



# CONSTRUCTING AFRICA INTERNATIONAL CONFERENCE

10 -11 September 2015, Cape Town, South Africa

On 10 and 11 September 2015 international and local thought leaders in the construction and engineering law field will meet in Cape Town for the first International Conference of the Society of Construction Law for Africa. At this conference, topical issues in construction law will be discussed through presentations by international experts in this field and inter-active debates where delegates will have the opportunity to share their views and experiences with their peers. This conference, which is aimed at all participants in the construction industry, including employers, contractors, engineers, quantity surveyors, architects, lawyers, project managers, claims consultants and experts, also presents the perfect opportunity to meet your peers in the construction industry.

#### For further information:

[www.sclafrika.org](http://www.sclafrika.org)



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+27(0)21-422 1802



: @SCL\_Africa

#### Our speakers:

##### **Keynote speaker: Sir Vivian Ramsey**

Engineer and barrister, erstwhile Judge in Charge of the Technology and Construction Court, London, and former head of Keating Chambers, London

- **Dr Robert Gaitskell QC and Abdul Jinadu**, Barristers, Keating Chambers, London
- **Steve Abraham**, Partner, Baker McKenzie, London
- **Kwadwo Sarkodie**, Partner, Mayer Brown International, London
- **Martin Bowdery QC and Simon Lofthouse QC**, Barristers, Atkin Chambers, London
- **Chris Ennis**, Costs and delay expert, Time Quantum Expert Forensics, London
- **Keith Kirkwood**, Costs and delay expert, Bennington Green, London
- **Rob Morson**, Head: Construction Law Unit, Bowman Gilfillan, Johannesburg
- **Robert Scott**, Director, Edward Nathan Sonnenberg, Johannesburg
- **Tony Farrow and Sena Gbedemah**, Experts, Navigant, London
- **Willie du Plessis**, General Manager (Legal Specialist) ESKOM, Johannesburg
- **Basil Georgio**, Partner, Jackson McDonald, Perth, Australia
- **Dr John Fletcher**, Product Group Director ADR, Royal Institute of Chartered Surveyors, London
- **Doug Wass and Andy Mather**, Solicitors, Macfarlanes LLP, London
- **Uwe Putlitz**, CEO of the Joint Building Contracts Committee, Cape Town
- **Gerhard Bester and Gavin Murphy**, Driver Group, Johannesburg
- **Patrizia Palmitessa-Savric**, Ginder-Palmitessa, Gabarone, Botswana
- **Johan Beyers**, Advocate, Cape Town



# SOCIETY OF CONSTRUCTION LAW FOR AFRICA

## CONFERENCE DETAILS:

**Date:** 10 and 11 September 2015

**Venue:** Radisson Blu Hotel, Waterfront, Cape Town

### Conference fees:

Standard conference fee: R 10 500-00

Discounted Rate for SCL Int members R 9 500-00

Discounted Rate for SCL Africa members R 7 500-00

(SCL Africa annual membership R950-00)

Discounted Rate for RICS members R 8 000-00

Discounted rate for Government  
and Parastatal employees R 8 000-00

Please note: Delegate numbers are limited – BOOK NOW  
to avoid disappointment!

Preferential rates available to delegates with Radisson  
Blu Hotel during conference – please contact:

Michael Wright, Reservations Manager

Tel +27 21 441 3000

Email: michael.wright@radissonblu.com

Block ID: 2722971

## CONFERENCE REGISTRATION FORM:

**NAME:**

**ADDRESS:**

**EMAIL:**

**CONTACT TELEPHONE NUMBER:**

**SCL MEMBERSHIP (IF ANY):**

 Y N

**IF YES, WHICH SCL?**

**PROOF OF CURRENCY OF SCL MEMBERSHIP TO  
BE FURNISHED WITH COMPLETED REGISTRATION  
FORM**

**Do you wish to attend the Cocktail Party on 10  
September 2015 at 6.00 pm? (Cost already  
included in the conference fee)**

 Y N

**Do you agree to receive emails and newsletters  
from the SCL Africa in future?**

 Y N

Please email completed registration form to:  
[info@sclafrica.org](mailto:info@sclafrica.org)

**Please note that registration will only be accepted once proof of payment has been received.**

All payments are to be made via EFT or wire transfer to the following SCL Africa bank account:

Account holder: The Society of Construction Law for Africa

Bank: Standard Bank, Thibault Square

Account number: 070722412 Branch code: 02090900 Account type: Cheque Account

IBAN: 070722412 SwiftCode: 020909

## SEE CONFERENCE PROGRAMME BELOW



## **CONSTRUCTING AFRICA - CONFERENCE PROGRAMME:**

### **10 September 2015:**

08:00 Registration and light refreshments

09:00 Welcome by SCL Africa chairperson

09:10: Keynote address: Sir Vivian Ramsey - The challenges and opportunities for Africa: the globalisation of construction law

09:50 Abdul Jinadu – Standard Forms: is there any benefit to their use in the African context?

10:20 Chris Ennis – prospective claims for variations under FIDIC – evidential and procedural issues, and comparison with NEC 3 regime

10:50 Networking break

11:25 Keith Kirkwood – Delays to construction projects and the new draft SCL protocol

11:55 Tony Farrow – Identifying project problems before they escalate – Gate Review procedures and Independent Project Reviews

12:25 Martin Bowdery QC and Simon Lofthouse QC – Experts, how to select them

13:00 Lunch

14:00 Rob Morson – The “pay when paid” battle – conditional draw downs in Project Finance Transactions vs the Construction Industry Development Board Prompt Payment Regulations

14:30 Robert Scott – On-Demand Bonds: The South African experience over the last six years

15:00 Networking break

#### Panel discussion: Adjudication - chaired by Robert Gaitskell QC:

15:30 Adv. Johan Beyers – Adjudication: Recent case law and the new draft CIDB Regulations

16:00 Patrizia Palmitessa-Savric – Adjudication: Is it time to let our guard down? – a Botswana perspective

16:30 Doug Wass and Andy Mather – Adjudication: Practical and tactical lessons learnt in adjudication in England

17:30 Cocktail Party for delegates at the Radisson Blu

## **11 September 2015:**

08:30 Light refreshments

Panel discussion: Arbitration - chaired by Sir Vivian Ramsey:

09:00 Kwadwo Sarkodie – Arbitration and the African Construction Industry – the trends, risks and opportunities

09:30 Dr Robert Gaitskell QC – International initiatives to reduce the time and cost of construction disputes

10:00 Martin Bowdery QC and Simon Lofthouse QC – Arbitrators: how to select them

10:30 Willie du Plessis – Efficient construction arbitration: delinking the process from the parties' fall back comfort zone in South Africa

11:00 Networking break

11:30 Dr John Fletcher – Mediating construction disputes

12:00: Basil Georgiou – From the deep sea to the remote outback – finding the monsters in the contracts

12:30 Gerhard Bester – Are we on the cusp of a metamorphosis of Public Private Partnerships in delivering infrastructure in Africa?

13:00 Lunch

14:00 Gavin Murphy – The use of expert witnesses, the basis for using experts in disputes; the limitations of using experts; the choice of experts and the jurisdictional nuances

14:30 Steve Abraham – Maximising contract value, understanding and dealing with risk in unfamiliar territories

15:00 Networking break

15:20 Sena Gbedemah – Delayed projects in Sub-Saharan Africa – the usual suspects

15:50 Doug Wass and Andy Mather – Extensions of time, concurrency and the problems with causation

16:20 Uwe Putlitz – The new JBCC – is it the appropriate standard form building contract for Africa?

16:50 Closure of conference