

Continuing Professional Development



Practice Area: Building & Construction
Training Level: General
Public CPD Points: 1.5



The Dog Ate My Homework:

Adverse weather, governmental delay, illegal performance, "outbreak" and other excuses

Friday, 12 April 2024, 5.00 – 7.30pm (Singapore time, GMT+8)
MND Building Annexe A - Function Room, 9 Maxwell Rd, Singapore 069112

About this Seminar

This is Not Another Covid-19 Force Majeure Talk.

Join us for a seminar where our speakers Kelvin and Joanna discuss the law behind commonly-seen excuses for not performing the contract.

They will discuss clauses which allow the contractor to escape the consequences of not carrying out the contract, including the implications of extensions of time and force majeure clauses and frustration. They will delve into issues such as when is weather "exceptionally" adverse, when is government delay a ground for EOT and who is the "governmental authority", when do illegal acts justify non-performance, and when does a disease become an "outbreak"—things and factors often encountered in construction projects which have the potential to significantly impact the progress of works.

This seminar, which will address issues faced by employers, contractors, consultants, and other professionals, comes at an opportune time, given the increasingly complex and challenging world that we live in. Gain insights into navigating contractual complexities and mitigating risks associated with these challenges.

Seminar Programme

5.00 – 5.30pm	Registrations & Refreshments for Delegates
5.30 - 5.40pm	Opening Remarks by Chairperson <i>Mr. Ashok Kumar Rai – Associate Director, Cairnhill Law LLC; Council Member, Society of Construction Law (Singapore)</i>
5.40 – 6.40pm	Panel Discussion: "The Dog Ate My Homework: Adverse weather, governmental delay, illegal performance, "outbreak" and other excuses" <i>Ms. Joanna Seetoh – Partner, Harry Elias Partnership LLP; Council Member, Society of Construction Law (Singapore)</i> <i>Mr. Kelvin Teo – Director, Drew & Napier LLC; Assistant Honorary Treasurer, Society of Construction Law (Singapore)</i>
6.40 – 7.10pm	Q&A session
7.10 - 7.30pm	Networking Buffet

About the Speakers

Ms. Joanna Seetoh – Partner, Harry Elias Partnership LLP; Council Member, Society of Construction Law (Singapore)



Joanna has 16 years of experience in disputes and advisory work in the construction and infrastructure sector. She is accredited as a Fellow of the Singapore Institute of Arbitrators, as well as an Accredited Specialist in Building and Construction Law by the Singapore Academy of Law. Joanna has extensive experience as lead counsel in arbitrations seated both locally in Singapore and internationally representing major contractors in large-scale infrastructure disputes across a wide range of jurisdictions and sectors. Having practiced in both Singapore and Hong Kong, Joanna frequently advises and represents clients as lead counsel in a variety of disputes, including rail and metro, power and solar plants, mining, integrated resorts, and commercial and residential building projects across Singapore, Hong Kong, Malaysia, India, Indonesia, the Philippines, Australia and South Africa. Joanna is ranked as a Future Star in Construction by Benchmark Litigation Asia Pacific, by Asialaw as a Notable Practitioner in Construction, and as one of the Singapore Business Review's Most Influential Lawyers under 40. She is also a contributor to the leading construction law text in Singapore, The Law and Practice of Construction Contracts (2018, 5th Edition).

Mr. Kelvin Teo – Director, Drew & Napier LLC; Assistant Honorary Treasurer, Society of Construction Law (Singapore)



Kelvin specialises in resolving complicated infrastructure, energy and resource disputes. Kelvin's practice focuses on renewable energy projects and sustainability. His sector expertise covers a variety of renewable projects such as solar, offshore wind, hydropower and geothermal projects. Kelvin's experience also covers nuclear power plants, refineries, mines, railways and expressways; civil works such as buildings, factories, soil remediation and foundation works, and even giant Ferris wheels. His practice includes advising on documentation for such projects. He has advised parties and projects in Singapore, France, Korea, Greater China, Taiwan, Middle East, Mongolia, Taiwan, Italy, Laos, Philippines, Indonesia, Malaysia, Thailand, Vietnam, US, Italy, and India, amongst others. Kelvin is a Fellow of the Singapore Institute of Arbitrators and sits as an arbitrator, and has recently been recognised as a leading arbitration practitioner in The Legal 500 Arbitration Powerlist: Southeast Asia. He enjoys carrying out advocacy across the entire spectrum of dispute resolution - arbitration, adjudication, mediation, expert determination and evaluation, and litigation, both within and out of Singapore. Kelvin has been recognised by a number of legal directories for his expertise in construction and arbitration. He is also a thought-leader on construction law and arbitration practice issues and sits on a number of professional bodies and panels.

About the Chairperson

Mr. Ashok Kumar Rai – Associate Director, Cairnhill Law LLC; Council Member, Society of Construction Law (Singapore)



Ashok is a seasoned construction litigator and qualified arbitrator. He has represented a wide spectrum of clients in the construction industry – from developers to main contractors and consultants. Ashok's experience includes acting as lead counsel at all levels of the Singapore courts, and in arbitrations under the ICC and SIAC rules and adjudications conducted under the Building and Construction Industry Security of Payment Act. Ashok is a Fellow of the Singapore Institute of Arbitrators and is currently serving in the Council of the Singapore chapter of the Society of Construction Law.



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REGISTRATION CLOSING DATE: <u>5 April 2024</u>	FEES (includes materials, if any)
SCL (Singapore) Members	S\$50.00
Guests of SCL(S) Members	
Members of international SCLs	
Members of:	
<ul style="list-style-type: none"> • Asia Pacific Institute of Experts (APIEx) • Chartered Institute of Arbitrators (Singapore) Ltd (CIArb) • Chartered Institute of Building (CIOB) • Lighthouse Club (Singapore) (Lighthouse) • Royal Institution of Chartered Surveyors (RICS) • Singapore Contractors Association Ltd (SCAL) • Singapore Institute of Arbitrators (SIArb) • Singapore Institute of Architects (SIA) • Singapore Institute of Building Ltd (SIBL) • Singapore Institute of Surveyors and Valuers (SISV) • Society of Project Managers (SPM) • Tunnelling and Underground Construction Society (Singapore) (TUCSS) 	S\$90.00
Full Time Students & Faculty of NUS Faculty of Law	
Others	

TO REGISTER ONLINE FOR THIS SEMINAR, PLEASE CLICK [HERE](#).

Modes of payment:

- **PayNow Corporate:**

Step 1: Log in to your bank's existing internet banking or mobile banking app.
Step 2: At the PayNow transfer screen, enter SCL Singapore's UEN No. T02SS0165H and the amount to be transferred.
Step 3: Verify that the recipient's name (as registered on PayNow) is correct before confirming the transfer.

- **Bank Transfer/Internet Banking:**

Account Name: Society of Construction Law (Singapore)
Account Number: 7171 - 033 - 900 – 5215 (7171 required for telegraphic transfers only)
SWIFT code: DBSSSGSG
Bank Details: DBS Raffles City Branch
Address: 252 North Bridge Road, #02-26-A Raffles City Shopping Centre, Singapore 179103

- **Credit Card:** Please click [HERE](#) to pay under "Payment for Seminars".

- **Cheque:** Please return the registration form below, together with your cheque, if applicable, made payable to "Society of Construction Law (Singapore)", "Society of Construction Law (Singapore), 12 Eu Tong Sen Street #08-169 SOHO 2, Clarke Quay Central, Singapore 059819" or **Fax to (65) 6225 9426**

REGISTRATION, REFUND & CANCELLATION POLICY

By completing the online registration form, Event registrants confirm their acceptance of the following Terms and Conditions:

1. Places at the Event are limited and will be allocated by the Organiser at its discretion based on various criteria and in order of priority upon receipt of registration and all payments due.
2. The Organiser reserves the right to update or amend the details of the programme and/or the speakers without prior notice.
3. The Organiser reserves the right to refuse to register or admit any participant, and to cancel or postpone the Event.
4. No refunds will be made for cancellations or no-shows by registrants. However, a confirmed registrant who has paid the registration fees but does not turn up for the Event will be entitled to a set of the materials provided, if any.
5. If any registrant is unable to attend the Event, an equivalent substitute may attend instead at no extra charge, provided that at least 3 days prior written notice is given to the Organiser. All such requests will be considered at the Organiser's discretion and subject to any applicable top-up in fees.
6. Holding of any in-person Event may be subject to the approval of any relevant government authorities for public health or other reasons.
7. In-person attendees at the Event must abide by any relevant public health or other measures imposed by the Government, the Event venue and the Organiser.
8. The Organiser encourages any registrant displaying any COVID-19 symptoms to perform self-testing. Any registrant who tests positive is encouraged not to attend the Event and inform to the Organiser accordingly.
9. As of 10 October 2022, the Vaccinated Differentiation Safe Management Measures (VDS) have been fully lifted in Singapore and the Organiser will no longer be requesting verification of COVID-19 vaccination status for entry to the Event. However, in the lead-up to the Event, the Organiser will monitor the situation closely and be in touch again should there be further changes to the prevailing national guidelines.
10. Mask wearing is optional at all times during the Event. Please practice good personal hygiene, including frequent washing of hands and use of hand sanitisers.
11. Event registrants confirm that all details submitted in the Event registration form are true and accurate.
12. By completing this form, Event registrants fully consent to the collection, use and disclosure of their personal data as appears in any form, document or electronic template, by the Organiser. [CLICK [HERE](#) TO READ OUR PRIVACY POLICY]

For further enquiries, please contact the SCL (SINGAPORE) SECRETARIAT
Tel: 6551 2783 Fax: 6225 9426 E-mail: secretariat@scl.org.sg
You may also register online for this event on our website at www.scl.org.sg

SILE Attendance Policy

Participants who wish to obtain CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes signing in on arrival and signing out at the conclusion of the activity in the manner required by the organiser, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to <https://www.silecpdcentre.sg/> for more information.