

CIPAA CONFERENCE 2015

ALIGNING
WITH CIPAA

CPD POINTS

Bar Council Malaysia (T2/17062015/KLRCA/KL152303/6)	6 points
Board of Engineers Malaysia (BEM)	Pending
Board of Architects Malaysia (LAM)	2 points
Construction Industry Development Board (CIDB)	Pending
Land Surveyors Board	1 point
Board of Valuers, Appraisers and Estate Agents Malaysia (IPPEH)	Pending
Board of Quantity Surveyors Malaysia (BQSM)	Pending

PROGRAMME *(Subject to change)*

- 8.30 am Registration
- 9:00 am **Welcome Remarks**
by Datuk Professor Sundra Rajoo | Director of KLRCA
- 9.10 am **Keynote Address – Aligning with CIPAA 2012**
by YB Puan Hajah Nancy Binti Haji Shukri | Minister in the
Prime Minister's Department
- 9.30 am Networking Breakfast
- 10.00 am **Status Report, KLRCA** by Datuk Professor Sundra Rajoo
- 10:30 am **Session 1 – Section 18 CIPAA 2012, Fees, Expenses
and Costs (Deterrent or Catalyst for Adjudication and
Submission Suggestions)**
- Moderator: Dato' Mah Weng Kwai | Consultant, Mah Weng Kwai & Associates
- Speakers: Oon Chee Kheng | Partner, CK Oon & Co.
Lam Wai Loon | Partner, Harold & Lam Partnership
Mohanadass Kanagasabai | Partner, Mohanadass Partnership
Sudharsanan Thillainathan | Partner, Shook Lin & Bok
- 12:00 pm **Session 2 – Strategy, Tactics & Management of
Jurisdictional Challenges**
- Moderator: Ivan Loo | Partner, Skrine
- Speakers: Chong Thaw Sing | Chartered Arbitrator, Mediator & Adjudicator
Choon Hon Leng | Partner, Raja Daryl & Loh
Speaker | to be announced
- 1:30 pm Lunch
- 2:30 pm **Session 3 – Management of Proceedings**
- Moderator: Rajendra Navaratnam | Partner, Azman Davidson & Co.
- Speakers: Ir. Harbans Singh | Professional & Chartered Engineer, Arbitrator,
Mediator & Adjudicator
Tan Swee Im | Partner, Tan Swee Im, P.Y. Hoh & Tai
Kuhendran Thanapalasingam | Partner, Zul Rafique & Co.
James Monteiro | Partner, James Monteiro Advocates & Solicitors
- 4:00 pm **Session 4 – Practical Lessons from the Trenches:
Writing the Adjudication Decisions**
- Moderator: Wilfred Abraham | Partner, Zul Rafique & Partners
- Speakers: Michael Heihre | Arbitrator, Mediator & Adjudicator
Celine Chelladurai | Partner, Zaid Ibrahim & Co.
Foo Joon Liang | Partner, Gan Partnership
- 5.30 pm Closing Remarks
- 5.45 pm End of Conference & Networking Break

DATE
17 JUNE 2015

VENUE

**AUDITORIUM
KUALA LUMPUR REGIONAL
CENTRE FOR ARBITRATION**

Bangunan Sulaiman, Jalan Sultan Hishamuddin
50000 Kuala Lumpur, Malaysia

TIME

9.00AM–6.00PM

(Registration starts at 8.30am)

CONFERENCE FEE

RM530

(inclusive GST)

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ABOUT THE SPEAKERS



Datuk Professor Sundra Rajoo
Director, KLRCA

Datuk Professor Sundra Rajoo is the current Director of the Kuala Lumpur Regional Centre for Arbitration (KLRCA). Further to his appointment as President of the Chartered Institute of Arbitrators (CI Arb) for the year 2016, which is the world-wide leader in training, accreditation and practice of alternative dispute resolution; He is also the Past President of the Asia Pacific Regional Arbitration Grouping (APRAG), which is a federation of nearly 40 arbitral institutions in the Asia Pacific region.

Datuk Professor 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.

Datuk Professor Sundra has authored and co-authored several books on arbitration and construction 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).



Lam Wai Loon
Partner, Harold & Lam Partnership

Lam Wai Loon is a Partner at Harold & Lam Partnership. His practice area focuses on dispute resolution of building construction related disputes. He has acted as counsel for various large construction companies in a variety of construction disputes. He also sits as an arbitrator and adjudicator. In addition to his legal qualifications, he also holds a Master Degree in Business Administration from the Heriot-Watt University, Scotland. He is a Fellow of the Chartered Institute of Arbitrators and he is listed on the Kuala Lumpur Regional Centre for Arbitration's Panel of Arbitrators and Adjudicators. He is the current Vice President of the Chartered Institute of Arbitrators (Malaysia Branch) and the Honorary Secretary of the Malaysian Society of Adjudicators.



Dato' Mah Weng Kwai
Consultant, Mah Weng Kwai & Associates

Dato' Mah Weng Kwai was called to the English Bar as a Barrister-at-Law in 1971 and to the Malaysian Bar as an Advocate and solicitor of the High Court of Malaya in July 1972.

He obtained his Master of Laws degree with Honours in 1985 from the University of Sydney, Australia and in 1999 was appointed a Fellow of the Senate of the University of Sydney.

On 4.1.2010 Dato' Mah was appointed a Judicial Commissioner of the High Court of Malaya and on 10.8.2011 a Judge of the High Court of Malaya in Kuala Lumpur. He was elevated to the Court of Appeal, Malaysia on 21.9.2012.

Dato' Mah returned to MahWengKwai & Associates as a Consultant after his retirement as a Court of Appeal Judge in February 2015.



Mohanadass Kanagasabai
Partner, Mohanadass Partnership

Mohanadass Kanagasabai has two decades of international and domestic dispute resolutions experience. He is rated by the Asia Pacific Legal 500 as a leading individual for dispute resolution in Malaysia and has been described as an "arbitration specialist" with a "giant reputation." Mohan is the past-President of the Malaysian Institute of Arbitrators and the co-chair of the Dispute Resolution of the Arbitration Committee of the Inter Pacific Bar Association.

Mohan has an extensive experience and work over the last ten years in arbitration or arbitration related matters, both domestic and international. He was featured in the Asia Pacific Legal 500 2005/2006, a leading guide to Asia's law firms, which notes that, "Mohanadass Kanagasabai has an established name in construction arbitration in both Kuala Lumpur and beyond."

The Asia Pacific Legal 500 names Mohanadass Kanagasabai as one of 15 leading individuals for dispute resolution in Malaysia.



Oon Chee Kheng
Partner, CK Oon & Co.

Mr Oon holds 3 degrees, namely, a bachelor degree in civil engineering (BEng), a bachelor degree in law (LLB Hons) and a Masters degree in Business Administration (MBA). He is a former Vice President of The Institution of Engineers, Malaysia besides holding other posts in the said Institution. Mr Oon was admitted to the High Court in Malaya as an advocate and solicitor in 1995 and is currently a member of various committees in the Bar Council such as the Sub-Committee on Arbitration and the Sub-Committee on Construction Law.

Mr Oon is also a Fellow of The Institution of Engineers, Malaysia as well as the Chartered Institute of Arbitrators. He also sits on various committees in the Construction Industry Development Board, Malaysia and other bodies. He was at one time an external Legal Consultant to the Public Works Department of the Government of Malaysia (Kementerian Kerja Raya).

Mr Oon has appeared as counsel in arbitration and litigation cases, some of which have been reported in Malaysian legal journals. He has also been invited to speak at various conferences and seminars on topics related to construction and some of his articles have also been published in the Malayan Law Journal. Apart from that, he has also acted as mediator, adjudicator and arbitrator.

Mr. Oon was admitted as an Advocate and Solicitor of the High Court in Malaya in 1995.



Sudharsanan Thillainathan
Partner, Shook Lin & Bok

Sudhar graduated with a Bachelor of Commerce (Accounting) and Bachelor of Laws (Honours) from Monash University and obtained his Masters of Law from the London School of Economics and Political Science.

He was admitted as an Advocate and Solicitor of the High Court in Malaya in 1997 and commenced legal practice with Shook Lin & Bok that same year. He has been a Partner of Shook Lin & Bok since 2004.

Sudhar is the Vice President of the Malaysian Institute of Arbitrators. He is also Organising Chairperson of the 2015 RAIF Conference and the KLIW/2015 RAIF Conference Networking Dinner.

Sudhar was listed as a recommended lawyer in the area of Dispute Resolution in the Legal 500 Asia Pacific and is described there as "a rising young star". Sudhar has also been recognised as an expert in Commercial Arbitration by Expert Guides.



Ivan Loo
Partner, Skrine

Ivan Y. F. Loo graduated from the University of Bristol, United Kingdom and was called to the Bar of England and Wales (Gray's Inn) in 1991 and to the Malaysian Bar in 1992. He is an Advocate and Solicitor and chairs the Construction and Engineering Practice Group in Skrine.

Ivan has been engaged in a variety of commercial and civil cases. A significant portion of his past and present work involves the construction industry in general and disputes between employers, main contractors and sub-contractors in particular. He primarily appears as lead counsel in arbitration and/or litigation proceedings and has appeared in all levels of the Courts of West Malaysia. In respect of arbitration proceedings, he has appeared before arbitrators who are architects, engineers, lawyers and retired judges on disputes involving various rules of arbitration including KLRCA, UNCITRAL, ICC, PAM, IEM.

He also sits as Arbitrator and Mediator and is on the panel of arbitrators of the Kuala Lumpur Regional Centre for Arbitration and an accredited Mediator with the Malaysian Mediation Centre. In 2008, he was part of a United Nations working group in Vienna which was involved in revising the UNCITRAL Arbitration Rules.



Rajendra Navaratnam
Partner, Azman Davidson & Co.

Rajendra Navaratnam obtained his first degree in Electrical Engineering and practiced as an Engineer for 10 years before becoming a lawyer. He started his legal career with Azman Davidson & Co in 1988 and has been a partner since 1993. Rajendra practices primarily in technology related law in both litigation and arbitration. He regularly appears as counsel in the Court of Appeal and the Federal Court.

He is a Chartered Arbitrator and sits in international and domestic arbitrations. He was a past Chairman of the CI Arb Malaysia Branch and is on the panel of the KLRCA, ICC, SIAC and the Institution of Engineers Malaysia.



Kuhendran Thanapalasingam
Partner, Zul Rafique & Co.

Kuhendran Thanapalasingam is a partner in the Dispute Resolution practice group. He holds a Bachelor of Laws (Hons) degree from the University of Leicester, United Kingdom. He is a Solicitor of the Supreme Court of England & Wales and was admitted as an Advocate & Solicitor of the High Court of Malaya in 1992. He is also a Fellow of the Chartered Institute of Arbitrators.

Kuhendran is involved in arbitration and litigation, particularly in construction and engineering related disputes. Apart from his experience in dispute resolution, he has also advised on different aspects of construction and engineering law. In addition, he has drafted and vetted various construction and engineering related contracts.



Chong Thaw Sing
Chartered Arbitrator,
Mediator & Adjudicator

Chong Thaw Sing practised as a civil engineer in his first career. In 1999, he responded to a calling in arbitration as his second career to help fill this long felt need in the arbitral fraternity for technical trained and legally savvy arbitrator. Chong has acquired further qualification as a Master of Science in Construction Law and Dispute Resolution from Kings College/ NUS and a Bachelor of Law Degree (LLB Hons) from University of London. Over the last decade he had spent 7 years (the last 2 as Branch Chairman) with the Chartered Institute of Arbitrators (Malaysia Branch) participating in the administration of CI Arb Malaysia branch's activities. Since stepping down as branch Chairman in 2008, he has been fully immersed in resolving parties' disputes in the capacity of an arbitrator in both construction and commercial disputes. He is one of KLRCA Trainers for the CIPAA Training Course.



Ir. Harbans Singh
Professional & Chartered Engineer,
Arbitrator, Mediator & Adjudicator

Ir. Harbans Singh, is a Professional and Chartered Engineer, Arbitrator, Adjudicator, Mediator, Advocate & Solicitor (non practicing). Among his other professional affiliations he is a member of the Adjudication Society and the Association of Independent Construction Adjudicators.

Ir Harbans Singh commenced his career in Malaysia before working in Germany and then locally in various professional capacities. He is presently domiciled in Malaysia where he is active in construction law and dispute resolution.

Ir Harbans Singh is the recipient of the IEM's Tan Sri Haji Yusof Prize (2001) the Cedric Barclay and the Chartered Institute of Arbitrator's Award for the Diploma in International Commercial Examination (2003). He is also the author of a series of four books entitled 'Harbans' Engineering & Construction Contracts Management', co-author of the book "The PAM 2006 Standard Form of Building Contract" and "Construction Law in Malaysia", contributor to the "Malaysia Standard Forms & Precedents : Construction & Engineering Contracts", "The Ingenieur" and the "Malayan Law Journal".



James Monteiro
Principle Partner,
James Monteiro Advocates & Solicitors

James is the principal partner of the Firm and has over 18 years of experience as an Advocate & Solicitor. James specializes in the areas of Energy and Construction & Engineering, including project advisory, risk management and dispute resolution. James has acted for a variety of clients both foreign and local, large multi-nationals, PLCs and GLCs.

James is the founding member and the Chairman of the Society of Construction Law Malaysia; a member of the Malaysian Institute of Arbitrators; Sub-Committee of the Malaysian Bar Council Sub-Committee on Construction Law and the Past President of the University of Hertfordshire Alumni Association of Malaysia.



Choon Hon Leng
Partner, Raja Daryl & Loh

Hon Leng obtained his degree of Bachelor of Laws from the University of Sheffield, United Kingdom, in 2001 and the Certificate of Legal Practice a year later. Having joined the Firm as a pupil, he was admitted to the Peninsular Malaysian Bar in November 2003. Hon Leng was promoted as a Senior Associate in November 2006 and became a partner on 1st July 2009. A Fellow of the Chartered Institute of Arbitrators, he has advised various players in the construction industry, including employers, main contractors, subcontractors and consultants in projects of various sizes and types. His experience in this regard includes pre-contract negotiation, contract documentation, project advice, post-dispute negotiation and formal dispute resolution.

Hon Leng has also acted as lead counsel in several construction arbitrations, notably as the lead counsel for an arbitration held in the People's Republic of China involving Malaysian and Chinese entities where the proceedings were conducted wholly in Mandarin under the CIETAC arbitration rules.

In addition, Hon Leng has been assigned an IP and ICT dispute resolution portfolio and so far has already litigated on disputes relating to copyright infringement, trade mark infringement, passing off, breach of confidentiality, projects on procurement and/or upgrading of software and and/or IT outsourcing.



Tan Swee Im
Partner, Tan Swee Im, P.Y. Hoh & Tai

A Barrister-at-Law from the Middle Temple and an Advocate and Solicitor of the High Court of Malaya, a Fellow of the Chartered Institute of Arbitrators, a Fellow of the Malaysian Institute of Arbitrators, a Fellow of the Chartered Institute of Building, an arbitrator on the panel of the Kuala Lumpur Regional Centre for Arbitration, a CIDB Accredited Mediator, and holds a Diploma in International Commercial Arbitration. She is the senior partner of Tan Swee Im, P.Y. Hoh & Tai, a legal firm that focuses on the construction, infrastructure and energy sectors. She was in-house counsel for a public listed company and has extensive arbitration experience. She was a key member of the drafting team on the first independent power plants in Malaysia, the KL International Airport, the Malaysia-Singapore Second Singapore Crossing projects and many other major projects in Malaysia. Her international experience extends to Cambodia and Myanmar, when she participated in the negotiation of their international airport contracts and projects in the Middle East, South Africa and Papua New Guinea. Miss Tan is 1 of only 5 lawyers in Malaysia named in Who's Who Legal for practice area of Construction.

Her experience in the construction industry ranges from the procurement strategy stage through to dispute resolution. An active contributor to the Master Builders Association of Malaysia and very involved in the drafting of the CIDB Form of Contract for Building Works and leads the drafting on the new standard form of design and build contract promoted by the CIDB. A council member of the Society of Construction Law Malaysia and a member of the committee developing the Malaysian Construction Protocols for delay, disruption and other construction related issues.



Wilfred Abraham
Partner, Zul Rafique & Partners

Wilfred Abraham is head of the Arbitration and Alternative Dispute Resolution Practice Group at Zul Rafique & Partners. His particular area of practice is alternative dispute resolution, with emphasis on arbitration. He has appeared as Counsel and Arbitrator in many arbitrations, including arbitrations conducted under the auspices of the International Chamber of Commerce, the FIDIC form, the Architects Form of Contract, the Kuala Lumpur Regional Centre for Arbitration (KLRC) rules and the UNCITRAL rules. Presently, he is on the committee of the Rules for Arbitration of the KLRC.

He has written various articles on aspects of arbitration in Malaysia and has co-authored the FIDIC Chapter and how it could be used in Malaysia.



Foo Joon Liang
Partner, Gan Partnership

Foo Joon Liang was called to the Malaysian Bar in 2000 and has extensive experience in complex arbitration and litigation. He has advised a wide range of clients including the state government, Ministry of Works, developers and contractors, and government-linked companies, financial institutions and securities and broking houses across a broad spectrum of litigation matters in Court and in arbitration, with his main focus being construction and securities transaction disputes. He is also involved in advisory work, and regularly appears as counsel at all levels of the Malaysian courts.

Joon Liang is a Fellow of the Chartered Institute of Arbitrators, United Kingdom, and is currently the Treasurer of the Malaysian Chapter of the Chartered Institute of Arbitrators. He also sits on the panel of arbitrators of the Kuala Lumpur Regional Centre of Arbitration.

Joon Liang is the co-author of the 2nd edition of the book "Legal Guide to Debt Recovery Malaysia", published in 2007.



Michael Heihre
Arbitrator, Mediator & Adjudicator

Michael has extensive experience as trial and arbitration counsel, arbitrator, and mediator in business, commercial, construction, contract, finance, intellectual property, real estate, and trade practices disputes. For more than 15 years, he has been listed in the Best Lawyers in the US® and named its 2010 Honolulu Litigation Construction – Lawyer of the Year and its 2013 Honolulu Litigation-Real Estate Lawyer of the Year. He is listed in Chambers USA™ in Band 1 in Litigation General Commercial and has a rating in Martindale-Hubbell® of AV Preeminent (5 out of 5).

Michael is on KLRC's panel of arbitrators, mediators, and adjudicators. He is a panel member of the American Arbitration Association and the International Centre for Dispute Resolution. He holds a Diploma in International Commercial Arbitration (CI Arb). He is a Fellow of CI Arb (Malaysia), the Malaysian Institute of Arbitrators, and the Malaysian Society of Adjudicators where he is a member of the editorial committee. Michael is active in training courses. He is on the Approved Faculty List of CI Arb for Tutors, Examiners, Assessors, and Moderators and active in the KLRC's Adjudication Training Programme for CIPAA, 2012.



Celine Chelladurai
Partner, Zaid Ibrahim & Co.

Celine was called to the Malaysian Bar in 1996 and has practiced in Litigation & Alternative Dispute Resolution continuously since then.

Celine advises on various issues on corporate commercial litigation, forensic investigations, Restructuring & Insolvency, construction, engineering, and intellectual property litigation and alternative dispute resolution matters.

Celine has conducted forensic investigations into culpability of directors in various companies including a listed entity.

Celine has also acted as instructing solicitors in various disputes in East Malaysia. Celine represents and advises a wide range of clients in litigation and arbitration matters and has appeared in all levels of Courts in Malaysia including the Federal Court.

Celine is a Member of the Chartered Institute of Arbitrators in the United Kingdom and the local branch in Kuala Lumpur, Qualified Adjudicator for disputes under the Construction Industry Payment & Adjudication Act as well as a Qualified Trainer for the Bar Advocacy Course. Celine was awarded the Client's Choice Award 2014 for Counsel in the area of Arbitration in Malaysia.

REGISTER NOW!

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