

# THE AMENDED UBBL AND ITS OBLIGATIONS FOR CONSTRUCTION PROFESSIONALS



25 NOV 2023 | SATURDAY | 8.30 AM - 1.00 PM

AUDITORIUM 1, KOMPLEKS EUREKA, USM, PENANG

ZOOM WEBINAR

## INTRODUCTION

A book titled "Law and Practice of Construction Law in Malaysia" was released, covering various important topics relating to the Malaysian construction industry. As the industry progresses post-pandemic, one critical issue involving industry stakeholders on matters about compliance to Building Permits and its implication to Professional Liabilities. Construction involves various stakeholders and one in particular, is the compliance to the Uniform Building By-law ('UBBL') and its implication to consultants such as Architects, Engineers and other Submitting Persons ('SPs'). It is also a subject less understood by Construction Lawyers. This is a talk on UBBL and Professional Liabilities, jointly organised by the Construction Industry Law Centre ('CILC') and Royal Institution of Surveyors Malaysia ('RISM') Northern Branch.

## OBJECTIVE

- To expose to the stakeholders the position of Malaysian laws to legal obligations on Professional Liabilities and further liabilities implied from the amended UBBL.
- To discuss the current development of the law relating to the amended UBBL and Professional Liabilities.
- Best practices to be observed by parties in dealing with compliance and professional indemnities.

## SIGNIFICANCE

This event will significantly impact the industry practitioners, mainly in understanding and managing the issues relating to statutory compliance and liabilities to professionals.

## INTENDED AUDIENCE

Construction Industry members in the country and all interested parties.

## FEE

RISM Northern Branch Members/CILC Committee Members (First 30 pax)	: FREE ADMISSION
RISM/CILC/Supporting Institution Members	: RM100 (physical) RM50 (virtual)
Others	: RM150 (physical) RM80 (virtual)
Students	: RM50 (physical) RM15 (virtual)

## REGISTER

Scan the QR Code or click this link to register

<https://forms.gle/MaXDJw8CkCP3hc8p7>



An event jointly organised by:

**RISM Northern Branch and Construction Industry Law Centre (CILC).**



Northern Branch



## SPEAKERS

### Ir. Leon Weng Seng

LLB (Hons)(London), CLP (Hons.), B.Sc. (Hons.), DipArb. (U.K.) M.I.E.M., P.Eng., FCI Arb., C.Arb.

**Topic:** Professional Liabilities



### Ar. David Yek Tak Wai

BSc HBP (Hons), BArch (USM), LLM, APAM, RIBA, FCI Arb, FMI Arb, FAIADR, P Arch, MIID, MFireE, FCABE, CBuildE, FHKICAdj, GREAP, GBIF

**Topic:** Liabilities under the Amended UBBL



## MODERATOR

### Sr Dr Wan Maimun Wan Abdullah

KMN, CQS, PPRISM



## PAYMENT DETAILS

Bank: **Hong Leong Bank**

Account Name - **Royal Institution of Surveyors Malaysia, Northern Branch**

Account No: **022-00-03663-8**

(Kindly attach the transaction slip to the registered google form)



## TITLE: THE AMENDED UBBL AND ITS OBLIGATIONS FOR CONSTRUCTION PROFESSIONALS

Compliance to Statutory Requirements are standards prescribed by the Local Government to make sure that the safety of its occupants are taken care of by the relevant stakeholders. This is the consequences of a major fire incident in Kuala Lumpur during the 70s, that the Uniform Building By-laws 1984 ('UBBL') was crafted under the main legislature of the Street, Drainage and Building Act 1974. The UBBL has since undergone its own 'reincarnation' adopting many other provisions inclusive of the Malaysian Standards ('MS') beyond the call of public safety to also include Energy Conservation.

Apparently the UBBL was 'drafted' as a prescriptive law with vague terminologies that even professionals find difficult to understand, let alone Lawyers to comprehend. Often such ambiguity were left to the respective local authorities to interpret resulting in delay of granting approval, professional unknowingly venture into 'landmines' and caught with liabilities of failing to comply with the UBBL. This is the right forum to discuss the implication of such amended UBBL with regards to professional liabilities.

# PROGRAMME

8:30 A M	Registration
9:00 A M	Welcome Speech by the RISM Northern Branch Chairman
9:15 A M	Welcome Speech by YA Dato' Sr Lim Chong Fong, CILC
9:30 A M	Paper Presentation by Ir. Leon Weng Seng
10:45 A M	Tea Break
11:00 A M	Paper Presentation by Ar. David Yek Tak Wai
12:15 P M	Questions & Answers Session Moderated by Prof Sr Dr Wan Maimun
12:30 P M	Presentation Token of Appreciation to the Speakers and Moderator
1.00 P M	End

BOOK LAW AND PRACTICE OF CONSTRUCTION LAW IN MALAYSIA

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## SIGNIFICANCE


This event will significantly impact the industry practitioners, mainly in understanding and managing the issues relating to statutory compliance and liabilities to professionals.

## SPEAKERS

	<p><b>Topic:</b></p> <p>On Professional Liabilities ...</p> <p><b>Ir. Leon Weng Seng</b></p> <p>LLB (Hons)(London), CLP (Hons.), B.Sc. (Hons.), DipArb. (U.K.) M.I.E.M., P.Eng., FCI Arb., C.Arb.</p> <p><b>Short Bio:</b></p> <p>Ir. Leon graduated with BSc in Civil Engineering in 1980 &amp; also obtained an honours law degree with the University of London &amp; a postgraduate Diploma in Arbitration. He is a corporate member of IEM, a professional engineer with the BEM &amp; an advocate &amp; solicitor (non-practising) of the High Court of Malaya. Ir. Leon is the principal of a civil &amp; structural engineering consultancy firm. He has 43 years of experience in the administration of construction contracts, mediation, arbitration &amp; adjudication matters. He is also into forensic engineering &amp; investigation of collapsed structures &amp; slopes &amp; assessment of fire damaged structures. He appears as expert witness before the courts &amp; arbitration tribunal. Ir. Leon is also a CIDB accredited mediator, an adjudicator with AIAC, Fellow &amp;</p>
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	<p>a Chartered Arbitrator of The CI Arb (London). He is a committee member of the IEM Dispute Resolution Board, past Chairman (2008 - 2010) of the CI Arb (Malaysia). He regularly lectures on arbitration for the universities &amp; speaks on arbitration &amp; adjudication for IEM. Ir. Leon does training, lectures &amp; seminars for many construction professionals in Malaysia &amp; overseas on construction contractual issues. He sits as arbitrator, adjudicator &amp; mediator in many on-going disputes.</p>
	<p><b>Topic:</b></p> <p>On Liabilities under the Amended UBBL ...</p> <p><b>Ar. David Yek Tak Wai</b></p> <p>BSc HBP (Hons), BArch (USM), LL.M, APAM, RIBA, FCI Arb, FMIArb, FAIADR, P Arch, MIID, MFireE, FCABE, CBuildE, FHKICAdj, GREAP, GBIF.</p> <p><b>Short Bio:</b></p> <p>Ar. David's secondary area of practice are ADR (DYA+C) and building defects forensic (DYQC). Prior to ADR, he had been actively practising as a Professional Architect and Green Professionals in the style of DYA with portfolios ranging from individual houses to international schools. He holds the RIBA Chartered Architect, formerly the PAM Council member, co-chairing PAM-ADR and PAM-Constitution Review Committee. In the dispute-arena, he is an accredited civil-commercial mediator for RICS-DRS, qualified IMI/SIMI-mediators. He is also appointed as Adjudicators under CIPAA and HKICAdj/SOPL (HK) regimes. For arbitration, he holds both FCI Arb and FMIArb, empanelled with various international and domestic institution. He occasionally stood as expert for CONQUAS and PAM-Architect Centre. He is equally qualified as a Fire-Engineer and Chartered Building-Engineer. He contributes to the academia, as guest lecturer in architecture and currently, appointed a member of the MSc in Construction Law for (HBP) USM taskforce under the purview of CILC.</p>

## MODERATOR

	<p><b>Sr Dr Wan Maimun Wan Abdullah</b></p> <p>KMN, CQS, PPRISM</p> <p><b>Short Bio:</b></p> <p>Wan Maimun graduated in B.Sc (Hons) QS from UTM in 1981, MBA from Aston University in 2001 and PhD from UM in 2010. Currently she is director of Khalid Ahmad Architects and Associates of AMD QS. Her current posts in professional organisations include as Vice President of ACPM, Committee of CILC, Technical committee CIDB revised form of contract, Secretary of PAQS Accreditation Committee. She was past President of RISM and WIBM, ex Board of Director AZSB, and was Adjunct Prof for UTM and UNIMAS. She provides training and presented papers in seminars nationally and internationally &amp; recipients of several prestigious awards.</p>
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### Supporting Organisation / Institution:-

<p>Asian International Arbitration Centre (AIAC)</p> 	<p>Lighthouse Club</p> 
<p>L2 i-CON International</p> 	<p>Chartered Institute of Building (CIOB)</p> 
<p>Malaysian Institute of Arbitrators (MIArb)</p> 	<p>Asian Institute of Alternative Dispute Resolution (AIADR)</p> 

### CPD Points applied:-

<p>Board of Quantity Surveyors Malaysia (BQSM) / Lembaga Juruukur Bahan Malaysia</p> 	<p>Lembaga Juruukur Tanah (LJT)</p> 	<p>Board of Valuers, Appraisers, Estate Agents and Property Managers (BOVEAP / Lembaga Penilai, Pentaksir, Ejen Harta Tanah Dan Pengurus Harta)</p> 	<p>Malaysian Association of Registered Building Surveyors</p> 
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### CPD Points application in progress:-

<p>Board of Architects Malaysia / Lembaga Arkitek Malaysia (LAM)</p> 	<p>Board of Engineers Malaysia (BEM) / Lembaga Jurutera Malaysia</p> 	<p>Construction Industry Development Board (CIDB) / Lembaga Pembangunan Industri Pembinaan Malaysia</p> 	<p>Bar Council / Majlis Peguam</p> 
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