



## DISPUTE RESOLUTION IN THE ENERGY SECTOR

Friday 19<sup>th</sup> October 2007

Since the cost of litigation and arbitration has become prohibitive, parties have moved towards sophisticated strategies for resolving their disputes in the most cost effective manner. The starting point is at the time of contract drafting. Agreements should include a multi-layered disputes clause that uses a variety of techniques, including negotiation, mediation, adjudication, expert determination and dispute boards, besides arbitration as an ultimate fall-back. Each of these, in various combinations, can offer a route out of the dispute. Dr. Robert Gaitskell, Q.C. of Keating Chambers, Chartered Engineer and formerly engaged in oil rig and power station design, surveys the spectrum of energy disputes facing parties and suggests how to plan ahead to avoid wasting costs and alienating trading partners.

Issues covered include:

1. Introduction - The Energy Sector
2. Avoiding Disputes
3. Disputes - Strategies Available
4. Arbitration
5. Mediation
6. Adjudication
7. Dispute Boards
8. Expert Determination

The talk will conclude with a discussion on FIDIC contracts by Simon Hughes.

### The Speakers:-

#### Dr. Robert Gaitskell, Q.C.

Dr. Gaitskell is a practising Queen's Counsel in Keating Chambers, London, and acts regularly as an arbitrator, mediator, dispute board member, adjudicator and expert determinator in energy disputes. He is also a Chartered Engineer and a Fellow of both the Institutions of Electrical (FIET) and Mechanical Engineers (FIMechE). As an engineer he was involved in the design of oil rigs and power stations. He is a former Vice President of the IET/IEE (Europe's largest professional engineering body). He also sits as a part-time judge in the Technology & Construction Court (TCC), London. Dr. Gaitskell is the editor of *'The Engineers' Guide to Dispute Resolution'*, 2006, Thomas Telford, London. His PhD, from King's College London, concerned engineering standard form contracts. He is the Chairman of the IET/IMEchE Joint Committee on Model Forms, which produces the MF/1 – 4 suite of contracts.

#### Mr. Simon Hughes

Simon Hughes is a Scholar of Magdalen College Oxford, where he took a Double First, and has been a practising barrister in Keating Chambers since 1996. He has considerable expertise in energy-related work and has acted for clients on matters relating to power generation, oil & gas exploration, process plants, shipbuilding, mining and other construction and engineering projects.

Mr Hughes has been involved in disputes involving most of the standard form contracts in use globally and is the co-author of a new commentary on the FIDIC Red Book published by Sweet & Maxwell.

**Venue:** Supreme Court Viewing Gallery, Level 8, Supreme Court Building

**Date/Time:** 19 October 2007, 4.00pm (registrations start at 3.45pm & the talk is estimated to last 1.5 hours followed by a Q&A session)

	<b>FEES</b> (includes refreshments & materials, if any)
<b>SCL Members</b>	<b>FREE</b>
Guests of SCL Members, Members of SCL (Malaysia), Members of SCL (UK), NUS Students, Chartered Institute of Building (CIOB), Institute of Engineers Singapore (IES), Institution of Structural Engineers (Singapore Division), Law Society of Singapore, Singapore Contractors Association Ltd (SCAL), Singapore Institute of Architects (SIA), Singapore Institute of Arbitrators (SIArb), Singapore Institute of Planners (SIP), Singapore Institute of Surveyors and Valuers (SISV)	<b>S\$50.00</b>
<b>Others</b>	<b>S\$70.00</b>



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Please return the registration form below, together with your cheque, if applicable, made payable to “**Society of Construction Law (Singapore)**”, c/o 77A Boat Quay, Singapore 049865 or **Fax to 6557 2751**.

### **REGISTRATION, REFUND & CANCELLATION POLICY**

1. Places are limited and can only be allocated in order of priority upon receipt of registration and any payment due.
2. We regret that we generally do not issue invoices or accept payments at the event.
3. Refunds for cancellation are not possible after the registration closing date (12 October 2007).
4. Members registering to attend ‘free of charge’ are required to give 7 days notice of cancellation or an administration charge of \$30 will be levied.
5. We reserve the right to refuse to register or admit any participant, and to cancel or postpone the event.

For further enquiries, please contact

SCL SECRETARIAT

Tel: (65) 6226 1060 Fax: (65) 6557 2751

E-mail: [secretariat@scl.org.sg](mailto:secretariat@scl.org.sg)

Website: [www.scl.org.sg](http://www.scl.org.sg)

**Registration is required by 12 October 2007.**

### **REGISTRATION FOR SCL MEMBERS & THEIR GUESTS**

Please use 1 form per SCL Member

Name: \_\_\_\_\_ NRIC/Passport No.: \_\_\_\_\_ Membership No.: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

☐ I will be attending.

☐ Please reserve \_\_\_\_\_ seats for guests and I enclose payment of \$50.00 per guest.

My guest(s) are:

Name(s)	Organisation	Email

I enclose a cheque for SGD \_\_\_\_\_ made payable to “**Society of Construction Law (Singapore)**”.

### **REGISTRATION FOR NON-SCL MEMBERS**

Please use 1 form per registrant.

I am a: (Please select as appropriate.)

SCL (Malaysia) Mbr ☐ SCL (UK) Mbr ☐ NUS Student ☐ \_\_\_\_\_ CIOB Mbr ☐ IES Mbr ☐ IStructE Mbr ☐  
(pls state Faculty)

Law Society Mbr ☐ SCAL Mbr ☐ SIA Mbr ☐ SI Arb Mbr ☐ SIP Mbr ☐ SISV Mbr ☐ Other ☐

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.)

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)**”.

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