



Annual Construction Law Conference

1.30pm, April 27, 2018

The Atrium, Distillery Building,
145/151 Church Street, Dublin 7

ATTENDANCE: 4 CPD POINTS



THE BAR
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Welcome

The Construction Bar Association is delighted to invite you to attend its fifth major open conference event at **1.30pm on Friday April 27, 2018** (registration from 1.00pm), 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 5.30pm with a **drinks reception in The Sheds Bar, Distillery Building**.

What:

Annual Construction Law Conference 2018 followed by a drinks reception in The Sheds Bar, Distillery Building.

When:

1.30pm, Friday April 27, 2018
(Registration from 1.00pm. Refreshments will be available throughout registration)

Where:

The Atrium, Distillery Building,
145/151 Church Street, Dublin 7



An overview of the Multi-Unit Developments (MUD) Act 2011

Mema Byrne BL

Mema is a practising barrister with 15 years' experience advising clients in relation to a wide variety of property disputes including disputes in relation to the Multi-Unit Developments Act, 2011, easements, service charges, breach of contract and adverse possession. Mema has taught construction law in DIT Bolton Street, and landlord and tenant law in the Society of Chartered Surveyors Ireland. Mema is also the author of *Landlord and Tenant - The Commercial Sector* (Roundhall, 2014).



Building defects in multi-unit developments

Barra McCabe BL

Barra is a practising barrister, specialising in commercial property and land law. His practice includes all aspects of property law including construction disputes. In addition to a degree in business from the University of Ulster, he qualified as a surveyor from the University of Reading in 2003 and practised as such until he became a member of the Bar in 2015. He is a chartered surveyor with the Royal Institution of Chartered Surveyors and the Society of Chartered Surveyors Ireland. In early 2018 he received a State board appointment to the Valuation Tribunal.



Security issues: the position of financial institutions where problems arise in multi-unit developments

Patrick Leonard sc

Patrick was called to the Bar in 1997 and took silk in 2013. He practises in civil and commercial law, and has a specialist interest in professional regulatory law. He is an elected member of the Bar Council, a member of its Arbitration and ADR Committee and was a founding member of the Professional Regulatory and Disciplinary Bar Association. He has acted in many construction disputes both in the courts and in arbitrations, and has extensive experience in litigation relating to multi-unit developments.

Q&A

Standard Form of Contract Issues

Chairperson: **Seamus Woulfe, Attorney General**



2.50PM



Dispute resolution clauses under RIAI and PWC John McDonagh SC

John was called to the Bar in 1983 and became senior counsel in 2002. He is a fellow of the Chartered Institute of Arbitrators and a CEDR-accredited mediator. John specialises in construction law and insurance law.



The new RIAI building contract: a much needed facelift for an old dame? Martin Cooney

Martin is a partner and Head of the ByrneWallace Construction Law Team. He advises on all aspects of construction law including both contentious and non-contentious matters. He has wide-ranging experience advising on standard form contracts (including RIAI, Public Works, NEC and FIDIC) as well as negotiating and drafting bespoke contracts, professional appointments and ancillary contracts. A skilled litigator, Martin has expertise in various forms of dispute resolution having represented employers, consultants and contractors in mediations, conciliations, adjudications, expert determinations and arbitration. He is also experienced in traditional litigation having represented clients at all court levels, particularly in the Commercial Court.



Variations, delay and disruption Martin Waldron BL

Prior to being called to the Bar of Ireland, Martin Waldron was a chartered quantity surveyor with his own quantity surveying firm. He has 20 years experience in the construction industry as the owner of his own PQS firm, as a builder's QS and also as client; overseeing in excess of €600m worth of projects. He obtained a postgraduate diploma in arbitration in 2002 from UCD and thereafter specialised in construction claims and disputes. He was called to the Bar of Ireland in 2013 and since then has represented parties in construction, property and banking disputes. He recently (results pending) completed a diploma in adjudication.

Q&A

FOLLOWED BY COFFEE BREAK

Recent Developments in Construction Law

Chairperson: **Ms Justice Caroline Costello**



4.20PM



Exclusion clauses and the tort of negligent misstatement Jonathan FitzGerald BL

Formerly a member of the management group of the international advisory firm KPMG, where he qualified as a chartered accountant in 2001 and was called to the State Bar of New York in 2004. He was called to the Bar of Ireland in 2005. Jonathan practices in the area of civil and commercial law and has acted in numerous construction matters.



Statute of limitations developments Richard Lyons SC

Richard was called to the Bar in 1990. He practised initially on the Northern Circuit where he had a general practice, which included acting as state prosecutor for the DPP in Donegal and acting for the local authority in planning enforcement. He was called to the inner Bar in 2006 and has a wide ranging, mainly common law practice. He is the co-author of *The MIBI Agreements and the Law* published by Bloomsbury Professional. He acted for the successful respondent in the recent Supreme Court case *Brandley v Deane*.



Collateral warranties on construction projects Margaret Austin

Margaret is a Partner in Eugene F. Collins and head of the firm's Construction Planning and Environment Group. Margaret advises on construction, planning and environmental law matters arising on construction projects promoted by both public and private sector developers. She also advises funders, contractors, sub-contractors and design professionals on construction projects from project inception through to dispute management.

Q&A

FOLLOWED BY DRINKS RECEPTION IN THE SHEDS BAR

REGISTER ONLINE NOW

<https://ti.to/bar-of-ireland/CBAconference2018>

CONFERENCE COSTS

Please tick appropriate box

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| <input type="checkbox"/> CBA affiliate member | €85 |
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| <input type="checkbox"/> CBA Membership (€25) and reduced conference fee (€55 barrister under five years at the Bar) |
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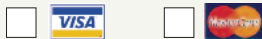
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Signature

**For bookings contact Rose Fisher,
Tel: 01-817 5166 or events@lawlibrary.ie**

Please return completed form to:

Rose Fisher,
The Bar of Ireland,
Distillery Building,
145/151 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.