

# WORKSHOP ON DISPUTE AVOIDANCE NO. 7 (PHYSICAL)

## LINE UP PANELIST

- Ir. ZAFRUL MAHMOOD, P.Eng, FIEM & FCIArb
- Ir. LEON WENG SENG, P.Eng, MIEM, FCIArb & FAIADR
- Ir. HO KIN WING, P.Eng, MIEM & FCIArb
- Ir. ANG KOK KENG, P.Eng, MIEM, FCIArb & FMIArb



**9 DECEMBER 2023  
(SATURDAY)**

**9:00 AM - 12:00 NOON**

**MALAKOFF AUDITORIUM,  
WISMA IEM, 21 JALAN SELANGOR  
46150 PETALING JAYA**

**BEM APPROVED: CPD/PDP HOUR: 3.0  
(REF: IEM23/HQ/253/W)**

## REGISTRATION FEES



**IEM Members : RM20.00**

**Non IEM Members : RM70.00**


Fee pay online : [www.myiem.org.my](http://www.myiem.org.my)



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## SYNOPSIS

The Subcommittee on Dispute Avoidance and Resolution Practice (DARP) is organizing the 7th Series of the Dispute Avoidance Workshop which is aimed at training Engineers to gain skills in Dispute Avoidance by dealing with ISSUES that arise and resolving such ISSUES expeditiously before they fester and become full-blown DISPUTES.

The Workshops will be conducted on case studies submitted by participants. This will provide the maximum benefit to those who submit case studies as it would give them direct experience of the problems they encounter. Participants who wish to submit case studies should do so not later than 7 days before the actual date of the scheduled Workshop. Information required in the description of the case study are:

The ISSUE: Background and the relevant contractual provisions:- Conditions of Contract, Specification, Bill of Quantities (if relevant), and any other provisions. How the ISSUE arose and developed. Names of Parties are not required, but Parties may be identified as the "Employer", the "Developer", the "Engineer", the "Contractor", etc. (Please fax the Case Studies / Problems Encountered or email to [sec@iem.org.my](mailto:sec@iem.org.my) or [rahanum@iem.org.my](mailto:rahanum@iem.org.my)).

*"Is the apartment unit you paid so much shows signs of leakages/cracks after many years from vacant possession?"*

*Your developer insisted that he is not responsible to repair nor for the repair if you have done it yourself. His defence is he is protected under the LIMITATION ACT 1953 which provides that any action must be brought within 6 years from when a cause of action accrued. In tortious claims, the limitation period starts when you as a plaintiff suffers damage.*

*Fear not as changes to the law i.e. LIMITATION (AMENDMENT) ACT 2018 ("LA 2018"), with effect from 1/9/2019, preserves your right to bring action for damages with new limitation period under section 6A, LA 2018.*

*We shall explore the amendment to the Law at this workshop!*

The participants in this workshop shall note that the workshop is not intended to provide advice on the resolution of disputes and the sole purpose of the workshop is for sharing knowledge in the practice of dispute avoidance.