



Society of Construction Law Hong Kong
香港建築法學會

SCLHK ONE DAY INTERNATIONAL CONFERENCE 2023

SOCIETY OF CONSTRUCTION LAW HONG KONG

SCLHK is pleased to invite you to its 2023 One Day International Conference

DATE AND TIME

Friday 10 November 2023 at 9:00am (with registration from 8:30am)

VENUE

Hong Kong Football Club, 3 Sports Road, Happy Valley, Hong Kong

THE CONFERENCE

The theme for this year's conference is **Collaborative Contracting: Fostering Trust and Efficiency in Construction Projects**

In 2001, the Tang Report recommended a partnering approach to construction in Hong Kong to improve the delivery of construction projects on time, within budget and met specified quality standards. In 2009, the HK Government introduced the first NEC pilot for the Fuk Man Road Nullah Improvement in Sai Kung. The pilot project was a success. Since then, the Development Bureau alongside various works departments had extended the NEC form to various works categories. Over the years, various private entities have also introduced collaborative contracting. This year's conference will look at what Hong Kong has learnt so far in running collaborative contracts, issues arising from such contracts and its dispute resolution mechanism.

PROGRAMME

COCKTAIL RECEPTION

Wednesday 8 November 2023, China Club, Central from 6:30pm to 9:30pm

CONFERENCE (Friday 10 November 2023)

Keynote Address – Mr Carl Devlin, Capital Works Director, MTR Corporation Ltd

Morning Session 1

NEC Contracts: Lessons Learnt and Best Practices for Successful Project Delivery

This session will consist of an insightful discussion on NEC contracts, focusing on lessons learned and best practices for successful project delivery in Hong Kong. Learn how to effectively navigate the unique challenges of the NEC contracts with our expert panel exploring key topics such as drafting, procedures, assessment of compensation events, and project completion.

Panellists include **David Thomas KC**, Keating Chambers; **Daniel Cheung**, Turner Townsend; **Dr Fan Yang**, China Harbour Engineering Co Ltd; **Francis Leung**, Development Bureau; **Hayman Choi**, Mott MacDonald

Morning Session 2

Partnering and Alliance Contracts

Alliancing and collaborative contracting are relatively immature in Hong Kong and South East Asia. However, global pressures such as supply chain disruption, hyper-inflation in labour and material costs and resultant increases in contractor insolvencies will surely lead to such approaches being utilised. This session will deal with a brief history of alliancing in Hong Kong, the drivers behind the renewed push for such models and a consideration of how these types of contracts are being used elsewhere in the market and the types of structures that are favoured. The session will also cover the dispute risks inherent in such approaches and some practical examples of how disputes under these models arise and are dealt with.

Panellists include **Rachel Ansell KC**, 4 Pump Court; **Colin Jesse**; **Scott Budd**, King & Wood Mallesons

Afternoon Session 3

Insights on Recent Important Cases and Law Developments in Construction

In this Session, the speakers will discuss what are the most significant legal developments in the past 12 months from a construction perspective? The wording of extension of time clauses? Clarity on liquidated damages? Interim payments? Delay? Multi-tier dispute clauses? Incorporation of arbitration agreements by reference in sub-contract? How do these affect industry players and stake holders going forward?

Panellists include **Andrew Goddard KC**, Atkin Chambers; **Julian Cohen**, Resolution Chambers; **Karah Howard**, Pinsent Masons; **May Ng**, DLA Piper

Afternoon Session 4

Dispute Resolution in Collaborative Contracts

This session will discuss what happens when collaboration becomes adjudication, arbitration or litigation. There will be specific focus on NEC 3 / 4, dispute boards and dispute resolution advisers, third-party funding and security of payment.

Panellists include **Karen Gough**, 39 Essex Chambers; **Calvin Cheuk**, Des Voeux Chambers; **James Niehorster**, Pacific Chambers; **Peter Caldwell**, Caldwell Ltd

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Friday 10 November 2023

Registration Fees

Rates (per ticket)

	Early Bird	Regular
• SCLHK members:	HK\$2,200	HK\$2,550
• Members of supporting organisations:	HK\$2,400	HK\$2,650
• Non-members:	HK\$2,650	HK\$2,850

Discounts are also available for multiple tickets for non-members booked as a group:

• 5-9 tickets:	HK\$2,400	HK\$2,650
• 10+ tickets:	HK\$2,200	HK\$2,450

- Early bird rates apply for tickets booked and paid for in full on or before **Friday, 20 October 2023**.
- All rates include conference materials, lunch and refreshments throughout the day.
- Lawyers please note that CPD accreditation will be applied for from the Law Society of Hong Kong.
- Priority will be given to members, thereafter places will be allocated on a "first come, first served" basis. Please register by returning the registration application slip below with your cheque to the address noted.

Special SCLHK Membership Offer

We are pleased to announce that attendees of this year's Conference can apply for a special SCLHK membership deal. For HK\$1250 you will receive the inclusive membership package for the 2023/2024 session and we will include the balance of the 2023/2024 session. We will also waive the joining fee.

The inclusive membership package covers entrance to all of our evening talks during the periods mentioned above.

This offer is valid until 15 December 2023.

Supporting Organisations

Chartered Institution of Civil Engineering Surveyors
Chartered Institute of Arbitrators East Asia Branch
City University of Hong Kong – Department of Architecture
and Civil Engineering
Dispute Resolution Board Foundation
Hong Kong Bar Association
UK Adjudicators
Hong Kong Institute of Construction Managers
Hong Kong Institution of Engineers
Hong Kong International Arbitration Centre

Institution of Civil Engineers (Hong Kong)
Society of Construction Law (Gulf)
Society of Construction Law (UK)
The Academy of Experts
The Hong Kong Institute of Surveyors
The Law Society of Hong Kong
The Lighthouse Club (Hong Kong Branch)
The University of Hong Kong – Department of Civil Engineering
& Faculty of Law

REGISTRATION FORM

Name _____

Please reserve tickets for the following:

_____ SCLHK members; _____ Members of Supporting Organisations; _____ Non-members

Early Bird (on or before Friday, 20 October 2023)

I enclose a cheque for HK\$ _____ payable to "Society of Construction Law Hong Kong"

My address is _____

Tel (daytime) _____ Fax _____

Email _____

Registration and payment can also be done online at www.scl.hk

More information at www.scl.hk/meetings.php

Please register by sending form by fax to +852 2524 2171 or

by email to admin@scl.hk or

post Society of Construction Law Hong Kong, 38/F, Two Exchange Square, Central, Hong Kong