



# THE INSTITUTION OF ENGINEERS, MALAYSIA

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## HALF-DAY SEMINAR ON “CIPAA 2012 – AN INTRODUCTORY OVERVIEW”

(Organised by the Subcommittee on Engineering Contracts, PPC, IEM)

**Date :** 29<sup>th</sup> November 2014 (Saturday)  
**Time :** 8:30 am to 12.30 pm  
**Venue :** Auditorium, Prof. Chin Fung Kee, 3<sup>rd</sup> Floor, Wisma IEM, PJ  
**Speaker:** Ir. Oon Chee Kheng  
BE (Civil), LLB (Hons), MBA, CLP, F.I.E.M., P Eng (M), FCI Arb, FMI Arb  
Advocate and Solicitor (ckoon@ckoon-law.com)

BEM Approved  
CPD/PDP: 3.5 Hours  
Ref No:  
IEM14/HO/342/S

### SYNOPSIS

The half-day course will give an introductory overview of Construction Industry Payment and Adjudication Act 2012 (CIPAA 2012). It will begin with a survey of events leading to the enactment of CIPAA 2012 and the role of adjudication as a means of dispute resolution. Adjudication and its place among the various dispute resolution mechanisms will also be explained. Some basic concepts in construction payment will be introduced and these will then be applied to CIPAA 2012 to understand the ambit of the Act. The procedures involved in initiating adjudication under CIPAA leading to its conclusion will then be explained. The course will conclude with explaining, from the perspectives of various parties to a construction contract, specifically the Engineer, as to the effect and implication of a decision made under CIPAA 2012.

### BIODATA OF SPEAKER

Ir Oon Chee Kheng graduated with a civil engineering degree from the University of New South Wales, an LLB from the University of London and an MBA from Edinburgh Business School. He is a Fellow of The Institution of Engineers, Malaysia (IEM), a Fellow of both Chartered Institute of Arbitrators and Malaysian Institute of Arbitrators and is a registered professional engineer (civil) with the Board of Engineers, Malaysia.

Ir Oon is the former Vice President of IEM as well as the past chairman of IEM Legal Advisory Panel, IEM Sub-Committee on Dispute Resolution Practice and IEM Sub-Committee on Engineering Contracts. Ir Oon has also served in different capacities in Construction Industry Development Board, Malaysia (CIDB) and Master Builders Association Malaysia and is also a member of the Bar Council Arbitration and Dispute Resolution Committee and the Deputy Chairman of its Construction Law Committee. He is a member of the drafting team that produced the CIDB Standard Form of Contract for Building Works and CIDB Standard Method of Measurement for Civil Engineering Works. He was commissioned by IEM to produce the second edition of IEM Conditions of Contract for Works of Civil Engineering Construction which was published in 2011.

Ir Oon is a registered construction industry mediator with CIDB and is a panel arbitrator and adjudicator registered with Kuala Lumpur Regional Centre for Arbitration. He was called to the Bar (High Court in Malaya) in 1995 and is now practising mainly in the area of construction arbitration and litigation as well as contract advisory after more than 12 years as an engineer involved mainly in highway construction including being a General Manager in a listed infrastructure company.

Ir Oon has acted as counsel in arbitrations and litigations and has been appointed as arbitrator and mediator for disputes in the construction industry. He has also been appointed as the adjudicator for five (5) World Bank-financed-projects. He was a former external legal consultant to the Ministry of Works (Kementerian Kerja Raya) and is the co-author of the book “*Adjudication of Construction Payment Disputes in Malaysia*” (LexisNexis 2014).

### PROGRAMME

Time	Schedule
8.30 - 9.00 a.m.	<b>Registration</b>
9.00 - 9.10 a.m.	<b>Welcoming Remarks</b>
9.10 - 9.15 a.m.	Introduction
9.15 - 10.00 a.m.	<b>Lecture 1:</b> <i>Developments and Backgrounds Leading to CIPAA. What is Construction Adjudication? CIPAA's place and its role in construction dispute resolution</i>
10.00 - 10.30 a.m.	<b>Tea Break</b>
10.30 - 11.15 a.m.	Lecture 2: <i>Some Concepts in CIPAA and the Ambit of CIPAA</i>
11.15 - 12.00 n.n.	Lecture 3: <i>Procedures in Adjudication</i>
12.00 - 12.45 p.m.	Lecture 4: <i>After the Decision</i>
12.45 - 1.00 p.m.	<b>Q &amp; A</b> End of Seminar

**\*\* Reference Text:** Chow Kok Fong, Lim Chong Fong and Oon Chee Kheng, *Adjudication of Construction Payment Disputes in Malaysia* (2014) LexisNexis

**Ir. Gunasagaran Kristnan**

Chairman 2014/2015, Subcommittee on Engineering Contracts, Standing Committee on Professional Practice, IEM

To:

Chairman, Sub Committee on Engineering Contracts  
of Standing Committee on Professional Practice  
c/o The Institution of Engineers, Malaysia  
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## ONE DAY SEMINAR ON “CIPA ACT”

(Organised by the Subcommittee on Engineering Contracts, PPC, IEM)

### REGISTRATION FORM

Name(s)	M/ship No	Grade	Fees
TOTAL			

#### REGISTRATION FEES:

IEM Student (Below 30 years) – RM 100 (Online: RM 80)

IEM Graduate Member - RM 180 (Online: RM 150)

IEM Member - RM 300 (Online RM 250)

Non-IEM Member - RM 500 (Online RM 400)

(Note: For online registration, kindly login IEM website at [www.myiem.org.my](http://www.myiem.org.my))

**Closing date for registration: 27<sup>th</sup> November 2014**

Enclosed herewith a cheque No. : \_\_\_\_\_ for the sum of RM \_\_\_\_\_ issued in favour of “**The Institution of Engineers, Malaysia**” and crossed ‘**A/C Payee Only**’. I/We understand that the fee is not refundable if I/we withdraw after my/our registration is accepted by the Committee but substitution of participants will be allowed. If I/we fail to attend the Seminar, the fee paid would not be refunded.

Contact Person : .....

Designation : .....

Name of Organisation: .....

Address : .....

.....

.....

Tel : ..... Fax : .....

Email : ..... Mobile : .....

.....  
Signature

.....  
Date

#### NOTE

**All fees must be fully paid before commencement of the Seminar** otherwise participants will not be allowed to enter the Lecture Hall. Reservations/Bookings by fax or email of intending participants are acceptable with payment being forwarded before the closing date. If a place is reserved and the intended participants fail to attend the course on the date of the event the fee is to be settled in full. Completed registration form accompanied by cheque/PO/MO are to be made payable to “**The Institution of Engineers, Malaysia**” should reach the IEM Secretariat not later than **27<sup>th</sup> November 2014**.

The fee paid is non-refundable. However substitution of participants(s) will be permitted with approval by IEM. In view of the limited places available, intending participants are advised to send their registration as early as possible so as to avoid disappointment. The Organising Committee reserves the right to alter or change the programme due to unforeseen circumstances. Every effort will be made to inform the registered participants of any changes.