



and IBC Legal are proud to present their 25th Anniversary Conference!



FIDIC International Contract Users' Conference

The essential annual review of the latest developments in FIDIC contracts. From FIDIC for FIDIC users

5th - 6th December 2012 • Workshops: 4th December
The May Fair Hotel, London

Register by 14th September & SAVE up to £700!

Don't miss the must-attend event for all FIDIC Contract Users, so you can:

- Remain ahead of the field with **exclusive insights from the FIDIC Updates Task Group** on how the **latest and future sets of changes** will impact you, including:
 - Design responsibility under the **Yellow Book** and subcontract updates
 - Ensuring an efficient use of the **Gold Book** DBO and its new contract guide
 - Planning, administration and supervision of a project using the **'White Book Agreements'**
 - **FIDIC EPC/Turnkey Contract (Silver Book)** – current thinking & managing project risk
 - **The MDB Harmonized Contract** – recent user experiences
- Get to grips with the latest **arbitration and ADR strategies** for resolving FIDIC contract disputes and ensure a speedy and cost-effective resolution
- **Mock DAB Session** build your understanding of the operation of the DAB process through this re-enactment of a typical DAB proceeding
- **Get involved!** Benefit from numerous international case studies and a dedicated open session to let you share your experiences amongst your FIDIC peers
- Also new for 2012! Don't miss three **pre-event workshops: Introduction to FIDIC Contracts, Dispute Boards & Advanced Dispute Resolution Strategies**
- And much more besides...

Your registration includes a free copy of:

- FIDIC Procurement Procedures Guide, 1st Edition 2011

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Your Speaker Faculty 2012:

- **Kaj Möller**, *President, SWECO INTERNATIONAL AB; Executive Committee Member, FIDIC* (Sweden)
- **Axel Jaeger**, *Consulting Engineer, Member VBI, FIDIC, DBF; Special Advisor, FIDIC CONTRACTS COMMITTEE, VBI ASSESSMENT PANEL FOR ADJUDICATORS* (Germany)
- **Dr Nael Bunni**, *Chartered Engineer; Chartered arbitrator; Special Advisor, FIDIC CONTRACTS COMMITTEE; Leader, FIDIC SUBCONTRACT TASK GROUP; FIDIC Adjudicator* (Ireland)
- **Michael Mortimer-Hawkins**, *Special Advisor, FIDIC CONTRACT COMMITTEE* (Sweden)
- **Dr Cyril Chern**, *Barrister; Member, FIDIC ASSESSMENT PANEL FOR ADJUDICATORS; DISPUTE BOARD FEDERATION* (Switzerland), *FIDIC Adjudicator* (UK)
- **Philip Jenkinson**, *ATKINS, Chair, FIDIC CONTRACTS COMMITTEE* (UK)
- **Edward Corbett**, *Member of FIDIC DREDGING & RECLAMATION UPDATE TASK GROUP* (UK)
- **Siobhan Fahey**, *Member, FIDIC SUBCONTRACT TASK GROUP* (Ireland)
- **Christopher Seppälä**, *Partner, WHITE & CASE* (France); *Special Advisor, FIDIC CONTRACTS COMMITTEE*
- **Dr. Christoph Theune**, *Director Operations, LAHMEYER GKW CONSULT, Member FIDIC CONTRACT COMMITTEE* (Germany)
- **Simon R Worley**, *Chartered Civil Engineer; FIDIC Accredited Trainer, Member, FIDIC SUB-CONTRACT TASK GROUP* (UK)
- **Zoltán Záhonyi**, *Member, FIDIC CONTRACTS COMMITTEE* (Hungary)
- **Aisha Nadar**, *Member, FIDIC UPDATES TAX GROUP* (UK)
- **Svend Poulsen**, *Project Director, ATKINS; Chair, FIDIC UPDATES COMMITTEE* (Denmark)
- **William Godwin**, *Barrister; Member, CIETEC FOREIGN ARBITRATORS' PANEL* (UK)
- **Sebastian Hök**, *Partner, HÖK, STIEGLMEIER & KOLLEGEN; FIDIC ADJUDICATOR* (Germany)
- **Ellis Baker**, *Head of Construction & Engineering Practice Group, WHITE & CASE* (UK) and *Lead Author of FIDIC Contracts in Law and Practice* (Informa, 2009)
- **Brian Barr**, *Civil Engineer & Dispute Review Expert, BRIAN BARR CONSULTING* (UK)
- **David Brown**, *Avocat Associé - Partner, CLYDE & CO* (France)
- **Mark Etheridge**, *Engineer; Divisional Director, JACOBS ENGINEERING* (UK)
- **Stéphane Giraud**, *Manager "Private Key Account" Unit, EGIS EAU; FIDIC Expert, DAB* (France)
- **Nicholas Gould**, *Partner, FENWICK ELLIOTT* (UK)
- **Daniel M. Isooba**, *Infrastructure Specialist, AFRICAN DEVELOPMENT BANK* (Uganda)
- **Rupert Choat**, *Head of Construction Disputes, CMS LONDON* (UK)
- **Vincent Leloup**, *Director/International Department, SCE; Member of Syntec's FIDIC Task Group; SYNTEC INGENIERIE* (France)
- **Coenraad Snyman**, *Senior Specialist: Contracts & Commercial, ANGLOGOLD ASHANTI* (South Africa)
- **Paul Taggart**, *Head of Contracts, SALINI GROUP* (Italy)
- **Jonathan Hosie**, *Partner, Construction & Engineering Group, MAYER BROWN INTERNATIONAL LLP* (UK)
- **Alan Reynolds**, *Managing Director, BAKER & O'BRIEN LLP* (UK)

FIDIC International Contract Users' Conference

The May Fair Hotel, London • 5th - 6th December 2012

Dear Colleague,

With more expert speakers and more audience interaction than ever before, FIDIC and IBC Legal are delighted to invite you to the 25th Silver Anniversary Edition of the FIDIC International Contract Users' Conference in December, where you will gain unique insights on the changes and updates directly from the contract drafters, updates task groups, experienced contract users and leading lawyers.

Make sure your seat is reserved early this year, so you don't miss out on the opportunity to hear directly from those responsible for drafting the FIDIC contracts and network with experienced contract users from all over the world.

More than 200 delegates attended from 46 different countries last year so make sure you bring a good number of business cards!

We look forward to seeing you there!

Kind regards,

François Baillon
Commercial Director
FIDIC

Michele Costa
Senior Conference Producer
IBC Legal



FIDIC: The Global Voice of Consulting Engineers

- FIDIC is the international federation of national associations of consulting engineers. The members of each national association comply with FIDIC: The global voice of Consulting Engineers code of ethics which calls for impartial advice, competence and fair competition
- Today FIDIC membership numbers 90 member associations from all parts of the globe and represents most of the independent practising engineers in the world
- FIDIC acts as a forum for the exchange of views and information and actively encourages the discussion of matters of mutual concern among member associations. FIDIC publishes best-practice guides as well as widely used and internationally recognised services agreements and works contracts
- FIDIC can be contacted by telephone on +41 (22) 799 4900, or visit the website at www.fidic.org.

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WHITE & CASE

White & Case is a leading global law firm with lawyers in 36 offices across 25 countries. The White & Case Construction & Engineering group assists clients around the world on all their construction-related needs, from drafting of tender and project documentation to the resolution of disputes which may arise out of a construction project.

MAYER BROWN

Mayer Brown is a global law firm with substantial international projects and construction experience. The firm is well known for advising lenders, project sponsors, asset owners and contractors on the development and financing of large and complex projects in the energy, natural resources and infrastructure sectors. Mayer Brown also advise on the resolution of substantial disputes arising out of major projects as part of the firm's international arbitration practice, with experience under the rules of all major arbitral institutions. The Construction & Engineering Group in the firm's London office offers specialist advice and works closely with colleagues across the globe on many of these projects in jurisdictions throughout Latin America, the Middle East and across Africa.



C/M/S has more than 2,800 lawyers in 52 offices around the world. We are recognised as market leaders and top-ranked by independent directories for our expertise in construction, projects and energy.



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The construction & energy law specialists **Fenwick Elliott LLP** is the largest specialist construction and energy law firm in the UK working with clients from around the world in the building, engineering and energy sectors with considerable experience in oil, gas and power. Fenwick Elliott provides a comprehensive range of legal services on every aspect of the construction process. Our expertise includes procurement strategy; contract documentation and negotiation; risk management and dispute avoidance; project support; and decisive dispute resolution, including international arbitration, mediation and adjudication.

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Clyde & Co are a major force in the projects and construction industry worldwide. Our lawyers are at the cutting edge of developments being made in the way our clients structure their large scale projects. We understand the changing nature of the projects market and our lawyers are at the forefront providing commercial, flexible and innovative solutions. Our team provide the full range of non-contentious and contentious projects and construction advice and can be engaged at every step along the way.



Pinsent Masons is an award winning international law firm with over 1,100 qualified legal staff worldwide. As the world's leading adviser on construction and infrastructure projects (Who's Who Legal), we have extensive experience of all FIDIC forms and FIDIC based contracts including their use in many different sectors and across jurisdictions in Europe, Asia Pacific, Middle East, India and Africa.

Over the last 25 years, the leading international law firms, chamber sets and consultants have chosen the FIDIC Contract Users' Conference series as the ideal platform to share insights and expertise to clients and peers alike. How are you positioning your business, raising your industry profile and exploiting your firm's USPs in the current market?

For more information on how IBC Legal Conferences can assist you meet your marketing objectives and details on the range of business development opportunities available, please contact Ayo Fagbohun on telephone +44 (0)20 7017 4196 or email ayo.fagbohun@informa.com

PRE-CONFERENCE WORKSHOPS 4th December 2012

Workshop A - (09:00-11:30 - Registration & Coffee from 08:30)

Introduction to FIDIC Contracts

Attend this pre-conference workshop to refresh your knowledge of the rainbow suite of FIDIC contracts. FIDIC Contract experts will take you through the entire rainbow book collection and explain in details the specificities and purposes of each form. Hear a summary of how FIDIC's works contracts have become widely used industry standards. Receive an update on the use, sale, translation, licensing, and recent developments of FIDIC contracts, worldwide. Discuss work in progress and future developments. Participate in exercises exploring key concepts embodied in the FIDIC contracts

Coverage Includes:

- Different contract strategies addressed by the FIDIC suite
- Detailed analysis of the FIDIC rainbow collection of forms of contract:
 - Green Book - Red Book - Yellow Book - Silver Book
- Risk allocation and business processes for the FIDIC suite
- The growing influence of FIDIC's suite of contracts in establishing world-class industry standards
- How FIDIC's major works contracts are being used worldwide
- Comparative advantages of FIDIC in relation to other forms of contract
- Emerging FIDIC user's regions and hot spots

Workshop Leaders:

Aisha Nadar, Member, FIDIC Updates Task Group, UK

Svend Poulsen, Project Director, ATKINS; Chair, FIDIC UPDATES TASK GROUP (Denmark)

Workshop B (11:30-14:00)

Dispute Boards: Using Them to Make Projects Successful

With thoughtfully constituted Dispute Boards to whom claims and defences are effectively presented, you can gain strong advantages in the battles over major claims. Attend this workshop to find out the pros and cons of the DB process, which is said to have about a 95% success rate, as well as Practical issues and solutions when negotiating contracts and during projects. Attendees will also benefit from a "mock dispute" that progresses through a Dispute Adjudication Board (DAB) process for additional insight into the DB process.

Coverage Includes:

- FIDIC's choice of DABs over Dispute Review Boards and Combined Dispute Boards.
- Dispute avoidance vs. dispute resolution / standing DABs vs. ad hoc DABs.
- DAB appointment issues. A FIDIC "gap".
- Jurisdictional and natural justice/due process challenges to DABs.
- Hearings, procedure, etc.
- How and when DABs can save contractors' claims that do not comply with time-bar provisions.
- Enforcing DAB decisions. Another FIDIC "gap". Bolstering DABs by giving them arbitral status.

Workshop Leader:

Rupert Choat, Head of Construction Disputes, CMS LONDON (UK)



Workshop C (14:00-17:30)

Advanced Dispute Resolution Strategies: Effective, Efficient & Economic

Leading construction law practitioners will guide you through the various dispute resolution tools presently available and assess the pros and cons of each possible approach for your particular projects.

Module 1 - Set Up

- Tiered Dispute Resolution Clauses
- Local Court v Arbitration
- Seat
- Substantive Law
- Language
- Sovereign Immunity

Module 2 - Management of the Dispute

- Enforcement
- Quantum
- Legal Basis
- Procedural v Substantive law issues
- Case Presentation
- Ensuring the award is enforceable

Module 3 - Enforcement Issues

- New York Convention
- Appeals
- Court interference
- Public Policy Issues

By attending this workshop, you will gain a comprehensive understanding of:

- Dispute avoidance strategies
- Common areas giving rise to disputes
- Effective claims strategy and management
- DAB process and enforcement of DAB decisions
- ADR options: including early neutral evaluation, mediation and other processes
- Arbitration: choice of seat and procedural rules - what are the available and preferred options
- Arbitration: fast track arbitration and options for controlling time and costs in an arbitration
- Arbitration: domestic and international enforcement of arbitral awards
- Investment treaty protection for major development, infrastructure and oil and gas projects

Led by team from



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FIDIC International Contract Users'

The May Fair Hotel, London • 5th - 6th December 2012

CONFERENCE DAY ONE 5th December 2012

08:30 Registration & Coffee

09:00 Opening Remarks from the Chairman

Kaj Möller, President, **SWECO INTERNATIONAL AB**;
Executive Committee Member, **FIDIC (Sweden)**

09:05 International Expansion of FIDIC Contracts Worldwide

The standard contract documents, policies and guidelines, covering both engineering agreements and various forms of project delivery produced by FIDIC has been preferred by engineers, contractors, architects and construction law professionals worldwide for several decades. FIDIC's dominance as the preferred form of contract for major construction works continues to be felt across important developing regions and emerging economies and is now the recognised industry standard for the global construction industry. This session will explain:

- How FIDIC is responding to the needs of the international construction industry
- How FIDIC's major works contracts are being used worldwide
- Emerging regions and hot spots of FIDIC usage
- How FIDIC can support businesses to expand globally

Kaj Möller, President, **SWECO INTERNATIONAL AB**;
Executive Committee Member, **FIDIC (Sweden)**

09:35 Supporting Development Projects with the MDB Harmonized Contract

The use of MDB Harmonised contracts is increasing in international finance projects. This form of contract assists the development bank and parties involved in the project take advantage of its unique attributes to ensure a successful project for all stakeholders. This session will be looking at:

- Why is the MDB harmonized Contract used instead of the Red Book?
- Use of DABs under the MDB harmonized contract – current use and trends in civil law countries
- Place and role of the development bank in contract administration
- Recent user experience case studies

Vincent Leloup, Director/International Department, **SCE**; Member of *Syntec's FIDIC Task Group*; **SYNTEC INGENIERIE (France)**

Daniel M. Isooba, Infrastructure Specialist, **AFRICAN DEVELOPMENT BANK (Uganda)**

10:25 Morning Coffee Break

10:45 The New FIDIC Rainbow Suite – Latest Developments

Gain an up to date insight into the philosophy underpinning upcoming updates and understand how these concepts and issues are being taken into account in updating the FIDIC 1999 suite of contracts. Hear how the future editions will both adopt innovations introduced in the DBO Contract and the MDB Harmonised Construction Contract, and take into account the extensive user feedback received. Topics include:

- Increased focus on the Engineer's role
- Employer's requirements and contract success
- Effective contract management
 - Communications
 - Advance warning
 - Programme requirements
 - Dispute avoidance

Aisha Nadar, Member, **FIDIC UPDATES TASK GROUP (UK)**

Svend Poulsen, Project Director, **ATKINS**;
Chair, **FIDIC UPDATES TASK GROUP (Denmark)**

11:25 Contract Administration Issues Under FIDIC

Technical and economic success of a construction measure is determined by the quality of the client's independent Consulting Engineer for the planning, administration and supervision on site for the project. Such a sufficiently detailed project structure plan with clear guidelines to the purpose of the project and scope of services is therefore highly recommended. The "White Book Agreements" in connection with the "Conditions of Contract" exactly meet these requirements.

- The White Book Agreements :
 - Client/Consultant Model Services Agreement
 - Sub-Consultancy Agreement
 - Joint Venture Agreement
- Scope of Services (Definition of Services Guidelines, Building Construction, 2009)
- Duty of Care and Exercise of Authority
- Necessary adaptation of technical requirements as integrated design of the entire project purpose by the Sub-Consultant
- JV Agreement for the purpose of technology and know-how transfer

Axel Jaeger, Consulting Engineer, Member **VBI, FIDIC, DBF**; Special Advisor, **FIDIC CONTRACTS COMMITTEE, VBI Assessment Panel for Adjudicators (Germany)**

12:05 The Evolving Role of the Engineer

The Engineer should play the central role in the administration of a FIDIC Contract. This session will look at the way the Engineer's role was envisaged under the 1999 FIDIC "Red" and "Yellow" Books, review how that role has evolved in practice, what it means to the practising Engineer in the field, and how the evolution of the Engineer's role may be reflected in the future FIDIC Conditions of Contract. As Employers increasingly look to limit the authority of the Engineer's role, what does this mean for the Engineer and the Contractor?

- Re-assessing the role of the Engineer
- Current trends and what these may mean for the role of the Engineer in the future
- Role of the Engineer vs DAB in claim management and dispute resolution
- How Employer's and Contractor's understand the role of the Engineer
- What Employer's and Contractor's expect from the Engineer
- The impact/effect of limiting the Engineer's authority

Vincent Leloup, Director / International Department; **SYNTEC INGENIERIE**;
Member of *Syntec's FIDIC Task Group*, **SCE (France)**

Simon R Worley, Chartered Civil Engineer; FIDIC Accredited Trainer,
Member, **FIDIC SUB-CONTRACT TASK GROUP (UK)**

Mark Etheridge, Engineer; Divisional Director, **JACOBS ENGINEERING (UK)**

12:50 Networking Lunch

13:50 Recent Experiences with the Employer's Requirements

The document setting out the Employer's Requirements is of paramount importance within the Contract Documents. In particular, the tenderer would find in it not only what is required for the execution and completion of the works, but also the sketch design that he must develop into a final design with an "intended purpose". Thus, it is essential that all concerned with the Yellow, Silver and Gold Books understand the various aspects of the Employer's Requirements. Building on the 2010 Users Conference,

To register or for the latest programme: www.ibclegal.com/fidic

when the latest developments were explored, it is now essential to learn about some recent experiences in that field.

- How do the relevant 25 Sub-Clauses where the Employer's Requirements interact?
- How do Sub-Clauses 1.9, 4.7, 5.1 and 5.8 govern the liability for sketch and final design?
- Is the single point liability a fiction?
- What is the meaning of the "intended purposes" as defined in the Contract?
- Do the contrasting requirements in drafting the Employer's Requirements lead to contentious issues?
- How is risk allocation different between the relevant three Books?

Dr Nael Bunni, Chartered Engineer; Chartered Arbitrator; Special Adviser, **FIDIC CONTRACTS COMMITTEE**; Leader, **FIDIC SUBCONTRACT TASK GROUP**; *FIDIC Adjudicator* (Ireland)

14:35 Ask the Updates Task Group! Q&A Session

A panel comprising prominent members of the FIDIC Updates Task Group will come together to take questions from the audience and, crucially, to provide exclusive insights into some of the foreseeable changes to be included in future editions of the FIDIC suite of contracts. Topics likely to feature heavily on the agenda include:

- Design responsibility under the Yellow Book
- Yellow book subcontract updates
- Limitation of liability - all 1999 forms
- Notices of claims – Employer and Contractors' failure to comply
- Concurrent delay
- How to deal with PPPs under FIDIC
- Termination

Philip Jenkinson, **ATKINS**, Chair, **FIDIC Contracts Committee** (UK)

Aisha Nadar, Member, **FIDIC UPDATES TASK GROUP** (UK)

Siobhan Fahey, Member, **FIDIC SUBCONTRACT TASK GROUP** (Ireland)

Edward Corbett, Member of **FIDIC Dredging & Reclamation Update Task Group** (UK)

15:15 Networking Break & Refreshments

15:35 Pursuing Claims under FIDIC Contracts

This session will explore and analyse best practice in presenting and pursuing a claim under a FIDIC Contract with a particular focus in areas such as:

- Time bars
- Documentation and compliance with applicable laws
- Effect of delay damages on an extension of time
- Effect of works not being ready for testing
- Considerations concerning removal of items from the site
- Expectations of the Dispute Adjudication Board

Zoltán Záhonyi, Member, **FIDIC CONTRACTS COMMITTEE** (Hungary)

Siobhan Fahey, Member, **FIDIC SUBCONTRACT TASK GROUP** (Ireland)

Rupert Choat, Head of Construction Disputes, **CMS LONDON** (UK)

16:15 EPC Project Risks: How FIDIC Forms Address the Key Issues

A panel from Mayer Brown and international consultants Baker & O'Brien operating in the oil, gas, chemical and related industries will identify some of the key commercial risks impacting projects and examine how these are addressed in the FIDIC Yellow and Silver forms plus the Multilateral Development Bank (MDB) version of the FIDIC Red Book form. The speakers will review:

- Key commercial risks affecting time, cost and performance output on international projects
- 'Bankability' of projects
- Interrelationship with project economics, supply and offtake agreements
- Local country risks (political, economic and enforcement issues)
- How the FIDIC Yellow, Silver and MDB forms address these issues
- Limitations on liability and caps
- Protecting against payment and delivery risks in uncertain times

Jonathan Hosie, Chris Fellowes & Raid Abu-Manneh, Partners in the *Construction & Engineering Group*, **MAYER BROWN INTERNATIONAL LLP** (UK)

Alan Reynolds, Managing Director, **BAKER & O'BRIEN LLP** (UK)

17:05 Chair's closing remarks

17:15 Close of Day 1 and Drinks Reception



CONFERENCE DAY TWO 6th December 2012

08:35 Registration & Coffee

09:00 Chairman's Opening Remarks

Axel Jaeger, Consulting Engineer, Member **VBI, FIDIC, DBF**; Special Advisor, **FIDIC CONTRACTS COMMITTEE**, **VBI Assessment Panel for Adjudicators** (Germany)

09:05 The FIDIC DBO Contract (Gold Book)

Since its publication in 2008, the *Design, Build and Operate Contract* has become one of the most popular of the FIDIC forms. It incorporates all the major features of the earlier FIDIC books with improved and updated risk and insurance provisions and takes a new look at the provisions for the prevention and resolution of disputes. The speakers will review:

- Application of Design-Build-Operate and Green Field sites
- Advantages of the FIDIC DBO and how it compares with the design-build
- Ensuring an efficient use of the Gold Book DBO and its new contract guide
- Latest developments concerning Brown-Field requirements
- Specific DAB rules within the FIDIC DBO contract

Michael Mortimer-Hawkins, Special Advisor **FIDIC CONTRACT COMMITTEE** (Sweden)

Dr. Christoph Theune, Director Operations, **LAHMEYER GWK CONSULT**, Member **FIDIC CONTRACT COMMITTEE** (Germany)

09:45 FIDIC EPC/Turnkey Contract – Current Thinking

Hear more about and discuss latest developments in the use of the *EPC/Turnkey contract (Silver Book)* including the following important aspects:

- Multiple turnkey projects
- Design liability and front-end engineering design
- Employer's mistakes: when is the contractor responsible?
- Handling unforeseen ground conditions
- How additional payment and additional time are limited
- Re-allocating risk

William Godwin, Barrister; Member, **CIETEC FOREIGN ARBITRATORS' PANEL** (UK)

Edward Corbett, Member of **FIDIC DREDGING & RECLAMATION UPDATE TASK GROUP** (UK)

10:25 Morning Coffee Break

10:45 **International Case Studies Review - Experiences from FIDIC Users’**

This panel session will assemble experienced FIDIC Contract Users’ from a number of regions and industry sectors to share their experiences in using FIDIC as a key project administration tool in some of the most challenging environments. Delegates will benefit from listening to a number of case studies and will also have an opportunity to pose any questions to the panellists. Case studies include:

- Silver Book 1999 – Kenyan wind farm, Pakistan waste water treatment plant, DRC, copper processing plant upgrade
- Red Book 1999 & MDB 2005 – Armenian roads, DRC greenfields mining project, Ghana plant make-over project
- Yellow Book – Ethiopia pumping stations, Ghana, Namibia, Guinea, Mali & Tanzania – open pit and underground mining contracts

Panel Speakers:

Stéphane Giraud, Manager “Private Key Account” Unit, EGIS EAU; FIDIC Expert, DAB (France)

Coenraad Snyman, Senior Specialist: Contracts & Commercial, ANGGOLD ASHANTI (South Africa)

11:35 **Common Pitfalls When Preparing & Using FIDIC (and Other) Works**

- Employer’s (mis)perceptions and consequent amendments to the Contract
- Flawed tender evaluation
- Re-apportionment of risks via the Particular Conditions
- Inflexible/restrictive/prescriptive and, therefore, unrealistic timetables for construction

Dr Cyril Chern, Barrister; Member, FIDIC ASSESSMENT PANEL FOR ADJUDICATORS; Dispute Board Federation (Switzerland), FIDIC Adjudicator (UK)

Simon R Worley, Chartered Civil Engineer; FIDIC Accredited Trainer, Member, FIDIC SUB-CONTRACT TASK GROUP (UK)

12:05 **Mock DAB Session**

Build your understanding of the operation of the DAB process through this re-enactment of a typical DAB proceedings.

Dr Cyril Chern, Barrister; Member, FIDIC ASSESSMENT PANEL FOR ADJUDICATORS; Dispute Board Federation (Switzerland), FIDIC Adjudicator (UK)

Brian Barr, Civil Engineer & Dispute Review Expert, BRIAN BARR CONSULTING (UK)

David Brown, Avocat Associé – Partner, CLYDE & CO LLP (France)

Paul Morgan, Senior Associate, CLYDE & CO LLP (UK)

12:55 Networking Lunch

14:00 **Cost Management in FIDIC Conditions of Contract**

Cost and payment management are a large part of the balanced reputation of a FIDIC contract. Find out how best to use these financial tools to enhance and maintain the relationship between parties.

- Cost model through the FIDIC contracts
- Correct use of bank guarantees
- How can changes in legislation impact cost
- Adjustments for changes in cost
- Payment issues in claims and DAB

Christopher Seppälä, Partner, WHITE & CASE; Special Advisor, FIDIC CONTRACTS COMMITTEE (France)

Zoltán Záhonyi, Member, FIDIC CONTRACTS COMMITTEE (Hungary)

14:45 **Dispute Boards in Practice – Overcoming the Hurdles**

- Contractual Approach: 1999 suite of Contracts, Gold Book
- The view of the Parties: Practical experiences
- Engineers’ dispute avoidance activities: Practical experiences
- DABs’ dispute avoidance activities: Practical experiences

Moderator:

Nicholas Gould, Partner, FENWICK ELLIOTT (UK)

Panel Speakers:

Sebastian Hök, Partner, HÖK, STIEGLMEIER & KOLLEGEN; FIDIC Adjudicator (Germany)

Jeremy Glover, Partner, FENWICK ELLIOTT (UK)

Paul Taggart, Head of Contracts, SALINI GROUP (Italy); President, DRBF Region 2

15:30 Networking Break & Refreshments

15:50 **Users’ Feedback – Share your Experiences with Your Peers!**

Further to a very successful session last year, whereby member of the audience volunteered to take to the stage and share their FIDIC experiences with their fellow users, we will once again reserve half an hour to give four lucky delegates the spotlight for 5 minutes. Only audience members can apply so make sure you reserve your place early for a chance to access this great platform!

Panel Speakers:

Speakers will be recruited from the audience. Delegates will be given the opportunity to apply for 5 minutes slot on the day.

16:35 **Arbitration & Alternative Dispute Resolution**

This session considers the opportunities for avoidance and early resolution of disputes under the FIDIC contract provisions. This is intended to equip the representatives and advisors of the Parties and the Engineer to make good choices in moving towards a cost effective resolution.

- The dispute phenomenon
- Dispute avoidance
- Amicable settlement in context of Developments in alternative Dispute Resolution
- Recent developments and trends in international arbitration

Moderator:

Ellis Baker, Head of Construction & Engineering Practice Group, WHITE & CASE; Lead Author, FIDIC CONTRACTS IN LAW AND IN PRACTICE (INFORMA, 2009) (UK)

Aisha Nadar, Member, FIDIC UPDATES TASK GROUP (UK)

17:25 Chair’s closing remarks

17:30 Close of Conference

“Well done! The event should be followed by everyone who needs the essential review of the latest developments in FIDIC contracts delivered by international FIDIC experts.”

V Zakiyya, PT Pertamina

FIDIC International Contract Users' Conference 2012

5th & 6th December 2012 – Workshops: 4th December • The May Fair Hotel, London, UK (FKW82328)

VIP CODE:

Please quote the above VIP code when registering

WHEN AND WHERE

FKW82328
5 - 6 December 2012
The May Fair Hotel
Stratton Street,
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Delegates are responsible for the arrangement and payment of their own travel and accommodation. Informa has arranged a special room rate at a number of hotels. If you wish to book a room, please call Venue Search on +44 (0)20 8546 6166 or if you prefer you can email them at beds@venuesearch.co.uk. Please state that you are an Informa delegate.

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Job title Department
Telephone Fax
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Booking Contact Mr/Mrs/Ms
Job title Department
Telephone Fax
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COMPANY DETAILS

Company Name
Postal Address

Telephone Fax

Nature of Business

Billing Address (if different from above address)

Billing E-mail Address:

Unable to attend - event documentation

Nothing compares to being there - but you need not miss out! To order your online documentation please email professionalcustserv@informa.com.

FIDIC International Contract Users' Conference 2012- £295 + VAT @ 20%

Documentation orders can only be processed on receipt of credit card details. To ensure we provide the highest level of security for your credit card details we are unable to accept such payments via email or fax, which ensures that these details are never stored on our network. To make payment by credit card: To make your payment on-line, please enter your credit card details in our secure payments website that you will use when making your documentation purchase via the event website (the event web address is near the top of the booking form). Alternatively call our customer service team on +44 (0) 20 7017 5503 or email your phone number with your documentation order to professionalcustserv@informa.com and we will call you.

FIVE EASY WAYS TO REGISTER



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Please remember to quote
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Payment should be made within 14 days of registration. All registrations must be paid in advance of the event.

Your VIP code is given above. If there is no VIP code, please quote FKW82328

HOW MUCH?

	Book by 14th September 2012	Book by 2nd November 2012	Standard Price
Full Event: Conference + 3 Workshops	<input type="checkbox"/> SAVE £700 £1896 + VAT @ 20% (£2275.2)	<input type="checkbox"/> SAVE £600 £1996 + VAT @ 20% (£2395.2)	<input type="checkbox"/> SAVE £500 £2096 + VAT @ 20% (£2515.2)
Conference + 2 Workshops - specify 2 workshops below	<input type="checkbox"/> SAVE £500 £1697 + VAT @ 20% (£2036.4)	<input type="checkbox"/> SAVE £400 £1797 + VAT @ 20% (£2156.4)	<input type="checkbox"/> SAVE £300 £1897 + VAT @ 20% (£2276.4)
Conference + 1 Workshop - specify 1 workshop below	<input type="checkbox"/> SAVE £300 £1498 + VAT @ 20% (£1797.6)	<input type="checkbox"/> SAVE £200 £1598 + VAT @ 20% (£1917.6)	<input type="checkbox"/> SAVE £100 £1698 + VAT @ 20% (£2037.6)
Conference Only:	<input type="checkbox"/> SAVE £200 £1199 + VAT @ 20% (£1438.8)	<input type="checkbox"/> SAVE £100 £1299 + VAT @ 20% (£1558.8)	<input type="checkbox"/> £1399 + VAT @ 20% (£1678.8)
Workshops Only - specify workshop(s) below	<input type="checkbox"/> £399 + VAT @ 20% (£478.8)	<input type="checkbox"/> £399 + VAT @ 20% (£478.8)	<input type="checkbox"/> £399 + VAT @ 20% (£478.8)

Specify your workshop(s):

- Workshop A - 4th Dec. 2012, Morning: **Introduction to FIDIC Contracts**
- Workshop B - 4th Dec. 2012, Afternoon: **Dispute Boards**
- Workshop C - 4th Dec. 2012, Late Afternoon: **Advanced Dispute Resolution Strategies**

All discounts can only be claimed at the time of registration and multi-booking discounts cannot be combined with other discounts that may be available (apart from early booking discounts which are available to everyone). All discounts are subject to approval. Please note the conference fee does not include travel or hotel accommodation costs. We are happy to accept a replacement delegate for the whole event, however delegate passes cannot be split or shared between delegates under any circumstances. **£200 discount for 3rd and subsequent delegates** (not applicable for delegates who choose the workshop only option)

THREE EASY WAYS TO PAY

- Cheque: Enclosed is our cheque for £ in favour of IIR UK Ltd
Please ensure that the Reference Code **FKW82328** is written on the back of the cheque
- By Bank Transfer: Full details of bank transfer options will be given with your invoice on registration.

To make payment by credit card: To ensure we provide the highest level of security for your credit card details we are unable to accept such payments via email or fax, which ensures that these details are never stored on our network. To make payment by credit card on-line, please enter your credit card details in our secure payments website that you will use when making your booking via the event website (the event web address is near the top of the booking form). Alternatively call our customer service team on +44 (0) 20 7017 5503.

Additional Requirements Please notify Informa at least one month before the conference date if you have any additional requirements e.g. wheelchair access, large print etc.
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