



Peter D. Banks

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[Contract Disputes](#)

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Peter practices commercial and construction litigation and acts on behalf of owners, contractors and subcontractors in disputes arising from large scale construction and engineering projects. These include significant cases involving claims of breach of contract, deficiencies, delay claims, liquidated damages, warranty and tendering issues.

Peter has significant arbitration experience and has acted in both international and domestic arbitrations. He has also appeared before the Court of Queen's Bench of Alberta, the Court of Appeal and the Supreme Court of Canada. He clerked for Mr. Justice Major at the Supreme Court of Canada, and has since appeared as counsel at the Supreme Court on four cases, including one of the leading cases in Canada on the law of tendering.

In addition to construction cases, Peter also has experience in large cases involving contract disputes, constitutional issues, shareholder disputes, and injunctions.

Peter is actively involved in the legal community, and is serving this year as the Chair of The Advocates' Society's Construction Practice Group and the Chair of the CBA Civil Litigation (South Section).

He graduated from the University of Alberta as the gold medallist and the University of Oxford

Experience

- Counsel for a design build contractor in a dispute arising out of the design and construction of a major ring road project in southern Alberta
- Counsel for an owner of a \$1 billion sour gas processing plant in northern Canada in a multi-party UNCITRAL arbitration
- Counsel for a multimillion dollar case arising on a major infrastructure project in the City of Calgary
- Counsel for an EPC contractor involved in a dispute with the owner of a carbon capture plant
- *Toronto Star Newspapers Ltd. v. Canada*, 2010 SCC 21 – constitutional challenge to a statutory publication ban
- *Canada v. McLarty*, 2008 SCC 26 – meaning of “expense incurred” and factual non-arm-length dealings under the Income Tax Act
- *Double N Earthmovers Ltd. v. Edmonton (City)*, 2007 SCC 3 – leading case on the law of tendering

Insights & Events

Beyond Our Walls

Professional Involvement

- Member, Law Society of Alberta
- Member, The Advocates' Society
- Member, Canadian Bar Association
- Member, Society of Construction Law North America
- Member, Calgary Bar Association
- Honorary Member, COMBAR Commercial Bar Association (England)
- Past Member, The Editorial Board of the Alberta Law Review

Community Involvement

- Volunteer, BLG Reads to Kids
- Past Cub and Beaver Scout Leader, 1st Okotoks Scouts

Awards & Recognitions

- Recognized in the 2024 edition (and since 2021) of *The Best Lawyers in Canada*® (Corporate and Commercial Litigation) and since 2022 (Construction Law) and in the 2024 edition of *The Best Lawyers in Canada*® (Appellate Practice).
- Recognized in the 2024 edition (and since 2022) of *The Canadian Legal Lexpert*® *Directory* (Construction Law) and in the 2024 edition of *The Canadian Legal Lexpert*® *Directory* (Commercial Arbitration).
- Recognized in the 2023 edition (and since 2021) of *Benchmark Canada* as a Future Star.
- Recognized in the 2023 edition (and since 2022) of *Lexpert*® *Special Edition: Infrastructure*.
- Recognized as a “Litigation Lawyer to Watch” by the *Lexpert*® *Guide to the Leading US/Canada Cross-border Litigation Lawyers in Canada*.
- Recognized as one of *Lexpert's*® *Rising Stars: Leading Lawyers Under 40*.

Bar Admission & Education

- Saskatchewan, 2016
- Alberta, 2003
- BCL (with distinction), University of Oxford, 2004
- LLB (with distinction and gold medallist), University of Alberta, 2002
- B.Ed (with distinction), University of Alberta, 1997

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