



ATKIN CHAMBERS ON:

(1) **DELAY ANALYSIS, CONCURRENCY AND THE CONTRACTUAL ALLOCATION OF RISK**  
(2) **IMMUNITY OF EXPERT WITNESSES?**

*STI Auditorium, 9th level, Capital Tower, 168 Robinson Road, Singapore  
Wednesday, 4 March 2009, 5.30-7.30pm*

#### **About this Seminar:-**

SCL (Singapore) is pleased to present this evening seminar featuring 2 distinguished speakers from Atkin Chambers on the following topics:

##### Delay analysis, concurrency and the contractual allocation of risk (Mr. Stephen Dennison QC)

In the context of concurrent delay how, if at all, do legal tests of causation assist in resolving disputes as to the responsibility for the delay? In the law of contract is it, or may it be appropriate, to allocate responsibility for delay by apportioning a given period of delay by making judgments as to the degree of responsibility of those whose acts or omissions have contributed to the delay? In such circumstances can analogies be drawn with tort law and the concept of contributory negligence?

- Delay in completion of engineering and construction projects
- Events operating so as to cause concurrent periods of delay
- The usefulness of the legal tests of causation
- The value of the traditional methods of delay analysis
- Contractual allocation of risk
- Contributory negligence

##### Nothing to fear but fear itself. Is it time to reconsider the immunity of expert witnesses? (Mr. David Sears QC)

- To be conferred 'only where it is absolutely necessary to do so' - the nature and extent of the immunity granted to expert witnesses
- 'Strains and tensions of alarm and fear' - the policy considerations underlying the immunity
- The position of experts contrasted with advocates – why should there be any difference?
- Whether the immunity should be more limited than it is at present, or even removed.
- Signs that the times they may be a-changing.

#### **Seminar Programme:-**

5.30-5.45pm	Registrations & Refreshments
5.45-5.50pm	Opening Remarks - <i>Mr. Mohan Pillay - Chairman, SCL Singapore</i>
5.50-6.30pm	Delay analysis, concurrency and the contractual allocation of risk - <i>Mr. Stephen Dennison QC</i>
6.30-6.50pm	<i>Networking Break</i>
6.50-7.30pm	Nothing to fear but fear itself. Is it time to reconsider the immunity of expert witnesses? - <i>Mr. David Sears QC</i>
7.30-7.45pm	Panel Discussion & Q&A Session

#### **About the Speakers:-**

##### ***Mr. Stephen Dennison QC***

Stephen Dennison QC is a member of Atkin Chambers. He was called to the Bar in 1985 and appointed a silk in 2001. He is a leading specialist in the construction and engineering, energy and utilities, and the transport sectors together with related areas such as public procurement of infrastructure projects and insurance. He has conducted numerous substantial and complex cases in the High court and in international and domestic arbitration, having extensive experience in the ICC, LCIA and SIAC rules. Much of the work undertaken in recent years is international and Stephen has been involved in substantial projects in Europe, Russia, Hong Kong, Singapore, the Philippines, Korea and the Middle East.

In addition to his experience as an Advocate, Stephen has also been appointed as an Adjudicator and also as an Expert. Stephen has been recognised for many years by the leading directories, Chambers and the Partners Guide to the Legal Profession (UK and Global) and The Legal 500 as a leading silk in the fields of construction, professional negligence and information technology.

##### ***Mr. David Sears QC***

David Sears QC is a member of Atkin Chambers. He was called to the Bar in 1983 and appointed a silk in 2003. He is regularly instructed to act on behalf of employers and contractors in large construction and engineering disputes in litigation and arbitration proceedings, both domestic and international. He is also regularly instructed to act in related professional negligence claims, acting for and against all construction professionals including architects, engineers and quantity surveyors.

He has represented governments and contractors on disputes relating to road, rail and tunnel building projects and infrastructures and has wide experience acting for employers and contractors on disputes arising out of the design and construction of, among others, pipelines, power process and waste water treatment plants.

He is an accredited Adjudicator and Mediator and is qualified to undertake public access work. David has been recognised for many years by the leading directories, Chambers and the Partners Guide to the Legal Profession (UK) and The Legal 500 as a leading silk in the fields of construction and professional negligence.



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REGISTRATION CLOSING DATE: <u>25 February 2009</u>	FEES (includes refreshments & materials, if any)
<b>SCL (Singapore) Members</b>	<b>S\$35.00</b>
<b>Guests of SCL Members, Members of SCL (Malaysia), Members of SCL (UK), Chartered Institute of Building (CIOB), Institute of Engineers Singapore (IES), Institution of Structural Engineers (Singapore Division), Law Society of Singapore, Lighthouse Club Singapore, Singapore Contractors Association Ltd (SCAL), Singapore Institute of Architects (SIA), Singapore Institute of Arbitrators (SIArb), Singapore Institute of Planners (SIP), Singapore Institute of Surveyors and Valuers (SISV)</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)", "3 Raffles Place #07-01 Bharat Building S048617" or **Fax to (65) 63299699**.

**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 SECRETARIAT**

**Tel: 31273797 (no 6 prefix required) Fax: (65) 63299699 E-mail: [secretariat@scl.org.sg](mailto:secretariat@scl.org.sg) Website: [www.scl.org.sg](http://www.scl.org.sg)**

**REGISTRATION FOR SCL MEMBERS & THEIR GUESTS**

*Please use 1 form per SCL 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.)*

Please reserve \_\_\_\_\_ seats for my guests and I enclose payment of \$70.00 per guest. My guest(s) are:

Name(s)	Organisation	Email

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

**REGISTRATION FOR NON-SCL MEMBERS**

*Please use 1 form per registrant.*

**I am a:** *(Please select as appropriate.)*

**SCL (Malaysia) Mbr**  **SCL (UK) Mbr**  **CIOB Mbr**  **IES Mbr**  **IStructE Mbr**  **Law Society Mbr**   
**Lighthouse Mbr**  **SCAL Mbr**  **SIA Mbr**  **SIArb Mbr**  **SIP Mbr**  **SISV Mbr**  **Other**

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.)*

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)".