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the legal profession

A conference presented by the  
International Construction Projects  
Committee of the IBA Legal Practice  
Division

UP TO  
9 CPD HOURS  
AVAILABLE\*

# Construction projects from conception to completion

**10-11 November 2006**

**Brussels Marriott Hotel  
Brussels, Belgium**

Supported by



The conference will cover legal issues arising at various phases of complex international construction projects including PPPs, bilateral investment treaties, civil law and common law jurisdictions and dispute resolution.

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## **Who should attend?**

The conference will be of interest to lawyers (both in-house and outside counsel) and consultants involved in the effort to prevent, avoid and resolve disputes in the construction industry. It will cover topics of interest to lawyers engaged in the practice of construction law internationally and will be particularly relevant for young lawyers who can meet and exchange their respective experiences in a friendly context.

\*As per the Law Society of England and Wales. The number of CPD points/hours available may vary for other bar associations and law societies depending on their criteria

## Co-Chairs

Thomas P Wilson *Kilpatrick Stockton LLP, Atlanta, Georgia*  
Matthias Scherer *Lalive, Geneva*

## Supported by

WHO'S WHO LEGAL

## Exhibitors present at this conference will include:

International Law Office  
Who's Who Legal

## Continuing Professional Development / Continuing Legal Education

For delegates from countries where CPD / CLE is mandatory, the International Bar Association will be pleased to provide a Conference Certificate of Attendance which, subject to the exact CPD / CLE requirements, may be used to obtain the equivalent accreditation in your jurisdiction.

This conference has been accredited for CPD / CLE by the Law Society of England and Wales. Delegates should ask staff at the Registration Desk for information as to how to obtain the hours.

## Friday 10 November

0800 – 1730 **Registration**

0845 – 0900 **Opening remarks**  
Matthias Scherer

0900 – 1030

### Developing and financing the project

- The spread of public-private partnerships
- The resurgence of non-recourse project finance

*Chair*

Neal Sweeney *Kilpatrick Stockton LLP, Atlanta, Georgia*

*Panellists*

Rodrigo Dantas *Senior Counsel International Operations, Odebrecht Construction Inc, Miami, Florida*

Ceri Richards *Managing Director, Oil and Gas, Infrastructure and Housing Finance, Bank of Scotland, London*

Emilio Sani *Macchi di Cellere Gangemi, Milan*

1030 – 1100 **COFFEE/TEA BREAK**

1100 – 1230

### Structuring the project

- Using bilateral investment treaties to protect the investment
- Structuring the public concession

*Chair*

Roberta Downey *Lovells, London*

*Panellists*

David Robertson *Fenwick Elliott, London*  
Matthias Scherer

Shai Wade *Kilpatrick Stockton LLP, London*

1230 – 1400 **LUNCH**

1400 – 1530

### Documenting the project

- Different approaches to common issues in various jurisdictions
- FIDIC forms – a case study

*Chair*

David Brown *Shadbolt & Co LLP, Paris*

*Panellists*

Jeremy Glover *Fenwick Elliott, London*

Coen Thomas *Allen & Overy LLP, Amsterdam*

Rony Vermeersch *Stibbe, Brussels*

1530 – 1600 **COFFEE/TEA BREAK**

1600 – 1730

### Executing the project

- The lawyer's role in construction management and execution
- CPM scheduling: a primer for young lawyers

*Chair*

Thomas P Wilson

*Panellists*

Keith Carr *General Counsel, ALSTOM Power, Baden*

Ulrich Jünemann *In-house Counsel, Hochtief Aktiengesellschaft, Essen*

David Kyte *Vice-President, Hill International, London*

1730

### COCKTAIL RECEPTION

*Hosted by*  
Kilpatrick Stockton LLP  
Lalive

## Saturday 11 November

0830 – 1245 **Registration**

0900 – 1030

### Resolving disputes as the project proceeds

The use of adjudication, DRBs and DABs on international construction projects.

*Chair*

Nicholas Gould *Fenwick Elliott, London*

*Panellists*

Paul Buckingham *Keating Chambers, London*

Adrian Hughes *Barrister, 4 Pump Court, London*

Madalina Paisa *Vilau & Mitel, Bucharest*

1030 – 1100 **COFFEE/TEA BREAK**

1100 – 1230

### Dispute resolution after the fact

- Practical considerations in arbitrating construction claims
- Arbitration in 100 days: a discussion of the new CPR and SCA rules for expedited arbitration of construction disputes

*Chair*

Peter Sullivan *Hughes Hubbard & Reed LLP, New York*

*Panellists*

Nicklas Bjorklund *Kilpatrick Stockton LLP, Stockholm*

Jane Colston *Masseys LLP, London*

Lewis S Wiener *Sutherland Asbill & Brennan LLP, Washington DC*

1230 – 1245 **Closing remarks**

Thomas P Wilson

## Date

10-11 November 2006

## Venue

Brussels Marriott Hotel  
Rue Auguste Orts 1 – 7  
1000 Brussels  
Belgium  
Tel: +32 (2) 516 9090  
Fax: +32 (2) 516 9000

## Language

All working sessions and conference materials will be in English.

## How to register

Online at [www.ibanet.org/conferences/construction06](http://www.ibanet.org/conferences/construction06) or complete the attached registration form and return it to Becky McRae at the IBA, together with your payment. You should receive e-mail confirmation of your registration within seven days; if you do not, then please contact Becky McRae at the above address.

## Fees

Registration forms and fees received:

	on or before 29 September	after 29 September
IBA member	£399	£499
Non member*	£549	£649

\* By paying the non-member fee, we welcome you as a Delegate Member of the Association for the remainder of this calendar year, which entitles you to the following benefits:

- (1) Password access to certain parts of the IBA website.
- (2) Receipt of IBA e-news and access to online versions of *International Bar News*.
- (3) The member rate for any subsequent conference registrations for this calendar year.
- (4) Take advantage of IBA Member Rewards.

If you would like to become a Full or General Member of the Association, which includes membership of one or more committees and inclusion in and access to our Membership Directory, we encourage you to do so now and register for this conference at the 'member rate'. Full details of how to join can be found at [www.ibanet.org](http://www.ibanet.org).

The IBA offers senior lawyers a discounted registration fee. Please contact the IBA office for further information.

**Full payment must be received in order to process your registration.**

## Fees include

- \* Attendance at all working sessions
- \* Conference materials, including any available speakers' papers submitted to the IBA before 20 October
- \* Access to the above conference working materials from the IBA website ([www.ibanet.org](http://www.ibanet.org)) approximately seven days prior to the conference
- \* Lunch on 10 November
- \* Tea and coffee during breaks
- \* Invitation to hosted Reception on 10 November

Please note that registrations are not transferable.

## Payment of registration fees

**Pounds sterling:** by cheque or bank draft drawn on a UK bank and in favour of the International Bar Association. Please send to: 10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom.

**OR** by bank transfer to the IBA account number: 13270222 at the National Westminster Bank, St James's & Piccadilly Branch, (Sort Code 56-00-03), 208 Piccadilly, London W1A 2DG, United Kingdom or SWIFT address NWBKGB2L or IBAN GB05NWBK56000313270222.

**Please ensure that a copy of the bank transfer details is attached to your registration form.**

**Euro:** by bank draft converted at the current rate of exchange and in favour of the International Bar Association.

**OR** by bank transfer to the IBA Bank Account Number 550/00/06570631 at the National Westminster Bank, St James's & Piccadilly Branch, (Sort Code 56-00-03), 208 Piccadilly, London W1A 2DG, United Kingdom SWIFT address NWBKGB2L or IBAN GB58NWBK60721106570631.

**Please ensure that a copy of the bank transfer details is attached to your registration form.**

**US dollars:** by cheque or bank draft converted at the current rate of exchange and drawn on a US bank and in favour of the International Bar Association. Please send to: 10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom.

**OR** by bank transfer to the IBA account number: 01286498 at the National Westminster Bank, St James's & Piccadilly Branch, (Sort Code 56-00-03), 208 Piccadilly, London W1A 2DG, United Kingdom.

**Please ensure that a copy of the bank transfer details is attached to your registration form.**

**Credit card payments:** by Visa, MasterCard or American Express. **No other cards are accepted.**

**PLEASE ENSURE THAT YOUR NAME AND THE WORDS 'CON BRUSSELS 11/06' APPEAR ON ANY TRANSFER OR DRAFT.**

## Cancellation of registration

If cancellation is received in writing at the IBA office by 13 October, fees will be refunded less a 25 per cent administration charge. We regret that no refunds can be made after this date.

## Travel arrangements and visas

Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local Embassy or Consulate.

**We are unable to send out letters supporting visa applications to embassies prior to receipt of your registration form and full payment of registration fees.**

Please apply for your visa in good time.

## Hotel accommodation

A limited number of rooms have been reserved at the Brussels Marriott Hotel for the nights of 9-11 November inclusive:

### Brussels Marriott Hotel

Rue Auguste Orts 1 – 7  
1000 Brussels  
Belgium  
Tel: +32 (2) 516 9010 (reservations)  
Fax: +32 (2) 505 2276 (reservations)

The following rates are per room, per night and include American buffet breakfast, service charges and local taxes.

Deluxe Single room: €129

Deluxe Double room: €154

Deluxe Triple room: €179

Please complete the attached accommodation form and send it direct to the hotel to make your reservation. The hotel requires a credit card number to secure your reservation. Alternatively you can book online at [www.marriott.com](http://www.marriott.com) using the group code MESMESA to avail of the group rate.

## Cancellation and no-shows

Cancellations are without penalty until 72 hours prior to arrival. A charge of one night's accommodation will apply to late cancellations or no-shows.

Please note that any reservation made after 9 October will be subject to availability and cannot be guaranteed at the special IBA rate.

As a limited number of rooms have been blocked at the hotel, availability cannot be guaranteed once the room block is full.

Delegates are responsible for making accommodation reservations directly with the hotel and enter into an agreement with the hotel regarding credit card guarantees, cancellation terms and conditions, and room rates (should these differ from the special IBA rate). The IBA cannot accept responsibility for hotel accommodation disputes between a delegate and the hotel.

## Disabled access

The Brussels Marriott Hotel is wheelchair accessible. Please notify us if you require special assistance.

## List of participants

In order for your name to appear in the list of participants, which will be distributed at the conference, your registration form must be received by 3 November at the latest.

## Promotional literature

Please note that no individual or organisation may display or distribute publicity material or other printed matter during the conference, unless by prior arrangement with the IBA. Organisations and companies wishing to discuss promotional opportunities should contact Louise Young at the IBA [louise.young@int-bar.org](mailto:louise.young@int-bar.org)

# CONSTRUCTION LAW INTERNATIONAL

Launched in 2006 and published quarterly, Construction Law International is a thought-provoking magazine with a balance of substantive and practical articles.

The launch issue includes feature articles on:

- **Key issues in process plant EPC contracts**
- **The updated Hong Kong Standard Forms of Building Contract**
- **The Dabhol dispute**
- **PPP's in Australia**
- **Meeting the power challenge in China**
- **The Dutch DRB rules**

Construction Law International is sent to all members of the International Construction Projects Committee as part of their membership package.



Construction Law International is available to IBA members who are not members of the International Construction Projects Committee at the subscription rate of £75 (\$120) per annum, and to non-members at the subscription rate of £99 (\$160) per annum for two issues. For a sample copy please contact [subscriptions@int-bar.org](mailto:subscriptions@int-bar.org), tel: +44 (0)20 7691 6868, or alternatively fill in the form below and return to the IBA office.

## Construction Law International sample request

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Country: \_\_\_\_\_

Tel: \_\_\_\_\_ IBA Membership Number: \_\_\_\_\_



the global voice of  
the legal profession

# Registration Form

## Construction projects from conception to completion

10-11 November 2006, Brussels Marriott Hotel, Brussels, Belgium

Please read the 'General Information' section before completing this form and return it, together with your payment, to Becky McRae at the address overleaf

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**Personal details** (Please attach your business card or write in block capitals)

Name \_\_\_\_\_

Membership number (if applicable) \_\_\_\_\_

Firm / Company / Organisation \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel \_\_\_\_\_ Fax \_\_\_\_\_

e-mail \_\_\_\_\_

Badge (name and country to be shown on badge, if not as above) \_\_\_\_\_

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**Special dietary requirements**

\_\_\_\_\_

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Registration form and fees received:	On or before 29 September	After 29 September	Amount Payable
IBA member	£399	£499	£
Non member*	£549	£649	£
<b>TOTAL AMOUNT PAYABLE</b>			<b>£</b>

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Full payment must be received in order to process your registration

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Please note that registrations are not transferable

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\* Join the IBA today to register for this conference at the IBA member rate.  
Please find the membership application form on [www.ibanet.org](http://www.ibanet.org)

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*Continued overleaf*

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**For office use only**

Payment \_\_\_\_\_ Banked \_\_\_\_\_ Processed \_\_\_\_\_

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**Payment details**

I enclose a cheque / bank draft made payable to the IBA for the total amount payable.

I have transferred to the IBA bank account the total amount payable and have attached a copy of the bank transfer details.

Please charge the total amount due to my Visa / MasterCard / American Express (*Other cards are not accepted*).

Card number \_\_\_\_\_ Expiry date \_\_\_\_\_

Name of card holder \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

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**Where did you first hear about this conference?**

IBA CONFERENCE     OTHER CONFERENCE     DIRECT MAIL     INTERNET     ADVERTISEMENT

E-MAIL     EDITORIAL     RECOMMENDATION     OTHER

Please provide further details, quoting code (*if applicable*)

\_\_\_\_\_  
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IBA listings are provided to third parties, are used for marketing purposes and are published on the internet and other internationally available networks and media. The IBA will treat your personal information with the utmost respect and in accordance with UK data privacy laws.

If you do not want your details to be passed on, please tick the box

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***Please send the completed form to:***

Becky McRae

**International Bar Association**

10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom

Tel: +44 (0)20 7691 6868 Fax: +44 (0)20 7691 6544 Fax: +44 (0)20 7691 6545

e-mail: [becky.mcrae@int-bar.org](mailto:becky.mcrae@int-bar.org) website: [www.ibanet.org](http://www.ibanet.org)

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# Accommodation Form

## Brussels Marriott Hotel

International Bar Association  
Construction projects from conception to completion  
10-11 November 2006

Name \_\_\_\_\_

Company \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel \_\_\_\_\_ Fax \_\_\_\_\_

e-mail \_\_\_\_\_

Deluxe single room: €129 per room per night

Deluxe double room: €154 per room per night

Deluxe triple room: €179 per room per night

The rates includes American buffet breakfast, service charges and all local taxes.

Any reservations made after 9 October 2006 will be subject to availability and cannot be guaranteed at the above rates.

**Please reserve:**  Single room  Double room  Triple room  Smoking  Non-smoking

Arrival date \_\_\_\_\_ Departure date \_\_\_\_\_

Check-in time 1500 Check-out time 1200

### Cancellation Policy

Cancellations are without penalty until 72 hours prior to arrival.

A charge of one night's accommodation will apply to late cancellations or no-shows.

**Payment Details** Please charge credit card:

American Express  Visa  MasterCard

Card number \_\_\_\_\_ Expiry date \_\_\_\_\_

Name of card holder \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Please return to:**

**Brussels Marriott Hotel**

Rue Auguste Orst 1 – 7, 1000 Brussels, Belgium

Tel: +32 (2) 516 9010 (reservations) Fax: +32 (2) 505 2276 (reservations)

[www.marriott.com](http://www.marriott.com)

Online reservations: <https://marriott.com/reservation/availability.mi?propertyCode=BRUDT>

# International Bar Association

the global voice of the legal profession

In its role as a dual membership organisation, comprising 30,000 individual lawyers and over 195 bar associations and law societies, the International Bar Association (IBA) influences the development of international law reform and shapes the future of the legal profession. Its Member Organisations cover all continents and include the American Bar Association, the German Federal Bar, the Japan Federation of Bar Associations, the Law Society of Zimbabwe and the Mexican Bar Association.

Grouped into two Divisions – the Legal Practice Division and the Public and Professional Interest Division – the Association covers all practice areas and professional interests. It provides members with access to leading experts and up-to-date information as well as top-level professional development and network-building opportunities through high quality publications and world-class conferences. The IBA's Bar Issues Commission provides its Member Organisations with substantive programmes and social activities in and between meetings and the IBA's Human Rights Institute works across the Association, helping to promote, protect and enforce human rights under a just rule of law, and to preserve the independence of the judiciary and the legal profession worldwide.

## International Construction Projects

The International Construction Projects Committee has approximately 1,000 members. Many are well known in the field of construction law and all members together represent a vast source of experience in contentious and non-contentious construction contract issues from all parts of the world.

The committee is part of the Section on Energy, Environment, Natural Resources and Infrastructure Law and deals with all aspects and types of construction and engineering projects, from traditional building and civil engineering contracts to state-of-the-art project finance infrastructure projects. The committee has something to offer both those active on their domestic market as well as those involved in overseas projects.

As part of their membership package, committee members receive *Construction Law International (CLInt)*, the quarterly magazine of the IBA International Construction Projects Committee.

Launched in March 2006, *CLInt* is a thought-provoking magazine with a balance of substantive and practical articles and news that anyone involved in the international construction industry will wish to receive. In addition to feature articles, each issue will have regular updates from around the world and highlights from ICP-Net.

*CLInt* is available to purchase by subscription – for details visit [www.ibanet.org/publications/How\\_to\\_order.cfm](http://www.ibanet.org/publications/How_to_order.cfm).

Guidelines for authors interested in submitting articles for *CLInt* can be found in the magazine, or contact [editors@constructionlawinternational.com](mailto:editors@constructionlawinternational.com).



For further information please contact:

**International Bar Association**

10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom

Tel: +44 (0)20 7691 6868 Fax: +44 (0)20 7691 6545

email: [member@int-bar.org](mailto:member@int-bar.org) website: [www.ibanet.org](http://www.ibanet.org)

### INTERNATIONAL LAW OFFICE

OFFICIAL ONLINE MEDIA PARTNER TO THE IBA  
[WWW.INTERNATIONALLAWOFFICE.COM](http://WWW.INTERNATIONALLAWOFFICE.COM)

The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the Conference, change its venue or any of the other published particulars, or withdraw any invitation to attend. In any case, neither the organisers nor any of their officers, employees, agents, members or representatives shall be liable for any loss, liability, damage or expense suffered or incurred by any person, nor will they return any money paid to them in connection with the Conference unless they are satisfied not only that the money in question remains under their control but also that the person who paid it has been unfairly prejudiced (as to which, decision shall be in their sole and unfettered discretion and, when announced, final and conclusive).