

Continuing Professional Development



Practice Area: Building & Construction
Training Level: General
Public CPD Points: 1.5



SINGAPORE

Wednesday, 24 April 2019, 5.00pm - 7.15pm

**The Use of Tribunal-Appointed Experts in Construction Arbitrations
– Failure of the Adversarial Process or a Beneficial, Pragmatic Approach to Reach a Fair Decision**
Room 903, Level 9 NTUC Centre, One Marina Boulevard, Singapore 018989

About this Seminar:

In construction arbitrations, the pathway to an award by the arbitral tribunal typically involves detailed consideration and understanding of technical assessments and the examination of factual evidence. It is relatively rare to find an arbitrator in possession of a technical degree, and rarer still to find arbitrators who truly understand the intricacies of legal, technical, delay and quantum matters.

Therefore, due to the complexity of issues traditionally raised in construction cases, the arbitral tribunal is often heavily reliant upon the opinion and expertise of party appointed experts. This heavy reliance can lead to significant problems for the arbitral tribunal in example situations, such as:

- the party-appointed experts produce inconclusive, unclear or unusable reports;
- the party-appointed experts final conclusions are at extreme odds to each other, however the methodology and approach by both experts appears logical and factually based; or
- one or both of the party-appointed experts appear to lack independence and objectivity.

This seminar explores two case studies where arbitral tribunals have been faced with challenges associated with the approach, methodology and findings of party-appointed experts. In one situation the difficulties led to the tribunal appointing a tribunal appointed expert, in the second situation the arbitral tribunal explored alternative pathways in order to make its award.

Seminar Programme:

5.00 - 5.30pm	Registrations & Networking for Delegates
5.30 - 5.45pm	Opening Remarks by Chairperson <i>Mr Lee Chau Ee – Partner, King & Wood Mallesons; Vice-Chairman, Society of Construction Law (Singapore)</i>
5.45 - 7.00pm	The Use of Tribunal-Appointed Experts in Construction Arbitrations – Failure of the Adversarial Process or a Beneficial, Pragmatic Approach to Reach a Fair Decision <i>Mr Samuel Widdowson – Director, Accuracy</i>
7.00 - 7.15pm	Q&A Session

About the Speaker:

Mr Samuel Widdowson – Director, Accuracy

Samuel is a director in Accuracy’s Singapore office. He specialises in the provision of live project support and advice; the analysis and compilation of forensic claim submissions; and the preparation and provision of expert opinion in relation to construction disputes. His work typically involves assessments relating to project overrun/delays, contract administration, construction logistics, construction methodology, construction strategy and risk management.

Samuel has over 19 years’ professional experience in Building & Construction, Transportation, Oil & Gas, Process Plants, Land Reclamation and Infrastructure projects. He has extensive live project experience, acquired over a period of over 10 years’ in the UK, before he relocated to the Middle East in 2010 and to Asia in 2014. Since leaving the UK he has gathered extensive experience in construction disputes, including claim and expert witness related work.

Samuel is a Member of the Chartered Institute of Arbitrators, has a Master of Law Degree in Construction Law and Arbitration, and a Bachelor of Science Degree in Construction Management. He has been appointed as an independent expert on matters of planning and delay. He has testified under cross-examination and has experience in expert witness conferencing (“hot-tubbing”).

About the Chairperson:

Mr Lee Chau Ee – Partner, King & Wood Mallesons; Vice-Chairman, Society of Construction Law (Singapore)

Chau Ee has specialised as a construction and engineering lawyer for more than two decades. During this time, he has lived and worked in London, Dubai, Beijing and Singapore. Now, as a partner in King & Wood Mallesons, he splits his time between their Beijing and Singapore offices with a particular focus on advising clients in energy and infrastructure projects on the Belt and Road Initiative. He has a cradle-to-grave international construction and engineering practice advising clients in energy and infrastructure projects from conception, inception to completion of a project life-cycle. He has appeared as counsel, co-counsel and lead solicitor in domestic and international disputes under the auspices of international arbitral institutions (LCIA, ICC, SIAC, TAI, BANI, VIAC, DIAC, ADCCAC), ad-hoc non-institutional arbitrations (UNCITRAL) and in construction industry-specific arbitration rules such as the UK’s Construction Industry Model Arbitration Rules (CIMAR). For more than a decade, he has been recognised as a leading construction and engineering lawyer in international independent legal directories such as *Who’s Who Legal* and *Euromoney’s Guide to World’s Leading Experts* among others, in Beijing, Dubai and Singapore. Besides a law degree, he also possesses an MSc in Construction Management (Project Management).

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REGISTRATION CLOSING DATE: 17 April 2019	FEES (includes refreshments & materials, if any)
SCL (Singapore) Members	S\$35.00
Guests of SCL(S) Members, Members of international SCLs, Members of: Chartered Institute of Arbitrators (Singapore) Ltd (CIArb), Chartered Institute of Building (CIOB), Lighthouse Club (Singapore) (Lighthouse), Royal Institution of Chartered Surveyors (RICS), Singapore Contractors Association Ltd (SCAL), Singapore Institute of Architects (SIA), Singapore Institute of Arbitrators (SIArb), Singapore Institute of Building Ltd (SIBL), Singapore Institute of Surveyors and Valuers (SISV), Society of Project Managers (SPM), Tunneling and Underground Construction Society (Singapore) (TUCSS), Full Time Students & Faculty of NUS Faculty of Law, Marine Offshore Oil & Gas Association (MOOGAS)	S\$70.00
Others	S\$90.00

Please return the registration form below, together with your cheque, if applicable, made payable to **"Society of Construction Law (Singapore)", "Society of Construction Law (Singapore), 6 Eu Tong Sen Street, #05-07, Clarke Quay Central, Singapore 059817" or Fax to (65) 6225 9426.**

REGISTRATION, REFUND & CANCELLATION POLICY

1. Places are limited and can only be allocated in order of priority upon receipt of registration and any payment due.
2. We regret that we generally do not issue invoices or accept payments at the event.
3. Refunds for cancellation are not possible after the registration closing date.
4. We reserve the right to refuse to register or admit any participant, and to cancel or postpone the event.
5. I fully consent to the collection, use and disclosure of my personal data as appears in this form by SCL (Singapore) for the purposes set out on our website. Visit www.scl.org.sg to read our Personal Data Policy.

For further enquiries, please contact the SCL (SINGAPORE) SECRETARIAT
 Tel: 6551 2783 Fax: 6225 9426 E-mail: secretariat@scl.org.sg
 You may also register online for this event on our website at www.scl.org.sg

REGISTRATION FOR SCL (SINGAPORE) MEMBERS & THEIR GUESTS (Please use 1 form per Member)

Name: _____ NRIC/Passport No.: _____ SCL Membership No.: _____

Tel: _____ Fax: _____ E-mail: _____

I will be attending and I enclose my payment of \$35.00. (A valid email address is required for confirmation of registration.)

Check if CPD points are required AAS no. _____ (for practicing lawyers requiring SILE CPD points)

Please reserve _____ seats for my guests and I enclose payment of \$70.00 per guest. My guest(s) are:

Name(s)	Organisation	Check if CPD Points are required	AAS No.	Email

I enclose a cheque for SGD _____ made payable to "Society of Construction Law (Singapore)".

REGISTRATION FOR NON-SCL (SINGAPORE) MEMBERS (Please use 1 form per registrant.)

I am a: (Please select as appropriate.)

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 SCAL Mbr **SIA Mbr** **SIArb Mbr** **SIBL Mbr** **SISV Mbr** **SPM Mbr** **TUCSS Mbr**
 Full Time NUS Law Student/NUS Law Faculty **Others**

Name (Dr/Mr/Mrs/Miss/Mdm): _____

Name and Address of Organisation: _____

Position in Organisation: _____ NRIC/Passport No: _____

Membership No: _____ (Mandatory to process registration. Please check with your respective membership body.)

Check if CPD points are required AAS no. _____ (for practicing lawyers requiring SILE CPD points)

Tel: _____ Fax: _____ Email: _____
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I enclose a cheque for SGD _____ made payable to "Society of Construction Law (Singapore)"

SILE Attendance Policy

Participants who wish to obtain CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes signing in on arrival and signing out at the conclusion of the activity in the manner required by the organiser, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to <http://www.sileCPDcentre.sg> for more information.