

ESCL conference 2023

Liability Standards in Construction Contracts
- an international perspective

Draft conference program for 6 October 2023

09:00-09:10 Welcome

Niklas Korsgaard Christensen, Partner at Plesner Lawfirm, General Secretary of The Danish Society for Construction Law

09:10-09:30 The challenges of liability standards in international construction contracts

Ole Hansen, Professor dr. jur., The University of Copenhagen, Faculty of Law, Center for Private Governance (CEPRI), Chairman of the Board of The Danish Society for Construction Law

09:30-10:30 Common standards of contractors and technical advisors liability

Richard Bailey, Partner at Druces LLP, *common law*

Renaud Simar, Partner at Schoups, co-president of the Belgian Society for Construction Law and Artuur Grauwels., Junior Associate at Schoups, *civil law*

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10:30-10:45 Coffee break

10:45-11:45 Fitness for purpose and risks related to technology developments

Roberto Panetta, Partner at Panetta Law Firm, *Fitness for purpose and risks related to technology development*

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11:45-12:45 **Limitation of liability**

Sylvie Cécile Cavaleri, Associate Professor, Phd., The University of Copenhagen, Faculty of Law, Center for Private Governance (CEPRI), *Limitation of liability under Nordic law and the Knock-for Knock regime*

Hubert Stöckli, Prof. Dr. iur., Universität Freiburg, *Some observations on contractor liability under Swiss Law*

Evelien Bruggeman, prof. dr. and Chris Jansen, prof. dr., *Liability of contractors for defects visible before, upon or after completion - change of the law in The Netherlands*

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12:45-13:45 **Lunch**

13:45-14:45 **Enforcement of and liability for sustainability (ESG) provisions**

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14:45-15:45 **Direct claims (fundamental principles and contractual regulation)**

Vibe Ulfbeck, professor, dr. Jur, The University of Copenhagen, Faculty of Law, Center for Private Governance (CEPRI), *Regulating direct claims in standard form contracts (?)*

Tim Maurenbrecher, Rechtsanwalt, Partner in Maurenbrecher Legal Services, Krefeld and Pürgen, *Direct claims under German construction contract law*

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15:45-16:00 **Coffee break**

16:00-17:00 **FIDIC based liability and national law**

Victoria Penkova, Managing Partner of Penkova & Partners Law Firm and Boyana Milcheva, Partner at DPC Law Firm, *Applicability and enforceability of FIDIC liability regime under Bulgarian law. Possible problems*

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17:00 **Conference closes**