



New Test on Liquidated Damages Clause

conducted by

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Dennis Wong is a counsel in Clyde & Co's Hong Kong and China Construction Group. He is an arbitration and litigation lawyer. He specialises on construction related disputes. Dennis has done many domestic arbitrations in Hong Kong concerning disputes arising from civil engineering, piling and building projects. Dennis advises Government, Employer, Contractors, Engineers and a variety of other clients in Hong Kong, Macau and China. He also has experience in international arbitration such as ICC arbitration concerning project in Azerbaijan.

Vivian Wong is an associate in Clyde & Co's Hong Kong and China Construction Group. She specializes on contentious matters (arbitration/ litigation) including cross-border disputes and construction related disputes. She has experience in arbitrations in Hong Kong concerning disputes arising from major civil engineering project and advises Government, Employer, Contractors and a variety of other clients in Hong Kong and China.

It is common to have liquidated damages provision in a construction contract to limit the potential liability of the contractor in case there is a delay to the project. Some liquidated damages provisions are considered unenforceable because they are "penalties".

The traditional test is a "genuine pre-estimate of loss" that would be suffered in the event of a delay. However, new case law from the UK raises the question - what is the new test for penalties? This seminar will review and discuss the latest case law concerning liquidated damages provision in construction contracts.

Date:	22 November 2016 (Tuesday)
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	18 November 2016
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 the cheque (payable to "Chartered Institution of Civil Engineering Surveyors - Hong Kong Branch") by post to Suite 1901-02, 19/F, Hopewell Centre, 183 Queen's Road East, Wan Chai, Hong Kong, after you received a confirmation from ICES. 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 inflection 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 22 November 2016 (Tue) 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