



Practice Area: Construction
 Training Level: Updates
 CPD points: 1.5 Public CPD
 Points



Seminar

Construction Law Update: Due Diligence Obligations in Construction Contracts

Thursday, 24 April 2014, 5.00 - 7.30pm

FTSE Room, Level 9, Capital Tower, 168 Robinson Road Singapore 068912

About this Seminar:-

The contractor's obligation to proceed with due diligence in his works is an important (but often overlooked) aspect in construction contracts. While it is tempting to assume that the contractor should ordinarily proceed regularly and diligently with his works, this does not necessarily hold true in every case.

Mr. Ian de Vaz will examine the relevant legal principles and discuss the implications of contracts in which insufficient care has been given to the wording of due diligence provisions. Some of the topics that will be discussed are:

- Is the contractor liable for failing to follow project timelines / schedules even though he manages to complete the project on time, and why should the employer be concerned in any event?
- What do usual terms like "due diligence", or "regularly and diligently" actually mean or connote?
- What are the consequences for an employer who does not impose due diligence obligations on the contractor?
- If the contract is silent, is the contractor still obliged at law to proceed with his works with due diligence?
- How can a contractor prevent the implication of due diligence obligations?
- How can an aggrieved employer prove the lack of due diligence by the contractor and what remedies might an employer pursue?

Seminar Programme:-

5.00-5.30pm	Registrations & Networking for Delegates
5.30-5.45pm	Opening Remarks by Chairperson Mr. Alex Wong – Partner, Hogan Lovells Lee & Lee
5.45-7.00pm	Construction Law Update: Due Diligence Obligations in Construction Contracts Mr. Ian de Vaz – Partner, WongPartnership LLP
7.00-7.30pm	Q&A Session facilitated by Chairperson

About the Speaker:-

Mr. Ian de Vaz - Partner, WongPartnership LLP

Ian de Vaz is a Partner in WongPartnership LLP's Infrastructure, Construction & Engineering and the Energy & Projects practice groups. He has an active practice in both contentious and non-contentious/front-end construction work. Ian has appeared as lead counsel in the Court of Appeal, High Court trials and many institutional arbitrations. In the area of projects and energy, Ian has been involved in a wide spectrum of headline-making deals, including Public Private Partnership projects for sporting facilities and education institutions, development of large petrochemical complexes, power plant, solar and clean energy work and water facilities infrastructure projects.

Ian graduated from the National University of Singapore and obtained his Master of Laws degree from University College London. He is admitted to the Singapore Bar and to the Roll of Solicitors of the Supreme Court of the Supreme Court of England & Wales. He is also an accredited Adjudicator appointed under the Building and Construction Industry Security of Payment Act (Cap 30B).

Outside of professional practice, Ian serves as Adjunct Associate Professor in the Faculty of Law at the National University of Singapore, where he teaches Construction Law. He has also been commended for his contributions to various leading construction law texts in Singapore.

About the Chairperson:-

Mr. Alex Wong - Partner, Hogan Lovells Lee & Lee

Alex Wong is a partner in Hogan Lovells Lee & Lee with considerable experience advising public and private sector clients on infrastructure projects across major industry sectors including energy, water, waste, transport and natural resources in Asia. Highly regarded as a leading legal practitioner in the ASEAN region for infrastructure and construction, Alex has garnered plaudits for his work from leading independent legal directories such as Asia Pacific Legal 500 and IFLR1000. His representative experience includes advising:

- The Singapore Sports Council as procuring government authority on the Sports Hub Project, the multi-billion dollar redevelopment of Singapore's National Stadium on a PPP basis, the flagship project under the Singapore government's PPP initiative and the world's largest sports infrastructure PPP project. This deal achieved financial close in August 2010 and has subsequently garnered many international PPP and project finance awards, including the prestigious Project Finance Magazine's Global Deal of the Year 2010.
- Mitsubishi Corporation on its bid as EPC contractor in the Panama Canal (Third set of locks) expansion project.
- Marubeni Corporation as the EPC contractor on the engineering, procurement and construction of Singapore's first biomass and clean coal regeneration plant in Tembusu, Singapore.
- The project sponsors in Mongolia on all aspects of the Ukhua Khudag-Gashuun Sukhait railway project including the railway construction packages.
- Sojitz Corporation on construction contracts and arrangements in relation to the Western Dedicated Freight Corridor freight railway which will link Delhi and Mumbai.
- PT Medco Energi Internasional Tbk. on the development of the Donggi-Senoro LNG project, including advising on the EPC contract for the liquefaction plant.
- A project sponsor on the construction of the Baram 1 and Baleh mega hydro power projects in Sarawak, Malaysia.
- Sojitz Corporation on the development and construction of the Thai Binh 2 coal-fired thermal power project in Vietnam (using supercritical technology) utilising export financing from both K Exim and JBIC.



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REGISTRATION CLOSING DATE: 17 April 2014	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 Surveyors and Valuers (SISV), 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)"**, 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. When registering, please make a specific request for an invoice if required.
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
 You may also [register online](http://www.scl.org.sg) 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(S) 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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 Others

Name (Dr/Mr/Mrs/Miss/Mdm): _____
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 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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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.sg/> for more information.