



BICAM'S LAUNCH AND CONFERENCE

A conference in conjunction with the launch of BICAM Arbitration Rules and BICAM Mediation Rules organised by BICAM, in collaboration with Legal Plus and L2 i-CON

FORMAT

HYBRID



12 October 2023 (Thursday)



8.30am - 6.00pm



**Sabah International Convention Centre (SICC), Tanjung Lipat,
Jalan Tun Fuad Stephens, 88400 Kota Kinabalu, Sabah, Malaysia**

Launch of the BICAM Arbitration and Mediation Rules - Breaking the Ice-Berg, Uncovering the Treasure.

Just like an iceberg, there's often so much more beneath what meets the eye. We believe that within the Borneo region, a wealth of untapped knowledge, creativity, and expertise awaits in the realm of Alternative Dispute Resolution (ADR).

In light of the recent establishment of the Borneo International Centre for Arbitration and Mediation (BICAM), we are thrilled to announce BICAM's significant milestone - the launch of the BICAM Arbitration and Mediation Rules, entitled "Breaking the Ice-Berg, Uncovering the Treasure". Our distinguishing panels will navigate these newly laid pathways - the BICAM Arbitration and Mediation Rules 2023, encompassing the strategic formulation of effective arbitration and mediation clauses and their key features. The second half of our event will cover discussion on the contemporary development in arbitration and addressing practical issues in adjudication under the Construction Industry Payment & Adjudication Act 2012 (CIPAA).

We cordially invite all of you to join us in embarking on this exciting journey of exploration. Together, let's turn our collective vision into a reality and pave the way for new opportunities and growth in the world of ADR.

Organised by:



BICAM
BORNEO INTERNATIONAL CENTRE
FOR ARBITRATION AND MEDIATION

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MESSAGE FROM THE CHAIRMAN



Ladies and Gentlemen, on behalf of the Borneo International Centre for Arbitration and Mediation (BICAM), it is my distinct pleasure to extend a warm invitation to each and every one of you to join us for the highly anticipated BICAM's Launch and Conference, where BICAM will unveil its Arbitration and Mediation Rules 2023.

Set for 12th October 2023, at the prestigious Sabah International Convention Centre (SICC) in Kota Kinabalu, this event is poised to mark a historic milestone. We are truly privileged to host esteemed members of the judiciary, including Federal Court and Court of Appeal judges, who grace us with their presence and will provide profound insights from a judicial standpoint. Furthermore, we take great pride in extending a warm welcome to distinguished arbitrators hailing from across the globe, including Indonesia, China, and West Malaysia, who will contribute their invaluable insights as esteemed panellists during our Conference.

Whether you're a seasoned legal practitioner, a specialist in construction or commercial transactions, in-house counsel, an engineer, a quantity surveyor, an architect, a consultant, a contract manager, a project manager or a business leader, contracts are a cornerstone of our respective fields. As stakeholders, it is essential for us to acknowledge and value the fact that litigation is not the only avenue available; Alternative Dispute Resolution (ADR) including arbitration, mediation and adjudication presents a viable alternative. The time has come for us to embrace and truly appreciate the importance of ADR, as it reinforces the truth that there is consistently an alternative route to resolving disputes.

In this Conference, our diverse panel of experts is poised to deliver an unparalleled wealth of knowledge and experience, enriching the experience of every attendee. Such opportunities, where our crème de la crème moderators and speakers from across the world come together, are truly exceptional and immensely valuable. I strongly urge each and every one of you to seize this opportunity, as it promises to leave you with valuable insights to take home. For those with prior commitments that is unable to attend this Conference in person in Kota Kinabalu, our lovely city located at the northwest coast of Borneo island, please join us virtually, as we have thoughtfully structured this event in a hybrid format to accommodate everyone.

In conjunction with this Conference, I am delighted to highlight that the Sabah Law Society ("SLS") has introduced Ad-Hoc Admission Guidelines, effective as of 15th June 2023, as outlined in Circular No. 74/2023. This Circular unequivocally affirms that the SLS will not raise objections to any ad-hoc admission applications for arbitration and mediation proceedings conducted under the auspices of BICAM. This progressive step now paves the way for legal practitioners hailing from various regions, including West Malaysia and Sarawak, to actively participate as counsel in arbitration and mediation cases administered by BICAM. Additionally, it's worth noting that advocates and solicitors from West Malaysia and Sarawak are also eligible for appointment as arbitrators and mediators, subject to submission of an ad-hoc application and fulfilment of the requisite formalities.

I look forward to seeing all of you at the BICAM's Launch and Conference on 12th October 2023 at Sabah International Convention Centre (SICC). See you there!

Yours sincerely,

A handwritten signature in black ink, appearing to be 'D. Wong', written in a cursive style.

TAN SRI DAVID WONG DAK WAH
Chairman, BICAM
16th September 2023
Kota Kinabalu, Sabah

About BICAM



BICAM, the Borneo International Centre for Arbitration and Mediation, is a distinguished institution established in 2023, dedicated to providing exceptional arbitration and mediation services for alternative dispute resolution (ADR) users in the region. With a focus on resolving business-related conflicts, BICAM offers a reliable and effective pathway towards achieving mutually beneficial resolutions. As litigation costs continue to rise in tandem with higher standards of living, BICAM recognizes the increasing demand among business users for a more accessible and cost-efficient method of dispute resolution. We pride ourselves on being at the forefront of this evolving landscape, offering a blend of mediation and arbitration services that meet the diverse needs of our clients.

At BICAM, we understand the value of mediation and arbitration as viable alternatives to traditional litigation. Mediation, with its emphasis on collaboration and communication, provides an opportunity for parties to reach a mutually satisfactory resolution while maintaining control over the outcome. Arbitration, on the other hand, offers a more structured process with the option to involve one or three arbitrators, ensuring a fair and impartial decision. Both methods share the advantage of lower costs, faster turnaround times, and confidentiality, making them highly desirable options for businesses seeking efficient and effective conflict resolution. BICAM is committed to delivering these benefits to our clients, empowering them with the tools and resources necessary to navigate complex disputes successfully.

As a leading professional service center, BICAM is dedicated to excellence in every aspect of our operations. Our team of experienced arbitrators, mediators, case managers, and support staff possess a deep understanding of ADR practices and bring a wealth of knowledge to every case. We prioritize integrity, fairness, and impartiality in our approach, ensuring that parties receive a fair hearing and have the opportunity to present their cases effectively. With our primary premises located at the Sabah International Convention Centre in the vibrant city of Kota Kinabalu, we provide easy access to commercial services and amenities for both local and international clients. BICAM's strategic location, coupled with our commitment to cost-efficiency and quality service, makes us the preferred partner for resolving disputes in a timely, professional, and satisfactory manner.

About Our Event Partners



Legal Plus was set up in 2014 by YA Bhg Tun Zaki Azmi, Chief Justice of the Dubai International Financial Court in United Arab Emirates (UAE) and retired Chief Justice of Malaysia as Chairman, YBhg Tan Sri James Foong, Chairman of Ombudsman for Financial Services and retired Federal Court Judge, Malaysia and Ms Catherine Eu, retired Executive Director of the Bar Council, Malaysia as Directors. The main objective of Legal Plus is to provide continuing professional training, public seminars and events pertaining to legal issues and legal compliances for various professions, trade, industries and enterprises.

For more information on Legal Plus, please visit www.legalplus.com.my



INTERNATIONAL

L2 i-CON International was founded by Wai Loon Lam of Harold & Lam Partnership and HongKit Leong of MAC Consultant as a professional platform sharing information relating to construction claims and ADR. Cindy Wong later joined as a director. L2 i-CON International is an international event management & consultancy firm based in Asia and Middle East.

For more information about L2 i-CON International, please visit www.L2icon.org

Registration Form

BICAM'S LAUNCH AND CONFERENCE

We accept ONLINE REGISTRATION and EMAIL REGISTRATION.

EMAIL REGISTRATION

Your registration is subject to the terms and conditions and/or privacy policy of Legal Plus Sdn Bhd published at www.legalplus.com.my and L2 i-CON Sdn Bhd published at www.L2icon.org.

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Programme

8.30am

Registration and Morning Coffee

9.30am



WELCOMING REMARKS

Tan Sri David Wong Dak Wah

Chairman of BICAM and Former Chief Judge of Sabah & Sarawak

9.40am



KEYNOTE ADDRESS

YAA Tan Sri Datuk Amar Abang Iskandar Bin Abang Hashim

President of the Court of Appeal of Malaysia

10.00am

LAUNCH OF THE BICAM ARBITRATION AND MEDIATION RULES

10.20am

Coffee Break

10.45am

SESSION 1

NAVIGATING BICAM ARBITRATION RULES AND MEDIATION RULES 2023



Moderator:

Tan Swee Im

| *International Arbitrator Member, 39 Essex Chambers (Kuala Lumpur)*

Speakers:

Tan Sri David Wong Dak Wah

Tan Kee Heng

| *Chairman of BICAM and Former Chief Judge of Sabah & Sarawak*

| *BICAM Council Member and Managing Partner of S. K. Ling & Tan Advocates*

Josephine Hadikusumo

Choon Hon Leng

| *BICAM Council Member and Senior Partner at CJ Liew & Co.*

| *Partner, SanjayMohan*



12.15pm

SESSION 2

A GLIMPSE INTO BICAM'S AUTOMATED CASE MANAGEMENT SYSTEM

by **BICAM**

12.40pm

Lunch

Programme

2.30pm

SESSION 3

ARBITRATION 101 – CONTEMPORARY DEVELOPMENT IN ARBITRATION



Moderator:

Kuhendran Thanapalasingam

| Partner, Zul Rafique & Partners

Speakers:

Justice Dato' Mary Lim Thiam Suan
Eri Hertiawan
Dr Minli Tang
Grace Chaw

| Federal Court Judge of Malaysia

| Senior Partner, Assegaf Hamzah & Partners

| Partner, AllBright Law Offices

| Founder, Grace Chaw & Co.



4.00pm

Coffee Break

4.30pm

SESSION 4

PRACTICAL ISSUES CONCERNING CIPAA



Moderator:

Datin Chu Ai Li

| Partner, Azman Davidson & Co.

Speakers:

Justice Dato' Lim Chong Fong
Ir Harbans Singh KS

| Court of Appeal Judge of Malaysia

| BICAM Council Member and Principal, HSKS Dispute Resolution Chambers

Chin Yuen Fong
Leong Hong Kit

| BICAM Council Member and Partner, Chee & Co.

| Managing Partner, MAC Consultant

Satinder Singh Sandhu

| Managing Partner, Sandhu & Co. Advocates



5.50pm

CLOSING REMARKS

6.00pm

End

KEYNOTE SPEAKER



YAA TAN SRI DATUK AMAR ABANG ISKANDAR BIN ABANG HASHIM

President of the Court of Appeal of Malaysia

Yang Amat Arif Tan Sri Datuk Amar Abang Iskandar bin Abang Hashim was born on July 3rd, 1959 in Sibu, Sarawak.

His Lordship began his career in the Judicial and Legal Service on the 1st day of August, 1983 when His Lordship was appointed as a Magistrate in Miri, Sarawak.

His Lordship then held the following positions:

- 1.8.1983 Magistrate, Magistrate Court of Miri, Sarawak.
- 1983 - 1984 Magistrate, Magistrate Court of Limbang, Sarawak.
- 1984 - 1989 Magistrate, Magistrate Court of Sibu, Sarawak.
- 1989 - 1990 Assistant Director, Sarawak Legal Aid Bureau.
- 1990 - 1992 Session Court Judge, Kuala Lumpur Session Court.
- 1992 - 1994 Legal Advisor of Fisheries Department, Ministry of Agriculture.
- 1994 - 2000 Head, General Crime Unit, Prosecution Division, Attorney General's Chambers, Kuala Lumpur.
Head, Commercial Crime Unit, Prosecution Division, Attorney General's Chambers, Putrajaya.
- 2000 - 2001 Chairman, Department of Cooperative Development Malaysia Tribunal, Kuala Lumpur.
- 2001 - 2003 Seconded to the Central Bank of Malaysia, Kuala Lumpur as the Head of Prosecution Unit /
Deputy Public Prosecutor.
- 2003 - 2004 Head, Commercial Crime Unit, Prosecution Division, Attorney General's Chambers, Putrajaya.
- 2004 - 2007 Seconded to the Malaysia Securities Commission Malaysia, Bukit Kiara, Kuala Lumpur as the
Director of Enforcement Unit.
- 1.3. 2007 Appointed by the DYMM Seri Paduka Baginda Yang di Pertuan Agong as Judicial Commissioner.
Appointed as Chairman of Appeal Board, Board of Engineers Malaysia, by DYMM Seri Paduka Baginda
Yang di Pertuan Agong.

- 1.3.2007 – 31.4.2009 Judicial Commissioner, High Court of Shah Alam, Selangor (Criminal Division 5).
- 1.5.2009 – 13.10.2009 Judicial Commissioner, High Court of Kuala Lumpur, Jalan Duta, Kuala Lumpur (Commercial Division 2).
- 14.10.2009 Appointed by DYMM Seri Paduka Baginda Yang di Pertuan Agong as High Court Judge.
- 1.5.2009 – 31.12.2010 High Court Judge, High Court of Kuala Lumpur, Jalan Duta, Kuala Lumpur (Commercial Division 2).
- 1.1.2011 – 31.3.2011 High Court Judge, High Court of Kuala Lumpur, Jalan Duta, Kuala Lumpur (Commercial Division 10).
- 1.4.2011 – 31.12.2012 High Court Judge, High Court of Kuala Lumpur, Jalan Duta, Kuala Lumpur (Appellate and Special Powers Division 1).
- 2.1.2013 – 29.9.2013 High Court Judge, Penang High Court.
- 30.9.2013 – 25.11.2018 Court of Appeal Judge, Court of Appeal, Malaysia.
- 26.11.2018 – 24.2.2020 Appointed by DYMM Seri Paduka Baginda Yang di Pertuan Agong as Federal Court Judge.
- 25.2.2020 – 16.1.2023 Appointed by DYMM Seri Paduka Baginda Yang di Pertuan Agong as Chief Judge of Sabah and Sarawak.
- 17.1.2023 Appointed by DYMM Seri Paduka Baginda Yang di Pertuan Agong as President of Court of Appeal.

As an appreciation for the contribution of His Lordship in the Civil Service, His Lordship was awarded with Pingat Darjah Setia Pangkuan Negeri (DSPN) by Tuan Yang di Pertua of Pulau Pinang on 27th of August 2013 which carries the title “Dato”.

His Lordship was then conferred with federal award Panglima Setia Mahkota (PSM) which carries the title of “Tan Sri” in conjunction with the birthday of Kebawah Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong Al-Sultan Abdullah Ri'ayatuddin Al-Mustafa Billah Shah Ibni Almarhum Sultan Haji Ahmad Shah Al-Musta'in Billah on 13 November 2021.

Recently, on 8 October 2022, in conjunction with the 86th birthday of the Yang Di-Pertua Negeri Sarawak Tun Abdul Taib Mahmud, His Lordship was awarded the Darjah Utama Yang Amat Mulia Bintang Kenyalang Sarawak Datuk Amar Bintang Kenyalang (DA) which carries the title “Datuk Amar”.

His Lordship Tan Sri Datuk Amar Abang Iskandar bin Abang Hashim is married to YBhg. Puan Sri Datin Amar Fadzillah binti Dato' Kamaruddin and they are blessed with three (3) children.

Navigating BICAM Arbitration Rules and Mediation Rules 2023

Moderator



SWEE IM TAN

International Arbitrator Member, 39 Essex Chambers (Kuala Lumpur)

Swee Im Tan is a Chartered Arbitrator and an international arbitrator member at 39 Essex Chambers, based in their Kuala Lumpur office. Her focus is on the construction, infrastructure and energy sectors with extensive experience ranging from early procurement strategy stage, to contract drafting, advisory during the project life, through to dispute resolution. She has spent more than 30 years in these sectors in counsel and advisory roles, including having been seconded to the KL International Airport and Malaysia-Singapore Second Crossing projects, been an in-house counsel and founded a boutique legal firm in 1999. She is a fulltime third party neutral who takes appointments as arbitrator, adjudicator, dispute board member and mediator. Her appointments are institutional as well as party agreed. She is a panel arbitrator of various arbitral institutions including the AIAC, SIAC, HKIAC, ACICA, an Advocate & Solicitor of the High Court of Malaya, Barrister-at-Law (Middle Temple), FCI Arb, FMI Arb, FAIADR, FCIOB, FMSAdj, Member of DRBF and holds a Diploma in International Commercial Arbitration. She is appointed as a member of the Asian International Arbitration Centre Advisory Council.

Speakers



TAN SRI DAVID WONG DAK WAH

Chairman of BICAM and Former Chief Judge of Sabah & Sarawak

Tan Sri Datuk Seri Panglima David Wong Dak Wah read law at University of New South Wales, Sydney, Australia. He also obtained a B.Com (majoring in accountancy) from the same University. From 1978 to 1979, Tan Sri Datuk David was attached to a Public Accounting Firm in Sydney as a qualified auditor. In 1979 he was admitted as a Barrister of the New South Wales Supreme Court in Australia.

Tan Sri David was in private practice from 1979 until 2005 in Sabah and Sydney, Australia. On 29 August 2005, Tan Sri David was appointed a Judicial Commissioner of the High Court of Sabah and Sarawak in Kuching and elevated as a Judge of the High Court of Sabah and Sarawak with effect from 11 April 2007. On 15 January 2009, Tan Sri David was transferred to the High Court of Kota Kinabalu, Sabah, until his elevation to the Court of Appeal Malaysia on 8 January 2013, where he headed the Construction Court. He was appointed as Judge of the Federal Court on 27 April 2018 and Chief Judge of Sabah & Sarawak on 11 July 2018. Tan Sri David retired as the Chief Judge of Sabah and Sarawak on 19 February 2020. He is now attached to Chang and Wong Partners, Advocates and Solicitors as the Legal Consultant doing advisory works, especially on court-related matters. He also acts as an Arbitrator, Mediator and Adjudicator. He is also the Chairman of Borneo International Centre of Arbitration and Mediation (BICAM).



TAN KEE HENG

BICAM Council Member and Managing Partner of S. K. Ling & Tan Advocates

Tan Kee Heng graduated with Bachelor of Laws with Honours from the University of Wolverhampton (United Kingdom) and was subsequently conferred with the Certificate in Legal Practice and admitted as an Advocate of the High Court in Sabah and Sarawak in 1997. He is the Managing Partner of S. K. Ling & Tan Advocates (Kuching) who has been in active legal practice for about 25 years and having vast experience in corporate matters as well as civil litigation and appeal cases involving different specific areas of law including Corporate Banking, Land Disputes, Land Law particularly on land development related issues in Sarawak, Company Law, Construction Law and Contract Law. Under his leadership, the firm was conferred with "EAST MALAYSIA LAW FIRM OF THE YEAR" by Asian Legal Business in Malaysia Law Awards 2017, Malaysia Law Awards 2018, Malaysia Law Awards 2019 & Malaysia Law Awards 2022.

He has served as a COMMISSIONER FOR OATHS since February 2007. He was appointed as a Commission Member of the COMPANIES COMMISSION OF MALAYSIA (SSM) from November 2018 until April 2020, a statutory body which regulates companies and businesses with its function to ensure compliance with business registration and corporate legislation through comprehensive enforcement and monitoring activities so as to sustain positive developments in the corporate and business sectors of the Nation. He has also been appointed as a NOTARY PUBLIC by the Attorney-General of Malaysia in performing notarial powers and functions in Kuching, Sarawak since 19th November 2020.

He is also the Author of "Civil and Criminal Appeals in Malaysia" (3rd Edition), Editor of "Borneo Law Reports" (Full set of 10 Volumes) and Advisory Editor & Contributor to the "Malaysian Civil Procedure 2021".



JOSEPHINE HADIKUSUMO

BICAM Council Member and Senior Partner at CJ Liew & Co.

Josephine Hadikusumo serves as Senior Partner at CJ Liew & Co, Director of the Asia Mediation Centre, and a Board Member of the Singapore International Mediation Institute (SIMI). As an associate mediator and adjunct faculty for the Singapore Mediation Centre, she trains on mediation both locally and overseas and is one of the mediation trainers and examiners for the Part B Examinations (Admission Examinations for Advocates & Solicitors) in Singapore.

Josephine travels widely as a speaker and trainer and has provided support to institutions in other countries in the area of mediation, including the judiciary and bar of Fiji and the Fijian Ministry of Labor, as well as private corporations and statutory bodies.

Josephine is an Advocate and Solicitor of the High Court of Malaya, the Supreme Court of New South Wales (Australia) and the High Court of Sabah and Sarawak. In addition to English, Josephine is fluent in several Asian languages and is able to train and mediate in the same.



CHOON HON LENG

Partner, SanjayMohan

Hon Leng was called to the Bar in November 2003 and joined the firm as a partner on 1 February 2023. Prior to joining the firm, he was a senior partner at one of the largest full-service law firms in Malaysia and was the Head of their Construction, Infrastructure and Energy practice group.

Construction practice is the focal point of Hon Leng's practice and he is well positioned to provide full service to clients throughout a project lifecycle from inception, tender, drafting and negotiation of contracts; management advisory, troubleshooting and strategising during project implementation; to dispute management and resolution, whether through formal processes or other means.

His work and experience have been duly recognised in various publications, including Asialaw, Legal 500, Chambers and Partners and Benchmark Litigation Asia-Pacific.

He has appeared as lead counsel in more than 30 arbitrations, most of them are construction-related, both domestically and internationally. He has led arbitrations conducted under various institutional rules as well as on ad-hoc basis. He also has the unique experience of acting as lead counsel for an arbitration under CIETAC Rules in China that was conducted wholly in Mandarin. Hon Leng also frequently sits as arbitrator and adjudicator. He is a Fellow of the Chartered Institute of Arbitrators and the immediate past chairperson of CIArb Malaysia branch.

Arbitration 101 – Contemporary Development in Arbitration

Moderator



KUHENDRAN THANAPALASINGAM

Partner, Zul Rafique & Partners

Kuhendran Thanapalasingam is the head of the Construction Dispute Resolution practice group. He holds a Bachelor of Laws (Hons) degree from the University of Leicester, United Kingdom. He is a Solicitor of the Supreme Court of England & Wales and was admitted as an Advocate & Solicitor of the High Court of Malaya in 1992. He is also a Fellow of the Chartered Institute of Arbitrators.

Kuhendran is principally involved in dispute resolution, particularly in construction and engineering-related disputes. Apart from his experience in dispute resolution, he has also advised on different aspects of construction and engineering law. In addition, he has drafted and vetted various construction and engineering-related contracts.

Speakers



JUSTICE DATO' MARY LIM THIAM SUAN

Federal Court Judge of Malaysia

Justice Dato' Mary Lim Thiam Suan read law at the University of Leeds, UK and graduated with an LLB (Hons) degree. She has been admitted to Lincoln's Inn as a Barrister-at-law. In 1993 she obtained her Master of Laws degree from the University of Western Australia. Prior to her elevation to the High Court of Malaya, where she sat in the New Commercial Court, her Ladyship served in various capacities at the Attorney General's Chambers of Malaysia. These include as Federal Counsel, Senior Federal Counsel, Senior Assistant Parliamentary Draftsman, Legal Advisor to the State of Negeri Sembilan, Deputy Head of Civil Division and Commissioner of Law Revision and Law Reform. Justice Lim was the first judge of the Construction Court in Kuala Lumpur until her Ladyship's elevation to the Court of Appeal. She is now a Judge of the Federal Court of Malaysia.



ERI HERTIAWAN

Senior Partner, Assegaf Hamzah & Partners

Eri Hertiawan stands as a distinguished legal expert renowned for profound knowledge in commercial, shipping, and aviation law. Eri's remarkable litigation and arbitration skills are widely recognized and trusted by clients to navigate cases from the district court level to Indonesia's Supreme Court. He excels as an arbitration counsel, representing international and domestic clients, including Indonesian state-owned enterprises, in numerous arbitration cases. His reputation led to his appointment to the member of the Singapore International Arbitration Centre's (SIAC) Court of Arbitration in June 2019, showcasing global recognition of arbitration expertise. In February 2020, Eri became listed in the SIAC Panel of Arbitrators. Widely recognized as a leading lawyer by legal directory publications, he was recently awarded Lawyer of the Year – Indonesia from Benchmark Litigation Asia-Pacific Awards 2023. An active contributor to the arbitration community, Eri frequently conducts workshops and seminars on dispute resolution and alternative dispute resolution topics.



DR MINLI TANG

Partner, AllBright Law Offices

Dual qualified in mainland China and in New York State, Minli has practiced in dispute resolution for years, especially in international arbitration. Minli once was a Regional Representative of the ICC Young Arbitration and ADR Forum (ICC YAAF) and is now a committee member of the Beihai Asia International Arbitration Centre (BAIAC, Singapore), a supporting member of the LMAA, on the panel of arbitrators of the Shenzhen International Arbitration Court and the Langfang Arbitration Commission, admitted into the HKIAC List of Arbitrators, and an external master-degree supervisor of the KoGuan Law School, Shanghai Jiaotong University.

Minli has represented and advised clients in arbitration under the AIAC, HKIAC, ICC, LCIA, SIAC rules as well as the LMAA Terms. Minli has also frequently represented clients in Chinese domestic arbitration/litigation and handled cases in the English High Court and Court of Appeal. In addition to her advocacy work, Minli has advised both domestic and foreign clients on Chinese law and conducted commercial negotiation.

Minli has particularly rich multi-jurisdictional experiences and network. In addition to her overseas study experiences in common law jurisdictions for her master and PhD degrees, Minli once was a visiting lawyer in a leading commercial set of barristers' chambers in London for around two years.



GRACE CHAW

Founder, Grace Chaw & Co.

Grace Chaw read law at Monash University, Australia (LL.B with Honours). Grace holds a Master of Laws (LL.M) in International Dispute Resolution (specialising in investment treaty arbitration and international commercial arbitration) from the Queen Mary University of London. She is dual-qualified to practise in Australia and Malaysia. She serves under the International Chamber of Commerce (ICC) as an ICC Young Arbitrators Forum (ICC YAAF) representative for 2021-2024.

Grace leads an active dispute resolution practice specialising in commercial and construction disputes. She was the lead counsel in various decisions of the High Court, the Court of Appeal and the Federal Court, reported in the Malayan Law Journal (MLJ) and Current Law Journal (CLJ), recognising her dedication to advocacy practice.

She is a Fellow of the Chartered Institute of Arbitrators (FCIArb), and an arbitrator empanelled with the Asian International Arbitration Centre (AIAC) and Borneo International Centre for Arbitration and Mediation (BICAM). She is also an adjudicator appointed by the AIAC to hear payment claims under the Construction Industry Payment and Adjudication Act (CIPAA) 2012. Her contribution to the Malaysian adjudication literature includes "Statutory adjudication in Malaysia and 'Sabah proceeding' – a paradox?" [2021] 3 MLJ cdlxxxviii.

Session 4

Practical Issues Concerning CIPAA

Moderator



DATIN CHU AI LI

Partner, Azman Davidson & Co.

Datin Chu Ai Li was called to the Malaysian Bar in 1996. She has been a partner of Azman Davidson & Co. since 2004.

Ai Li's legal practice is focused on construction law, arbitration and adjudication. The spectrum of her professional experience spans across the drafting of construction and consultancy contracts to advisory work on contract administration to acting as counsel in dispute resolution. She advises developers, contractors, sub-contractors, employers, consultants and professional bodies in the construction industry.

Ai Li has served in the Contracts and Practices Committee of the Master Builders Association Malaysia since 2017. She is a Fellow of the Chartered Institute of Arbitrators and the Malaysian Institute of Arbitrators. She is listed on the panel of arbitrators as well as the panel of adjudicators of the Asian International Arbitration Centre (AIAC).

Speakers



JUSTICE DATO' LIM CHONG FONG

Court of Appeal Judge of Malaysia

Justice Dato' Lim Chong Fong D.S.P.N. has a Bachelor of Science (Building) Honours degree from the National University of Singapore, a Bachelor of Laws Honours degree from the University of London, and a Master of Laws degree from the University of Malaya.

He is also a Chartered Arbitrator, Chartered Quantity Surveyor, and Barrister at Law (Middle Temple). He has worked as a Quantity Surveyor in the construction industry and practised as a construction lawyer and arbitrator from 1985 to 2013. He was ranked as the leading lawyer in construction dispute resolution by Chambers & Partners, Asialaw Profiles, and The International Who's Who of Construction Lawyers' legal directories.

He has undertaken research on the security of construction payment as a Fulbright scholar at the William S. Richardson School of Law in Hawaii, USA, and was subsequently appointed by the Construction Industry Development Board Malaysia to formulate the draft Construction payments as a Fulbright scholar at the William S. Richardson School of the Law in Hawaii, USA and subsequently appointed by the Construction Industry Development Board Malaysia to formulate the draft Construction Industry Payment and Adjudication bill (now Act 746 of Malaysia).

He was the Honorary Advisor (Contracts) of the Master Builders Association Malaysia and was appointed by the Minister of Works in 2013 as a member of the expert panel to review the Malaysian construction industry practices following the construction accident at the Penang Second Bridge project. In 2017, he was awarded the Lifetime Achievement Award (Quantity Surveying) by the Royal Institution of Surveyors Malaysia.

Justice Dato' Lim Chong Fong was appointed Judicial Commissioner on 15th January 2014 and Confirmed as Judge of the High Court of Malaya on 30th January 2017. In 2018, he served the specialist construction Court in Kuala Lumpur after having served in the general civil & criminal courts and the specialist intellectual property court. On 17th January 2023, he was appointed as Court of Appeal Judge and presently serving the Court of Appeal in the Palace of Justice Putrajaya, Malaysia.



IR HARBANS SINGH KS

BICAM Council Member and Principal, HSKS Dispute Resolution Chambers

Mr. Harbans Singh KS is a Professional and Chartered Engineer, Chartered Arbitrator, Mediator, and Adjudicator. Called to the Malayan Bar in 1995, he is, at the moment, however, not in active practice as an Advocate & 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 as a designer, resident engineer and contract administrator. Later, Mr. 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, including IEM's Tan Sri Hj. Yusoff Prize for an outstanding Technical Paper (2001), the Cedric Barclay Award and the Chartered Institute of Arbitrators Award for the Diploma in International Commercial Arbitration examination (2003). Mr. 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", "Law and Practice of Mediation" and "The PAM Contract 2006", a contributor to 'The Malaysian Standard Precedents and Forms (Vol. N)' and is a regular speaker at courses/seminars and conferences both locally and internationally.



CHIN YUEN FONG

BICAM Council Member and Partner, Chee & Co.

Mr. Chin graduated with a BA (Hons) Law & Economics (UK) in 1994 and was called to the English bar as a Barrister-At-Law (Middle Temple) in 1995. He was admitted to the High Court of Sabah and Sarawak in 1997. Mr. Chin is also a fellow of the Chartered Institute of Arbitrators (FCI Arb) since 2008 and is also a distinguished Arbitrator and an accredited Mediator at the Asian International Arbitration Centre and Asia Mediation Centre. Further, Mr. Chin is an Accredited Adjudicator under the Construction Industry Payment and Adjudication Act 2012 (CIPAA). He is also on the International Panel of Arbitrators in the Chinese Arbitrators Association of Taiwan and the Hainan International Arbitration Court.



LEONG HONG KIT

Managing Partner, MAC Consultant

HongKit is a managing partner at MAC Consultant, a construction claim consultancy firm. With over a decade of experience in construction claims management and alternative dispute resolution (ADR), he is a trusted consultant to clients in the construction industry. HongKit has a proven track record of successfully representing parties in adjudication proceedings under the Construction Industry Payment and Adjudication Act 2012 (CIPAA) and arbitration proceedings. Between 2015 and 2023, he has been involved in more than 460 adjudication proceedings as a party's representative, which speaks to his extensive experience and expertise in the field. HongKit is a highly qualified construction and ADR practitioner with expertise across multiple domains. As a Chartered Building Engineer (CABE), he possesses extensive knowledge of the construction process and is currently serving as the secretary of CABE Malaysia Chapter. Additionally, he is a Chartered Quantity Surveyor (RICS) and a Project Management Professional (PMP), with a comprehensive understanding of project delivery from inception to completion. As an ESG consultant, HongKit provides strategic guidance to companies looking to incorporate environmental, social, and governance factors into their business practices. He holds a Certificate in ESG investing from the Chartered Financial Analyst (CFA), which demonstrates his commitment to sustainability and responsible investing. His expertise in ESG is a valuable asset for companies looking to align their business practices with global sustainability standards. In terms of academic credentials, HongKit holds a Bachelor's Degree in Financial Economics from the University of Leicester, a Master's Degree in Financial Economics from the University of Nottingham, and a Bachelor of Law (LLB) from the University of London. These qualifications demonstrate his commitment to continuous learning and professional development, as well as his ability to integrate different fields of knowledge in his work.



SATINDER SINGH SANDHU

Managing Partner, Sandhu & Co. Advocates

Mr. Satinder Singh Sandhu is an Advocate of the High Court of Sabah & Sarawak in Sarawak and has been practising for over 19 years. He has a Specialist Masters in Construction Law (Hons) from the University of Auckland, New Zealand and is principally involved in construction and commercial litigation covering various aspects of construction law, company law, commercial, contracts, insolvency, negligence, property litigation and alternative dispute resolution.

He is a panel Adjudicator with AIAC and AIADR and has been appointed as an Adjudicator and as a counsel in various adjudication disputes. He also actively acts as counsel in Arbitration disputes for construction projects in West Malaysia and Sarawak. Other than carrying out front-end drafting work for construction contracts relating to road, hydro-power, telecommunication and other infrastructure works, Mr. Satinder Singh Sandhu is also on the corporate advisory panel of various listed and private companies. In relation to mediation, Mr. Satinder is an accredited mediator with the High Court Sabah and Sarawak, an Evaluative Mediator with RICS and a panel mediator for both AIAC and AIADR. He has recently been appointed by the Prime Minister's Department to be mediator for the Pusat Mediasi Covid-19.