

Construction Law Masterclass: The Fundamentals

Date	Course comprises ten modules released from 25 February 2021
Venue	Online
Fee	€425.00
Discounted* Fee	€350.00
Unemployed	Contact us
CPD Hours	10 General (by eLearning)
Event Code	S2129

Aim and Objectives

Construction law is an area of legal practice that is experiencing increased growth in the current environment. This legal service demand is anticipated to increase over the coming months.

This comprehensive course will be delivered online through a practical series of lectures and case studies by leading professional experts. The course will introduce, update and develop practitioners' knowledge, skills and competencies in the area of construction law, including project finance and project security.

This course is relevant to solicitors, barristers and those employed in the construction industry. It is also of particular relevance to unemployed solicitors or those who wish to return to practice after a period of absence.

This course comprises ten modules released from 25 February 2021. **All modules must be completed.** Modules 01 – 08 available now, Modules 09 & 10 available March. The course will include a knowledge resource hub with course materials and relevant legislation. All course resources including the online lectures and case studies will be hosted on an easily accessible learning management system.

Topics and Issues to be Covered:

1. Introduction to the law of obligations - Part 1: Contract law overview
2. Introduction to the law of obligations - Part 2: Tort law overview
3. Typical construction project procurement / standard form contracts
 - Considerations when procuring a construction project

- Introduction to core parties
 - Common methods of construction project procurement
 - Why use a standard form contract
 - Types of standard form contracts in use in Ireland
4. Overview of the RIAI Building Agreement
 - Introduction to the RIAI Building Contract
 - Key Provisions and typical amendments including:
 - change of law
 - role of the contract administrator
 - certification process
 - variations and extensions of time
 - practical completion and defects liability
 - liquidation damages
 - insurances
 5. Defects
 - ‘Snagging’ and patent defects vs latent defects
 - Separate liability periods under contract and tort
 - Defects in design vs defects in workmanship and both
 - What to consider when defects / issues arise.
 6. Statutory Requirements: Duties and Obligations
 - Examination of statutory regimes which impact construction projects including:
 - Building regulations and health & safety requirements
 - Roles and responsibilities of various statutory appointees
 - Sectoral employment orders
 7. Development Finance & Project Security
 - Introduction to development finance - is a project bankable?
 - Management of time and cost
 - Contractor solvency
 - Collateral warranties/duty of care agreements
 - Insurances, bonds, guarantees
 - The role of the project monitor
 8. Dispute Resolution: Mediation/ Conciliation & Arbitration
 9. Dispute Resolution: The Construction Contracts Act 2013 and Adjudication
 10. Expert evidence & procedure

Speakers

Martin Cooney, Partner, Byrne Wallace Solicitors, Dublin



Martin's areas of expertise are construction law, commercial litigation and alternative dispute resolution. Previously, he was a partner at Smyth & Sons in Drogheda and worked as a solicitor in the legal department of the National Asset Management Agency advising on residential development and loan sales. Before that he worked as an Associate in the Construction and Engineering Group in Arthur Cox where he advised on all aspects of construction law in both contentious and non-contentious matters.

Martin has experience advising on standard form contracts (including RIAI, Public Works, NEC and FIDIC) and has also advised on bespoke contracts for construction projects. He is experienced in various forms of alternative dispute resolution having represented employers,

consultants and contractors in mediations, conciliations, adjudications and expert determinations. He has a Masters in Construction Law and Dispute Resolution from King's College London and is a Member of the Chartered Institute of Arbitrators. He is also experienced in traditional litigation having represented clients at all court levels, including the Commercial Court.

Martin is past Chair of the Law Society's EU & International Affairs Committee, has represented the Law Society at the CCBE and is a member of the US -Ireland Alliance. He acts as a contributor on the European Law, Negotiation Skills, Client Consultation and Professional Practice and Conduct Modules of the Law Society's Professional Practice Course. He has acted as a judge of both the National and International Legal Negotiation Skills competitions and provides negotiation skills training to both public and private organisations.

Mary Liz Mahony, Counsel, Dentons Ireland



Mary Liz is Counsel in the Real Estate and Construction practice in Dentons and has specialised in construction law for over 10 years. Prior to joining Dentons, Mary Liz trained and worked as a senior associate in the Infrastructure, Construction and Utilities team of a Top 5 Commercial Law Firm

Mary Liz operates a full service practice which encompasses complex transactional matters (across a range of sectors including commercial development, technology, energy, pharmaceutical and leisure) as well as advising regularly on issues arising during construction, claims management and dispute resolution. On the contentious side, she has experience in all dispute resolution forums (including both high court and commercial court proceedings, arbitration, mediation and statutory adjudication).

Mary Liz has a specific interest in regulatory change which affects the construction industry and has spoken on and published a number of articles in relation to the Building Control (Amendment) Regulations 2014, the Construction Contracts Act and more recently, Sectoral Employment Orders. Mary Liz is also interested in the impact of business information modelling (BIM) on the industry. Mary Liz is a member of the Society of Construction Law and the Chairperson of the Astra Committee, Dublin.

IMPORTANT

- You will be sent login details to access the course closer to the start date.
- Solicitors may now complete the entire 2021 CPD requirement of 20 hours online. For more information see www.lawsociety.ie/CPDscheme
- View our [Privacy Statement](#)
- If you have technical or other queries, contact a member of the team on: Finuasskillnet@lawsociety.ie

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