



Evening Seminar

Regulation of the Hong Kong Construction Industry

Monday, 27 May 2019

Mr Thomas Lee, on behalf of the Society of Construction Law Hong Kong, cordially invites you to an evening seminar to be held on Monday 27 May 2019 delivered by **Dr Gerard McCoy QC SC**, **Dr Nisha Mohamed** and **Jim Sherry** from **Gilt Chambers** which will be held at the Hong Kong Club.

Dr McCoy SC will discuss (1) the importance of engaging counsel at the early stages of investigation, (2) dealing with on-site inspectors, (3) understanding the scope of their compulsory powers, (4) what constitutes strict liability offences, (5) its possible defences and (6) the key role of expert evidence in departmental summonses. Dr Mohamed will demonstrate these principles by looking at an Environmental Protection Department prosecution case study, and the practical aspect of defending such summonses in the courtroom. Mr Sherry will deal with the important matters of mitigation, penalties and the recent Legislative Council paper on Penalties regarding departmental summonses.

Dr. Gerard McCoy QC, SC, SBS, BA, LLB (VUW), M Sc, PhD (Law) (Cant) is a leading silk admitted as a barrister in many jurisdictions including New Zealand, Australia, Hong Kong, Fiji, the Cook Islands, Niue, the Isle of Man and England. His interests are constitutional law, public law, evidence, criminal law, extradition, defamation, competition law, commercial law, medico-legal, disciplinary tribunals and equity. He regularly appears as counsel in the highest courts of a large number of different trial and appellate common law jurisdictions including the Privy Council (most recently *Arorangi Timberland Ltd v Minister of the Cook Islands National Superannuation Fund* [2016] UKPC 32, [2017] 1 WLR 99. He has been accepted as an expert witness in the law of Hong Kong in Australia, New Zealand, Malaysia, Singapore, Brunei, Luxembourg, The Netherlands and the United Kingdom (most recently on behalf of the Australian Government in the Federal Court of Australia). He was appointed as a Deputy Judge of the High Court of Hong Kong in 2001-2003, exercising full civil and criminal law jurisdiction and as a Recorder of the High Court 2006-2008. He was a member of two Hong Kong Law Reform Commission Committees. He is also Professor of Law at City University of Hong Kong. He is an Adjunct Professor of Law at Canterbury University in New Zealand where teaches LLM students and occasional undergraduate courses. He was awarded the Silver Bauhinia Star in 2005.

Dr. Nisha Mohamed's practice includes a wide variety of civil and commercial matters, including insurance, trusts, probate and tax. Nisha has a particular interest and focus on insurance related matters. She frequently advises policyholders and insurers. Other matters she advises on include disputes between insurers and policyholders regarding policy wordings, matters relating to D&O liability insurance, and double insurance. She has handled numerous first instance and appellate level cases, including High Court trials and appeals in the Court of Appeal and Court of Final Appeal. Nisha completed six months pupillage in a specialist construction and arbitration chambers in London. She is called to the Bar of England and Wales. She also regularly prosecutes and defends in the Criminal Courts, and lectures and tutors on the JD, LLB and PCLL courses at the University of Hong Kong and City University of Hong Kong.

Mr. Jim Sherry is a Barrister, Hong Kong Bar (2005), Solicitor, Hong Kong (2001), HKIAC Panel of Arbitrators, HKIAC Accredited Mediator, Barrister & Solicitor of the Supreme Courts of South Australia (1994), Victoria and New South Wales (1998), Barrister & Solicitor of the High Court of Australia (1994) and Solicitor England and Wales (2001). He was previously appointed as a Judge of the High Court of Fiji and Chairman of the Building Appeals Tribunal. Jim advises on and appears in the Hong Kong Courts in relation to Criminal and Civil Fraud cases, Violent Crime, Money Laundering, Asset Confiscation and Recovery, Regulatory Litigation involving Industrial Summonses, Construction Disputes, Asset Recovery for Victims of International Cybercrime, Extradition Hearings, Shareholder and Joint Venture Disputes, Company Law, and Judicial Review.

Venue: The Hong Kong Club, Harcourt Suite 1/F, 1 Jackson Road, Central, Hong Kong
The dress code is smart casual and/or lounge suit. Please note the Hong Kong Club dress code does not permit denim. Use of electronic devices on Club premises is prohibited.

Date / Time: Monday 27 May 2019; 6:00 pm for 6:30 pm

Cost: Free for exempt members; HK\$100 for basic members; HK\$200 for non-members (including refreshments)

Please register on our online registration system at <https://www.scl.hk/meetings.php>. Alternatively, please return the registration application slip below and your cheque to Membership Administration, Society of Construction Law Hong Kong, 38/F, Two Exchange Square, Central, Hong Kong. For enquiries please contact Ms Isabelly Lai on +852 2525 2381, fax +852 2524 2171.

REGISTRATION [HERE](#) OR OVERLEAF

Administration:
Hong Kong International Arbitration Centre
38/F Two Exchange Square, 8 Connaught Place, Hong Kong
Tel: (852) 2525 2381, Facsimile: (852) 2524 2171, email admin@scl.hk

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REGISTRATION FORM

Name: _____ I am a member/non-member of the SCLHK.

Note: If you are one of the SCLHK members who elected to pay the “all inclusive” 2019/2020 annual membership fee of HK\$1,250, and are therefore exempt from paying to attend this event, please tick this box ...

Please reserve one seat for myself and _____ seats for guests.

Phone No. (Day time): _____

Fax _____ E-mail _____

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|----|---|-------|------------|
| 1) | () No. exempt member
(paid the all-inclusive 2019/2020 annual subscription fee) | HK\$ | 0.00 |
| 2) | () No. member @ HK\$100.00 | HK\$ | |
| 3) | () No. non-member @ HK\$200.00 | HK\$ | |
| | | Total | HK\$ _____ |

I therefore enclose a cheque for HK\$ _____ payable to “Society of Construction Law Hong Kong”

Events by other organisations can be found on the SCLHK website at: <http://www.scl.hk/meetings.php>

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