



HKICPA seminar: **Managing Third Party Rights – Global Developments and Best Local Practice**

Program Code: SCPD16120501

The Contracts (Rights of Third Parties) Ordinance (Cap 623) came into effect on 1 January 2016. Broadly the Ordinance alters the doctrine of "privity of contract" – as a result it is no longer the case that only parties to the contract are able to enforce a benefit conferred by that contract. This change offers companies an opportunity to cater to third party needs when contracting (e.g. perhaps to benefit a related company which is strictly speaking external to the contract), but also increases the risk of third party intervention in contractual arrangements.

This seminar will briefly discuss the privity of contract and examine the legal issues arising, before dealing with the practical consequences of the Ordinance and suggesting how new benefits and protections might best be captured and any additional risks mitigated. This seminar is intended to be practical, and so the issues examined will be illustrated by both case studies and drafting examination.

After joining this seminar, participants will gain knowledge about:

- The new regime imposed by the Contracts (Rights of Third Parties) Ordinance (Cap 623)
- The extent to which non contracting parties can obtain benefits under contracts, and how those parties might be excluded from that benefit
- A practical application of the possible contractual adjustments prompted by the new regime

Date **Monday, 5 December 2016**

Time **7:00 p.m. – 8:30 p.m.**

Venue Hong Kong Institute of CPAs,
27/F., Wu Chung House, 213 Queen's Road East, Wanchai, Hong Kong

Format Seminar

Language English

Fee HKICPA member or student: HK\$190 (online enrolment: HK\$180)
IA/ HKIAAT member or student: HK\$190
Non-member: HK\$330

Speakers **Mr. Richard Wilmot**, Partner, Stephenson Harwood
Mr. Wilmot is a commercial litigation partner in Stephenson Harwood's Hong Kong office. He advises a range of international and regional businesses and institutions typically representing banks, trading companies, commodity buyers, and shipowners.

Mr. Andrew Carpenter, Senior Associate, Stephenson Harwood
Mr. Carpenter is a senior associate in Stephenson Harwood's Hong Kong office. His main areas of expertise are in corporate and commercial transactions, particularly in the financial, insurance and natural resources sectors.

Mr. Justin Gan, Associate, Stephenson Harwood
Mr. Gan is an associate in Stephenson Harwood's Hong Kong office. His experience includes litigation, mediation, and arbitrations, both ad hoc and institutional, in various jurisdictions, with a strong focus on shipping and international trade disputes.

Participants Persons who may have exposure to contractual arrangements

Competency* Corporate governance

Rating* Intermediate level

CPD hours 1.5

* Please refer to the [Institute's online CPD Learning Resource Centre](#) for descriptions of competency and rating.



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FOR OFFICE USE

Deadline: 7 working days before the date of the programme

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1							
2							
3							
						Total (HK\$)	

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The Institute's decision is final. Applicant must submit the enrolment form 10 working days before the event.

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- Notes:**
- Membership Status: **NP** = Non-Practising, **P** = Practising, **IA** = International Affiliate, **S** = Student, **HKIAAT** = HKIAAT Student or Member, **GAA** = GAA Passport holder, **NM** = Non-Member.
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