



# SCLHK ONE DAY INTERNATIONAL CONFERENCE 2021

## SOCIETY OF CONSTRUCTION LAW HONG KONG

SCLHK is pleased to invite you to its 2021 One Day International Conference

**Please also note that in light of the social distancing measures imposed by the Government, two-thirds of attendees are required to be vaccinated and the SCLHK reserves the right to decline entry to anyone who is not vaccinated.**

### DATE AND TIME

Friday 12 November 2021 at 9:00am (with registration from 8:30am)

### VENUE

Hong Kong Football Club, 3 Sports Road, Happy Valley, Hong Kong

### THE CONFERENCE

The theme for this year's conference is **Hong Kong Tomorrow – Opportunities and Challenges for Future Projects**.

Over the past few years, Hong Kong has experienced remarkable events which have played a major role in shaping the landscape of our construction industry. From the global pandemic to the various mega projects spearheaded by the Government, and the proposed implementation of security of payment into public works contracts, this year's conference will explore issues arising from these impending changes, and how each and every construction practitioner can better prepare, and be prepared, to cope with the changes.

We are delighted to announce that Mr Ricky Lau Chun-kit, Permanent Secretary for Development (Works), Development Bureau of the HKSAR, will be our Keynote Speaker.

### PROGRAMME

#### COCKTAIL RECEPTION

Wednesday 10 November 2021, China Club, Central from 6:30pm to 9:30pm

#### CONFERENCE (Friday 12 November 2021)

**Keynote Address – Mr Ricky Lau Chun-kit, Permanent Secretary for Development (Works), Development Bureau of the HKSAR**

##### Morning Session 1

#### **Construction 2.0 – Project governance issues in previous infrastructure projects, lessons learnt and what can be done for future projects?**

In recent years, the Hong Kong construction industry has witnessed a series of incidents concerning high profile projects, giving rise to issues such as commissioning delays, site safety and construction delivery quality. The Government has been advocating "Construction 2.0", with various measures to ensure the overall productivity, quality, safety and environmental performance of the industry which have given rise to changes to the corresponding contractual arrangements, health and safety legislation reform. What are the risks arising and how they can be addressed?

Panellists include Mr Kaiser Leung, Des Voeux Chambers; Mr Channi Matharu, Airport Authority; Mr Boyd Merrett, Chun Wo Construction; Mr Paul Shieh SC, Temple Chambers; Mr James Niehorster, Pacific Chambers.

##### Morning Session 2

#### **Common contractual issues in main contracts and sub-contracts and how they can be mitigated in future projects**

A review and discussion of:

- The implications brought about by the Government's adoption of the New Engineering Contracts, and what potential risks that every party should be aware of?
- Allocation and assessment of potential risk – what are the respective contractual arrangements that could be implemented by employers / consultants / contractors in addressing these risks?
- How contractors should deal with these risks in their sub-contracts?
- How design liabilities should be distributed between the employer, consultants and contractors?

Panellists include Mr Andrew Goddard QC, Atkin Chambers; Mr Mohammed Talib, Pinsent Masons; Ms Wanjing Goh, Bryan Cave Leighton Paisner; Mr Julian Cohen, Resolution Chambers; Mr Paul Kimberley, Leighton Asia.

### Joint Sponsors

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## Afternoon Session 3

### **Security of payment and adjudication – Proposed scheme in HK and some practical guidance on Adjudication from other jurisdictions**

A review and discussion of the experience of how adjudication has affected the construction industry in Australia, United Kingdom, Singapore, and a discussion on the ramifications of the Hong Kong Government's upcoming implementation of security of payment provisions into public works contracts.

Panellists include Mr Wayne Martin AC QC, 39 Essex Chambers; Mr Jeremy Nicholson QC, 4 Pump Court, Mr Peter Clayton, Leeds Beckett University; Mr Ng Kim Beng, Rajah & Tann; Ms Serene Hiew, HLP Lawyers.

## Afternoon Session 4

### **Risks and opportunities facing future projects**

A review and discussion of the risks and opportunities contractors (locally or abroad) may face in light of the global changes, trends and directions of the Government, including:

- Impact of the global pandemic on contractors and the industry and what it means going forward;
- The Greater Bay Area development – what are the potential opportunities for the Hong Kong construction sector? What are the risks and difficulties in these projects and what are the implications when the two different legal systems interface with each other;
- With the expected high volume of construction works from these mega projects, what are the potential risks arising in terms of resources (materials/labour), and whether they can be addressed by corresponding contractual arrangements (for example, in light of the recent court decisions on pre-bid agreements);
- Whether any amendments to the current legislation will be required in order to facilitate the upcoming projects and what are the risks that are brought about;
- Maintaining sustainability and making use of collaborative working to engage stakeholders digitally, in times of restricted movement arising out of the global pandemic and what it means going forward

Panellists include Mr David Thomas QC, Keating Chambers; Mr Tom Fu, Mayer Brown; Dr Ann Kerr, Mott MacDonald; Mr Michael Camerlengo, KPMG China; Mr Roger Bayliss, MTR Corporation.

## Supporting Organisations

- The Hong Kong Institute of Surveyors
- City University of Hong Kong, Department of Architecture and Civil Engineering
- Chartered Institute of Building
- Hong Kong Institute of Construction Adjudicators
- Lighthouse Club Hong Kong
- International Chamber of Commerce Hong Kong
- The Law Society of Hong Kong
- Hong Kong International Arbitration Centre
- The Academy of Experts
- The University of Hong Kong - Faculty of Law

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**Hong Kong Football Club, 3 Sports Road, Happy Valley, Hong Kong**  
**Friday 12 November 2021**

## Registration Fees

	<b>Rates (per ticket)</b>	
	Early Bird	Regular
• SCLHK members:	HK\$2,200	HK\$2,550
• Members of supporting organisations:	HK\$2,400	HK\$2,650
• Non-members:	HK\$2,650	HK\$2,850

Discounts are also available for multiple tickets for non-members booked as a group:

• 5-9 tickets:	HK\$2,400	HK\$2,650
• 10+ tickets:	HK\$2,200	HK\$2,450

- Early bird rates apply for tickets booked and paid for in full on or before Friday, **29 October 2021**.
- All rates include conference materials, lunch and refreshments throughout the day.
- Lawyers please note that CPD accreditation will be applied for from the Law Society of Hong Kong.
- Priority will be given to members, thereafter places will be allocated on a “first come, first served” basis.

Please register by returning the registration application slip below with your cheque to the address noted.

## Special SCLHK Membership Offer

We are pleased to announce that attendees of this year's Conference can apply for a special SCLHK membership deal.

For HK\$1250 you will receive the inclusive membership package for the 2022/2023 session and we will include the balance of the 2021/2022 session. We will also waive the joining fee.

The inclusive membership package covers entrance to all of our evening talks during the periods mentioned above.

This offer is valid until 18 December 2021.

## REGISTRATION FORM

Name \_\_\_\_\_

Please reserve tickets for the following:

\_\_\_\_\_ SCLHK members; \_\_\_\_\_ Members of Supporting Organisations; \_\_\_\_\_ Non-members

Early Bird (on or before Friday, **29 October 2021**)

I enclose a cheque for HK\$ \_\_\_\_\_ payable to “Society of Construction Law Hong Kong”

I have received  0 dose /  1 dose /  2 doses of Covid -19 vaccination(s).

My address is \_\_\_\_\_

\_\_\_\_\_

Tel (daytime) \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

More information at [www.scl.hk/meetings.php](http://www.scl.hk/meetings.php)

Please register by sending form by fax to +852 2524 2171 or  
by email to [admin@scl.hk](mailto:admin@scl.hk) or

post Society of Construction Law Hong Kong, 38/F, Two Exchange Square, Central, Hong Kong