



## Details of Speakers and Topics for Discussion



**Chris Brierly, of Dispute Resolution at BP**

### ***THE DISPUTES ARISING IN THE CURRENT MARKET CLIMATE.***

Drawing on his direct experience of trends being observed by BP, Chris will provide an overview of the areas within the sector that are proving to be fertile ground for disputes in the challenging current market conditions.

Chris Brierly is a member of BP Legal's London based Dispute Resolution Team. The team is responsible for identifying and evaluating legal, financial and reputational risks relating to all major commercial disputes (other than domestic US disputes) arising from BP's global businesses and Group level activities and managing those cases that proceed to formal adjudication, whether in arbitration or litigation in national courts.



**Lionel Persey QC**

### ***MONEY FOR NOTHING OR YOUR RIG FOR FREE?***

Lionel Persey will look at remuneration provisions in drilling contracts and, in light of controversial recent authority (*Transocean Drilling v Providence Resources*) ask whether, and if so in what circumstances, drilling contractors will still be able to claim a repair rate when a rig undergoes repairs during the course of a drilling campaign.

Lionel Persey QC is a leading barrister specializing in energy and shipping law. Lionel is ranked in Band 1 in Energy in both Chambers & Partners and the Legal 500. He was the first Legal 500 Energy and Projects "Silk of the Year" in 2014. His energy practice has a particular focus on upstream issues and he has advised and acted in many offshore and onshore disputes involving oil and gas exploration; the construction, repair and sale of fixed platforms, semi-subs, jack-up rigs, FPSOs, tankers and LNG carriers, offshore vessels, power plants and pipelines; drilling contracts; and contracts for the supply and carriage of oil and gas. Lionel is appointed regularly as an arbitrator in energy matters and is a Deputy High Court Judge (Commercial Court & QBD).



**Simon Rainey QC**

### ***RISK ALLOCATION: THE TRIUMPH OF HOPE OVER EXPERIENCE?***

Simon Rainey will analyse the trend of recent English (and other) authorities on risk allocation provisions in drilling and other offshore contracts (culminating most recently in *Transocean Drilling v Providence Resources*). He asks whether it is now (high) time for windy platitudes as to the need for 'purposive construction' of knock-for-knock / mutual indemnification provisions in the interest of

'balanced risk allocation' to yield to more limited and realistic expectations and to some better informed basic (re-)drafting of what are simply species of exclusion clause.

Simon Rainey QC is one of the best-known and most highly regarded practitioners at the Commercial Bar with a high reputation for his intellect and advocacy skills. He is regularly involved in high value complex energy disputes, for example: drilling and exploration projects, both in terms of construction and infrastructure issues and in relation to casualties due to failures of equipment or negligent operation involving the allocation of responsibility in complex factual and technical situations; offshore and onshore construction projects covering virtually every species of oil and gas platform, rig, FPSO, offshore vessel and wind farm; production, transportation and processing agreement matters; oilfield redetermination and boundary disputes; energy generation and energy trading etc. He is the author of the leading text on marine offshore contracts: "The Law of Tug and Tow and Offshore Contracts" (Informa, 3<sup>rd</sup> Edn, 2013); co-author of "Offshore Contracts and Liabilities" (Informa, 2015: chapter on offshore project mutual indemnities) and co-author of "Offshore Structures: Law and Liability" (Sweet & Maxwell, in preparation: chapters on LOGIC and IADC forms). He was ranked by Chambers & Partners as the 2016 Star Individual for Shipping and Commodities and has long been ranked as a leading silk in both directories (UK and Asia) for Energy and also Commercial Litigation and International Arbitration. He is a Deputy High Court Judge (Commercial Court and Queen's Bench Division), sits as arbitrator and has performed numerous expert determinations.



**Simon Croall QC**

***DELIVERABILITY UNDER CONSTRUCTION CONTRACTS FOR DRILL SHIPS AND MOBILE PLATFORMS***

Simon Croall will consider the condition in which drill ships must be tendered in order for the Buyer to be required to accept delivery. He will explore the relevant legal considerations, suggest possible answers (given the absence of clear authority both in this context and in ship construction more generally), examine the commercial considerations and seek to identify the practical differences between the possible standards which might be applied.

Simon Croall QC is experienced in international arbitrations, especially disputes relating to shipbuilding and energy. Simon is a recommended silk in Energy, Commercial Litigation (Legal 500 2016) and International Arbitration (Chambers Asia Pacific 2016 and Legal 500 Asia Pacific 2016). Simon's energy practice includes the construction and sale of fixed platforms, drill ships and barges, FPSOs, tankers and LNG carriers. He also acts in disputes relating to contracts for the supply and carriage of oil, petrochemicals, gas and coal. He frequently acts in disputes involving Chinese and South East Asian parties and also sits as an arbitrator.



**James M. Turner QC**

***IN THE PIPELINE? TERMINATION UNDER DRILLING, PIPE-LAYING AND RIG-BUILDING CONTRACTS***

James Turner will give an overview of the different types of termination clause, their operation and risks from the perspective of both employer and contractor, and their relationship both with common law termination and ancillary contracts.

James M. Turner QC specialises in shipbuilding, energy and shipping law. He has advised and acted in numerous disputes involving offshore construction, LNG storage, FPSOs, jack-up and semi-submersible rigs, pipe-laying and shipbuilding. He has a strong reputation for his technical ability and his facility with expert evidence.



**David Steward**

***CHAIR***

David Steward practised as a solicitor in London for over thirty years, specialising in (among other things) upstream oil and gas, including drilling and other services and the building of rigs, FPSOs, ships and offshore structures. He handled disputes in this field and also drafted and negotiated contracts. David ceased practising in 2011 and is now a full-time arbitrator and mediator. As a solicitor, Chambers & Partners wrote of him: "Offshore oil and gas expert David Steward is praised for the 'vast breadth of his expertise,' which sees him advising on specialised areas such as drilling units, FPSOs and rigs and charter party disputes in the oil and gas sector."