Managing Contractual Risks Throughout The Contracting Process

Making Strategic Legal Decisions in Tough Times - The Importance of Legally Effective and Practical Solutions

22 July 2016 (0930 - 1300) • SINGAPORE

This event has been approved for 3PDUs under the PEB CPD Programme

Delivered by

Shannon Tan Yu Inn
Partner
Rajah & Tann Singapore LLP

Zheng Sicong
Partner
Rajah & Tann Singapore LLP

Organised by:

K2B International
KNOWLEDGE 2 BUSINESS
Managing Contractual Risks Throughout The Contracting Process

Speakers’ Profile

Shannon Tan Yu Inn
Partner
Rajah & Tann Singapore LLP

Shannon is a partner in Rajah & Tann LLP’s International Arbitration and Construction Projects practice group.

Shannon’s areas of practice include various contentious as well as non-contentious works in the areas of building and construction law, mining contracts, oil and gas contracts, concession agreements, employment issues as well as insurance. She has acted for a broad range of clients including developers, contractors, architects, sub-contractors, specialist contractors, suppliers, MCSTs and government bodies. She has represented clients from many jurisdictions, including Singapore, Indonesia, Maldives, People’s Republic of China, the Middle East and India.

On the contentious front, Shannon has been involved in a broad spectrum of civil and commercial disputes both in court litigation as well as in arbitration, with a particular focus on disputes relating to infrastructure and long term mining/ gas supply contracts. She has also acted as counsel in several adjudication proceedings under the Building and Construction Industry Security of Payment Act (SOPA). Shannon also sits as an arbitrator and is on the Singapore International Arbitration Centre (SIAC) reserve panel.

On the non-contentious front, Shannon has been involved and is also familiar with the drafting and review of construction and engineering contracts. She is familiar with the various standard form contracts such as the PSSCOC, SIA, NEC, FIDIC etc.


Zheng Sicong
Partner
Rajah & Tann Singapore LLP

Sicong is a partner in Rajah & Tann Singapore LLP’s International Arbitration and Construction Projects practice group.

Sicong’s practice focuses on international arbitration, covering a wide range of contentious matters. He has acted for a diverse range of clients including mine owners, oil and gas entities, and suppliers, from various jurisdictions including Singapore, Indonesia, Malaysia, and Vietnam.

Sicong also represents clients in civil and commercial disputes both in court and in arbitration, and is familiar with arbitrations conducted under the SIAC and ICC rules.

WHAT PAST DELEGATES SAY ABOUT PANEL OF SPEAKERS FROM RAJAH AND TANN

“Excellent speakers”
CPG Facilities Management Pte Ltd

“Straight forward and relevant experience especially quoting case studies”
MOH Holdings

“Good!”
China Construction (South Pacific) Devt Co. Pte Ltd

“Good! Well-verse on topic of discussion. All speakers have conducted their sessions well”
Northcroft Lim Consultants Pte Ltd

“Overall is good!”
Surbana International Consultants Pte Ltd

“Presentation materials are informative!”
HDB BRI

“Interesting topics”
CPG Facilities Management Pte Ltd

“Very good and knowledgeable”
Jurong Consultants

“Great speaker. Clear,logical presentation”
Samwoh Corporation
Managing Contractual Risks
Throughout The Contracting Process

EVENT OVERVIEW

Business relationships and in particular contractual relationships will always have the potential to create many risks. The effective management of contractual risks can protect businesses from avoidable losses. Managing contractual risks is all the more critical in today’s competitive economic climate and a fundamental part of managing contractual risks requires having the skills and knowledge to identify as well as reduce these risks.

In order to identify contractual risks, one must understand the obligations under the contract and the risks associated with those obligations. Only with such understanding can one take the appropriate steps to prevent these risks from materialising.

Whilst there is a multitude of contractual issues and disputes that can occur in the course of a business relationship, in this half day seminar, we hope to focus on helping participants recognise often overlooked key contractual risks.

ABOUT K2B INTERNATIONAL

In today’s business world it’s knowledge that drives opportunities and advancement.

K2B International, standing for Knowledge 2 Business, is dedicated to creating content-rich communities – in the form of technical training courses, conferences, summits and online portals – providing platforms for gaining knowledge when it’s needed most.

Delivering practical insights from seasoned practitioners, each K2B forum empowers participants to make a real difference in their organisations.

SEMINAR PROGRAM

22 July 2016 | 0930 - 1300
Registration and coffee starts at 0845. Seminar begins at 0930 sharp and ends at 1300. Lunch and refreshments will be provided for all attendees during the event.

CONTRACT FORMATION

• Managing the tender process: key terms to take note of
• Allocation of risks between the parties outsourcing contract works/services (passing the risks to sub-contractors/vendors) dealing with foreign entities (i.e. guarantees) indexation of contracts: contract escalation
• Obligations of the employer and contractors: implied terms (eg. fitness for purpose, duty to warn)

ISSUES THAT ARISE DURING THE WORKS/SERVICES

• Instructions vs directions: is there a difference?
• The importance of contract “Notice provisions” (eg. claims for variations, extensions of time): timelines and other requirements
• Payment provisions: strict timelines and supporting documentation
• Reducing the exposure damages for delays? - Liquidated damages

BREACH OF CONTRACT AND DISPUTES

• What constitutes a breach of contract?
• Do you have the right to stop work if you are not receiving payments on time?
• Termination and the consequences under standard form contracts (eg. PSSCOC).
• When and how should you pursue your rights when a dispute arises: adjudication, mediation or litigation/arbitration - do you have a choice?
• Performance guarantees/bonds: when can you call on them and what are the consequences? What should you do if your guarantee/bond is called upon?
• The Seaview case and the defence of “independent contractor”: what it means for consultants and architects.

Register with us today!
REGISTRATION FORM
MANAGING CONTRACTUAL RISKS THROUGHOUT THE CONTRACTING PROCESS
22 July 2016 (0930 - 1300)
Singapore

DELEGATE DETAILS

I agree to K2B International Pte Ltd’s Terms & Conditions.
Signature: ___________________________ Date: ____________________________

Please photocopy for additional delegates and/or delegate with different addresses.

Delegate 1 Name: ___________________________ Job Title: ___________________________
Email: ___________________________
Delegate 2 Name: ___________________________ Job Title: ___________________________
Email: ___________________________
Delegate 3 Name: ___________________________ Job Title: ___________________________
Email: ___________________________
Invoicing Contact: ___________________________
Telephone: ___________________________ Fax: ___________________________
Organisation: ___________________________
Department: ___________________________
Address: ___________________________
Postal Code: ___________________________ Country: ___________________________

ACCOMMODATION INFO
Accommodation and travel costs are not included in the training fee.
Once you have completed, signed and sent this training registration form to K2B International, we will email you a delegate welcome pack. You will receive the hotel’s booking form in this pack which you can fax to the hotel to reserve your room at a discounted rate.

PAYMENT METHODS

Please indicate your preferred method of payment

☐ By Bank Draft: Made payable to K2B International Pte Ltd
☐ By Cheque: In Singapore Dollars only and drawn on a bank in Singapore. Made payable to K2B International Pte Ltd
Cheque Number: ___________________________
☐ By Telegraphic Transfer: Please quote Contract 2016 with remittance advice.
K2B International Pte Ltd Bank details:
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All bank charges to be borne by remitter.

Please ensure that K2B International receives the full invoiced amount.

THREE WAYS TO REGISTER

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