



Along Clementi Road: Bus nos. 33, 96, 96A, 188  
 Along Kent Ridge Crescent: Bus nos. 95, 96, 96A, 151

Organised by



Department of Building  
 School of Design and Environment  
 National University of Singapore

*Seminar*  
 On

# Dealing with Termination and Arbitration in Bad Times

**Saturday, 1 March 2003**  
**9.00 am to 1.00 pm**

**Venue:**  
**LR 423**  
**School of Design and Environment**  
**National University of Singapore**  
**4 Architecture Drive**

## ***Seminar on Dealing with Termination and Arbitration in Bad Times, 1 March 2003***

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### **About the Seminar**

While parties look towards the completion of a project, there are provisions for termination in a standard form of building contract. The termination clause is not to be used freely as a means to have a replacement contract which is almost always more expensive and is definitely very disruptive. Paper I examines the rights of termination and the related consequential problems of termination including possession of site, the use of the contractor's materials, plant and equipment and the financial accounting between the parties.

Disputes may either be avoided or managed or, inevitably they must be resolved. The usual agreed form of dispute resolution in a building contract is arbitration. Not all disputes may be brought to, nor suitable for, arbitration. The arbitration clause is examined in Paper II in respect of disputes involving the choice of a suitable arbitrator, the scope of disputes referable to arbitration, particularly "back-to-back" provisions of the main and sub-contract, and the effective and efficient conduct of the arbitration.

**Who Should Attend:** The seminar is of interest to the parties to the building contract and sub-contracts, ie developers, contractors and sub-contractors, because their rights and obligations under the building contract will be discussed. The seminar is also of interest to the consultant in-charge, ie the Architect or Superintending Officer, who is usually called upon to determine whether the contract is to be terminated; the other consultants including project managers, architects, engineers and quantity surveyors because they would inevitably be involved in the consequences of termination and in preparation of any dispute.

### **Seminar Programme**

8.30 am	Registration
9.00 am	Opening
9.10 am	Paper I: Termination and Its Consequence

10.10 am	Refreshment Break
10.40 am	Paper II: Resolving Disputes through Arbitration
11.40 am	Q & A
12.00 noon	End

### **About the Speaker**

Philip Chan is an Associate Professor with the Department of Building, School of Design and Environment, National University of Singapore. He also practises under the law firm of Messrs Philip CF Chan. Dr Chan is the former Executive Director and Registrar of the Singapore International Arbitration Centre and is a practising arbitrator. He has been invited by several public and private organisations to give talks and carry out in-house training on matters of construction law including the use of standard form of building contracts and arbitration. He currently sits on the Board of Directors of KLW Holdings, a public listed company that specialises in wood products, as an independent director.

He had graduated with a Diploma in Building from the Singapore Polytechnic in 1976 and worked in the construction industry. He went on to obtain his LLB and LLM from the University of London. Recently, he completed his PhD under the supervision of Duncan Wallace QC. The title of his thesis is "The Development of Construction Law in Singapore".

His research interest, publication and practice are in the areas of construction law and arbitration. The *International Construction Law Review* has published several of his papers. He has co-written three books. They are Halsbury's Laws of Singapore Volume 2 in the Building and Construction section, the Public Sector Standard Conditions of Contract: A Commentary; and the Construction Law Casebook. On his own, he has written the Commonwealth Construction Cases: A Singapore Perspective.

*Disclaimer: The organiser reserves the right to cancel or postpone the event due to unforeseen circumstances.*

## **REGISTRATION FORM**

**Yes!** Please register me for the seminar on *Dealing with Termination and Arbitration in Bad Times* on 1 March 2003.

Title: Prof/Dr/Er/Mr/Mdm/Ms

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

Cheque No.: \_\_\_\_\_

Amount: \$ \_\_\_\_\_ (@S\$50.00 per participant) payable to **National University of Singapore**.

### **Seminar Fee:**

S\$50 (inclusive of GST) per participant. Cancellations must be made in writing **before 27 February 2003**. Thereafter, no refunds will be provided. However, substitutions are allowed.

**Closing date: 24 February 2003**

Please send the completed registration form together with your payment to:

Ms Chelvi  
Department of Building  
National University of Singapore  
4 Architecture Drive  
Singapore 117566

For further information you can contact Chelvi at email: [bdgtp@nus.edu.sg](mailto:bdgtp@nus.edu.sg), Tel: 6874 5150, Fax: 6775 5502.