

Kovise Foundation Conflict Resolution International
presents

A Three Day Master Class On

Construction Arbitration & Delay Analysis in COVID-19 Scenario



Date: 18th, 19th & 20th November, 2020



Time: 5.00 PM - 6.30 PM (IST) (GMT +5.30)



Venue: Zoom Meetings (Online)

Organised by



Mr. V. Inbavijayan,
Mg. Committee,
KFCRI

Under the aegis of



**KOVISE
FOUNDATION**
KNOWLEDGE VISION &
SOCIAL EMPOWERMENT FOUNDATION

In association with



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About **KOVISE FOUNDATION**

KOVISE FOUNDATION is an abbreviation of Knowledge, Vision and Social Empowerment Foundation. The emergence of KOVISE Foundation is to disseminate Knowledge and impart a vision in human minds and thereby brings out social empowerment in our rural society. The founder member Mrs. Surya Narmada, a Horticulture/Arbitration Consultant and Govt. Registered Valuer, had foreseen the importance of awareness and advisory service in rural sectors, which lead to the emergence of this foundation. KOVISE Foundation is a registered non-governmental organisation and it was registered for 12A and 80G under the Income Tax Act, 1961 and has been carrying out all the compliance activities in this regard.



About **Kovise Foundation Conflict Resolution International**

KFCRI is a first of its kind institution providing ADR Practice Accreditation in all aspects of ADR as well as maintains a functioning administrative centre to manage and empower a Dispute Resolution Mechanisms used by clients worldwide.

KFCRI was established in the year 2016, under the aegis of KOVISE FOUNDATION to disseminate the required Research and Development of Conflict Resolution thereby facilitating peace and economic balance with effective resolution of all categories of disputes in socio, economic and political arena worldwide administering Alternative Dispute Resolution (ADR) Mechanism with Institutional Framework along with long term capacity building programmes seeding globally.

KFCRI is dedicated to serve as a platform to all the stakeholders of the economy to benefit from the ADR mechanism and to ensure that the intricacies of it is taught to all by conducting various awareness programmes, events and much more.



About **Indian Institution of Technical Arbitrators**

Established in the year 2003, The Indian Institution of Technical Arbitrators, (**IITArb.**) with Headquarters at Chennai, India, is an All-India, non-profit, professional body of Engineers and Architects, registered under Societies Registration Act, 1975.

IITArb provides a single platform to Technical Arbitrators, Financiers, Planners, Developers, Architects, Engineers of all disciplines as also Builders, Researchers and Manufacturers so as to form collective opinion on the subject related to Arbitration and project the same for consideration by appropriate authorities.

Construction Arbitration & Delay Analysis in COVID-19 Scenario

Currently, there isn't a sector which isn't affected by the novel Corona Virus and the pandemic it left in its wake. Delays, Cessations and Terminations seem to have become common in the field of construction citing the pandemic. As stake holders in the field, one must be aware of the intricacies that must be handled in each and every dispute relating to breach of construction contracts due to the pandemic.

This Master Class therefore, aims to equip interested individuals by a series of online classes by a set of international experts in the field of Construction Arbitration.

A Three Day Master Class

As a first, KFCRI as a part of the Sector Specific Webinar series visions this 3 day master class. Prominent practitioners are invited to share their knowledge, experience and opinions on the very contemporary topic.

The event is to occur on three consecutive days, attending the same would enhance his/her speciality in the subject. Interested participants are to register for the event and are encouraged to attend all the three classes for deeper understanding of the subject.

Participation certificate shall be provided for

- those who **confirm their attendance** on all three days by filling out the feedback form provided at the end of each day's session and
- participants will be required to pay a sum of **INR 250** for the processing of the Certificate. (Details will be sent via email after the classes)

Registration Procedure

Please register by filling out the necessary details in the below link.

https://us02web.zoom.us/webinar/register/WN_VrBi901YQRa7eNqBztyByw

Day – 1

Wednesday; 18.11.2020

Part 1: International Arbitration, Procedure, Force Majeure & the New York Convention

- What **procedural** issues does the pandemic pose?
- How does the New York Convention deal with Force Majeure?
- How do the different institutions approach the issue?
- What solutions are available to the challenges ahead?



Session by

David Brynmor Thomas QC

David, a barrister at 39 Essex Chambers, is a globally recognised specialist in the conduct of complex, high-value, international commercial litigation and arbitration. He was appointed Queens Counsel in 2019 after only 8 years at the bar, having previously practised as a solicitor at international law firm, Herbert Smith.

Part 2: Delay and the Role of the Expert

- The importance of the independent expert.
- The demonstration of cause and effect in construction delay.
- Mistakes expert witnesses make and how they can be avoided or dealt with.



Session by

Damian James

Damian James is a leading expert in the area of quantum, delay, disruption and cost evaluation. He has been appointed as advocate in arbitrations and as expert in adjudications. He is widely experienced in engineering and construction claims and dispute resolution and has particular expertise in the preparation of detailed claims to recover client entitlements

Day – 2

Thursday; 19.11.2020

Alternatives to Arbitration

- What options are available besides arbitration?
- How effective are alternative methods?
- The costs and risks of alternative dispute resolution techniques.

Session by

Chantelle Humphries

Ms Humphries is a practising advocate of the High Court of South Africa and a member of the Johannesburg Bar. Chantelle's practice consists predominately of construction and commercial disputes throughout Southern Africa, Botswana, Zimbabwe and England. Chantelle's has experience in all spheres of ADR and has been complimented on a practical approach to dispute resolution as well as diligence and turnaround time.



Day – 3

Friday; 20.11.2020

International Arbitration and Delay Analysis

- The response of different legal systems to claims for delay.
- The differing approach of different contracts to delay claims.
- What has changed or will change as a result of the pandemic?
- What steps do advisors and claimants / respondents need to consider?

Session by

Johan Beyers

Advocate and member of Keating Chambers, Mr Beyers has practiced as an advocate at the Cape Town Bar since 1992, specialising in construction, engineering and commercial disputes, often of substantial commercial value and involving complex technical, factual and legal issues. He is admitted to appear in the Courts of both South Africa and the Kingdom of Lesotho. Johan joined Keating Chambers as an international member in January 2017.



Kovise Foundation Conflict Resolution International



FOR MEMBERSHIP OR COLLABORATIONS

SUBMIT YOUR REQUESTS OR ENQUIRIES TO

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AND

JOIN HANDS WITH KFCRI !

Notify us of any ADR matter, breaking news or to file a Case

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