



THE INSTITUTION OF ENGINEERS, MALAYSIA

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TALK ON “ADJUDICATION UNDER THE CIPA ACT 2012”

(Organised by the Subcommittee on Dispute Resolution Practice, PPC, IEM)

Date : 5 June 2014 (Thursday)
Time : 5.30 pm to 7.30 pm (*Refreshment will be served at 5.00 pm*)
Venue : Auditorium Prof. Chin Fung Kee, 3rd Floor, Wisma IEM, PJ
Speaker: Prof. Datuk Sundra Rajoo

BEM Approved
CPD/PDP: 2 Hours
Ref No: IEM14/HQ/160/T

SYNOPSIS

Adjudication has recently emerged as the preferred Alternative Dispute Resolution (ADR) method in the engineering & construction industry in many jurisdictions. In Malaysia, statutory adjudication has been introduced by the Construction Industry Payment and Adjudication Act 2012 (CIPAA) which came into force on the 15th April 2014 together with a set of CIPA Regulations 2014 and Exemption Order 2014.

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 CIPAA. The talk will also touch on issues such as the scope & coverage of CIPAA 2012, especially the saving provisions found under Section 41 of the Act, 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 has been implemented by KLRCA via the introduction of the KLRCA Adjudication Rules & Procedure.
- Part 2 of the talk will focus on the legal effects and implications on CIPAA on Construction Industry.

BIODATA OF SPEAKER

PROFESSOR DATUK SUNDRA RAJOO is the Director of the Kuala Lumpur Regional Centre for Arbitration (KLRCA). He was the Immediate Past President of the Asia Pacific Regional Arbitration Group (APRAG) [2011-2013], a federation of nearly 40 arbitral institutions in the region. Professor Datuk Sundra is a Chartered Arbitrator and an Advocate & Solicitor of the High Court of Malaya (non-practising). He is also a Professional Architect and Registered Town Planner. He has had numerous appointments as chairman, co-arbitrator of three-man panels and sole arbitrator in international and domestic arbitrations. He serves on the panel of numerous international arbitral institutions and organisations. He is also a Visiting Professor at The National University of Malaysia (UKM).



Professor Datuk Sundra has authored and co-authored several books on arbitration and contract law, including, “*Law, Practice and Procedure of Arbitration*” (2003); “*The Malaysian Standard Form of Building Contract (The PAM 1998 Form)*” (1999); the Arbitration title for *Halsbury’s Laws of Malaysia* (2002); “*Arbitration Act 2005 – UNCITRAL Model Law as Applied in Malaysia*” (2007); “*The PAM 2006 Form*” (2010); “*Construction Law in Malaysia*” (2012); and “*The Malaysia Arbitration Act 2005 (Amended 2011): An Annotation*” (2013).

Ir. Dr. Ooi Teik Aun

Chairman 2013/2014

Subcommittee on Dispute Resolution Practice, Standing Committee on Professional Practice, IEM

ANNOUNCEMENT TO NOTE

1. Talk is **STRICTLY** for IEM members only (**pre-registration and online registration are NOT required**) (**telephone and/or fax reservation will NOT be entertained**)
2. Non members may also attend the talk and will be charged a registration fee of RM50 and an administrative fee of RM10.
3. For affiliate members, there will be no registration fee. However, there are requested to produce their membership card as proof of membership. For list of affiliates, please refer www.myiem.org.my/content/memorandum_of_understanding-469.aspx
4. Limited seats are available on a "first come first served" basis (maximum 110 participants).
5. IEM members are required to produce your **membership cards** for confirmation of attendance (CPD purpose).
6. Latecomers will not be allowed to enter if the lecture hall is full nor be entitled to CPD.

IEM members who fail to produce their membership cards will be charged a fee of RM20.00

FUNDS FOR IEM NEW BUILDING (WISMA IEM)

Kindly be informed that participants will be charged RM10.00 administrative fee for talks organized by IEM. The fee will be used for overhead costs, building maintenance expenses as well as to support the purchase of Wisma IEM. However, students are exempted. Your understanding is much appreciated.

CPD HOURS CONFIRMATION

Name of Member	:
M'Ship No.	:
Date	:
Signature	: