

# PHYSICAL ONE DAY SEMINAR ON

## MEDIATION AND EXPERT DETERMINATION

BEM APPROVED CPD: 6

REF NO: IEM25/HQ/365/S

ORGANISED BY: PUBLIC SECTOR ENGINEERS SPECIAL INTEREST GROUP, IEM

**Date : 11 October 2025 (Saturday)**  
**Time : 9.00 am - 5.00 pm**  
**Venue : Wisma IEM, PJ**  
**Speaker : Ir. Harbans Singh K.S**



HRD Corp Serial No:  
10001590763

Approved Duration:  
20/08/2025 - 21/08/2026

### REGISTRATION FEE'S (subject to 8% SST)

	<b>ONLINE FEE (NON HRDF Claimable)</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 FEE (HRDF Claimable)</b> (By Email : Payment by cash, credit card, Quotation & Invoice )
IEM Student Members	180.00	230.00
IEM Graduate Members	300.00	350.00
IEM Corporate Members	450.00	500.00
Non-IEM Members	900.00	950.00

## **I.0 INTRODUCTION/PURPOSE**

Mediation and Expert Determination are some of the contemporary Alternative Dispute Resolution (ADR) methods used internationally and to a growing extent locally to resolve disputes including those in the Engineering and Construction Industry. In fact, some Engineering and Construction contracts contain express provisions making mediation as a mandatory pre-condition to arbitration. Lately, Expert Determination clauses are also being featured in contemporary Forms of Contract.

Mediation has been put on a firmer footing with the enactment of the Mediation Act 2012 (Act 949) and the implementation of the Chief Justice's Practice Direction 2/2022. It is also used extensively by the courts in Court-Annexed Mediations as well as on an "ad hoc" basis for pre-action mediations.

Expert Determination on the other hand was introduced to this country by PAM for its latest suite of Building contracts. Recently, the Borneo International Centre of Arbitration and Mediation (BICAM) launched the BICAM Expert Determination Rules on 15<sup>th</sup> April 2025 and commenced with the empanelment of Experts for a wide-ranging spectrum of disputes including engineering and construction disputes.

In view of the above developments, it is imperative for every practitioner, especially the engineers, to be familiar with the workings of Mediation and Expert Determinations. Hence, this one-day course has been specially formulated with the above in mind and to serve as a comprehensive introduction to the nature and workings of these newly emerging methods of ADR.

## **2.0 COURSE CONTENTS**

### **MODULE 1: MEDIATION**

- INTRODUCTION TO MEDIATION
- THE MEDIATION ACT 2012 (Act 749)
- THE MEDIATION PROCESS IN PRACTICE
- PROCEDURAL VARIATIONS & SPECIAL MEDIATION ISSUES
- COURT ANNEXED MEDIATIONS
- ENFORCEMENT AND CHALLENGES
- CONTEMPORARY DEVELOPMENTS

### **MODULE 2: EXPERT DETERMINATION**

- NATURE AND CHARACTERISTICS
- ADVANTAGES AND LIMITATIONS
- DIFFERENCES FROM/SIMILARITIES WITH OTHER ADR METHODS
- TYPICAL AREAS OF USAGE
- PAM & BICAM EXPERT DETERMINATION RULES
- THE EXPERT DETERMINATION PROCESS
- ENFORCEMENT AND CHALLENGES
- CONTEMPORARY DEVELOPMENTS

## **3.0 WHO SHOULD ATTEND**

- Engineers
- Quantity Surveyors
- Architects
- Project Managers
- Legal Personnel/Claims Specialists
- Others involved in disputes/claims

## 4.0 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.

### **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.

**REGISTRATION FORM**  
**PHYSICAL ONE DAY SEMINAR ON**  
**MEDIATION AND EXPERT DETERMINATION**  
**11 OCTOBER 2025 (SATURDAY) CLOSING DATE: 3 OCTOBER 2025**  
Email : ezzaty@iem.org.my

REGISTRATION FEE'S (subject to 8% SST)		
	<b>ONLINE (NON HRDF Claimable)</b> (Log-in for registration & payment: www.myiem.org.my/member/login.aspx)	<b>NORMAL FEE (HRDF Claimable)</b> (By Email : Payment by cash, credit card, Quotation & Invoice )
IEM Student Members	<b>180.00</b>	<b>230.00</b>
IEM Graduate Members	<b>300.00</b>	<b>350.00</b>
IEM Corporate Members	<b>450.00</b>	<b>500.00</b>
Non-IEM Members (Non of the Above)	<b>900.00</b>	<b>950.00</b>

NAME	I/C No	MEMBERSHIP NO. / GRADE	FEES (RM)
Sub Total:			
SST Added 8% :			
Total Amount Payable :			

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

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

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

\_\_\_\_\_

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

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

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