

Overview

Your business is your livelihood and any dispute or litigation needs to be resolved swiftly and with the greatest care.

When a dispute arises, our team applies skillful lateral thinking to help reach the very best resolution. Our team's depth of experience—from mediation, conciliation and negotiation through to arbitration and litigation—allows our clients access to the full range of dispute resolution tools.

When a dispute escalates, our team is there to help you in the most difficult circumstances. We regularly appear against Queen's and Senior Counsel and our track record is exceptional. We have been instructed on the most significant disputes and court matters and members of our team have been invited lay members of the National & Supreme Court Judges' Rules Committee for a number of years. Rely on our track record in resolving major commercial disputes for public and private sector clients in the areas of: energy and resources, employment, corporate governance, property and construction, trade, insolvency, competition and consumer law, and planning and environment.

In dealing with distance and time zones, multinational clients can gain access to our litigation team members in our offices around the world.

To regain your focus on running your business, rely on us to resolve your dispute and mend valuable business relationships.

Representative Experience

- **State-owned enterprises:** Acting for major state-owned enterprises with respect to significant disputes concerning a wide range of matters including: infrastructure construction (K\$160 million in issue); Build Operate Transfer arrangements (K\$250 million in issue); lending securities (K\$180 million in issue); and the price regulation of regulated entities.
- **PNG Independent Consumer & Competition Commission (ICCC):** Matters have included: acting in significant litigation concerning telecommunication licenses, and acting for clients whose market conduct is being investigated by the ICCC in a number of industries.
- **National Provident Fund / Nasfund:** Acting with respect to the recovery of funds from parties to various corrupt dealings in the construction of the Deloitte Tower. Actions were commenced in PNG and Australia against 16 defendants. To date, several million kina have been recovered from parties to the fraud and repaid to the NPF/ Nasfund.
- **Downer Construction Ltd re State:** Acting in three National Court proceedings, a Supreme Court appeal and International Arbitration to resolve a construction dispute between an international construction company and the state).
- **Bougainville Copper Ltd (Internal Revenue Commission):** Acting in lengthy litigation concerning PNG's income tax legislation including constitutional issues arising from it. With eight National Court proceedings and three Supreme Court appeals, this matter is ongoing.
- **Bank of Papua New Guinea (re PNGBC):** Engaged by the Central Bank in 2000 to advise, and if necessary

litigate, on the Central Bank's administrative actions to take control of the PNGBC and install a statutory manager. The Central Bank adopted our course of action and the former management of the PNGBC was effectively removed.

- **Bank of PNG (ats AusImpex):** Engaged by the Central Bank to defend a large damages claim brought by an entity whose gold export activities were licensed and permitted by the Central Bank. This matter is ongoing.
- **Nasfund re: Pacific Balanced Fund (formerly ICPNG):** Advising Nasfund on the former ICPNG and representing the client in 35 different proceedings in the National and Supreme Courts, and a Commission of Inquiry.
- **Landowner litigation:** Acting in innumerable matters where landowners have brought claims against clients in a range of industries including: the petroleum industry (Kutubu oilfields, InterOil refinery); the mining industry (Porgera Joint Venture, Bougainville Copper, Wafi, Hidden Valley, Mt Kare); agriculture (oil palm, rubber, cocoa); forestry (Open Bay, Stettin Bay, Morobe Coast, Bulolo); and infrastructure (telecommunications, waterways).
- **Lands Department litigation:** Acting in numerous court cases concerning actions within the Department of Lands or Registrar of Titles.

Enforcement actions by government agencies: Engaged many times with respect to the enforcement actions of many government agencies, including: the state, Bank of PNG, Civil Aviation Authority, Registrar of Companies, National Forest Board, National Fisheries Authority, Mining Warden, Attorney General, Internal Revenue Commission, Independent Consumer and Competition Commission, and Privatisation Commission.

Your Key Contacts

Asia Pacific



Erik Andersen

Partner, Port Moresby

D+675 308 4603

erik.andersen@dentons.com