



Practice Area: Construction
Training Level: Update
CPD Points: 1.5 Public CPD
Points



SINGAPORE



Seminar

Pure Economic Loss

Wednesday, 5 August 2015, 5.00 - 7.30pm

1 Marina Boulevard, NTUC Centre, Level 9, Room 903, Singapore 018989

About this Seminar:-

Pure economic loss has, for some time, been a relatively difficult remedy as a “worth incurred without any physical injury to any asset of the plaintiff.” Have the parameters been recently refined or do the courts still fear that if pure economic loss were actionable, there would be no reasonable limit to a defendant's liability and the courts would become overwhelmed with claims?

Ms. Rashda Rana SC will explore the development and the current status of claims for pure economic loss in England and Australia.

The Singapore approach to pure economic loss (financial loss unconnected with physical damage) is interesting for at least 2 reasons. Many of the leading cases, such as *RSP v Ocean Front (1995)*, *Spandeck Engineering v DSTA (2007)* and *Animal Concerns Research & Education Society v Tan Boon Kwee (2011)* involved construction disputes. Secondly, the Singapore Courts have consciously departed from established English law principles in recognising claims that would have failed in the English Courts. Mohan Pillay, who was lead Counsel before the Court of Appeal in a number of these cases including *Ocean Front* and *Spandeck*, will examine the rationale for the Singapore approach, why and where we have departed from English law principles, and what exposure contractors and consultants face today for claims in pure economic loss.

Seminar Programme:-

5.00 - 5.20pm	Registrations & Standing Networking Buffet for Delegates
5.20 - 5.30pm	Opening Remarks by Chairman <i>Mr. Paul Sandosham – Partner, Clifford Chance Asia</i>
5.30 - 6.15pm	Pure Economic Loss (England and Australia) <i>Ms. Rashda Rana SC – 39 Essex Street Chambers</i>
6.15 - 6.25pm	Coffee Break
6.25 - 7.15pm	Pure Economic Loss (Singapore) <i>Mr. Mohan Pillay – Managing Partner, MPillay; Joint Head of Office, Pinsent Masons MPillay LLP</i>
7.15 - 7.30pm	Q&A Session

We invite members to join us for a round of drinks after the seminar.

About the Speakers:-

Ms. Rashda Rana SC – 39 Essex Street Chambers

Rashda is a barrister and arbitrator who has worked at the Bar in London and also in various states in Australia and in the Asia Pacific region, notably Hong Kong, Singapore, Malaysia and China, for the past 24 years. She has also held the role of General Counsel for Lend Lease Project Management & Construction (formerly known as Bovis Lend Lease), one of the world's leading project management, design and construction companies operating in more than 30 countries worldwide.

She has experience in a variety of areas of law including commercial, maritime, insurance, construction & infrastructure and energy & resources. As well as her litigious practice, Rashda has undertaken non-contentious work in drafting, reviewing and settling major project documentation including Defence contracts (Class 1 submarines), infrastructure (roads and tunnels), banking and finance documentation (prospectuses and insurance policies), standard forms such as FIDIC and PPP transactional documentation.

Rashda was formerly Adjunct Professor teaching international commercial arbitration at Sydney University Law School. She devised the undergraduate course and it was the first of its kind in Australia. She has published a textbook to complement the course. A second book, ADR in Asia, was published in November 2014.

Rashda is an active member of a number of significant industry associations. She is, inter alia, President of ArbitralWomen and the Immediate Past President of Australian Branch of the Chartered Institute of Arbitrators.



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Rashda is also an experienced CEDR accredited mediator. She has been appointed as arbitrator in a large number of domestic and international commercial arbitrations, both institutional and ad hoc.

Mr. Mohan Pillay – Managing Partner, MPillay; Joint Head of Office, Pinsent Masons MPillay LLP

Mohan is the Managing Partner of the Singapore law firm MPillay and Joint Head of Office of the Singapore Joint Law Venture of Pinsent Masons MPillay LLP. He is a Singapore and UK qualified dispute resolution lawyer with nearly 30 years' experience in advisory, commercial litigation and regional arbitration work, particularly in construction and engineering projects.

Mohan is a Chartered Arbitrator and the first Review Adjudicator appointed under the adjudication regime in Singapore. He has acted as Arbitrator (both sole and presiding) and Mediator in a number of matters, both domestic and international.

He is currently the Co-Chair of the Dispute Resolution & Arbitration Committee, Inter-Pacific Bar Association (IPBA). His past appointments include Past President of the Singapore Institute of Arbitrators, Past Chair of both SCL (Singapore) and the International Construction Projects Committee, IPBA, as well as teaching appointments as Adj. Assoc. Professor, Faculty of Law, National University of Singapore (2003 - 2011) and Visiting Professor, Centre of Construction Law & Dispute Resolution, King's College London (2005 – 2011). He is also one of the General Editors of *Singapore Construction Adjudication Review*.

About the Chairperson:-

Mr. Paul Sandosham – Partner, Clifford Chance Asia

Paul Sandosham is a Partner in the Litigation and Dispute Resolution practice of Clifford Chance Asia and heads the Energy, Infrastructure and Resources (Disputes) practice for South-East Asia.

He is an active member of the SCL council, most recently serving as the vice-chairman of the SCL and now as the honorary secretary of the SCL. Paul specializes in litigation and international arbitration focusing on disputes in the power, energy, oil & gas, infrastructure, construction, mining, natural resources, international trade and commodities sectors. He acts as counsel in court and in international arbitration proceedings under various arbitral rules (SIAC, ICC, UNCITRAL, DIAC, ADCCAC, ICSID, LME etc).

Paul has advised on numerous projects internationally, including in Singapore, Malaysia, Indonesia, Thailand, Philippines, Vietnam, Brunei, Lao PDR, India, China, Mongolia, UAE, Qatar, Bahrain, KSA, Mauritius, Maldives and Papua New Guinea. Paul is a qualified Chartered Arbitrator as well as a fellow of the Chartered Institute of Arbitrators and Singapore Institute of Arbitrators, and is on the panel of arbitrators of SIAC, KLRCA, DIAC and CI Arb (London). He is a director of The Chartered Institute of Arbitrators (Singapore) Ltd and a co-vice chairman of the International Arbitration Sub-committee under the Law Society's Alternative Dispute Resolution Committee. Paul is regularly appointed to sit as arbitrator in international arbitrations.

Paul is recognized as a leading construction and dispute resolution lawyer and has been commended in numerous prominent legal publications including *Chambers Global and Asia Pacific*; *The Legal 500 - Europe, Middle East & Africa*; *Global Arbitration Review*; *Who's Who Legal*, *Euromoney's Guide to the World's Leading Construction Lawyers*; *IFLR 1000 Energy and Infrastructure*; *Experts Guides – Commercial Arbitration and Asian Legal Business*.

Continuing Professional Development



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REGISTRATION CLOSING DATE: 29 July 2015	FEES (includes refreshments & materials, if any)
SCL (Singapore) Members	\$35.00
Guests of SCL Members, Members of international SCLs, Members of: Chartered Institute of Arbitrators (Singapore) Ltd (CI Arb), Chartered Institute of Building (CIOB), Lighthouse Club (Singapore) (Lighthouse), Royal Institution of Chartered Surveyors (RICS), Singapore Contractors Association Ltd (SCAL), Singapore Institute of Architects (SIA), Singapore Institute of Arbitrators (SI Arb), Singapore Institute of Surveyors and Valuers (SISV), Tunneling and Underground Construction Society (Singapore) (TUCSS) Full Time Students & Faculty of NUS Faculty of Law, Marine Offshore Oil & Gas Association (MOOGAS)	\$70.00
Others	\$90.00

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), Level 3, 146 Robinson Road, Singapore 068909" or Fax to (65) 31273797.

REGISTRATION, REFUND & CANCELLATION POLICY

- Places are limited and can only be allocated in order of priority upon receipt of registration and any payment due.
- We regret that we generally do not issue invoices or accept payments at the event.
- Refunds for cancellation are not possible after the registration closing date.
- We reserve the right to refuse to register or admit any participant, and to cancel or postpone the event.
- I fully consent to the collection, use and disclosure of my personal data as appears in this form by SCL (Singapore) for the purposes set out on our website

For further enquiries, please contact the SCL (SINGAPORE) SECRETARIAT
 Tel & Fax: 31273797 (no 6 prefix required) E-mail: secretariat@scl.org.sg
 You may also register online for this event on our website at www.scl.org.sg

REGISTRATION FOR SCL (SINGAPORE) MEMBERS & THEIR GUESTS (Please use 1 form per 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.)

Check if CPD points are required AAS no. _____ (for practicing lawyers requiring SILE CPD points)

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

Name(s)	Organisation	Check if CPD Points are required	AAS No.	Email

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

REGISTRATION FOR NON-SCL (SINGAPORE) MEMBERS (Please use 1 form per registrant.)

I am a: (Please select as appropriate.)

- SCL Mbr: _____ pls state branch CI Arb Mbr CIOB Mbr Lighthouse Mbr MOOGAS Mbr RICS Mbr
 SCAL Mbr SIA Mbr SI Arb Mbr SISV Mbr TUCSS Mbr Full Time NUS Law Student/NUS Law Faculty Others

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.)

Check if CPD points are required AAS no. _____ (for practicing lawyers requiring SILE CPD points)

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)"

SILE Attendance Policy

Participants who wish to claim CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. 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 www.sileCPDcentre.sg for more information.