



*Society of Construction Law Hong Kong*

香港建築法學會

## **International Construction Law Conference 2010**

Hong Kong Convention & Exhibition Centre

5 - 7 December 2010



# Introduction

The **Society of Construction Law Hong Kong** is delighted to host the third biennial International Construction Law Conference in Hong Kong in December 2010.

This landmark conference running over three days, to be held between **5th and 7th December 2010**, will create the opportunity for construction lawyers and professionals from all over the world to meet professionally and socially in Hong Kong in order to exchange ideas on issues of interest and importance to the industry worldwide.

To assist this exchange of ideas, a distinguished line up of speakers from around the world has been assembled to lead discussion on a range of topics of current importance. Speakers include lawyers, industry professionals, arbitrators, adjudicators, mediators, and academics from Australia, Europe, the Far East, New Zealand, the Middle East and North America.

The Conference will be opened by the Honourable Mr. Justice Geoffrey Ma, Chief Justice of Hong Kong, and the keynote address will be given by the Right Honourable Lord Justice Jackson. Other distinguished speakers include Sir Anthony Mason AC, Mrs Carrie Lam Cheng Yuet-ngor GBS, JP, Secretary for Development and the Honourable Mr. Justice Ramsey.

A summary of the programme for the Conference and details of speakers and chairmen follow in this brochure. Further information will be updated online and is available on [www.scl.hk/conference2010](http://www.scl.hk/conference2010).

## About the Organiser

Since its foundation in 2001, the **Society of Construction Law Hong Kong** has worked to promote for the public benefit education, study and research in the field of construction law and related subjects (including ADR, arbitration and adjudication).

There are currently about 250 members of the Society from all sectors of the construction industry, who meet regularly at meetings and other events.

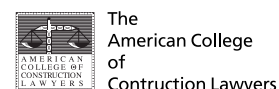
The Society is affiliated with and shares similar objects with the Society of Construction Law (UK), established in 1983, and other sister Societies around the world.

## Supporting Organisations

The Society is grateful for the support of the following organisations who are assisting in the promotion of this conference, and whose members are entitled to preferential rates for Conference registration.



Society of Construction Law (Australia)  
Society of Construction Law (Gulf)  
Society of Construction Law, KL & Selangor  
Society of Construction Law Mauritius  
Society of Construction Law New Zealand  
Society of Construction Law (Singapore)  
Society of Construction Law (UK)



Academy of Experts  
Asia Pacific Regional Arbitration Group  
Association for Project Management (Hong Kong Branch)  
Arbitrators and Mediators Institute of New Zealand  
Australian Commercial Disputes Centre  
Beijing Arbitration Commission  
Building Surveyors Institute of Japan  
Canadian Chamber of Commerce in Hong Kong  
Chartered Institute of Arbitrators  
Chartered Institute of Arbitrators (Australia Branch)  
Chartered Institute of Arbitrators (East Asia Branch)  
Chartered Institute of Arbitrators (Malaysia Branch)  
Chartered Institute of Arbitrators (Singapore Branch)  
Chartered Institute of Arbitrators (Thailand Branch)  
The Chartered Institute of Building (Hong Kong)

China International Economic and Trade Arbitration Commission  
Chinese University of Hong Kong  
City University of Hong Kong ADR Alumni Association  
Fiji Law Society  
Hong Kong Bar Association  
Hong Kong Construction Association  
The Hong Kong Federation of Electrical & Mechanical Contractors Limited  
Hong Kong Housing Authority and Housing Department  
Hong Kong Institute of Arbitrators  
Hong Kong Institute of Architects  
Hong Kong Institute of Engineers  
Hong Kong Institute of Project Management  
Hong Kong Institute of Surveyors  
Hong Kong International Arbitration Centre

Hong Kong Trade Development Council  
Indonesian Advocates Association (PERADI)  
Institution of Civil Engineers, Hong Kong Office  
ICC Court of International Arbitration - Asia Office  
Korean Chamber of Commerce  
The Law Society of Singapore  
Law Society of Hong Kong  
Lighthouse Club Hong Kong  
Malaysian Institute of Arbitrators  
New York State Bar Association  
Philippine Institute of Construction Arbitrators and Mediators  
Philippines Institute of Arbitrators  
Royal Institution of Chartered Surveyors Hong Kong  
Singapore Chamber of Commerce (HK)  
Singapore Institute of Arbitrators

# Programme

## Sunday 5<sup>th</sup> December (Registration open 13:00-18:30)

### Morning Session

International Meeting of Officers of Societies of Construction Law (By Invitation)

### ACCL Seminar (13:30-17:45)

Seminar presented by American College of Construction Lawyers (Optional Session)

#### First Panel:

Mega-project – The Panama Canal expansion (**Robert Smith** – President ACCL / Akerman, USA)

Project alliancing (**Prof Doug Jones AM**)

Developments in mediation, especially in Hong Kong (**Colin J Wall**)

#### Second Panel:

The U.S. Foreign Corrupt Practices Act & global enforcement collaboration

(**Katherine Hope Gurun** – JAMS Arbitrator / Mediator & **Philip Bruner** – JAMS Arbitrator / Mediator)

Selecting an arbitral agency (**Jesse B Grove III** – JAMS Arbitrator / Mediator)

New Protocols of the College of Commercial Arbitrators (**Douglas S Oles** – JAMS Arbitrator / Mediator)

Dealing with unexpected site conditions (**Douglas S Oles & Jim Nagle** – JAMS Arbitrator / Mediator)

### Welcome Cocktails (18:00-19:30)

## Monday 6<sup>th</sup> December (Registration open 08:00-09:00)

### Morning Session

#### Opening Address

**The Hon Mr Justice Geoffrey Ma** – Chief Justice of Hong Kong

#### Keynote Address

**The Rt Hon Lord Justice Jackson** – Lord Justice of Appeal, England & Wales

#### Introduction to China's Construction Industry

**John Bishop** – Pinsent Masons, Beijing

#### China – Home & Abroad

Session Chair: **Adrian Hughes QC** – Chair, SCL UK / 39 Essex Street Chambers, London

Speakers: **Geoffrey Chan** – Mayer Brown JSM, Hong Kong

**Terence Wong** – Hogan Lovells, Shanghai

**Ashley Howlett** – Jones Day, Beijing

**Dr Elvis Zhou** – Deheng Law Offices, Beijing

#### Luncheon Address

**Mrs Carrie Lam Cheng Yuet-ngor GBS, JP** – Secretary for Development

### Afternoon Session

#### Procurement & Conditions of Contract

Session Chair: **Richard Harding QC** – Chair, SCL Gulf / Keating Chambers, London

Speakers: **Phillip Greenham** – Minter Ellison, Melbourne

**Ian Heaphy** – EC Harris, Dubai

**Prof Doug Jones AM** – Clayton Utz, Sydney

**Mark Lloyd-Williams** – Herbert Smith, London

Session Chair: **Ivan Loo** – Deputy President, SCL Malaysia / Skrine, Kuala Lumpur

Panelists: **Dr Donald Charrett** – Melbourne TEC Chambers, Melbourne

**James Kwan** – Simmons & Simmons, Hong Kong

**Angela Lin** – Lee and Li, Taipei

**Rashda Rana** – Bovis Lend Lease, Sydney

#### Closing Address

**Richard Wilmott-Smith QC** – 39 Essex Street Chambers, London

### Gala Dinner

Venue: Top Deck restaurant

## Tuesday 7<sup>th</sup> December

### Morning Session

#### Time & Programme Issues

Session Chair: **Ian H Bailey SC** – Chair, SCL Australia / Wentworth Chambers, Sydney

Speakers: **Chantal-Aimée Doerries QC** – Chair, TEC Bar / Atkin Chambers, London

**Jesse B Grove III** – JAMS Arbitrator / Mediator

**Dr Franco Mastrandrea** – Hill International, London

**Gordon Smith** – Kennedys, Singapore

Session Chair: **Christopher Nunns** – Chair, SCL Singapore / FTI Consulting, Singapore

Panelists: **Amit Garg** – Secretariat Asia Limited, Hong Kong

**Prof Toshihiko Omoto** – Graduate School of Management of Kyoto University

**Mohan Pillay** – Pinsent Masons MPillay LLP, Singapore

**Michael Stokes** – Navigant Consulting Inc, Dubai

#### Special Address

**Sir Anthony Mason AC** – Former Chief Justice of Australia / Non-Permanent Judge, Court of Final Appeal, Hong Kong

### Afternoon Session

#### Dispute Avoidance & Resolution

Session Chair: **Tony Dean** – Immediate Past President SCLNZ / Dean, Murray & Partners, New Zealand

Speakers: **Philip Bruner** – JAMS Arbitrator / Mediator

**Dr Robert Gaitskell QC** – Keating Chambers, London

**Reza Mohtashami** – Freshfields Bruckhaus Deringer LLP, Dubai

**Arent van Wassenaer** – Allen & Overy, Amsterdam

Session Chair: **Kailash Dabeesingh** – Chair, SCL Mauritius / Kailash Dabeesingh Arbitration Chambers, Mauritius

Panelists: **Nicholas Dennys QC** – Atkin Chambers, London

**Allen Kim** – Sidley Austin LLP, Hong Kong

**Charles Manzoni QC** – 39 Essex Street Chambers, London

**Sundra Rajoo** – Kuala Lumpur Regional Centre for Arbitration

#### Closing Address

**The Hon Mr Justice Ramsey** – Head, Technology & Construction Court, England & Wales

Applications for CPD accreditation will be made for this Conference. Details will be posted on the website ([www.scl.hk/conference2010](http://www.scl.hk/conference2010)).

# Social Programme and Accommodation

## Social Events

### Welcome Cocktails

To be held on Sunday evening at the conference venue, HKCEC. This magnificent venue overlooks Victoria Harbour and offers views of Central and Kowloon. (Included in conference registration fees; additional tickets available for guests at HK\$250 per person.)



### Gala Dinner



To be held on Monday evening at Top Deck restaurant, on the uppermost level of the Jumbo Kingdom floating restaurant in Aberdeen Harbour on the southern coast of Hong Kong island. This will be a dinner to remember at one of Hong Kong's best and unique al fresco dining locations. (Not included in conference registration fees; tickets available at HK\$780 per person, including buffet banquet with selection of wine, beer and soft drinks; coach transfers to and from conference venue included in ticket price.)

## Accompanying Persons' Programme

Please refer to separate flyer for details of accompanying persons' programme, which may be arranged directly with the Conference's appointed organiser, FORCETEN LTD. Contact details: Room 302, Tung Ming Building, 40-42 Des Voeux Road Central, Hong Kong; Tel: (852) 2526 0336; Fax: (852) 2537 6223; E-mail: [forceten@forceten.com.hk](mailto:forceten@forceten.com.hk); Website: [www.forceten.com.hk](http://www.forceten.com.hk) (Licence No.: 351195).



## Accommodation

**We suggest you book your accommodation as soon as possible as there are likely to be other events on at the Hong Kong Convention and Exhibition Centre during the Conference period.**

The hotels listed below are closest to the Hong Kong Convention and Exhibition Centre. There are many other hotels within walking distance or a short taxi ride. Details of other hotels can be found at <http://www.discoverhongkong.com/eng/>. All accommodation is to be booked by delegates direct with the accommodation provider which will be able to provide full details of the terms and conditions.

### Grand Hyatt Hong Kong

1 Harbour Road, Hong Kong.

T: +852 2588 1234 F: +852 2802 0677

<http://hongkong.grand.hyatt.com/hyatt/hotels/index.jsp>

The Grand Hyatt Hong Kong Hotel is among the finest luxury hotels in the world with magnificent views of Hong Kong's renowned Victoria Harbour and Wanchai district.

A limited number of Grand rooms are available at HK\$ 3,060 + 10% service charge per room per night (single or double occupancy).

Reservations for accommodation may be made by contacting the hotel directly on +852 2584 7038 and by quoting reference OPMD. Reservations made using this code must be made **before 7 November 2010**.

### Renaissance Hong Kong Harbour View Hotel

1 Harbour Road, Hong Kong.

T: +852 2802 8888 F: +852 2802 8833

<http://www.marriott.com/hotels/travel/hkghv-renaissance-hong-kong-harbour-view-hotel/>

Situated on the waterfront the hotel enjoys panoramic views of Victoria Harbour and convenience for all Hong Kong has to offer.

A limited number of rooms are available, including:

- Garden View Room – the rate is HK\$ 2,000 + 10% service charge per room per night and can be reserved by contacting the hotel directly via the following web address: <http://www.marriott.com/hotels/travel/hkghv?groupCode=iclicla&app=resvlink&fromDate=12/5/10&toDate=12/8/10>
- Harbour View Room – the rate is HK\$ 2,500 + 10% service charge per room per night and can be reserved by contacting the hotel directly via the following web address: <http://www.marriott.com/hotels/travel/hkghv?groupCode=icliclb&app=resvlink&fromDate=12/5/10&toDate=12/8/10>

Reservations made using these links must be made **before 5 November 2010**.

# Registration

The registration fee for the Conference includes one free ticket to the Welcome Cocktails (on 5th December) and attendance at the Conference on Monday and Tuesday (on 6th and 7th December) including lunches and refreshments. There is also the option to join the ACCL Seminar being run on Sunday 5th December, for a separate fee (and note there is a different rate for Conference and non-Conference delegates).

There is an **early bird discount** applicable for those delegates who book their place at the Conference and/or ACCL Seminar before **31st October 2010** and the appropriate savings are detailed below.

The Welcome Cocktails are open to guests of delegates at an additional cost. The Gala Dinner is also open to delegates of the conference and the ACCL Seminar and their guests at an additional cost.

## Registration Form

First Name: \_\_\_\_\_ Family Name: \_\_\_\_\_

Firm/Organisation: \_\_\_\_\_ Email: \_\_\_\_\_

Telephone: \_\_\_\_\_ Facsimile: \_\_\_\_\_  
(please include IDD country and area codes) (please include IDD country and area codes)

Address: \_\_\_\_\_

I am a Member of SCLHK and / or the following Supporting Organisation \_\_\_\_\_

1. Attendance at the Conference (on the 6th and 7th December)	For members of the SCLHK/ Supporting Organisations (with early bird discount)	_____ @ HK\$ 3,000 _____
	For members of the SCLHK/ Supporting Organisations (without early bird discount)	_____ @ HK\$ 3,750 _____
	For non-members (with early bird discount)	_____ @ HK\$ 3,750 _____
	For non-members (without early bird discount)	_____ @ HK\$ 4,500 _____
2. Attendance at ACCL Seminar (on the 5th December)	For Conference delegates (with early bird discount)	_____ @ HK\$ 500 _____
	For Conference delegates (without early bird discount)	_____ @ HK\$ 625 _____
	For non-Conference delegates including attendance at the Welcome Cocktails (with early bird discount)	_____ @ HK\$ 1,000 _____
	For non-Conference delegates including attendance at the Welcome Cocktails (without early bird discount)	_____ @ HK\$ 1,250 _____
3. Confirm attendance at Welcome Cocktails Yes / No*		
4. Additional guests' tickets for Welcome Cocktails on 5th December		_____ @ HK\$ 250 _____
5. Attendance at Gala Dinner (for delegates and guests) on 6th December		_____ @ HK\$ 780 _____
* delete as appropriate		
	<b>Total</b>	HK\$ _____

### Payment (Please check one and make payment in advance.)

I enclose a cheque made payable to "The Society of Construction Law Hong Kong"

Bank Transfer (Bank charges will be borne by the registrant. Please attach a copy of the remittance advice to this form.)

Account Name: The Society of Construction Law Hong Kong  
Account No: 173278813001  
Bank: Hong Kong & Shanghai Banking Corporation, 1 Queen's Road Central, Hong Kong  
Swift Code: HSBC HK HHH KH

Credit Card [I hereby authorise the HKIAC to debit my credit card for the registration fees of the event(s).]

Type of credit card:  Visa Card  MasterCard  
Card Number: [ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ] Expiry: (MM) \_\_\_\_\_ / (YY) \_\_\_\_\_  
CVC/CVV Number (the last 3 digits of the code printed next to your card signature): [ ] [ ] [ ]

Name on Card: \_\_\_\_\_ Signature: \_\_\_\_\_

**Terms and Conditions** 1. Registration will be confirmed upon receipt of payment. 2. Written confirmation will be issued by fax or email. 3. The event programmes are subject to changes at any time without liability. 4. The events may be cancelled if a No.8 typhoon signal or above is hoisted or the Black storm warning is raised three hours prior to start of the events. 5. Should you wish to cancel your booking once made a full refund will be given up to 15th November 2010 after which no refunds will be given. 6. To ensure your name will appear in the "List of Delegates" which is available at the event bundle, your registration must be received by the organiser by Monday, 15 November 2010. 7. The SCLHK is committed to staging a successful conference; however it reserves the right to cancel or postpone the Conference in which case a full refund will be offered.

# Sponsors

The Society is grateful for the generous support of the following sponsors, without which this conference would not be possible.

## Major Sponsor:



### Development Bureau

The Government of the Hong Kong Special Administrative Region

## Platinum Sponsor:

ThirtyNine  
ESSEX STREET

## Silver Sponsors:

AtkinChambers  
Barristers



## Lunch Sponsor:

MAYER · BROWN  
JSM

## Welcome Cocktails Sponsor:



## Bronze Sponsors:



德輔 DESVOEUX  
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FRESHFIELDS BRUCKHAUS DERINGER

Herbert Smith



Kennedys  
Legal advice in black and white

MinterEllison  
LAWYERS

NAVIGANT



SIDLEY AUSTIN  
SIDLEY

## Conference Bag Sponsor:



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