

Annual Construction Law Conference

3.00pm, April 22, 2016

The Atrium, Distillery Building,
Church Street, Dublin 7

About the CBA

The Construction Bar Association of Ireland (CBA), founded on April 23, 2013, is a specialist association of Irish lawyers who practise in or have an interest in construction law and the resolution of disputes in the sector. The CBA seeks to advance the state of knowledge of Irish construction law through its regular Technical Talks Programme, the *CBA Construction Law Periodical*, the Annual CBA Construction Law Conference and *ad hoc* briefings to members on hot topics as they arise during the legal year.

The CBA acts as a vibrant hub for Irish lawyers who advise upon or act in construction law-related matters to facilitate the exchange of knowledge and experience. The CBA has grown since its inception in April 2013 to include over 130 members of the Law Library in its membership. Membership of the Association is open to both barristers and solicitors; the relevant application forms can be downloaded from the members' section on our website – www.cba-ireland.com.

PLEASE COMPLETE IN BLOCK CAPITALS

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Law Library Number:

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CONFERENCE COSTS

Please tick appropriate box

- | | |
|---|------|
| <input type="checkbox"/> Non-member | €125 |
| <input type="checkbox"/> CBA affiliate Member | €80 |
| <input type="checkbox"/> CBA Member (over five years at the Bar) | €80 |
| <input type="checkbox"/> CBA Member (under five years at the Bar) | €50 |
| <input type="checkbox"/> Non-members under five years at the Bar | €80 |

METHOD OF PAYMENT

Cheque enclosed

Bank transfer (EFT)

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Bank Identifier Code: BOFIE2D

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Expiry date / CVV number

Amount to be charged €

Signature

**For bookings contact Aedamair Gallagher,
Tel: 01-817 5025 or cbaireland.conference@gmail.com**

Please return completed form to:

Aedamair Gallagher,
The Bar of Ireland,
Distillery Building,
158/159 Church Street,
Dublin 7.

ATTENDANCE: 4 CPD POINTS

Welcome

The Construction Bar Association is delighted to invite you to attend its fourth major open conference event at 3.00pm on Friday April 22, 2016, at the Atrium, Distillery Building.

The opening address will be by Mark Sanfey SC, Chairman of the Construction Bar Association.

The CBA has chosen a broad range of

topics, which will be of interest to solicitors, barristers, construction professionals, contractors, construction dispute resolution practitioners and all of those interested in construction law. The conference is a half-day event, and will finish at approximately 6.30pm with a drinks reception in The Sheds Bar, Distillery Building.

What:

Annual Construction Law Conference 2016 followed by a drinks reception in The Sheds Bar, Distillery Building.

When:

3.00pm, Friday April 22, 2016
(Registration from 2.30pm)

Where:

The Atrium, Distillery Building, Church Street, Dublin 7

PANEL ONE

Judicial Oversight

3.10PM

Chairperson:
David Barniville sc, Chairman, The Bar of Ireland



Adjudication and the Courts

John Gibbons sc

John is a practising barrister, accredited adjudicator, arbitrator, conciliator and mediator with over 45 years' experience in the various facets of construction disputes as a Chartered Engineer, Barrister and Senior Counsel. He is a Legal Associate of the Royal Town Planning Institute and a former lecturer in planning and environmental law. He is a Fellow of the Chartered Institute of Arbitrators, and was recently appointed to the panel of adjudicators by the Minister under section 8(1) of the Construction Contracts Act.



Practical Procedural Issues arising from Recent Case Law

Claire Cummins BL

Claire was called to the Bar in 2012 and is a graduate of UCD. She holds an LLM in Commercial Law and practises in the area of civil and commercial litigation. She currently sits on the Executive Committee of the Construction Bar Association.



Court Review of Arbitral Decisions

Paul Sreenan sc

Paul was called to the Bar in 1979 and appointed Senior Counsel in 1991. Over the years he has acted in many high-profile cases. He appeared as Counsel for the State in *Ireland v United Kingdom* before the Permanent Court of Arbitration. He has acted both as advocate and arbitrator with the ICC and in numerous domestic arbitrations. His specialist interests are in Competition law, European law and Aviation law. He is a member of the Bar of Northern Ireland, the Bar of England & Wales, and the New York Bar.

FOLLOWED BY COFFEE BREAK

PANEL TWO

Defective Materials – Liability and Consumer Protection

4.30PM

Chairperson:
The Honourable Mr Justice Paul Gilligan



Consumer Protection and Defective Materials

James Burke BL

James is a graduate of UCC and was called to the Bar in 2005. He practises in the area of civil and commercial litigation, including construction and professional negligence. He is the co-author of *Personal Insolvency Law* and is a qualified member of the AITI.



Compliance with the Building Regulations and Liability

Deirdre Ní Fhloinn

Deirdre is a solicitor specialising in Construction Law. She worked in private practice at Reddy Charlton, and was in-house counsel at London Underground from 2006-2011. Deirdre holds a Diploma in Construction Law from TCD, and an MSc in Construction Law from King's College, London. She is currently undertaking a PhD pursuant to a scholarship from the Irish Research Council, on the subject of legal remedies for defective housing.



Pyrite Litigation before the ECJ – A Report on Case C-613/14 *James Elliott Construction Ltd. v. Irish Asphalt Ltd.*

Brian Kennedy SC

Brian was called to the Bar in 1997 and called to the Inner Bar in 2012. He has a general civil practice, focusing in particular on Commercial law, including Construction law. He appeared on behalf of the State before the European Court of Justice in Case C-613/14 *James Elliott Construction Ltd. v. Irish Asphalt Ltd.*

PANEL THREE

Professional Negligence in Construction Disputes

5.40PM

Chairperson:
Denis O'Driscoll, Solicitor, Denis O'Driscoll & Associates



The Law of Professional Negligence and Construction Professionals

David Nolan sc

David was called to the Bar in 1985 and took Silk in 2003. He was elected Chairman of the Bar in 2012 and again in 2013. He specialises in Personal Injury, Non-jury and Commercial law. He is a qualified mediator and arbitrator.



Insurance and the Construction Professional

Sadbhanna Ní Fhloinn BL

Sadbhanna is a practising barrister specialising in Construction law, including construction contracts, planning and local government law, arbitration, dispute resolution and mediation.



Economic Loss

Paul Gallagher sc

Paul is a former Attorney General of Ireland (2007-2011), and Adjunct Professor at UCD Law School. He is a member of the Justice and Home Affairs and Euro Crisis and Germany Committees. He is a Senior Fellow of the Institute of International & European Affairs, a Fellow of the International Academy of Trial Lawyers, and a member of the President's Advisory Board, University College Dublin. He is a former Vice Chairman of The Bar of Ireland.

FOLLOWED BY DRINKS RECEPTION IN THE SHEDS BAR