

# WORKSHOPS ON HANDLING DELAY & PROLONGATION COST CLAIMS



**SPEAKERS - IR. HARBANS SINGH AND OLIVER WEE**

**OPENING ADDRESS - LAM WAI LOON**

**Who Should Attend: Engineers, Quantity Surveyors, Architects, Project/Construction Managers, Lawyers, Claims specialists, Contracts specialists, Dispute Resolvers**

**VENUE - KUALA LUMPUR REGIONAL CENTRE FOR ARBITRATION (KLRCA)**

**SUPPORTING ORGANIZATIONS**



Claims relating to the consequences of delay to construction/engineering contracts such as Extension of Time (EOT), Acceleration, Loss & Expense, etc. are very common in practice. Most contracts do not give guidance to claimants on how to properly formulate their related claims so that they can be successful. And neither are contract administrators/evaluators of such claims given any such guidance. Given this sad state of affairs, most such claims are very poorly handled at all stages up to and inclusive at the final dispute resolution stage.

Recognizing this deficiency, the Society of Construction Law (SCL), U.K has formulated and published a document entitled "The Society of Construction Law Delay and Disruption Protocol"(in short "The SCL Protocol") to help provide some practical guidance on the same to practitioners so that such claims can be better handled.

The SCL (Malaysia) Branch has adopted this Protocol with necessary amendments to reflect the local practice and has officially issued it early this year as "The Society of Construction Law Delay and Disruption Protocol 1st Supplement 2017" ( in short "The SCL (Malaysia) Supplement").

With the above in mind, these series of 3 half-day workshops have been formulated as practical courses to expose participants to the salient aspects of the said Protocol. These workshops will be held on a lecture approach with the relevant SCL Principles/Guidance Notes being explained on an introductory basis with reference to their related practical issues.

# SPEAKERS



## **Ir. Harbans Singh (Professional & Chartered Engineer, Arbitrator, Adjudicator & Mediator)**

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 thereafter 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".



## **Lam Wai Loon**

Lam Wai Loon is a founding partner of Messrs. Harold & Lam Partnership. He is a Chartered Arbitrator (CI Arb, UK) and is a qualified adjudicator to adjudicate disputes under the Construction Industry Payment and Adjudication Act 2012 ("CIPA Act 2012"). Wai Loon is the current President of the Society Construction Law, Malaysia [2017-2018], the Immediate Past Chairman of the Chartered Institute of Arbitrators, Malaysia Branch and, and the Vice President of the Malaysian Society of Adjudicators [2016-2017].

Wai Loon is a regular speaker at conferences on arbitration, adjudication and construction law and has contributed various articles to legal publications. His legal publications include a co-authored text titled 'Construction Adjudication In Malaysia', a Chapter on 'Arbitration In Malaysia' published in the text titled 'International Commercial Arbitration In Asia'; and Chapter 17: Construction Adjudication in the recently published text "Arbitration In Malaysia: A Practical Guide".



## **Oliver HC WEE (AMN MMIM, MCI Arb, AMI Arb)**

Oliver has over 34 years of working experience in the construction industry, and has involved in numerous iconic projects under his local and international employments.

He also serves Master Builders Association Malaysia (MBAM) since 1994, mainly in the Contract and Practice Committee. He is currently a Vice President for MBAM, as well as the Chairman for MBAM Contract and Practice Committee, and MBAM Information and Communication Technology Committee.

He is a Construction Industry Development Board Malaysia (CIDB) accredited mediator and empaneled with Kuala Lumpur Regional Center for Arbitration (KLRC). Currently, Oliver is also participating actively in CIDB's Construction Industry Transformation Plan (CITP) under WG-19: Enhance Integrity and Increase Governance. At the same time, he also serves in the Technical Committee Sistem Pengurusan Anti Rasuah (TC/O/1) initiated by Malaysia Association of Standard Users for finalizing ISO 37001.

On an international level, he serves as the Vice Chairman to Contract Committee of the 43rd International Federation of Asian and Western Pacific Contractors' Associations (IFAWPCA 2017) in Seoul, Korea. He was the Executive President for China Association of Southeast Asian Nations (ASEAN) Construction Industry Cooperation Committee 2015 to 2016 under the Belt and Road Initiative.

In recognition of his contribution to the industry, he was honored with Federal Award of Ahli Mangku Negara (AMN) by the king of Malaysia in the year of 2016.

# PROGRAMME

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8.30 am - 9.00 am	: Registration
9.00 am - 9.15 am	: Opening of Workshop
9.15 am - 11.00 am	: Session 1
11.00 am - 11.15 am	: Tea / Coffee Break
11.15 am - 12.30 noon	: Session 2
12.30 noon - 1.00 pm	: Review / Q&A Session
1.00 pm	: End of Workshop

## WORKSHOP 1

Saturday 4 November 2017 (9am - 1pm)

### Introduction to SCL Protocol and Handling Documents for Progress Monitoring and Claims.

- Introduction to SCL Protocol and 1st Supplement including the meaning of common terms used in the Protocol
- Progress Monitoring: Purposes, methods and tools used.
- Records: Introduction, purposes, types, format, relevant SCL Core Principles and Guidance Notes.
- Programmes: Introduction, purposes, types, format, relevant SCL Core Principles and Guidance Notes.
- Miscellaneous documents and other relevant contractual or legal issues

## WORKSHOP 2

Saturday 9 December 2017 (9am - 1pm)

### Handling Delay and Disruption Claims

- Introduction including the legal principles and terminology used in the SCL Protocol
- Delay: Introduction, methods of claiming & assessing, delay analysis, relevant SCL Core Principles and Guidance Notes.
- Acceleration: Introduction, methods of claiming & assessing, relevant SCL Core Principles and Guidance Notes.
- Disruption: Introduction, methods of claiming & assessing, relevant SCL Core Principles and Guidance Notes.
- Miscellaneous issues and relevant contractual or legal issues arising.

## WORKSHOP 3

Saturday 13 January 2018 (9am - 1pm)

### Handling Prolongation and other Financial Claims

- Introduction including legal principles and terminology used in The SCL Protocol
- Prolongation Costs: Introduction, types or categorization, methods of claiming & assessing, relevant SCL Core Principles and Guidance Notes.
- Other Financial Claims: Introduction, types or categorization, methods of claiming & assessing, relevant SCL Core Principles and Guidance Notes.
- Miscellaneous Issues and relevant contractual or legal issues arising

# REGISTRATION FORM

For registration, please e-mail your details below together with your proof of payment to **victorialoi@shooklin.com.my**

Registration Fees: RM80.00 per pax

Payment can be made via bank transfer or cheque to "The Society of Construction Law Malaysia"  
Account Number: 3150 144 124 (Public Bank)

**Full Name** \_\_\_\_\_

**Company or Organisation** \_\_\_\_\_

**Designation** \_\_\_\_\_

**Address** \_\_\_\_\_

\_\_\_\_\_

**Tel** \_\_\_\_\_

**Fax** \_\_\_\_\_

*SCL reserves the right to change the programme or venue at any time and to cancel or postpone the event at any time and under such circumstances, will refund the registration fees in full. Otherwise, no refunds will be made for cancellations but substitution is allowed. Receipts will be issued at the venue or posted. SCL accepts copies of the registration forms.*