



Sam Thyne

Senior Associate

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Sam has experience advising contractors, subcontractors, developers, government agencies and consultants on a wide range of contentious and non-contentious construction issues. Sam's experience on contentious matters includes assisting on many forms of dispute resolution throughout the life cycle of a construction project, ranging from in-project advice to disputes relating to historical defective building claims. Sam has particular experience in international disputes arising under the FIDIC rainbow suite of contracts.

Sam is a New Zealand qualified solicitor.

Specialist Expertise

Examples of Sam's expertise include:

- advising a major international contractor in extension of time and payment disputes relating to hydroelectric dams in Africa, based on an amended FIDIC Contract for EPC/Turnkey Projects Works, 1999 (the Silver Book);
- assisting a contractor in respect of an ICC arbitration for claims in relation to a motorway project based on an amended FIDIC Contract for building and engineering works designed by the Employer, 1999 (the Red Book);
- advising a United Kingdom based employer in respect of issues arising from several construction projects using both FIDIC and JCT contracts. Issues included termination, insolvency and defective works;
- assisting a Qatari contractor in a payment dispute under a modified 1999 FIDIC Red Book;
- assisting a Ukrainian employer in a payment dispute with a contractor under a modified 2017 FIDIC Silver Book;
- assisting a Ukrainian employer navigate issues arising out of force majeure events under a modified 2017 FIDIC Silver Book;
- assisting an international contractor on an extension of time and payment dispute for a large infrastructure project under an amended FIDIC Pink Book;
- assisting an international contractor navigate issues arising out of a dispute in the former Islamic Republic of Afghanistan;

- assisting multiple international contractors demonstrate contractual entitlements in the COVID-19 epidemic, including advising on EPC contracts for major infrastructure projects in the UAE, Bahrain and Singapore;
- assisting an international contractor operating in the United Arab Emirates establish contractual entitlements to payment under a bespoke EPC agreement for an infrastructure project, and develop a strategy for recovery;
- assisting New Zealand contractors, subcontractors, and employers in all manner of construction disputes in both adjudication and litigation. Construction dispute experience includes dealing with issues such as defective building works, extension of time claims, variation claims, professional negligence, termination and insolvency;
- assisting New Zealand contractors, subcontractors and employers draft and negotiate construction contracts for EPC turnkey projects, as well as commercial and residential premises.

Sam's memberships/positions include:

- member of the Society of Construction Law;
- member of the Technology and Construction Solicitors' Association;
- member of the New Zealand Law Society.