



**JOINT COURSES ON ALTERNATIVE DISPUTE RESOLUTION
FOR PRACTITIONERS
COLLABORATION BETWEEN IEM, MIArb, PAM AND RISM**

BEM Approved
CPD/PDP Hours:-
14.0
IEM18/HQ/285/C

Date & Time : **8 & 9 August 2018 (Wednesday & Thursday) from 8.30 am – 5.30pm**
 Venue : **Malakoff Auditorium, Wisma IEM, Petaling Jaya, Selangor**
 Co-organisers : **Pertubuhan Akitek Malaysia * Malaysian Institute of Arbitrators * Royal Institution of Surveyors, Malaysia * The Institution of Engineers, Malaysia (DARP Subcommittee)**

Curious about ADR or simply want a refresher? Look no further. Join us for our 2-day intensive course on the practical aspects of construction law, arbitration, adjudication and expert witness. Our speakers and facilitators who are themselves construction law and/or ADR practitioners will draw from and share with you their wealth of knowledge and experience viewed from a practical and real-world perspective.

SYNOPSIS AND BIODATA OF SPEAKERS

Day 1 (Morning): Common Issues on Construction Contract Management: Avoiding Disputes - This is an intensive course on the topic of Common Issues in Construction Contracts: Avoiding Disputes meant as a refresher course for project personnel such as Architects, Engineers & Quantity Surveyors involved in claims assessment as well in the implementation of contracts.

Ir. Leon Weng Seng graduated with Bachelor degree in Civil Engineering in 1980 and went on to obtain an honours degree in law with the University of London and a postgraduate Diploma in Arbitration with the University of Reading. He is a corporate member of The IEM and a registered professional engineer and is an advocate and solicitor of the High Court of Malaya (non practising). Ir. Leon is the principal of a civil and structural engineering consultancy firm. He has vast experiences in the administration of construction contracts including giving advice on contractual, mediation, adjudication and arbitration matters. His other areas of particular interest are forensic engineering and investigation of collapsed structures and slopes, and assessment of fire damaged structures. He acts as expert witness in courts and arbitration. Ir. Leon is also a CIDB accredited mediator, Fellow and a Chartered Arbitrator of The Chartered Institute of Arbitrators in London and an Adjudicator of KLRC. He is a committee member of the Dispute Resolution Practice of the IEM and the past Chairman (2008–2010) of the Chartered Institute Arbitrators (CIArb) Malaysia Branch. He is sitting as arbitrator in many on-going arbitrations.

Day 1 (Afternoon): Disputes from a QS's Perspective – Differences in opinion are common among stakeholders in construction projects. Those differences if not managed properly become issues. However, usually, it is only cost issues which are not resolved in a timely manner may in turn be escalated into disputes. This session will involve a sharing by a consultant QS of his personal experience of cost disputes in construction and his take on true resolution.

Sr Lim Kok Sang is the Principal of Sang QS Consult; a Registered Consultant Quantity Surveyor with BQSM; a Fellow Member of Royal Institution of Surveyors Malaysia (RISM); a Chartered Surveyor and Fellow Member of Royal Institution of Chartered Surveyors, United Kingdom (RICS); a member of the Chartered Institute of Arbitrators (CIArb); and a Panel Adjudicator of Asian International Adjudication Centre (AIAC). He has over 20 years' experience working with building and civil engineering works in Malaysia, Ireland and the UAE. He has also served the professional bodies in various capacities including Deputy Vice President, Education and Accreditation Board Deputy Chairman, Exam Board Secretary of RISM, Panel Assessor, technical committee and sub-committee member.

Day 2 (Morning): Arbitration - What is Arbitration? Is it any different from going to court? Find out about these and more at our session on arbitration where our speakers and facilitators will take you through the arbitration hearing and process as well as the role played by an expert witness.

Ms. Karen Ng Gek Suan is an advocate and solicitor and a Partner in Messrs. Azman, Davidson & Co in the firm's Building, Construction & Dispute Resolution department. She specialises in building & construction law and represents clients in contentious and non-contentious building & construction matters, in domestic and international settings. She is the current Deputy President of the Malaysian Institute of Arbitrators.

Kevin Prakash's practice is in dispute resolution and has been involved in complex disputes in various forms for over 15 years. He has wide experience in diverse types of disputes including corporate and commercial disputes, contractual, civil and shipping disputes. He regularly appears in Court proceedings as well as Arbitration mainly for building contract disputes. He was a partner with a large law practice in Kuala Lumpur before joining a boutique dispute resolution practice, Mohanadass Partnership. He is the Past President of the Malaysian Institute of Arbitrators.

Day 2 (Afternoon): Adjudication - It is ironic that the construction industry, which depends on coordination, cooperation, and teamwork among various parties, should be the most problematic and adversarial. A dispute might arise at any point during the construction process as a result of differing expectations or misinterpretations of the contract documents, which leads frequently to unnecessary problems and delays. This seminar will explore adjudication as the new way of resolving construction disputes.

Topics covered will include: ●Essentials of CIPAA 2012 - Overview of the Act and its Purposes ●Practice and Procedure ●Common Challenges to Adjudication ●The ideal Adjudicator?

Ar. David Cheah APAM, APPM, FCIArb is an Architect, Urban Planner, Adjudicator, Mediator and Chartered Arbitrator. He believes that due to the nature of construction and the multiplicity of players in the construction industry, it will be unavoidable for consultants to be involved with dispute resolution, in one way or another. Although the best form of dispute resolution is dispute avoidance, it's easier said than done.

PROGRAMME
(JOINT COURSE ON ALTERNATIVE DISPUTE RESOLUTION FOR PRACTITIONERS)

DAY 1 (8 AUGUST 2018)		DAY 2 (9 AUGUST 2018)	
0830-0900	Registration Common Issues on Construction Contract Management: Avoiding Common Disputes – by IEM	0830- 0900	Registration Introduction to Arbitration – by MIArb
0900-1000	The Contract: How to use Standard Forms	0900- 1000	Introduction to Arbitration: Process of Handling Disputes
1000-1015	Tea Break	1000- 1015	Tea Break
1015-1130	Common Disputes in Constructions Contracts and Avoiding Disputes	1015- 1130	The Hearing Process, Procedure and Practice Managing the Expert Witness
1130-1230	Document Management	1130- 1230	Enforcing the Arbitral Award
1230-1330	Lunch	1230- 1330	Lunch
	Disputes from a QS's Perspective – by RISM		Adjudication - by PAM
1330- 1545	VO	1330- 1430	Essential of CIPAA 2012
	Termination Determination of Contracts Process of Constructions Rendering of Accounts	1430- 1545	Practice and Procedure
1545- 1600	Tea Break	1545- 1600	Tea Break
1600- 1730	Scenario / Case Study Q&A	1600- 1730	Common Challenges to Adjudication The ideal Adjudicator?

REGISTRATION FEES (GST is 0% effective from 1 June 2018)

(Inclusive of documentation, tea breaks and lunch)

	Online rate/ Normal rate
IEM/MIArb/PAM/RISM Member	RM 500.00
Non-Member	RM 1,000.00

CLOSING DATE FOR REGISTRATION: 3 AUGUST 2018

(Please fax the Registration Form at 03-7957 7678 or email to nik@iem.org.my)

REGISTRATION FORM

Names	IEM M'ship No & Grade	H/P number	E-mail	Amount (RM)
Sub-Total				
Add GST @ 0%				
TOTAL AMOUNT PAYABLE (RM):				Total Payable

PAYMENT DETAILS

Enclosed herewith a cheque No. : _____ for the sum of RM _____ issued in favour of "**The Institution of Engineers, Malaysia**" and crossed 'A/C Payee Only'. I/We understand that the fee is not refundable if I/we withdraw after my/our registration is accepted by the Committee but substitution of participants will be allowed. If I/we fail to attend the Seminar, the fee paid would not be refunded.

Contact Person : _____ Designation : _____

Name of Organisation : _____

Address : _____

Tel No : _____ HP : _____ Email : _____ Signature : _____

TERMS & CONDITIONS

- For **ONLINE REGISTRATIONS**, only **ONLINE PAYMENT** is applicable [via **RHB and Maybank2u** -Personal Saving & Personal Current; **Credit Card** – Visa/Master]
- Payment via **CASH / CHEQUE / BANK-IN TRANSMISSION / BANK DRAFT / MONEY ORDER / POSTAL ORDER /LO / WALK-IN** will be considered as **NORMAL REGISTRATION**.
- For **online registrations**, please note that payment **MUST** be "**ONLINE**" before the closing date. If payment is not received and verified within the stipulated time, the registration fee will be reverted to the normal registration fee.
- FULL PAYMENT** must be settled before commencement of the course, otherwise participants will not be allowed to enter the hall. If a place is reserved and the intended participants fail to attend the course, the fee is to be settled in full. If the participant made payment and failed to attend the course, the fee paid is non-refundable. Registration fee includes lecture notes, refreshments and lunch.
- The Organising Committee reserves the right to cancel, alter or change the programme due to unforeseen circumstances. Every effort will be made to inform the registered participants of any changes. In view of the limited space, intending participants are advised to send their registrations as early as possible so as to avoid disappointment.
- PERSONAL DATA PROTECTION ACT** I have read and understood the IEM's Personal Data Protection Notice published on IEM's website at <http://www.myiem.org.my> and I agree to IEM's use and processing of my personal data as set out in the said notice.