice on a range of operational, administrative and military discipline matters.

He was admitted in 2003 in Queensland, New South Wales and the High Court of Australia, Western Australia (2004) and the Dubai International Financial Centre Court (2008). Nathan holds a Bachelor of Arts and a Bachelor of Law from Queensland University of Technology, a Graduate Diploma of Military Law with Merit and a Master of Laws with Commendation from the Australian National University. He is a Fellow of the Chartered Institute of Arbitrators. He is a member of the Energy & Resources Law Association, the Construction and Infrastructure Law Committee and Courts Committee of the Law Society of Western Australia. He is a Graduate of the AICD Company Directors Course. He has been recognised by Doyle's Guide as a recommended commercial litigation barrister in Perth, the Chambers 2021 Guide for Litigation Funding in the Middle East and Who's Who Legal: Thought Leaders – Third Party Funding in 2020 and 2021.

Selected examples of arbitration experience

Commercial Arbitration

Nathan has advised or acted on in excess of 100 commercial arbitration claims conducted under various institutional rules or ad hoc arrangements to resolve a range of disputes located in Australia, Asia, the Middle East, Africa and Europe. Some examples are set out below.

- acting for Hancock Prospecting Pty Ltd in defending a multi-billion dollar claim regarding trust arrangements to be resolved by arbitration under ad hoc arrangements.
- acting for sub-contractor in relation to disputes arising from cost and programme overruns for a substantial resources project in North Queensland resolved by arbitration conducted according to Resolution Institute Rules.
- acting on multiple commodity price review arbitrations (for buyers and sellers) under ad hoc arrangements.
- acting for the vendor of a substantial oil project located off Western Australia in an arbitration seated in Singapore and conducted according to UNCITRAL Arbitration Rules.
- acting for a shareholder in relation to a dispute regarding a mine located in Madagascar and resolved by arbitration conducted according to ACICA Rules.
- acting for sub-contractor in relation to disputes arising from cost and programme overruns for a substantial resources project in the Pilbara region resolved by arbitration conducted according to IAMA Rules.
- acting for a global power generating company in relation to disputes (resulting in both arbitration and litigation) over various power station construction projects located in Australia and the Middle East.
- acting on a dispute arising under a joint venture agreement regarding a mining project in Western Australia in an arbitration conducted under ad hoc arrangements.
- advising and managing a commercial arbitration claim conducted under ICC Rules in relation to a financing agreement for a mineral processing facility located in Central Asia.
- advising and managing a commercial arbitration claim conducted under CIETAC Rules in relation to a lease agreement for aircraft against a Chinese airline.
- advising on claims arising from a technology services contract against an international payments aggregator to be resolved by arbitration under ICC Rules.
- advising on claims arising from a sale and purchase agreement of an entertainment venue in Southeast Asia to be resolved by arbitration under SIAC Rules.
- advising on claims arising from a sale and purchase agreement of a hospitality project in an Indian Ocean state to be resolved by arbitration under ICC Rules.
- advising on claims arising from an EPC agreement for a bio-fuel refinery project in Southeast Asia to be resolved by arbitration under SIAC Rules.

- advising on a portfolio of claims by an Australian construction company against various counterparties located in the Middle East, to be resolved by arbitrations conducted under ICC and DIAC Rules.
- advising on a portfolio of claims by a UAE-based sub-contracting company against various head contractors located in the Middle East, to be resolved by arbitrations conducted under QCCA, ADCCAC and DIFC-LCIA Rules.
- advising on a claim by a Turkish construction company against a Middle Eastern utility provider to be resolved by arbitration under ADCCAC Rules.
- advising on claims arising from the construction of an airport in the Middle East to be resolved by arbitration under ICC Rules.
- advising on claims arising from a sale and purchase agreement of a business in the Middle East to be resolved by arbitration under DIFC-LCIA Rules.
- advising on claims arising from the construction of a water treatment facility in the Middle East to be resolved by arbitration under the Omani Arbitration Law.
- advising and managing a commercial arbitration claim conducted under DIAC Rules in relation to the construction of a combined hotel and residential project located in the United Arab Emirates.
- advising on commercial arbitration claims conducted under QICDRA Rules in relation to the construction of stadiums located in Qatar.
- acting for a European dredging company on various disputes arising from port projects in United Arab Emirates, including acting on arbitrations conducted under ICC Rules.
- acting for a real estate developer in a dispute over a sale and purchase of a residential tower located within the Dubai International Financial Centre in an arbitration conducted under DIFC-LCIA Rules.
- advising on claims arising from the construction of a pipeline in the Middle East, to be resolved by arbitration conducted under LCIA Rules.
- advising on claims arising from the construction of a pipeline in North Africa, to be resolved by arbitration conducted under ICC Rules.
- advising and managing a commercial arbitration claim conducted under ICC Rules in relation to an integrated mining and power project located in Southern Africa.
- advising and managing a commercial arbitration claim conducted under ICC Rules in relation to the financing and construction of a power project located in Southern Africa.
- advising on a claim by a technology company against an African central bank regarding a dispute over the implementation of a payment system, to be resolved by arbitration under ad hoc arrangements.
- advising on a portfolio of claims by an Italian construction company against various counterparties located in North Africa, Northern Europe and Latin America, to be resolved by arbitration conducted under ICC, SCC and ad hoc arrangements.

Investment Arbitration

Nathan has advised or acted on in excess of 70 claims made under bilateral and multilateral treaties seeking compensation for investors as a result of alleged breaches of those treaties. Some examples are set out below.

- acting for the award creditor on the enforcement of an award obtained against a European State in an arbitration conducted pursuant to the Energy Charter Treaty.
- advising on claims advanced under bilateral investment treaties and the Energy Charter Treaty in relation to renewable energy projects located in Central Europe.
- advising on a claim advanced under bilateral investment treaties in relation to mining concessions located in Eastern Europe.
- advising on a claim advanced under a bilateral investment treaty in relation to an energy project located in Eastern Europe.
- advising on and managing a claim advanced under a bilateral investment treaty against an Arab state in relation to the alleged expropriation of the benefits of a waste collection contract.
- advising and managing a claim advanced under a under a bilateral investment treaty against an East African state in relation to the alleged expropriation of a mining project.
- advising and managing a claim advanced under a under a bilateral investment treaty against a West African state in relation to the alleged expropriation of a mining project.
- advising on a portfolio of claims by an Italian construction company against States located in North Africa under various investment treaties in relation to disputes arising under infrastructure contracts.
- advising on a portfolio of claims by a Spanish construction company against States located in South America under various investment treaties in relation to disputes arising under infrastructure contracts.
- Advising on a claim advanced under a bilateral investment treaty in relation to the expropriation of a business and detention of an individual against a Middle Eastern state.
- advising on a claim advanced under a bilateral investment treaty in relation to an industrial project located in Central Asia.
- advising on a claim advanced under a bilateral investment treaty in relation to telecommunications infrastructure located in South Asia.
- advising on a claim advanced under a Free Trade Agreement in relation to a mining project located in Southeast Asia. advising on a claim advanced under a bilateral investment treaty in relation to a mining project located in Southeast Asia.
- advising on a claim advanced under a bilateral investment treaty in relation to a commodity supply contract involving a Southeast Asian state.
- acting for a Singaporean-based company in relation to an ICSID arbitration arising from an alleged expropriation of assets by a South Pacific government.