



Department of Building,
School of Design and Environment

International Adjudication Seminar

Monday, 19 September 2005, 8.30 am - 1.00 pm

Venue: LR427, SDE3, School of Design & Environment, NUS

SEMINAR OVERVIEW

The Singapore Building and Construction Security of Payments Act 2004 came into operation on 1st April 2005. It copied the New South Wales Act of the same name. New Zealand also has its own security of payment Act. The idea of such an Act came from the UK where the concept of security of payment and the accompanying dispute resolution method of statutory adjudication was first introduced in the Housing Grants, Construction and Regeneration Act 1996.

This international adjudication seminar draws from the experience of an English solicitor, Nicholas Gould, a partner with Fenwick Elliott, who will give his view on adjudication strategy under the 1996 Act which has been in operation for close to ten years. The seminar audience will also hear from Tómas Kennedy-Grant QC who has acted as adjudicator under the New Zealand Construction Contracts Act 2002. He will comment on the use of documents in an adjudication.

The last speaker is George Tan of ChanTan LLC who is the lead author in the Building and Construction section of Volume 2 of the Halsbury's Laws of Singapore. He will explain whether and to what extent, if any, that there is a shift in the role and duty of the certifier of interim payments in the light of the provisions of the 2004 Act given that there is now a scheme of payment prescribed by statute which may co-exist with the contractual scheme of payment.

PROGRAMME

8.30 am	Registration
9.00 am	Opening
9.05 am	Adjudication Strategy – A UK Lawyer's View by Mr Nicholas Gould
10.05 am	Refreshment Break
10.35 am	Documents Needed for an Effective Adjudication – A View from an NZ Adjudicator by Mr Tómas Kennedy-Grant QC
11.35 am	The Certifier's Role in Post Enactment of the Security of Payment (SOP) Act in Singapore by Mr George Tan
12.35 pm	Q&A
1.00 pm	End

WHO SHOULD ATTEND

It is intended that all who may be affected by the Act, whether as claimants or respondents in a statutory adjudication, will benefit from the experience of the practice in UK and New Zealand. It is also intended to bring awareness to all certifiers of interim payment in respect of their role under the 2004 Act. All others who help in the preparation of the adjudication, whether lawyers or claim consultants or in-house help, may also benefit from the experience of the speakers.

Supported by Singapore Institute of Arbitrators (SIArb) and the Law Society of Singapore.

This seminar has been accredited by the Professional Engineers Board Singapore (4 PDUs) and the BOA/SIA CPD Programme (3 CPD points).

SPEAKERS' PROFILE

MR NICHOLAS GOULD became Senior Research Fellow at the Centre of Construction Law & Management in 1999; he is a partner in the London law firm Fenwick Elliott LLP. He worked in the construction industry for eight years before spending four years at the University of Westminster as Senior Lecturer, where he began the research that resulted in the co-authored book *Dispute Resolution in the Construction Industry* (1999). He trained as a solicitor at Masons, was in the construction group at Forsters and is also a CEDR accredited mediator. He plays an active role in the Junior Committee of the Society of Construction Law and in the Adjudication Society in the UK.

MR TÓMAS KENNEDY-GRANT QC practises as a mediator, arbitrator, adjudicator and legal adviser. He has a law degree from Oxford University and is a member of the English and New Zealand Bars. He is a citizen of New Zealand and of the United Kingdom.

Starting in 1964, he has 40 years' experience as a lawyer, in particular in the fields of civil and commercial law and construction law. For 10 years (1992-2002) he was a Master of the High Court of New Zealand. He has had a long-time interest in arbitration, mediation and other forms of alternative dispute resolution.

Since 1988 he has had frequent appointments as arbitrator both internationally and within New Zealand (58 appointments since returning to practice in 2002). During his term as a judicial officer he conducted over 80 judicial settlement conferences, using mediation techniques. He has had nearly 40 appointments as a mediator since returning to practice.

He is the author of *Construction Law in New Zealand* (1999) and co-author of *A guide to the Construction Contracts Act* (2003). He is the inaugural President of the Society of Construction Law New Zealand Inc and is an overseas member of the Society of Construction Arbitrators (U.K.).

SPEAKERS' PROFILE

MR GEORGE TAN is an advocate and solicitor of the Supreme Court of Singapore and holds an LLB (Hons). He is a Fellow of both the Chartered Institute of Arbitrators (UK) and the Singapore Institute of Arbitrators (SIArb). Currently, he is a member of the National ADR Advisory Committee as well as the Chairperson of the Law Society's ADR Committee. From 1996 to 2002, he was a member of the Standing Committee, Commission on Post-Construction Liability of the International Council for Research and Innovation in Building and Construction (CIB). He is also the Legal Advisor to the Singapore Contractors' Association Limited. He is an accredited panel member of arbitrators with the Singapore International Arbitration Centre (SIAC) and an arbitrator on the Dispute and Compensation Resolution Panel, National Electricity Market of Singapore.

Mr Tan has made four important contributions to the field of knowledge of Construction Law in Singapore as a co-author of the legal publications in Singapore including the *Halsbury's Laws of Singapore*, Volume 2, Building and Construction Section and *Construction Law in Singapore and Malaysia*. These are useful reference books for both practitioners (legal and construction) and students. He also contributes to the *Annual Review of Building and Construction Law* published by the Singapore Academy of Law.

SEMINAR CHAIRPERSON

DR PHILIP CHAN is an Associate Professor with the National University of Singapore. He is the Deputy Head (Finance & Administration) of the Department of Building, School of Design & Environment, and the Programme Director of the KCL-NUS MSc (Construction Law & Arbitration) programme.

SEMINAR FEE AND REGISTRATION

Students: S\$20

NUS alumni: S\$80

Members of Singapore Institute of Arbitrators: S\$80

Members of the Law Society of Singapore: S\$80

Others: S\$100

Closing date for registration: **16 September 2005**

Click here to register [online](#).

Click here for the [pdf format](#).

For directions to the seminar venue, please refer to our [campus map](#).

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