

Virtual

Seminar

What the Construction Industry can Expect Once the Temporary Reliefs End

Programme Details

4 May 2021

4.30pm - 6.00pm

Webinar

Fee: \$96.30 (including GST) | Associate student: \$32.10 (including GST)

SAL Members may utilise credit dollar (C\$)

 Webinar	LIFTED by 	1.5 PUBLIC CPD POINTS
	Legal Practitioner  Specialisms In-House Counsel  Specialisms Legal Support  Others	Practice Area: Building & Construction Training Level: General



Overview

It has been a year since the COVID-19 (Temporary Measures) Act kicked in to provide legislative reliefs to the Built Environment in the form of temporary relief from legal and enforcement claims.

While construction projects have resumed, the industry continue to face challenges such as shortage of labour and rise in labour costs, and capacity limitations due to safe management measures. In response, the Government extended the relief period for construction or supply contracts and performance bonds granted, and cost-sharing to 30 September 2021.

However, relief for contracts affected by delay in the performance or breach of a construction, supply or related contract ended 31 March 2021.

The distinguished panel comprising industry and legal players will:

- (1) attempt to distil the challenges and concerns of the construction industry, for example, delay, costs, initiating arbitration claims in light of the extension of the relief period and how this will affect adjudications
- (2) examine the current legal provisions that apply to these situations
- (3) discuss how stakeholders can manage their risks as a result of an exceptional event such as the current pandemic, specifically:
 - (a) what they should look out for now that the relief period for certain contracts has expired and
 - (b) how they should prepare for the end to the moratorium against legal actions and cost-sharing.

Registration:

Registration SGD 96.30 (inc GST)
SAL Members may utilise credit dollars (C\$)

Register here at:
www.sal-e.org.sg

Programme

4.00PM	Participants log in
4.30PM	Introduction <i>By Darren Benger, Council Member, Singapore Institute of Architects Council Member, Society of Construction Law Singapore</i>
4.35PM	Presentation on the construction industry's challenges and concerns in times of a pandemic <i>By Darren Benger</i>
4.45PM	Presentation on legal provisions referencing these concerns: (1) Delay and extension of time (2) Cost <u>Speakers:</u> <ul style="list-style-type: none">• <i>Sim Chee Siong, Partner, Rajah & Tann Singapore LLP</i>• <i>Kelvin Aw, Director, CMS Holborn Asia</i>
5.05PM	Panel discussion <ul style="list-style-type: none">• <i>Panelists: Sim Chee Siong & Kelvin Aw</i>• <i>Moderator: Darren Benger</i>
5.45PM	Q&A
6.00PM	End of webinar

Invitation to submit questions prior to the event

The panel would like to hear from the participants in relation to the above prior to the event. Interested participants are invited to submit their questions to the panel by 23 April 2021 to be addressed during the session. Please submit your questions to les@sal.org.sg.



Number of Public CPD points: 1.5
Practice Area: Building & Construction
Training Level: General

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 logging in at the start of the webinar and logging out at the conclusion of the webinar in the manner required by the organiser, and not being away 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 <http://www.sileCPDcentre.sg> for more information.

Note: In the course of the event, photographs/videos/interviews of participants could be taken/conducted by the Singapore Academy of Law or parties appointed by the Singapore Academy of Law for the purpose of post event publicity, either in the Singapore Academy of Law's official publication/website, social media platforms or any third party's publication/website/social media platforms approved by the Singapore Academy of Law.

Speaker



Mr Darren Bengier

Managing Director, VivATA Pte Ltd

Council Member, Singapore Institute of Architects

Council Member, Society of Construction Law Singapore

Darren received his Bachelor of Architecture degree with First Class Honours from the University of Adelaide, Australia in 1995, and registered with the Board of Architects, Singapore in 2001.

Since 1996 Darren has resided in Singapore, and he is currently the Managing Director of VivATA Pte Ltd, an architectural practice.

Darren's involvement in the Singapore Institute of Architects includes election to Council for the 2007/08 to 2020/21 terms, and he has actively participated in various SIA committees.

He has been involved in the SIA Building Contracts Committee since 2007 and the ADR Committee since 2008, currently as chair. He is also listed on SIA's panels of arbitrators and expert determinators.

Since 2010 Darren has served as SIA's representative to the WSH Council (Construction & Landscape) Committee and participated in its regulation-writing 'Design for Safety (Dfs)' sub-committee.

Darren has contributed to the BOA/SIA Architectural Practice Course as a trainer since 2008, including to lecture on the SIA Building Contract 2016 since 2019, and to the building contracts part of the Architectural Practice module for the National University of Singapore - Department of Architecture since 2009.

Darren is also on the Council of the Society of Construction Law, Singapore since 2010/11, its chairman in 2014-16 term, and is a Fellow member of the Singapore Institute of Arbitrators. Darren received the Graduate Certificate in International Arbitration from the National University of Singapore in 2008.

Speaker



Mr Kelvin Aw
Director, CMS Holborn Asia

Kelvin Aw is a Partner in CMS Singapore and a Director in CMS Holborn Asia, the Formal Law Alliance between CMS Singapore and Singapore law practice, Holborn Law LLC. He brings more than 2 decades of court room and board room experiences to champion clients' interests not only in contentious but also transactional matters, with particular specialisation in the construction, engineering, and infrastructure sector.

On contentious briefs, he displays his nimbleness in appearing before all levels of the Singapore Courts, and also before tribunals in statutory adjudications under Singapore's Building and Construction Industry Security of Payment Act (Cap. 30B), and in international and domestic arbitrations under various arbitral institutions including the Asian International Arbitration Centre (Malaysia) (AIAC), International Chamber of Commerce (ICC), Singapore International Arbitration Centre (SIAC), and China International Economic and Trade Arbitration Commission (CIETAC). He delivers consistently with an impressive track record in all matters, in part due to his specialist knowledge of building and construction law, and his tenacity as a lawyer which puts him in a position of strength in any contentious matter.

On transactional matters, he provides advice to clients throughout the changing dynamics of any project cycle, ranging from front-end structuring and procurement to back-end work in which disputes have arisen. Together with co-head of the practice Lynette Chew, they are regularly engaged by clients on large-scale, landmark development matters not only in Malaysia, but also in Singapore, China, India, Indonesia, Cambodia, Vietnam, Malaysia, Myanmar, and the Middle East.

Kelvin is consistently ranked as a leading individual by various legal ranking directors for his expertise in dispute resolution, with a particular specialisation in construction and projects & energy. These include Chambers Asia-Pacific: Leading Lawyers for Business, Legal 500, Best Lawyers and Benchmark Litigation where he has been conferred a Litigation Star ranking for both construction and dispute resolution practices.

He is also a Senior Accredited Specialist for Building and Construction recognised by the Singapore Academy of Law. He is a fellow of the Singapore and Chartered Institutes of Arbitrators, and an accredited Senior Adjudicator with the Singapore Mediation Centre. In addition, he has served on the Council of the Singapore Institute of Arbitrators and has taught construction law modules at the National University of Singapore. Kelvin also serves on the board of the Caregiving Welfare Association, having formerly been appointed as its President from 2016 to 2019.

Speaker



Mr Sim Chee Siong

**Partner, International Arbitration, Construction & Projects
Rajah & Tann Singapore LLP**

He is listed in the IFLR 1000 since 2015 as a leading lawyer for Energy and Infrastructure disputes and Project Development, in Best Lawyers 2019 and 2020 editions for International Arbitration and recommended in The Legal 500 Asia Pacific 2017 to 2019 for Construction. He has also been named as a Senior Accredited Specialist for Building and Construction Law by the Singapore Academy of Law's Specialist Accreditation Scheme.

On the contentious side, Chee Siong has extensive litigation, adjudication, arbitration and mediation experience — both domestic and international. His clients span the spectrum of the industry, including, developers, contractors, sub-contractors and suppliers of various tiers, consultants. His experience includes disputes relating to oil and gas projects, power plants, specialized process plant such as sewage treatment plant, copper smelting and refining plant, marine oil terminal, hotels, specialized warehouses and logistics complexes. On the non contentious side, Chee Siong has been involved in major building and infrastructure projects in Singapore and in the region including developments of integrated water and power project, oil storage terminals, cement plants, luxury hotels and condominium developments and warehouses and logistics complexes.

General Terms and Conditions for Events

- 1) Registration is accepted on a first-come, first-served basis, subject to availability of seats. Priority will be accorded to registrations received with payment.
- 2) Registration fees must be paid in full on at least 5 working days before the commencement of the event to ensure admission.
- 3) The Singapore Academy of Law reserves the right to refuse to register or admit any participant, and to cancel or postpone the programme.

Cancellation and Transferring of Registration

- 1) A administrative charge of S\$21.40 (inclusive of GST) will be levied for every cancellation with exception to Point (2).
- 2) The registration fees will remain payable in full:
 - a) if notice of cancellation is received less than 5 working days before commencement of the event; or
 - b) if a participant fails to attend the event for any reason whatsoever; or
 - c) if a participant arrives late or fails to attend any part of the event; or
 - d) for cancellation of registration for any events for which refund is expressly stated to be unavailable.
- 3) Registrations are transferable within the same organisation and same fee category. Please provide the name of the substitute to les@sal.org.sg at least two working days before the programme. If a non-member is nominated to attend in place of a member, the fee difference must be paid before the commencement of the event for the transfer to be valid.

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