

Karah Howard

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## **Biography**

Karah is an experienced construction and infrastructure disputes specialist with a strong track record in high-value domestic and cross-border matters across Hong Kong, Asia Pacific, and the Middle East. Karah has acted as counsel in arbitrations under ICC, SIAC, and HKIAC rules, seated in major jurisdictions including Australia, Asia, Europe, and the Middle East. She also advises Hong Kong industry stakeholders on the Security of Payment Ordinance (SOPO), including on contract amendments and adjudication strategies, and has represented clients in adjudications in Western Australia. She was engaged by HKIS/HKIE to deliver their SOPO adjudicator training course in 2025 and has delivered training sessions for numerous clients and industry bodies.

In addition to her counsel work, Karah serves as a decision maker in complex construction disputes. She has been appointed as sole arbitrator by HKIAC, ICC, and SIAC and is listed as an arbitrator with HKIAC, SIAC, KCAB, AIAC, and JCAA. Karah is a Fellow of the Chartered Institute of Arbitrators and the Hong Kong Institute of Construction Adjudicators, and is a qualified adjudicator.

She is admitted to practice in Hong Kong, England & Wales, and Western Australia.

#### **Client Ouotations**

They listen carefully to what we want to do and give us advice, so we rely on them a lot. We consult them, not only on projects in Hong Kong but also all over the world... Karah Howard is very good... I feel their performance is very good, especially the Hong Kong team.

Legal counsel, Japanese contractor, 2025

Karah Howard is an excellent lawyer. She proactively communicated with us to help us understand the complicated issue we faced. The issue was also a very urgent one to settle with our counterparts but, in spite of such a tight schedule, she easily met all the deadlines.

Legal counsel, Japanese Trading House, 2023

# Legal Directories/Rankings

Arbitration Powerlist Hong Kong 2023

**Legal 500 Private Practice Powerlist 2023** 

Future Leader, Construction – Future Leaders – Partners - 2024, 2025 Future Leader, Arbitration – Future Leaders – Partners – 2024, 2025, 2026 Recommended, Mainland China, HK SAR and Macao SAR – Construction - 2025 Recommended, Mainland China, HK SAR and Macao SAR – Arbitration - 2025

Lexology

# **Experience**

# Karah has been appointed sole arbitrator on the following disputes:

- 2025 HKIAC Administered Arbitration Rules Sole arbitrator a HK\$2.5M dispute in respect of non-payment in breach of a promissory note. Hong Kong law, Hong Kong seat. Hearing pending.
- 2025 SIAC Administered Rules Arbitration Sole arbitrator a SGD 7 million construction dispute, Singapore law, Singapore seat. Hearing pending.
- 2024 ICC Expedited Arbitration- Sole arbitrator an international trade dispute in respect of unpaid purchase price for products delivered, Japanese law, Japanese seat. Award issued April 2025.
- 2024 HKIAC Ad Hoc Sole arbitrator a dispute for nonpayment for civil and building works undertaken in relation to a large residential building. Hong Kong law, Hong Kong seat. Hearing pending.
- 2023 HKIAC Administered Arbitration Rules an international design and engineering dispute under a consultancy agreement, for nonpayment of consultancy fees for a hotel project situated in Northern Mariana Islands, US. Award issued June 2024.

### **Pinsent Masons LLP Experience**

Karah has advised the following clients

- HKIA/HKIS to deliver formal training to those seeking to be qualified as adjudicators of disputes under the impending Security of Payment Legislation.
- A global consultant to amend its consultancy and sub-consultancy conditions of contract to comply with SOPO.
- A Japanese contractor on design change claims of HK\$1 billion arising under an NEC3 ECC Option A lump sum D&B contract for a large infrastructure project in Hong Kong.
- A Hong Kong main contractor raise claims valued at HK\$80 million, in mediation, ad hoc arbitration and in litigation, against insurers in respect of damage to property on a Hong Kong civil works project.
- A global financial institution in respect of cessation of employment relationship with employee under Japanese law.
- A global consultant to assess potential claims to raise in HKIAC arbitration in relation to additional services and prolongation costs arising from significant increase in scope of works on a Hong Kong public hospital project.
- A Japanese oil and gas company to effect a transfer of shareholding in their local subsidiary in Kingdom of Saudi Arabia (KSA) listed company including, merger filing application and advice on changing procedures in KSA.
- A Japanese oil and gas company to review and improve claims submissions for change, impossibility, disruption, prolongation costs, acceleration, and local law bases of claim including unforeseen exceptional events, unjust enrichment etc., valued at around US\$500 million arising in relation to a hydrocarbon processing facilities and utilities project EPC contract for a project based in Kingdom of Saudi Arabia for a state-owned petroleum and natural gas company.
- A Australian mining conglomerate to provide early case assessment for defence to A\$20.5M in claims threatened in ACICA arbitration in relation to civil works for construction implementation of a ROM 3 crushing plant on a mining project.
- A Japanese oil and gas company on risks and liabilities arising under the new Saudi Civil Transactions law with respect to its tender for new blue ammonia and urea production plant in Saudi Arabia.
- A US steel manufacturer on foreign sanctions, and merits and likelihood of success of claims in HKIAC arbitration, threatened by US-sanctioned Russian employer in respect of unpaid but undisputed debts arising out of Supply Agreement for Hot Briquetted Iron (HBI) plant, Russia.
- A Respondent consultant in respect of claims under an indemnity for negligence and breach for damages arising out of a third-party arbitration against Hong Kong government entity.
- A Respondent consultant in respect of obligations for hire of foreign workers in relation to site supervision obligations under Singaporean tender.
- A Respondent consultant in respect of its response to HK\$225M in contra-charge, rectification works and additional costs claims brought by an employer in relation to a major Hong Kong project.
- A Japanese civil works contractor on liability in respect of final account claims raised by a sub-contractor in relation to a major Hong Kong rail project.
- A Japanese trading house EPC Main Contractor in respect of 2 separate gas-based combined cycle power plants located in South-East Asia, in respect of its entitlement to call on subcontractor's performance and retention bonds in circumstances of various breaches; and local tax obligations, in respect of subcontract U\$40M claim in relation thereto.
- A Respondent Japanese civil works contractor in defence of claims of U\$120 million and counterclaims valued at U\$17 million, in ICC arbitration commenced by a civil works subcontractor on a transport infrastructure project in Middle East.
- A Claimant Japanese subcontractor on claims against main contractor in ICC arbitration on civil works project in Middle East.
- A Claimant Japanese EPC contractor to pursue +70 individual claims valued at US\$55 million against JV partner to prepare expert evidence of delay, prolongation and quantum, and draft Statement of Claim in ICC arbitration on a coal fired power plant project in SE Asia.
- A Respondent Korean contractor defence of claims valued at U\$29 million and counterclaims of U\$68 million in ICC arbitration against sub-contractor on a civil and building works project in Thailand.
- A Singaporean consultant in respect of most efficient corporate structure to satisfy work pass and building legislation.
- A Claimant consultant in respect of variation claims under consultancy agreement for Singaporean project.
- A Claimant Japanese M&E contractor on claims of HK\$250 million against employer on Hong Kong major civil works project.
- A Claimant sub-subcontractor on final account claims against subcontractor on a Hong Kong civil works project.
- A Respondent JV Consultancy in respect of contra-charge claims raised by Employer on major Hong Kong civil works project.
- A Claimant Chinese SOE contractor in Hong Kong domestic arbitration against employer on a civil works project in Hong Kong.
- A Japanese contractor with respect to its investigation into labour records on large Hong Kong civil works project.

- A Respondent Japanese contractor on subcontractor claims in litigation and arbitration on a Hong Kong tunnelling project.
- A Claimant Japanese contractor preparing claims of HK\$780 million for arbitration on a Hong Kong shaft and tunnelling project.
- A Claimant Japanese EPC contractor on claims against JV partner in ICC arbitration on Eastern-European railway project.
- A Respondent Japanese contractor in ICC arbitration on a desalination plant in North Africa.

#### **Recent Publications**

Karah frequently authors thought-leadership articles, examples include:

<u>Singapore, the UK and Hong Kong: Three Approaches to Multi-tiered Arbitration Agreements</u>? Asian International Arbitration Journal Vol21 Issue 1 (2025) pp1-30.

- Jun 2025 Navigating multi-tiered arbitration agreements across perspectives from UK, Singapore and Hong Kong SAR
- Mar 2025 Managing risks in energy transition projects: Design liability and defects
- Mar 2025 Hong Kong SAR enhances arbitration accessibility with new immigration scheme
- Mar 2025 Navigating weather conditions in Hong Kong SAR NEC4 contracts
- Feb 2025 HKIAC issues guidance on compatibility of arbitration agreements in multi-contract disputes
- Jul 2024 Hong Kong SAR court considers setting aside settlement agreements and termination orders
- May 2024 Hong Kong SAR courts unlikely to intervene in arbitration award outcomes
- May 2024 Using the NEC4 standard form contract for construction projects in Hong Kong SAR
- Feb 2024: Hong Kong SAR court upholds principle of non-interference in arbitration
- Oct 2023 Hong Kong court issues reminder that preconditions to arbitration are matters of admissibility not jurisdiction
- Jul 2023 Construction disputes and FIDIC: enforcement through emergency arbitration
- Jul 2023 Construction disputes and FIDIC: tackling the enforcement gap
- Jul 2023 Construction disputes and FIDIC: how the 1999 Red Book deals with disputes
- Jan 2023 Managing contractors who refuse to proceed without additional payment (pinsentmasons.com)
- Nov 2022 How to make a construction contract bond call (pinsentmasons.com)
- Jun 2022 Duty to preserve documents in litigation and arbitration in Singapore and Hong Kong (pinsentmasons.com)
- Jan 2022 Enforcement order refused as no arbitration agreement or required notice (pinsentmasons.com)
- Dec 2021 Restitution for unjust enrichment in a contractual context (pinsentmasons.com)
- Nov 2021 <u>Failure to comply with pre-arbitration requirement to mediate a matter of admissibility, not jurisdiction</u> (pinsentmasons.com)

Qualification year and jurisdiction

• 2018, Solicitor of High Court of Hong Kong

• 2010, Senior Courts of England and Wales

• 2008, Supreme Court of Western Australia

Sept 2021 - Hub Street: would Hong Kong courts follow Australian enforcement decision? (pinsentmasons.com)

### **Areas of Expertise**

• Construction & Infrastructure

• Power / Energy

#### Education

- 2006, University of Western Australia, LLB
- 2000, Bachelor of Arts (Japanese)

# Language

- English Native
- Japanese Fluent written and spoken
- French Conversational

Arbitration

## Career History (most recent position held)

- May 2013 to present Pinsent Masons LLP
- 2009-2013 Herbert Smith Freehills, Tokyo
- 2007-2009 Minter Ellison, Perth

#### **Professional Memberships**

- Hong Kong Bar Association
- Fellow CIArb
- Fellow HKICAdj
- ArbitralWomen Member
- Lighthouse Women in Construction Member

#### Location

Hong Kong