

BUILDING AND CONSTRUCTION FORUM: NEW LAW, NEW DISPUTES, NEW CLAIMS

THURSDAY, 7 MARCH 2019 | 9.00AM TO 5.15PM

UNSW CBD Campus, 1 O'Connell Street, Sydney

\$870

Today's construction industry brings with it a range of complex matters that require your attention. From the significant impact of new safety and defect legislation, the new ipso facto regime and its game-changing implications, and the key trends and developments in disputes and claims, there's a lot that your clients will expect you to be fully across. Gain the latest information and the tactical strategies you'll need to prevent disputes before they arise or successfully deal with them when they do.

SESSION 1: Building & Construction Disputes and Litigation

9.00AM - 1.15PM

193N06A

\$490

Chair: **Vera Culkoff**, Barrister, Second Floor Selborne Chambers

Latest Cases and Trends and the Impact on Your Practice

Start 2019 by being across the very latest developments in building and construction law.

Presented by **Melissa Fisher**, Barrister, 9 Wentworth Chambers

Defects Update: Defect Bond Scheme, the Ban on Combustible Cladding and Damages

- Compliance with the Defect Bond Scheme (NSW) and how the market is dealing with it
- New ban on combustible cladding in NSW
- Damages and pure economic loss considerations
- Managing the risk of latent defects

Presented by **Emanuel Confos**, Partner and **Harriet Oldmeadow**, Senior Associate, Norton Rose Fulbright

Delay and Disruption

Claims for delay or disruption are a perennial source of conflict in building and construction projects, whether pressing or resisting such claims. Consider the legal basis for such claims together with the practical aspects of preparing and proving such claims.

Presented by **Mark Williams**, Barrister, Level 18 Chambers

Work Orders in Building Disputes

- Powers and obligations of courts and tribunals
- Practical issues in drafting work orders
- Enforcement of work orders

Presented by **Tom Davie**, Barrister, Queen's Square Chambers; author, *Annotated Home Building Act*, *Prospect Media* and co-author, *Understanding Construction Law*, LexisNexis

Fitness for Purpose

- Potential liability of builders vis-à-vis, for example, inadequate bolts
- Potential liability of manufacturers/deemed importers of bolts
- The inter-relationship between any fault with, for example, a bolt and the responsibility/liability of the head contractor and the design engineer

Presented by **Matthew Smith**, Special Counsel, Clyde & Co

SESSION 2: Risk Management and Legal Skills

2.00PM - 5.15PM

193N06B

\$490

Chair: **Peter Callaghan SC**, Nigel Bowen Chambers

Managing the Challenges in Project Procurement

- Scoping your role & the overlap with legal & technical documents
- When to use early contractor arrangements
- Getting the best from consultants and project managers
- Using site and background information in pricing and risk allocation
- Drafting letters of intent to ensure certainty

Presented by **Sonya Kroon**, Partner, HWL Ebsworth; Accredited Specialist in Commercial Litigation; Recommended Construction & Infrastructure Litigation Lawyer, *Doyle's Guide 2017*

The Australian Consumer Law and Construction Claims: Are They Last Resort Claims?

- The rise of claims for misleading or deceptive conduct and unconscionable conduct in construction disputes
- Are these claims of last resort or are they starting to become mainstream?
- What role if any do the provisions for unfair contract terms have to play?

Presented by **Laina Chan**, Barrister, 2 Selborne Chambers; Member of Melbourne TEC Chambers and Director and Secretary of the Society of Construction Law Australia

Insolvency in Building and Construction and the New Ipso Facto Regime

- What to do if your subcontractor becomes insolvent
- Ipso facto rules and exceptions: the new regime
- Set-off following insolvency and implications of *Hammersley v Forge*
- Availability of Security of Payment adjudications following *Seymour Whyte v Ostwald*
- Security of Payment reforms on the horizon
- Drafting and other tips

Presented by **Lina Fischer**, Partner; *Best Lawyers 2019*, Construction/Infrastructure Law; Recommended Front End Construction & Infrastructure Lawyer, *Doyle's Guide 2018* and **Jack Fan**, Special Counsel, Clayton Utz

7 ATTEND THE FULL DAY AND EARN 7 CPD HOURS

6 CPD units in Substantive Law
1 CPD unit Professional Skills

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**5 SIMPLE WAYS
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VENUE: UNSW CBD Campus, Level 6/ 1 O'Connell Street, Sydney

DATE: Thursday, 7 March 2019

EARN: 7 CPD HOURS for the full day

***SoCLA Member Offer**

Members are entitled to the early bird rate until the date of the conference, please call or email us.

SEMINAR NAME	Code	Standard Price	Early Bird*	Face to Face	Live Online	Recording
Building and Construction Forum: New Law, New Disputes, New Claims	193N06	\$870	\$770	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Session 1: Building & Construction Disputes & Litigation	193N06A	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Session 2: Risk Management and Legal Skills	193N06B	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Title First name

Last name

Email

Job title

Organisation

Postal address

City

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Dietary Requirements

PAYMENT

All price inc GST. This document will be a tax invoice for GST when fully completed and you make a payment that is under \$1000. Please take a copy for your records. ALL registrations must be paid in full prior to the date of the event.

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