

## Regional News for September 2009

**23 Sep 2009:** Most construction disputes involve complex and factual issues, voluminous documents, many witnesses and long project history. Very often, it ends up in long delay and high legal costs in resolving construction disputes in court. The Civil Justice Reform (CJR) which came into effect on 2 April 2009 aims to alleviate these negatives in the High Court proceedings. Mr Steven Yip, partner of Minter Ellison and Dennis Wong, senior associate of the same law firm gave us an interesting talk on “How to handle construction disputes effectively in view of the latest civil justice reform”. 78 members and guests attended this CPD evening. They delivered the talk in a simple and interactive approach and introduced the background information of the development of CJR which affects the current practice of dispute resolution mechanism throughout the Hong Kong construction industry. They went on to discuss the impact of the new CJR rules on typical stages in construction litigation particularly involving pleadings, discovery, case management, witness statement and experts.



Speakers Mr. Steven Yip (left) and Mr. Dennis Wong at the Question time



## Coming Events

- 16 Oct 2009:** A Case Study – Benefits of Building Information Modelling and Virtual Reality technology for Civil Projects at the Hong Kong Institution of Engineers headquarters.
- 27 Oct 2009:** Cocktail Reception to mark the grant of the Royal Charter at Foreign Correspondents' Club in Central. The Region would invite learned friends from the related professional institutions, industries representatives, academia as well as lawmakers in construction industries to attend our celebration
- Nov/Dec 2009:** A function to be jointly held with HKIS; details to be confirmed.

## Chairman of Hong Kong Region

Following the resignation of Regional Chair, Mr. Eric Poon, our Past Chairman, Mr. Eric Lo was voted in by the Hong Kong Committee as the interim Chairman to serve the remaining term of the chairmanship, i.e. his period of appointment would be the same as the other two Principal Officers and will be up to the AGM in 2011.

## Designation

Following the Chartered Status of the Institution members are keen to know if any change in their designation. The following is the designations offer to various class of members:

Fellow (including Honorary Fellow)	FCInstCES
Member	MCInstCES
Associate	ACInstCES
Graduate	GCInstCES
Technical Member	TCInstCES

## Construction Update

### Central-Wanchai Bypass and Island Eastern Corridor Link

To alleviate traffic congestion along the north shore of the Hong Kong Island, the government proposed to construct a 4.5 km dual 3-lane carriageway, of which about 3.7 km in tunnel form. The trunk road will link the Island Eastern Corridor in Causeway Bay and Rumsey Street Flyover in Central. As we all know, the proposed construction method involves temporary reclamations for a section of tunnel in Causeway Bay. The project was challenged in Court and in the light of the Court of First Instance's judgment on 20 March 2008 that the Protection of the Harbour Ordinance applies to the proposed temporary reclamations, the government has since held a series of public forums to address the concerns of various interests groups. We are glad to see the long debate is finally drawing to amiable conclusion, the government has invited tenders for the construction of three of the six major contracts since September 2009. The other pre-qualification contracts will also be coming on board in the next few months.

### NEC Contract Form for DSD project

The Drainage Services Department (DSD) has recently awarded a HK\$50 million contract to Chun Wo Construction & Engineering Co using the New Engineering Contract (NEC) form. The project involves decking of about 180m of open nullah in Sai Kung. According to the spokesman of DSD, the use of the NEC would integrate a partnering approach into the contractual relationship among parties involved in the project.