Building and Construction Law

Thursday 26 November 2015 • 8.30am – 1pm

CBD Campus 6/1 O’Connell St, Sydney

Course cost includes tuition, materials and refreshments $440

Purchase Papers $165

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Office Use Only:
Rec’d Inv No. Auth No.
8.30am Welcome  
Chair: Keith REDENBACH, Partner, Atanaskovic & Hartnell

8.35am  
Topic 1: Insurance Coverage Issues in Construction Defect Claims  
Speaker: Francesco CORSARO SC, Barrister-at-Law, State Chambers  
- Introduction – Risk Management Principles and Transfer of Risk Devices  
- Typical Insurance Policies and Clauses  
- The Framework for Analysing Defective Work Claims  
- Battlefield I – “the Insured”  
- Battlefield II – “the Occurrence”  
- Battlefield III – “property damage”  
- Battlefield IV – Co-insurance

9.30am  
Topic 2: Early Contractor Involvement (ECI)  
Speaker: Geoff WOOD, Partner, and Franco AVERSA, Special Counsel, Baker & McKenzie  
- Specialist skills with one contractor  
- Long standing relationships  
- Developing Design and workshop project risks  
- Hard dollar D&C EPC,  
- Avoids excessive contingency pricing by contractors  
- Contract development for owners

10.25am Morning Tea

10.55am  
Topic 3: Operation & Maintenance contracts  
Speaker: Andrew CHEW, Partner, Corrs Chambers Westgarth and Tabitha WINTON, Senior Associate, Corrs Chambers Westgarth  
- Performance based contract structures – KPIs, etc  
- Good industry practice  
- Payment mechanisms and abatements (including a discussion on whether abatements are penalties)  
- Review of pricing  
- Key legal and commercial issues over a long term contract – treatment of issues dealing with limitation of liability; exclusion of liability; change in control, change in law, termination and handover.

11.50am  
Topic 4: Contracts, legislation and other catastrophes; civil liability and security of payment in practice  
Speaker: Keith REDENBACH, Partner, Atanaskovic & Hartnell and David CASTLEDINE, CEO, Civil Contractor’s Federation  
- Civil Liability issues  
- Security of payments  
- Recent reforms explored  
- Implementation experiences  
- Claims documentation  
- Civil Construction Industry perspective  
- Risk allocation  
- Contract selection and negotiation

12.45-1pm Questions – Close

For more information visit our website: www.cle.unsw.edu.au