

# **PHYSICAL ONE DAY COURSE ON INTRODUCTION TO THE PRACTICE & PROCEDURE OF ARBITRATION**

ORGANISED BY:

PUBLIC SECTOR ENGINEERS SPECIAL INTEREST GROUP, IEM

SUPPORTED BY:

DISASTER RISK REDUCTION ADVISORY BOARD (DRRAB), IEM

BEM APPROVED CPD: 7 REF NO: IEM24/HQ/158/C

## **SPEAKER:**

↻ **Ir. Harbans Singh K.S**

**CLOSING DATE :  
5 OCTOBER 2024**



**19 OCTOBER 2024, SATURDAY**  
**(RESCHEDULED FROM 8 JUNE 2024)**



**9.00AM – 5.00PM**



**WISMA IEM, PETALING JAYA**

	<b>ONLINE (RM)</b> (Log in for registration & payment: <a href="http://www.myiem.org.my/member/login.aspx">www.myiem.org.my/member/login.aspx</a> )	<b>NORMAL (RM)</b> (by fax & email) Payment by cash, credit card & bank-in)
<b>IEM STUDENT</b>	<b>150.00</b>	<b>180.00</b>
<b>IEM GRADUATE MEMBER</b>	<b>250.00</b>	<b>300.00</b>
<b>IEM CORPORATE MEMBER</b>	<b>400.00</b>	<b>450.00</b>
<b>NON IEM MEMBER</b>	<b>800.00</b>	<b>900.00</b>



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# INTRODUCTION:

- This is an intensive one day course comprising four (4) Sessions on the topic of Arbitration in Engineering and Construction Contracts.
- The course is intended to be more of a workshop involving active participation by the attendees especially during the Q&A Session.

## PURPOSE:

Arbitration is one of the most commonly occurring forms of dispute resolution in Engineering/Construction Contracts as it augments mediation & adjudication.

Practitioners will encounter it in their practice and as such need to be familiar with it.

Therefore, this course has been formulated with the principal aim of exposing the participants to:

- The principal substantive facets of the consequences of claims & disputes and their resolution through Arbitration.
- The prevailing provisions in the more commonly occurring Standard Forms of Conditions of Contract pertaining to the instant subject, their nature, effects and limitations.
- The important procedures vis-à-vis the initiation/commencement, undertaking, the Hearing Process & Practice, Expert Witnesses, the Award & its effect, etc.
- The legalities pertaining to the topics under consideration inclusive of the review of the Arbitration Act 2005 (Rev.2011) and the relevant case law.

## SPEAKER'S PROFILE

**Ir. Harbans Singh K.S.** is a Professional and Chartered Engineer, Chartered Arbitrator, Mediator, and Adjudicator. He is a Council Member of the Borneo International Centre for Arbitration and Mediation (BICAM). Called to the Malayan Bar in 1995, he is at the moment however not in active practice as an Advocate and Solicitor. He commenced his career with the Public Works Department (JKR), Malaysia before joining an international German consultancy practice with whom he worked locally and then in Koblenz, Germany as a designer, resident engineer and contract administrator. Later, Ir. Harbans served with a local consultancy firm in various professional capacities and presently is heading HSH Consult Sdn. Bhd and HSKS Dispute Resolution Chambers. He is a regular contributor to "The Ingenieur", "The Malayan Law Journal", "The Law Review" and other publications and is the recipient of a number of awards. Ir. Harbans is also the author of a series of four books entitled 'Harbans' Engineering and Construction Contracts Management', co-author of "Construction Law in Malaysia", "Practice and Procedure of Mediation" and "The PAM Contract 2006", contributor to 'The Malaysian Standard Precedents and Forms (Vol.N)' and is a regular speaker at courses/seminars and conferences both locally and internationally.

# COURSE OUTLINE:

Time	
8.30am to 9.00am	Registration and Breakfast
9.00am to 9.05am	Welcome address by PSESIG Chairman
9.05am to 10.30am	WHAT IS ARBITRATION? Covering Nature, Types, Purpose, Advantages/Disadvantages, Differences from other Dispute Resolution Processes, Main Applications, Impact of CIPAA 2012, etc.
10.30am to 10.45am	Q&A Part One
10.45am to 11.00am	Morning Tea Break
11.00am to 12.30pm	ARBITRATION IN PRACTICE I Encompassing initiation/commencement, appointment of tribunal, Preliminary Meeting, Submissions/Pleadings, Inspection and Discovery of Documents, Witness Statements, Case Management, Other Pre-Hearing procedures, etc.
12.30pm to 12.40pm	Q&A Part Two.
12.40pm to 1.30pm	LUNCH
1.30 pm to 3.00pm	ARBITRATION IN PRACTICE II Covering the Hearing stage inclusive of the Hearing Procedure, Venue/timing, site inspection, representation, use of the Evidence Act 1950, Oath/Affirmation, Expert Witnesses, other procedures, Making & publishing of Award, etc.
3.00 pm to 3.10pm	Q &A Part Three
3.10 pm to 3.30pm	Evening Tea Break
3.30pm to 5.00pm	POST AWARD ISSUES Inclusive of enforcing/challenging Award, decisions made by the High Court, Costs, Interest, failure to comply, effect of the New York Convention, other miscellaneous issues.
5.00 pm to 5.10pm	Q &A Part Four
5.10pm to 5.30pm	Token of Appreciation to Speaker & End of Session

## **Cancellation Policy**

No cancellation will be accepted prior to the date of the event. However, replacement or substitute may be made at any time with 7 days prior notification and substitute will be charged according to membership status.

## **Personal Data Protection Act**

I have read and understood the IEM's Personal Data Protection Notice published on IEM's website at <http://www.myiem.org.my> and I agree to IEM's use and processing of my personal data as set out in the said notice.

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**REGISTRATION FORM**  
**PHYSICAL ONE DAY COURSE ON**  
**INTRODUCTION TO THE PRACTICE & PROCEDURE OF ARBITRATION**  
**19 OCTOBER 2024 (SATURDAY)**  
**(rescheduled from 8 June 2024)**  
**Closing Date : 5 October 2024**

No	Name(s)	Email Address	IEM Membership No.	Grade	Fee (RM)
SUB TOTAL					
+SST 8%					
Total Payable					

**PAYMENT DETAILS :**

☐ Cash RM \_\_\_\_\_

☐ Cheque no. \_\_\_\_\_ for the amount of RM \_\_\_\_\_ (non-refundable) .

**FULL PAYMENT must be settled before commencement of the course**, otherwise participants will not be allowed to enter the hall. If a place is reserved and the intended participant fails to attend the course, the fee is to be settled in full. If the participant failed to attend the course, the fee paid is non refundable. The Registration Fee includes lecture notes, refreshment and lunch.

For **ONLINE REGISTRATIONS**, please note that payment **MUST** be made **BEFORE the closing date**. If payment is not received within the stipulated time, the registration fee will be reverted to the normal registration fee.

Contact Person: \_\_\_\_\_ Designation: \_\_\_\_\_

Name of Organization: \_\_\_\_\_

Address : \_\_\_\_\_

Telephone No. : \_\_\_\_\_ (O) \_\_\_\_\_ (Fax No.)

\_\_\_\_\_ (H) \_\_\_\_\_ (HP)

Email : \_\_\_\_\_

\_\_\_\_\_  
Signature & Stamp

\_\_\_\_\_  
Date

Photocopies are acceptable