

## Tony Marshall

Senior Counsel

London

### Biography

Tony Marshall, a senior counsel in Hogan Lovells' Construction and Engineering Practice Group, is based in the London office. Tony has over 35 years of experience helping clients with all manner of issues arising from the procurement of construction and infrastructure projects. According to Chambers Global 100, he is "widely recognized as an expert in a range of construction-related matters", and helps clients handle issues arising during projects, as well as dispute avoidance, and dispute resolution. These include mediation, expert determination, adjudication, dispute boards, arbitration, and court proceedings.

Tony led the firm's construction practice in Asia from 1994 until 2002 and retains a close involvement in the construction practice in the firm's Tokyo office. Recent matters include: ICC arbitration in respect of delay issues regarding a gas-fired combined cycle power plant, adjudication with respect to the decommissioning of a nuclear power plant, dispute adjudication board proceedings concerning a container terminal in Costa Rica, and ICC arbitration for non-delivery and termination issues regarding the construction of ten new oil tankers.

Since 2003, Tony has also worked regularly with the Engineering Advancement Association of Japan (ENAA) to update their English language Model Forms of



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### Languages

English  
French

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### Practices

International Arbitration  
Litigation Services  
Infrastructure, Energy, Resources,  
and Projects

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### Industries

Diversified Industrials  
Energy and Natural Resources

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Contract.

He is a Fellow of the Chartered Institute of Arbitrators, and past Co-Chair of the International Construction Projects Committee of the International Bar Association. Tony focuses primarily on major engineering projects and has particular experience with the International Federation of Consulting Engineers (FIDIC) and ENAA forms of contract – which are both used in adapted form by the World Bank and other multilateral development banks.

## Representative experience

Representing a major oil company in an ICC arbitration concerning defects in compressors supplied for use in a power station in Lincolnshire, England.

Advising the main contractor for the construction for a major new motorway in Croatia on issues arising between the contractor and the Government.

Acting for MTRC in a major mediation against the Hong Kong Government concerning liability for entrusted works.

Representing the owner in a dispute over defects in the design and construction of a water treatment plant in Serbia (ICC arbitration in London).

Acting for an M&E subcontractor in a dispute over delay and defects arising from the construction of a power plant in Singapore (LCIA arbitration in London).

## Awards and rankings

- Acritas Star, *Acritas Stars Independently Rated Lawyers*, 2019-2020

## Latest thinking and events

- Published Works
  - Delay, Progress and Programming – an overview of obligations as to time of performance under

## Areas of focus

Alternative Dispute Resolution

Oil and Gas: Exploration and Production

Oil and Gas: Refinery and Petrochemical Projects

Power: Nuclear Power

Power: Renewable Power

Power: Thermal Power

Power: Transmission, Storage, Sales, and Trading

Mining and Resources: Mining

IERP Dispute Resolution

Engineering, Procurement, Construction, and Supply Chain

Operation and Maintenance, Facilities Management, Services and Commercial

PPPs (including P3 and PFI) and Government Contracts

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## Education and admissions

### Education

M.A., University of Cambridge, Corpus Christi College, 1981

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## Memberships

Fellow of the Chartered Institute of Arbitrators

Law Society of England and Wales

Law Society of Hong Kong

English law *International Construction Law Review*

- Published Works
  - Process Plant Construction: the ENAA Model Form of Contract – Comments and Comparisons *International Construction Law Review*
- Hogan Lovells Publications
  - Hong Kong | COVID-19 and contractual force majeure: A simple checklist
- Hogan Lovells Publications
  - No pain, no gain – English court finds that interim payments under a joint venture contract should not be adjusted for cost overruns *Litigation, Arbitration, and Employment Alert*
- Hogan Lovells Publications
  - 'Easier to recognise than define' - English Court of Appeal considers "practical completion" for the first time in fifty years
- Hogan Lovells Publications
  - New Engineering of old challenges *Construction and Engineering Alert*

Co-Chair, International Construction Projects Committee of the International Bar Association (2016 - 2017)

The Society of Construction Law

The Lighthouse Club, construction industry charity (Secretary of the Hong Kong Branch, 1992 - 2002)

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## Bar admissions and qualifications

Australia

Solicitor, England and Wales

Hong Kong

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## Accolades

'widely recognised as an expert in a range of construction-related matters'

*Chambers Global 100 Directory*

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