

Joint Courses on Construction Law and ADR

Jointly organised by:

Institution of Engineers Malaysia (IEM);

The Malaysian Institute of Arbitrators (MIArb);

Pertubuhan Akitek Malaysia (PAM); and

Royal Institution of Surveyors Malaysia (RISM)

Stay
tuned for
the Last
part!

PART 4 : ADJUDICATION

Date: 21 September 2013

8.30 am to 5.00 pm Wisma IEM

Adjudication has recently emerged as the preferred Alternative Dispute Resolution (ADR) method in the engineering & construction industry in many jurisdictions. In Malaysia, contractual adjudication has seen its advent in the PAM Contracts 2006 Forms for building works. Statutory adjudication has been introduced by the proposed Construction Industry Payment and Adjudication Act 2012 (CIPAA) which is scheduled to come into force sometime this year as it has been passed by both Houses of Parliament and has been gazetted in June 2012 as Act 746.

CIPAA encompasses mainly works and services inclusive of those involving the Construction Industry. Other than issues pertaining to payments, it affords practitioners the opportunity to be accredited to become adjudicators on the panel of the relevant appointing body i.e. KLRCA. With the above points in mind, this talk is aimed at introducing adjudication and the essential features of CIPAA to participants especially professionals such as architects, engineers, quantity surveyors, etc. to make them more aware of the same and to prepare them for its impending implementation.

The talk will be carried out in 2 parts.

Part 1 includes topics about the background of CIPAA 2012 which is aimed primarily at addressing cash flow problems in the construction industry and the role of KLRCA on the implementation of the Construction Industry Payment and Adjudication Act. The talk will also touch on issues such as the scope & coverage of CIPAA 2012, important timelines to take note of in an adjudication proceeding and the role of KLRCA as the official adjudication authority.

Apart from the above, we will also discuss on how CIPAA 2012 will be implemented by KLRCA when the Act comes into operation.

Part 2 of the talk will focus on the legal effects and implications of CIPAA on Construction Industry.

PROGRAM

08.30am-09.00am	Registration
09.00am-10.30pm	CIPAA & the Role of the KLRCA by Ms. Ann Quah
10.30pm- 11.00pm	Tea break
11.00pm- 12.30pm	CIPAA 2012: The Legal Effects and implications on the construction industry (Part 1) by Ir. Harbans Singh
	Lunch
12.30pm- 2.00pm	CIPAA 2012: The Legal Effects and implications on the construction industry (Part 2) by Ir. Harbans Singh
02.00pm- 03.30pm	Tea break
03.30pm- 04.00pm	Tea break
04.00pm- 05.00pm	Questions & Answers Session with Ir. Harbans Singh
04.30pm	End of Programme



Ann Quah Ean Lin

LL.M, LL.B(Hons), CLP

Advocate & Solicitor of the High Court of Malaya(non-practising)

Ann is currently the Head of Business Development at the KLRCA and is in charge of leading and managing the business development unit of the centre.

She was the Deputy Head of Legal Services at the KLRCA and headed the Adjudication department at the KLRCA in the pioneering efforts of the centre in establishing itself as the sole Adjudication Authority in Malaysia in light of the Malaysian Construction Industry Payment and Adjudication Act 2012.

Ann graduated from the University of London with a Bachelor of Laws degree in 1995. Ann was admitted as an Advocate and Solicitor in the High Court of Malaya and holds a Masters in Law Degree from the National University of Malaysia.

Ann is the former Dean of the School of Law at KDU University College, Malaysia where she taught on various subjects including Contract Laws, Legal Method and ADR. She also had a short teaching engagement at the University of Tasmania, Australia.

Ir. Harbans Singh K.S.

*B.E. (Mech) S'pore, LLB (Hons) London,
CLP, DiplC Arb, P.E., C. Eng.,
MIEM, MIMechE, MIHEEM,
MASHRAE, FCI Arb, MMIArb*



Ir. Harbans Singh is a Professional Engineer, Chartered Engineer, Arbitrator, Mediator, Adjudicator, Advocate and Solicitor (non-practising). He commenced his career with the Public Works Department, Malaysia before joining an international German engineering consultancy practice with whom he worked locally and then in Koblenz, Germany as a designer, resident engineer and contract administrator. Later Ir. Harbans served with a local consultancy firm in various professional capacities and is presently domiciled in Malaysia where he is active in construction law and dispute resolution.

He is a regular contributor to The Ingenieur, the Malayan Law Journal, The Law Review and other professional publications. He is the recipient of a number of awards including Institution of Engineers Malaysia's Tan Sri Haji Yusoff Prize (2001), the Cedric Barclay Award and the Chartered Institute of Arbitrator's Award for the Diploma in International Commercial Arbitration examination (2003).

Ir. Harbans is also the author of a series of four books entitled Harbans' Engineering and Construction Contracts Management, co-author of The PAM 2006 Standard Form of Building Contract and Construction Law in Malaysia, contributor to The Malaysian Standard Precedents and Forms: Engineering & Construction Contracts (Vol 1) and is a regular speaker at courses, seminars and conferences.

REGISTRATION

REGISTRATION FEE

Members of any Joint Organizing Institution (IEM/PAM/RISM/MIArb) : RM350.00

Others : RM450.00

(Fee includes materials, lunch and refreshments)

REGISTRATION FORM

Title: Tan Sri / Dato' /Datuk / Ir. /Prof /Dr / Mr / Mdm / Ms

Name:

Profession:

Name of Business or Employer:

Address:

Tel: Fax: H/P:

Email:

Institution Name & Membership Number:

Signature _____ Date: _____

Enclosed is cheque No. _____ for RM _____ being payment for the Registration fee.

All cheques should be crossed A/C Payee only and made payable to:

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Kindly return completed form with payment to:

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Bangunan Ingenieur, Lots 60 & 62, Jalan 52/4,

P.O. Box 223 (Jalan Sultan),

46720 Petaling Jaya,

Selangor

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www.myiem.org.my

Cancellation

Registration fees paid are not refundable once The Institution of Engineers Malaysia accepts registration. Substitution of participant for the Course will be allowed. The organiser reserves the right to: (i) change the programme/venue at any time; (ii) cancel or postpone the event at any time and under such circumstances, will refund registration fees in full. Photostat copies of registration forms are acceptable.

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