



Security of Payment Legislation in Hong Kong?

conducted by

Vincent Liu

Vincent Liu is a specialist construction lawyer admitted as a solicitor in Hong Kong, Western Australia, New South Wales and the Australian Capital Territory. Vincent was first admitted in 1999. His principal areas of practice have included construction and engineering (front end and back end). Vincent has advised and acted for clients in construction disputes involving mediation, arbitration, litigation and adjudication under the security of payment legislation. Vincent has acted in more than 40 statutory adjudications involving some of the largest infrastructure and mining and resources projects in Australia including the Perth to Mandurah Railway, North West Shelf Expansion Project, Gorgon Project and the Sino Iron Ore Project in Cape Preston. Vincent holds a Certificate in Adjudication from the Institute of Arbitrators and Mediators Australia and is a Fellow of Chartered Institute of Arbitrators. Vincent was also a New South Wales Law Society Accredited Construction Litigation Specialist.

Since the United Kingdom introduced statutory adjudication and payment legislation nearly 20 years ago, many other jurisdictions, including Australia and Singapore, have followed suit. Hong Kong is now gearing up with its own proposed Security of Payment legislation. A consultation paper was issued by a working group established by the Hong Kong Government on 1 June 2015 setting out key aspects of the proposed legislation, with interested parties being invited to give comments by 31 August 2015. The consultation paper set out the key issues considered by the working group in relation to each of the key aspects of the proposed legislation.

The aim of any such legislation is twofold. Firstly, to stop unjustified delay of cash flowing through the supply chain by seeking to ensure that contractors and subcontractors have a right to periodic payments. Secondly, to introduce a fast track dispute resolution process to ensure problems are resolved quickly during a project. This seminar will cover the following topics (with examples of how the SOP legislation may operate in practice by reference to the speaker's experience in dealing with adjudication in other jurisdictions):

1. Objective of SOP legislation
2. Unenforceability of Pay when Paid Provisions
3. Payment Terms
4. Statutory Payment Claim System
5. Statutory Adjudication Process
6. Enforcement and review

Date: 24 September 2015 (Thursday)
Time: 7:00 p.m. to 8:30 p.m. (registration starts at 6:45pm)
Venue: BK Surco Training Centre, Suite 1908, 19/F, Hopewell Centre, 183 Queen's Road East, Wan Chai, Hong Kong
Medium: English
Registration Deadline: 21 September 2015
Admission: Free for Members. \$150 for Non-Members.

Please register on-line via <http://www.cices.org.hk> or fax your reply form to 2687 2252. If you are a non-ICES member, please send your reply form and cheque by post to Suite 1901-02, 19/F, Hopewell Centre, 183 Queen's Road East, Wan Chai, Hong Kong. For enquiries, please contact Ms. Cordia Yu (Tel: 2687 2267).
The numbers of places are limited and attendance is on a first-come-first-served basis. In addition, members will have priority over non-members in the event the seminar is over-subscribed.

Disclaimer: The Chartered Institution of Civil Engineering Surveyors has not arranged any insurance coverage for any participants in respect of any personal accident, property loss/damage or virus infection arising from this function. Participants should make their own insurance arrangement at their own expense.

Reply Form

I wish to register for the Seminar on 24 September 2015 (Thu) as follows:

Mr / Mrs / Ms / Dr*

Surname: _____

First name: _____

Employer: _____

Position: _____

Email: _____

Tel: _____

Member: CM/GE/Others * Membership No: _____

Membership Grade: ICES: _____

Other _____

*Please delete where non-applicable