

Law and Practice of Construction Contracts (3rd ed.) BY CHOW KOK FONG
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This publication started life as *An Outline of the Law & Practice of Construction Claims* in the first edition and became known as *Law and Practice of Construction Contract Claims* in its second edition. Those familiar with the earlier editions will know that three new areas are covered in the third edition. They are pre-contract issues, payment certificates and performance bonds. There are also no less than 90 new decisions discussed by the author and the book has grown from 527 pages in the second edition to 1152 pages in the third. The book in its second edition was well-received, going into three print runs before going out of print.

The present edition comprises 18 chapters with a Postscript on the Public Sector Standard Conditions of Contract (PSSCOC) (3rd ed.) and two appendices of the Articles of Agreement and Conditions of Contract of the Singapore Institute of Architects (6th ed.) and the PSSCOC (3rd ed.).

Chapters 1 and 2 touch on the issues concerning the formation of contracts, their contents, express and implied terms, the standard forms and the choices that must be made. Chapters 3 and 4 concern those who are interested in redress for breach of contract including pricing and claim practices. The topic on variations is covered in Chapters 5 to 7. Chapter 8 deals exclusively with payments and certifications. Time-related claims are discussed in Chapters 9 and 10. This is followed by Chapter 11 on performance bonds. Issues relating to termination are dissected in Chapters 12 and 13. The last five chapters are stand-alone chapters on sub-contractors and suppliers in Chapter 14, claims under negligence in Chapter 15, construction litigation in Chapter 16, arbitration in Chapter 17, and the preparation and negotiation of claims in Chapter 18.

A particularly attractive feature of the book lies in the approach taken by the author in presenting each topic. It is the author's declared intention to integrate the legal principles of the subject with industry practice and operating conditions typically encountered in the construction projects. Further, at the end of each chapter, except for Chapters 10, 11 and 18, the author gives a useful commentary on the provisions of the Singapore Institute of Architects (SIA) Form of Contract that are relevant to the matters discussed in the chapter concerned. The collection of cases interpreting the SIA Form has increased significantly.

The importance of this work lies in its exposition of the manner by which the law on this subject has developed in this country in recent years. When the first edition was published in 1989, the number of Singapore cases that made it to the table of cases was limited to a handful. Now, 15 years later, the number of Singapore cases found in the table of cases has grown to a healthy figure. However, as noted by the author, the Singapore courts have begun to take on a character of their own in both the realm of contract and negligence. Foremost among these are the principles relating to the enforceability of on-demand performance bonds in Singapore and the recognition of economic loss as a head of claimable damages. Departures from the English law position were also given impetus by the *Application of English Law Act* (Cap. 7A, 1994 Rev. Ed.) which repealed the statutory reception of English law under the then s. 5 of the *Civil Law Act* (Cap. 43, 1988 Rev. Ed.) in 1993. While decisions from the Commonwealth courts, including decisions from the U.S. courts, have been cited freely to give a comprehensive treatment, the legal purist may take exception to the lack of differentiation in terms of legal jurisdictions although it has been highlighted in some parts of the book.

Finally, on a personal note, I find that the chapter contents page makes it very convenient to find what I want in the sea of illuminating information.

PHILIP CHAN CHUEN FYE