Matthew Harvey KC
Barrister – Arbitrator – Mediator

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CURRICULUM VITAE

Matthew Harvey is a leading commercial silk who also practises as an arbitrator. He has been appointed in numerous arbitrations in various jurisdictions, involving commercial disputes about shipping, aviation, international trade, construction, commodities, and joint ventures.

He is ranked in *Doyle's Guide*, *Chambers*, *Best Lawyers*, and *Lexology Index* (formerly *Who's Who Legal*).

He has practised as a barrister since 1996, specialising in Admiralty, maritime and international trade law; international and domestic arbitration; corporations law; and trusts and equity. He was appointed Senior Counsel in 2019 and King's Counsel in 2020.

He appears before the High Court of Australia, the Federal Court of Australia, the Supreme Court of Victoria, and the Supreme Courts of various States. He has appeared in numerous domestic and international arbitrations. He is an accredited and experienced mediator.

1. Professional Arbitral Associations

Fellow, Chartered Institute of Arbitrators (CIArb)

Supporting Member, London Maritime Arbitrators' Association (LMAA)

Member, London Court of International Arbitration (LCIA)

List of Rising Arbitrators, Singapore International Arbitration Centre (SIAC)

Arbitrator, Singapore Chamber of Maritime Arbitration (SCMA)

Fellow, Australian Centre for International Commercial Arbitration (ACICA)

Hong Kong International Arbitration Centre (HKIAC)

Fellow, Australian Maritime and Transport Arbitration Commission (AMTAC)

Arbitrator, Maritime Law Association of Australia and New Zealand (MLAANZ)

Grade 1 Arbitrator, Resolution Institute (RI)

2. Appointments

Matthew Harvey has significant experience in resolving a wide variety of disputes but with particular emphasis on maritime disputes. He has experience in cargo, charterparty, ship building and repairs, salvage, and navigation claims. Some examples of his appointments are:

- International sponsorship agreement (ocean going vessel) – appointed by HKIAC – expedited procedure – laws of England & Wales – sole arbitrator.
- International sale of goods (steam coal) – appointed by SIAC – law of Singapore – sole arbitrator – currently ongoing
- International sale of goods (petroleum products) – appointed by respondent (panel of three) – laws of England & Wales – currently ongoing (HKIAC)
- Dissolution of partnership – involving real property – appointed by parties (sole arbitrator) – currently ongoing (RI Rules)
- Carriage of goods by sea – carriage of goods from New Zealand to Singapore – law of Singapore – sole arbitrator (SCMA)
- Charterparty – challenge to jurisdiction and demurrage claims – laws of Singapore and of England & Wales (SIAC appointment)
- Air services agreement – proper interpretation of agreement (RI appointment)
- Charterparty – challenge to jurisdiction, conflict of laws, termination – laws of Singapore and of England & Wales (SCMA appointment)
- Salvage agreement – contract, breach of contract, and misleading or deceptive conduct under the *Australian Consumer Law* (MLAANZ Rules)
- Infrastructure agreement – whether terms incorporated and, if so, whether a breach (UNCITRAL Rules)
- Finance agreement for the acquisition of commodities (UNCITRAL Rules)
- Grounding of vessels in foreign waters – whether charterers or owners liable (MLAANZ Rules)
- Dissolution of a commercial partnership – involving real property interests, contract, and intellectual property (UNCITRAL Rules)
- Dispute between an employer and employee arising out of termination and a restraint of trade clause (UNCITRAL Rules)

3. Selected Recent/Notable Cases

A. Admiralty, Maritime and International Trade

- *FESCO Ocean Management Hong Kong Ltd v The Ship "Southern Nova"* (2026) FCA – arrest of ship – ownership dispute – on-going.
- *UIL (Singapore) Pte Ltd v Wollongong Coal Ltd* (No 5) [2026] FCA 1336: dispute over meaning and effect of commodities contracts between commodities broker and mining

companies (coking coal) – the leading Australian decision about application and interpretation of the Convention for the International Sale of Goods.

- *CSL Australia Pty Ltd v Tasmanian Ports Corporation (The Goliath)* [2026] HCA 15: the leading decision in Australia about the application of the Limitations Convention to wreck removal claims in Australia (worth AUD20 million). Also appeared before single judge of Federal Court ([2024] FCA 824) and Full Court of Federal Court ((2025) 310 FCR 64).
- *Nature One Dairy (Hong Kong) Ltd v Orient Biotech Sdn Bhd* [2025] VSC 649: private international law, acting for defendant, successfully challenging jurisdiction of the Supreme Court of Victoria.
- *UIL (Singapore) Pte Ltd v Wollongong Coal Ltd & Ors* [2023] FCA 1578: briefed for commodity broker in breach of contract claims (coking coal) – dispute about legal professional privilege.
- *Platinum Capital Partner Inc v The Star Entertainment International No 2 Pty Ltd* (FCA): briefed for the plaintiff as to the sale of a luxury yacht, worth AUD8 million.
- *Keri Lee Charters Pty Ltd v QBE Insurance (Australia) Ltd* (FCA): briefed for an insurer in claims under the *Marine Insurance Act* for damage to charter vessel, worth AUD2 million.
- *Karis v Digital CC Management Pty Ltd* [2022] FCA 685: briefed in application for anti-suit injunction as to proceedings in the United States, dispute about ownership of bitcoin, worth AUD30 million.
- *Manassen Foods Australia Pty Ltd v Seaway Logistics Pty Ltd* [2020] VSC 835: briefed for importer in a claim for damage to cargo.
- *Williams & Ors v TT-Line Company Pty Ltd & Anor* [2019] VSC 869: briefed for stevedores in a claim involving the death of polo ponies, alleged to have occurred on Bass Strait.
- *Bulkhaul Limited v Charter Shipping and Transport Pty Ltd & Ors* (2020) FCA: briefed for freight forwarder in a claim for alleged container demurrage.
- *CSL Australia Pty Ltd v OneSteel Manufacturing Pty Ltd* (2020) FCA: briefed for disponent owners in claim against charterers and stevedores for damage to a vessel.
- *Technology Swiss Pty Ltd v Famous Pacific Shipping Pty Ltd* [2019] CCV: briefed for freight forwarder in a claim arising from the defective packing of goods.
- *Williams v TT-Line Company Pty Ltd* [2019] VSC 55: briefed for stevedores in opposing the shipowner's application to cross-vest the proceeding to Supreme Court of Tasmania.
- *Viva Energy Australia Pty Ltd v The Ship "Diamond-T*" [2018] FCA: briefed for cargo owner in a ship arrest, arising from alleged contamination of bulk liquid cargo.
- *Toll Holdings Ltd v Stewart* (2016) 338 ALR 602: briefed for carrier in a dispute over ownership of goods and stoppage in transitu.
- *Thompson v RCL Cruises* [2013] FCA 1427: briefed for plaintiff in application to serve the defendant (ship owner) in Liberia.
- *Transfield ER futures Ltd v The Ship "Giovanna Iuliano"* [2012] FCA 967: briefed for ship owners in a ship arrest.

- *Geraldton Port Authority v The Ship "Kim Heng 1888"* (2012) 291 ALR 471: briefed for port authority in a dispute over the interpretation of the *Admiralty Act 1988*.
- *BHPB Freight Pty Ltd v Cosco Oceania Chartering Pty Ltd* (2009) FCA: briefed for charterers in various trials involving an alleged breach of a charterparty.
- *EMAS Offshore Pte Ltd v The Ship "APC Aussie 1*" (2009) 258 ALR 454: briefed to oppose an application to add new claims against the demise charterer.
- *Guillat Enterprises (LE) Pty Ltd v Twin Disc (Pacific) Pty Ltd* [2009] VSC 69: briefed to oppose the adoption of the report of a special referee (a marine engineer).
- *Parlux SpA v M&U Imports Pty Ltd* (2008) 21 VR 170: briefed for freight forwarder/carrier in a dispute about the interpretation of a bill of lading.
- *The Ship "APL Sydney"* – various proceedings in the Federal Court of Australia – briefed for Harbour Master where a ship dragged her anchor through a gas pipeline in Port Phillip Bay.

B. Arbitration

- *Smithbridge Guam Inc v Swire Shipping Pte Ltd* [2026] FCA 884: damage to goods while loading, acting for plaintiff, application for anti-arbitration injunction, whether arbitration agreement rendered of no effect by *Carriage of Goods by Sea Act 1991* (Cth).
- *Li v Li (a bankrupt)* (2026) FCA: on-going – application to register foreign award in Australia under s 8 of the *International Arbitration Act 1974.*
- *Degroma Trading Inc v Viva Energy Australia Pty Ltd* [2019] FCA 649: application to stay proceeding under s 7 of the *International Arbitration Act 1974.*
- *Smith v Qantas Airways Limited & Ors* (2017) SCV: application to say proceeding under s 7 of the *International Arbitration Act 1974*.
- *Emerald Grain Australia Pty Ltd v Agrocorp International Pte Ltd* (2014) 314 ALR 299: application to set aside award on the basis that natural justice had been denied.

4. Speeches, Presentations, and Publications about Arbitration, Admiralty and Maritime, and International Trade Law

"Private Adjudication and Public Stakes: Are Competition Claims Arbitrable?" Matthew Harvey KC, Carla Aumann, and Tidja Joseph, Australian Arbitration Week, 15 October 2026

"Clearing a Path: How Lists of Issues Assist Arbitrators, Parties, and Courts" International Congress of Maritime Arbitrators XXIII, Singapore, 24 March 2026

"When the Blindfold Slips: A Universal Standard for Removal of Arbitrators for Bias?" (2025) 21 AIAJ 119

"Foreign Determination of Australian Cargo Claims", 5 November 2024, WISTA, Singapore

"Common Law Arbitrations: Tips and Traps for Lawyers", 18 October 2024, Shanghai, PRC

"Arbitration of International Maritime and Trading Disputes", 16 October 2024, International Conference on Maritime Law in Free Trade Ports, Zhoushan, PRC

"Breach of Charterparties, Hedging, and Damages", 4 October 2024, MLAANZ Annual Conference, Queenstown, New Zealand

"*The Eternal Bliss*: Demurrage and Damages", 6 October 2023, MLAANZ Annual Conference, Perth

"Agreements to Appeal from an Arbitrator's Award" (2022) 41(1) The Arbitrator & Mediator 81

"Salvors' Rights to Treasure under Australian Law", MLAANZ webinar, 12 May 2021

"Is an Arbitration Clause in a Draft Bill of Lading Effective?" MLAANZ Webinar, 16 September 2020

"Does a Defective Passenger Plan Render a Ship Unseaworthy?": MLAANZ webinar, 23 September 2020

"Same region, Different Rules – How can Lawyers and Insurers be caught out by Regional Variations?": Asian Maritime Law and Insurance Conference, Singapore, 24 October 2018

"The Anti-arbitration Injunction: Thinking the Unthinkable?" AMTAC Seminar, HFW Lawyers, Melbourne, 2018

"Public Policy, Natural Justice, and the New York Convention in Australia", Comité Maritime International Conference, New York, 5 May 2016

"Arresting a 'ship': Boats, bunkers and barometers" (2012) 86 Australian Law Journal 189

5. Selected Appointments and Activities

Presenter, Maritime Diploma Course, CIArb and LMAA, 2025 and 2026

Chair, Victorian Bar Arbitration Committee

Member, Admissions Committee of the SCMA

Member, Victorian Legal Admissions Committee

Member, Law Programs Advisory Board, RMIT University

Honorary Member, Maritime Law Association of Australia and New Zealand (MLAANZ)

Titulary Member, Comité Maritime International

Member of the Bar of Victoria and of New South Wales

President of the Maritime Law Association of Australia and New Zealand (2013 to 2015)

6. Education

Monash University: LL.M, B.A. (Hons)

Adelaide University: Professional Certificate in Arbitration