



## Expert Witness Training Course

In resolving construction or engineering disputes, it usually involves complicated technical issues. The general practice is that the court or arbitral tribunal, and/or parties involved in the dispute, may seek assistance from construction professionals to identify, understand such technical issues and even adjudicate such technical disputes.

2. The Institute of Construction Managers ('the Institute') is pleased to launch an Expert Witness Training Course ('the Course') for members of the Institute who would like to take the course and become expert witnesses upon fulfilling the conditions provided in paragraph 4 below. The Course has been designed with two objectives: -

- ◆ To equip members the knowledge and skills in handling these issues with a view to resolving them in the first instance; and
- ◆ To provide a career development for members who may be interested to become an Expert Witness

3. To promote our members for providing services as an expert, the Institute is in the process of empaneling a List of Building and Construction Experts (the "List"). The motto of the Institute's List is to represent the common interests and to enhance the reputation and/or standard of our members who want to practice as an expert. The Institute will launch the List to the key stakeholders in the Building and Construction industries comprising lawyers, Contractors, etc.

4. To be included on the List, applicants are required to have:

- (1) 7 years of professional experience after qualified as a corporate member of the Institute or 10 years of adequate professional experience, out of which 3 years post qualification experience as a corporate member of the Institute;
- (2) Satisfactorily completed all five sessions with full attendance; and
- (3) Satisfactorily passed in a peer interview in the special areas of expertise claimed by the applicant.

5. The 10-hour Course constitutes five sessions as follows: -

Course Structure : Five 2-hour Sessions (names of speakers)  
Session 1 on 25 June 2013, Tuesday (Mr. King Wong)  
Session 2 on 27 June 2013, Thursday (Mr. Damon So)  
Session 3 on 2 July 2013, Tuesday (Mr. Richard Leung)  
Session 4 on 4 July 2013, Thursday (Mr. Kenneth Wong)  
Session 5 on 9 July 2013, Tuesday (Mr. Steven Yip)  
(All Sessions from 7:00 pm to 9:00 pm)



香港營造師學會  
HONG KONG INSTITUTE OF CONSTRUCTION MANAGERS

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Venue : HKICM Conference Room at Rooms 801-2, 8/F., On Lok Yuen Building, 25 Des Voeux Road Central, Hong Kong.

Fees : HK\$2,500 for the Course, or HK\$500 for each session.

Corporate Members of the Institute would enjoy a 40% discount if taking the full course.

Application fee for the registration as a member of the Institute's List of Building and Construction Experts and the 1<sup>st</sup> year registration fee would be waived for candidates who would satisfy the requirements stated in paragraph 4 above.

Language : English supplement with Cantonese

Course Description :

Session 1 - "Introduction to Expert Witness" on 25 June 2013 by Mr. WONG King

- + What is an expert
- + Role and duties/responsibilities of an expert
- + Code of Practice for Experts
- + Who should be an Expert

Session 2 - "The Expert's Report" on 27 June 2013 by Mr. SO Yui-chit, Damon

- + Form, duties and qualifications
- + Scope and instructions
- + Facts, opinion and admissible opinion
- + Range and change of opinion
- + Agree or differ – the joint statement
- + Declaration

Session 3 - "Pre-trial Preparation" on 2 July 2013 by Mr. LEUNG Wai-keung, Richard

- + How to introduce yourself and your expertise
- + Early evaluation and pre-trial advice
- + WP Negotiation
- + Exchange and joint preparation of Expert Report

Session 4 - "Expert's Court Practice" on 4 July 2013 by Mr. WONG Yiu-fai, Kenneth

- + How to elaborate your case in Examination in Chief
- + How to survive cross-examination
- + Attendance of Court Hearing
- + Roles, duties and conflicts
- + How to make the best of any situation



- Session 5 - "Practice of Expert Witness" on 9 July 2013 by Mr. YIP Wing-yiu, Steven
- ✚ Engagement of Experts – procedures and problems
  - ✚ Terms of Engagement
  - ✚ Instructions from solicitors
  - ✚ The Institute's List of Experts
  - ✚ Sharing sessions and feedback

### **Biographies of Speakers**

#### **Mr. WONG King - Course Leader**

Mr. Wong is a Barrister with major area of practice in commercial and construction litigations, personal injuries claims and company matters. He also participated in mediation, arbitration, litigation and dispute settlement for commercial and construction matters.

Mr. Wong is a Chartered Builder and Chartered Civil Engineer. He has more than 20 years of experience in Hong Kong, Australia and China as a construction and consulting engineer in the areas of construction and project management, planning and control, forensic programming and contract administration. In particular, he had represented contractors and developers for preparation, review and negotiation of construction claims.

Mr. Wong is a Fellow member of the HKIE, ICE, AIB and CIArb. He is the past president of the Australian Institute of Building (Hong Kong Chapter) in 2010 to 2011. He is also a qualified accountant in Hong Kong. His name is included in the List of Arbitrators and Mediators of the HKIAC, HKIE and Hong Kong Bar Association.

#### **Mr. SO Yui-chit, Damon**

Mr. So is a Partner of the Hong Kong office of Hogan Lovells, an international law firm, specializing in construction law. He initially qualified as a Chartered Civil and Structural Engineer.

Since qualified as a solicitor, Mr. So has undertaken a wide range of both contentious and non-contentious construction work and has had occasion to consider many of the issues which typically arise in respect of various construction projects. His contentious work includes a large amount of litigation and arbitration involving numerous expert issues, acting for statutory bodies, employers, contractors, consultants and insurers, in respect of building and civil projects.

His non-contentious work includes advising and drafting construction, consultancy and other related contracts for employers, contractors and consultants in respect of a number of building and civil projects using various standard forms of contract.

He is a co-author of leading textbooks on arbitration namely "The Annotated Ordinances of Hong Kong – Arbitration Ordinance (Cap. 609)" and "Butterworths Hong Kong Arbitration Law Handbook" both published in 2012.



**Mr. LEUNG Wai-keung, Richard**

Mr. Leung is a practicing barrister with Des Voeux Chambers specializing in company law, commercial law, construction and arbitration litigations and other civil matters.

He is also a qualified accountant and chartered secretary. He has over 20 years of working experience first in the accounting field and then in the legal profession.

Currently he sits as a member in various statutory tribunals in Hong Kong including the Board of Review, the Registration of Persons Tribunal, the Guardianship Board, the Appeal Board for the Hotel and Guesthouse Accommodation and so on.

**Mr. WONG Yiu-fai, Kenneth**

Mr. Wong is a practicing barrister and has mixed practice works in both civil and criminal matters and with many years of court experience in dealing with expert witnesses.

Apart from legal practice, Mr. Wong has been teaching law on part time basis to civil servants, company secretaries, estate agents and diploma course in HKU SPACE.

**Mr. YIP Wing-yiu, Steven**

Mr. Yip has been a partner in the Construction, Engineering and Infrastructure group of Minter Ellison since 2007. He has extensive experience advising on construction issues and dispute resolution in Hong Kong and the Asian region.

He has handled a number of major arbitration and litigation proceedings involving the construction of building works.

Steven is a fellow of the Institution of the Civil Engineering Surveyors, a member of the Chartered Institute of Arbitrators (East Asia Branch), an accredited mediator and a committee member of the construction interest group of the Hong Kong Mediation Council.

*N.B. The Institute reserves the right to change the time, venue, speakers etc. scheduled for the Course when the Institute considers appropriate.*



## Registration Form

### Expert Witness Training Course

- Date :  Session 1 on 25 June 2013, Tuesday (Mr. WONG King)  
 Session 2 on 27 June 2013, Thursday (Mr. SO Yui-chit, Damon)  
 Session 3 on 2 July 2013, Tuesday (Mr. LEUNG Wai-keung, Richard),  
 Session 4 on 4 July 2013, Thursday (Mr. WONG Yiu-fai, Kenneth)  
 Session 5 on 9 July 2013, Tuesday (Mr. YIP Wing-yiu, Steven)
- Time : 7:00 pm – 9:00 pm for all Sessions
- Venue : HKICM Conference Room at Rooms 801-2, 8/F., On Lok Yuen Building, 25 Des Voeux Road Central, Hong Kong
- Fees : HK\$2,500 (Corporate Members of the Institute would be granted a 40% discount if they opt taking the full course) or HK\$500 for each session (application fee for the registration as a member of the Institute's List of Experts and the 1st annual fee have been waved)
- My Choice:  Full Course at HK\$1,500 for Corporate Members of the Institute  
 Full Course at HK\$2,500 other than Corporate Members of the Institute  
 \_\_\_\_\_ Sessions at HK\$500 each amounting to HK\$\_\_\_\_\_ (See \* below)

*Cheque must be made payable to "Hong Kong Institute of Construction Managers Limited" and posted, together with this form, to the Institute at Rooms 801-2, 8<sup>th</sup> Floor, On Lok Yuen Building, Des Voeux Road Central, Hong Kong.*

Enclosed please find a cheque for HK\$\_\_\_\_\_ (Cheque No.: \_\_\_\_\_)

Full Name: \_\_\_\_\_ HKICM Membership No.: \_\_\_\_\_

Address : \_\_\_\_\_

Tel / Mobile: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

\* Preference will be given to applicants applying for the full course.