

## Continuing Professional Development



Practice Area: Construction  
Training Level: Update  
CPD Points: 1.5 Public CPD  
Points



Seminar

- BOA-SIA – 3 CPD Points
- SI Arb – 2 CPD Points
- SISV – 1.5 CPD Points

## ANNUAL CONSTRUCTION LAW UPDATE 2014

Wednesday, 15 January 2014, 5.00 - 7.30pm  
STI Auditorium, Level 9, Capital Tower, 168 Robinson Road, Singapore 068912

### About this Seminar:-

Following on from the highly successful construction law updates seminar in January 2013, SCL (Singapore) is pleased to present its must-attend annual overview of key legal issues affecting the construction law industry in Singapore this past year, featuring distinguished speakers, Mr. Christopher Chuah and Mr. Chia Ho Choon:

- Ho Choon will discuss two recent High Court decisions:
  - (1) The dispute in Alliance Concrete Singapore Pte Ltd v Sato Kogyo (S) Pte Ltd [2013] SGHC 127 arose from the Indonesian sand ban of 2001, and raised issues of frustration and force majeure. The decision departed from a previous High Court decision and a Court of Appeal decision. Find out why at the seminar, at which the law on frustration and force majeure clauses will be discussed.
  - (2) York International Pte Ltd v Voltas Limi [2013] SGHC 124 involved an application for an injunction to restrain the Defendant from receiving payment on a performance bond. Can extrinsic evidence be relied on to construe the bond in order to determine whether the guarantee is conditional or unconditional? This, and the relevant law relating to performance bonds, will be discussed at the seminar.
- In the past year, several cases involving adjudication under the SOP regime were decided by the local courts. These cases have had significant impact on the operation of adjudications under the SOP regime. Christopher Chuah will deal with the recent court decisions affecting the SOP regime, and consider the approach that the Singapore courts have taken. He will also analyse the impact of these cases on the operation of the SOP regime in the local context. Notable decisions which will be touched upon include the Court of Appeal's decisions in Lee Wee Lick Terence (alias Li Weili Terence) v Chua Say Eng (formerly trading as Weng Fatt Construction Engineering) and another appeal [2012] SGCA 63; W Y Steel Construction Pte Ltd v Osko Pte Ltd [2013] SGCA 32 and the High Court decision in Admin Construction Pte Ltd v Vivaldi (S) Pte Ltd [2013] SGHC 95.

### Seminar Programme:-

5.00-5.30pm	Registrations & Networking for Delegates
5.30-5.45pm	<b>Opening Remarks by Chairman:</b> Mr. Darren Benger – Treasurer, Society of Construction Law (Singapore); Director, ATA Architects Pte Ltd
5.45-7.00pm	<b>Updates on Cases Relating to the Securities of Payment Act</b> Mr. Christopher Chuah – Partner, WongPartnership LLP <b>Recent Building &amp; Construction Cases</b> Mr. Chia Ho Choon – Partner, KhattarWong LLP
7.00-7.30pm	Q&A Session

### About the Speakers:-

#### Mr. Christopher Chuah - Partner, WongPartnership LLP

Christopher Chuah heads WongPartnership's Infrastructure, Construction & Engineering Practice and is a Partner in the China Practice. His main areas of practice encompass both front-end drafting/advice and construction disputes, both litigation and arbitration. He is a Fellow of the Singapore Institute of Arbitrators and Chartered Institute of Arbitrators, as well as the Chartered Institute of Building. He has also been appointed to the Singapore International Arbitration Centre's Main Panel of Arbitrators and is also on the Panel of Arbitrators of the Kuala Lumpur Regional Centre for Arbitration (KLRCA). Christopher is an accredited Adjudicator under the Building & Construction Industry Security of Payment Act (Cap 30B).

#### Mr. Chia Ho Choon - Partner, KhattarWong LLP

Chia Ho Choon is a partner in the Litigation & Dispute Resolution Department, and heads the Construction and Engineering Department of KhattarWong. He is also a member of the firm's International Arbitration Practice Group. Having more than two decades of experience in civil and commercial litigation, Ho Choon has acted for and advised developers, main contractors, subcontractors, architects, engineers, insurers, management corporations, subsidiary proprietors and suppliers in disputes involving construction contracts. Apart from construction and engineering law, his areas of practice include professional negligence, employment law, collective sales, landlord and tenant disputes, insolvency, contracts, torts and other areas of corporate and commercial law. He has been involved in trials in the High Court, appeals before the Court of Appeal, arbitrations, mediations and adjudications. Many of his cases have been reported in the Singapore Law Reports.

### About the Chairperson:-

#### Mr. Darren Benger - Treasurer, Society of Construction Law (Singapore) ; Director, ATA Architects Pte Ltd

Darren is an Architect, with a keen interest in construction law. He received his Bachelor of Architecture degree with First Class Honours from the University of Adelaide, Australia in 1995, and registered with the Board of Architects, Singapore in 2001. He resided in Singapore since 1996, and he is currently a Director of ATA Architects Pte Ltd. He is a Council member of the Society of Construction Law (Singapore), since 2010, and is serving as Honorary Treasurer in the 2012-2014 term. He is also involved in the Singapore Institute of Architects, including election to Council continuously from the 2007/08 term to current, and he has actively participated in various SIA committees, including the Alternative Dispute Resolution (ADR) Committee since 2008, chairing the ADR Committee from 2012 to current, and involvement in the Building Contracts Committee since 2007. Darren has contributed to the BOA/SIA Architectural Practice Course as a speaker/tutor since 2008, and to the building contracts module of the Architectural Practice course for the National University of Singapore - School of Architecture from 2009 to current. He is a Fellow member of the Singapore Institute of Arbitrators, and received the Graduate Certificate in International Arbitration from the National University of Singapore in 2008.

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<b>REGISTRATION CLOSING DATE: 8 January 2014</b>	<b>FEES</b> (includes refreshments & materials, if any)
<b>SCL (Singapore) Members</b>	<b>S\$35.00</b>
<b>Guests of SCL 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 Surveyors and Valuers (SISV), Tunneling and Underground Construction Society (Singapore) (TUCSS), Full Time Students &amp; Faculty of NUS Faculty of Law, Marine Offshore Oil &amp; Gas Association (MOOGAS)</b>	<b>S\$70.00</b>
<b>Others</b>	<b>S\$90.00</b>

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), Level 3, 146 Robinson Road, Singapore 068909" or Fax to (65) 31273797.**

**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.

For further enquiries, please contact the SCL (SINGAPORE) SECRETARIAT  
 Tel & Fax: 31273797 (no 6 prefix required) E-mail: [secretariat@scl.org.sg](mailto:secretariat@scl.org.sg)  
 You may also register online for this event on our website at [www.scl.org.sg](http://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.)

- SCL Mbr: \_\_\_\_\_ pls state branch  CIArb Mbr  CIOB Mbr  Lighthouse Mbr  MOOGAS Mbr  RICS Mbr
- SCAL Mbr  SIA Mbr  SIArb Mbr  SISV 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: \_\_\_\_\_

(A valid email address is required for confirmation of registration.)

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

**SILE Attendance Policy**

Participants who wish to claim CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. 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.org.sg/> for more information.