



## IAIN MUNRO

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Year of call 2009

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#### Practice Areas

- Commercial
- Information technology
- Construction

#### Languages

Mandarin (working knowledge)

Iain has a strong interest in China, having lived in Beijing for three years and spent a year studying Chinese at Peking University after graduation. In 2011, he was seconded to a Chinese law firm as a Pegasus scholar splitting his time between Beijing, Shanghai and Ningbo. Alongside the firms' Chinese and foreign lawyers, he assisted with:

- an internal investigation into a US-listed Chinese petroleum company;
- a HKIAC arbitration involving a disputed share purchase agreement;
- construction and dredging projects on FIDIC terms both in China and abroad.

#### Commercial

Iain has acted in a number of commercial disputes, both as advisor and advocate. Recent cases include a restitution claim following a mistaken payment by a Swiss bank, a ship repair claim, and actions against a clinical waste management company in relation to the exercise of a unilateral price variation clause.

Iain has worked on cases that involve:

- the proper construction of a refund guarantee, which was issued by a major bank by way of security for a €1 million advance payment made by the purchaser of a vessel;
- the question of whether oil company's claims that crude oil cargoes did not match their contractual description were subject to *res judicata* estoppel or were an abuse of process, as a result of a previous arbitration;
- dry shipping work, including disputes over the construction of Charterparties, redelivery notices, and wrongful repudiation by both owners and charterers;
- the application of a trust or other equitable remedies in a share purchase case;
- dispute concerning whether new creditor insurance business was or came to be ceded under re-insurance treaty.

## **Information Technology**

Iain is regularly instructed in IT disputes, particularly by government employers. He has acted as junior counsel for a government department against a provider of bespoke archiving software and advised on settlement, drafting witness statements and managing the disclosure process. Iain is currently instructed in a multi-million pound dispute about the largest civil IT system in the world.

## **Construction**

Iain has assisted in numerous construction disputes and has particular experience in loss of profit claims arising from development projects that have been prevented by breach of contract or professional negligence. Such cases have required complex fact management and multiple experts.