



Practical Issues in Construction Law

Expert analysis of day-to-day legal problems which arise in construction projects and solutions to ensure success

Tuesday 19 November 2013, Central London



Attending this event will give you the opportunity to:

- Review how best to conduct proceedings in the **TCC post-Jackson reform**
- Examine the criteria to be considered when choosing a construction contract with our panel of industry speakers including **Martin Potter, Canary Wharf Group Plc, Sarah Schütte, Transport for London** and **Gary Kitt, EC Harris LLP** led by **Hamish Lal, Jones Day**
- Explore how to use project bank accounts under NEC with **Martin Rowark of Crossrail Ltd** and **Terry Fleet of Nabarro LLP**
- Consider the legal consequences of **Building Information Modelling (BIM)** with **Dale Sinclair, Dyer**
- Gain practical tips from **Ellis Baker of White & Case, London** on how best to use the **FIDIC suite of contracts** and discuss other forms of contracts available for **international projects**

"Update on current trends and development in contract and disputes. Talks given by leading practitioners delivering pearls of wisdom."

Robin Sanders, Capita Symonds

Chaired by:

Jonathan Hosie, Partner - Construction & Engineering Group, Mayer Brown International LLP

Industry perspectives:

Martin Potter, Group Legal Counsel (Construction), Director of Construction Legal Services, Canary Wharf Group Plc.

Sarah Schütte, Senior Associate Solicitor - Commercial Disputes Resolution, Transport for London

Dale Sinclair, Director, Dyer

Steven Carey, Partner, Speechly Bircham LLP

Martin Rowark, Procurement Director, Crossrail Ltd

Gary Kitt, Partner, EC Harris LLP

Other expert speakers:

Mr Justice Akenhead, Judge in Charge, Technology and Construction Court

Rupert Choat, Partner & Solicitor Advocate, Head of Construction Disputes, CMS London

John Hughes-D'Aeth, Partner, Berwin Leighton Paisner LLP

Hamish Lal, Partner, Jones Day

Terry Fleet, Partner, Head of Construction and Engineering, Nabarro LLP

Ellis Baker, Partner and Head of Construction & Engineering Practice Group, White & Case, London

Dominic Helps, Partner, Corbett & Co International Construction Lawyers Ltd

Richard Williams, Partner, Pinsent Masons LLP

Adrian Hughes QC, 39 Essex Street

Tom Duncan, Partner, Mayer Brown International LLP

Book your place today at www.conferencesandtraining.com/construction-law

Why you need to attend:

The construction industry has suffered a difficult time throughout the recession and although the outlook seems to be more positive, a full recovery is still some time off.

Insolvency remains rife throughout the contractual chain and **litigation** is on the rise.

Butterworths' Practical Issues in Construction Law

conference will address common problems which arise in construction projects and offer you practical solutions to them. Our panel of industry experts will offer you insights into **how to choose the best contract for your project** and there will be an update on **NEC**, which following the Olympics, is gaining popularity especially with public projects such as Crossrail.

At the same time many of you are getting more involved in **international construction projects** which have been sheltered from the full impact of the recession. Our speakers will discuss how best to use **FIDIC** and **resolve international disputes**.

Chaired by **Jonathan Hosie, Mayer Brown International LLP**, this conference will guide you through latest developments and case law affecting construction law and offer you strategies to ensure the success of your project.

Join our prestigious speaker panel to:

- Analyse the impact of *Hackney Empire Ltd vs Aviva Insurance UK Ltd* on guarantees
- Explore what insurance options are available for construction projects
- Examine how to address insolvency under NEC and JCT
- Discuss typical Z clauses and amendments to NEC contracts
- Consider how to resolve disputes including in international projects more effectively

Practical Issues in Construction Law

Who you will meet:

- Construction lawyers and barristers
- Commercial managers and directors
- In-House counsel
- Arbitrators
- Planning and project managers
- Adjudicators
- Procurement managers
- Mediators
- Contracts managers
- Quantity surveyors
- Consultants
- Project and civil engineers

"Good range of speakers and topics."

Kathryn Charles, Broadway Malyan Ltd

"Excellent and relevant content, delivered expertly."

Claire Sugden, Boulton Wade Tennant

"Very useful."

Nicola Kenward, Mills & Reeve LLP

"Informative and varied – information relevant and up to date – very good reading materials."

Josephine Kelly, Camden Council

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08.40	Registration		
09.00	Chair's opening remarks Jonathan Hosie, Partner - Construction & Engineering Group, Mayer Brown International LLP		
09.10	Conducting proceedings in the TCC post-Jackson reform <ul style="list-style-type: none">• Costs budgets• Penalties for lateness• Expert witnesses Mr Justice Akenhead, Judge in Charge, Technology and Construction Court	Keynote address	
09.45	Bonds and guarantees <ul style="list-style-type: none">• Drafting tips• Difference between on-demand and conditional bonds• Recent case law including <i>Hackney Empire Ltd vs Aviva Insurance UK Ltd</i> and <i>Wuhan Guoyu Logistics Group Co Limited & Others v Emporiki Bank of Greece SA</i> Rupert Choat, Partner & Solicitor Advocate, Head of Construction Disputes, CMS London		
10.30	Building Information Modelling (BIM) – what are the practical consequences for lawyers? <ul style="list-style-type: none">• Protocols• CIOB handbook• Contractual implications and how these should be reflected in contract documents• Understanding Soft Landings• Projects professional indemnity insurance• Insurance for copyright and other liability issues Dale Sinclair, Director, Dyer Steven Carey, Partner, Speechly Bircham LLP		
11.15	Coffee Break		
11.35	How to choose the best contract for your project <ul style="list-style-type: none">• Establishing a contract profile• Issues to consider when choosing a contract• Comparison of JCT and NEC• Using bespoke contracts Moderator: Hamish Lal, Partner, Jones Day Martin Potter, Group Legal Counsel (Construction), Director of Construction Legal Services, Canary Wharf Group Plc. Sarah Schütte, Senior Associate Solicitor - Commercial Disputes Resolution, Transport for London Gary Kitt, Partner, EC Harris LLP	Panel session	
12.20	Choose a breakout session: Option 1: Best practice when using NEC contracts <ul style="list-style-type: none">• Origins and objectives• Reasons for selecting the NEC suite• The NEC family of procurement options• Cost-based contracting using NEC option C• Use of project bank accounts (PBAs)• Lessons learned from using the NEC suite• Typical Z Clauses and amendments Martin Rowark, Procurement Director, Crossrail Ltd. Terry Fleet, Partner, Head of Construction & Engineering, Nabarro LLP	Breakout session	
	Or		Option 2: Choosing a form of contract for international projects <ul style="list-style-type: none">• The bespoke/standard form issue• Strategic choices within the FIDIC suite of contracts• Using NEC for international projects• Other international forms: I Chem E, ENAA and the ACA Partnering forms Ellis Baker, Partner and Head of Construction & Engineering Practice Group, White & Case, London
13.10	Lunch		
14.10	Choose a breakout session: Option 1: Resolving disputes including in international projects <ul style="list-style-type: none">• Arbitration• Adjudication after the Construction Act• Dispute Boards and how to enforce their decision Dominic Helps, Partner, Corbett & Co International Construction Lawyers Ltd Adrian Hughes QC, 39 Essex Street	Breakout session	
	Or		Option 2: Tactics for dealing with insolvency throughout the contractual chain <ul style="list-style-type: none">• How to address it under various contracts: JCT and NEC• Practical tips to ensure success of the project• Practical tips if you suspect someone in the chain is struggling• Termination• Case law update Richard Williams, Partner, Pinsent Masons LLP
14.55	Warranties and third party rights <ul style="list-style-type: none">• Drafting tips• 'No greater liability' clauses• Net contribution clauses• Current market practice - are third party rights an alternative to collateral warranties?• Case law update John Hughes-D'Aeth, Partner, Berwin Leighton Paisner LLP		
15.40	Afternoon tea		
16.00	Construction insurance – what options are available? <ul style="list-style-type: none">• What is available? A comparison of different types of insurance• Insurance provisions in standard contracts• Common amendments• Tips for the unwary including what invalidates policies• Professional indemnity insurance Tom Duncan, Partner, Mayer Brown International LLP		
16.40	Chair's remarks		
16.50	Conference close		

BOOKING FORM

Butterworths® Conferences Practical Issues in Construction Law

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Administration

VENUE
Central London

FEE
Your one-day fee includes attendance, refreshments, lunch and course documentation. Full payment, including VAT, must be received prior to the conference. Please post a cheque for the full amount with your completed registration form or tick the payment by credit card box and we will call you to obtain card details. Once payment has been received a VAT invoice/receipt will be issued.

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A certificate of attendance is available on request, following your attendance at this conference, as a record of your training and development.

DOCUMENTATION SALE
Your notes will be dispatched within five working days after the event. Please call us if you do not receive your notes by two weeks after the event.

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A refund of fees will be made only for cancellations received in writing at least 14 days before the event (less a 25% cancellation fee to cover administration costs). No refunds will be made for cancellations received within 14 days of the event and failure to attend after confirming a booking will be subject to the same terms. We regret that the transfer of a booking to another event cannot be made but a substitute delegate will be accepted at any time before the event.

This programme is correct at the time of going to press. However, we reserve the right to alter or cancel the programme due to circumstances beyond our control.

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Address (if different from above)

All bookings must be signed to confirm the above

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Date