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CONSTRUCTION CLAIMS AND ADR CONFERENCE SABAH & SARAWAK 2023

12 MAY 2023 | FRI
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CONSTRUCTION CLAIMS AND ADR CONFERENCE SABAH & SARAWAK 2023

With the implementation of several mega infrastructure construction projects in Sabah and Sarawak in recent years, the construction industry in this region is facing various challenges. The Construction Claims & ADR Conference Sabah & Sarawak 2023 has assembled a line of distinguished moderators and speakers to discuss and share with our audience their views on various recent and interesting topics affecting the construction industry in Sabah and Sarawak.

FOR MORE INFORMATION
& REGISTRATION, VISIT



<https://bit.ly/3LcHZNI>



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ABOUT THE ORGANISERS



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



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

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ASIAN INTERNATIONAL ARBITRATION CENTRE

Established in 1978, the Asian International Arbitration Centre (“AIAC”), formerly known as the Kuala Lumpur Regional Centre for Arbitration (“KLRCA”), was the first arbitration centre in Asia to be established under the Asian-African Legal Consultative Organization (“AALCO”). The Centre was first set up to provide institutional support as an independent and neutral venue for arbitration proceedings in Asia. Currently, it stands alongside only five other regional centres located in Egypt, Nigeria, Iran, Kenya and Hong Kong. Since its inception, the Centre has evolved into a global hub for Alternative Dispute Resolution (ADR). Over the past four decades, it has built itself from the ground up recording 810 cases in 2022; a testament of the AIAC’s significant growth since 2010 when it administered only 22 cases. The AIAC has administered a total of 6218 ADR cases to date. The Centre has entered into more than 50 partnerships with local and international organisations and conducted over 400 capacity building events. The AIAC brand now showcases a reinvigorated commitment to provide the best ADR services to its stakeholders, with a comprehensive blueprint in place to deliver on this commitment. Under the leadership of its Director, Datuk Sundra Rajoo, the Centre reverberates with innovation and a renewed sense of drive to enhance the services and products of the AIAC, locally and internationally.

CONSTRUCTION CLAIMS AND ADR CONFERENCE SABAH & SARAWAK 2023

We accept ONLINE REGISTRATION and
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EMAIL REGISTRATION

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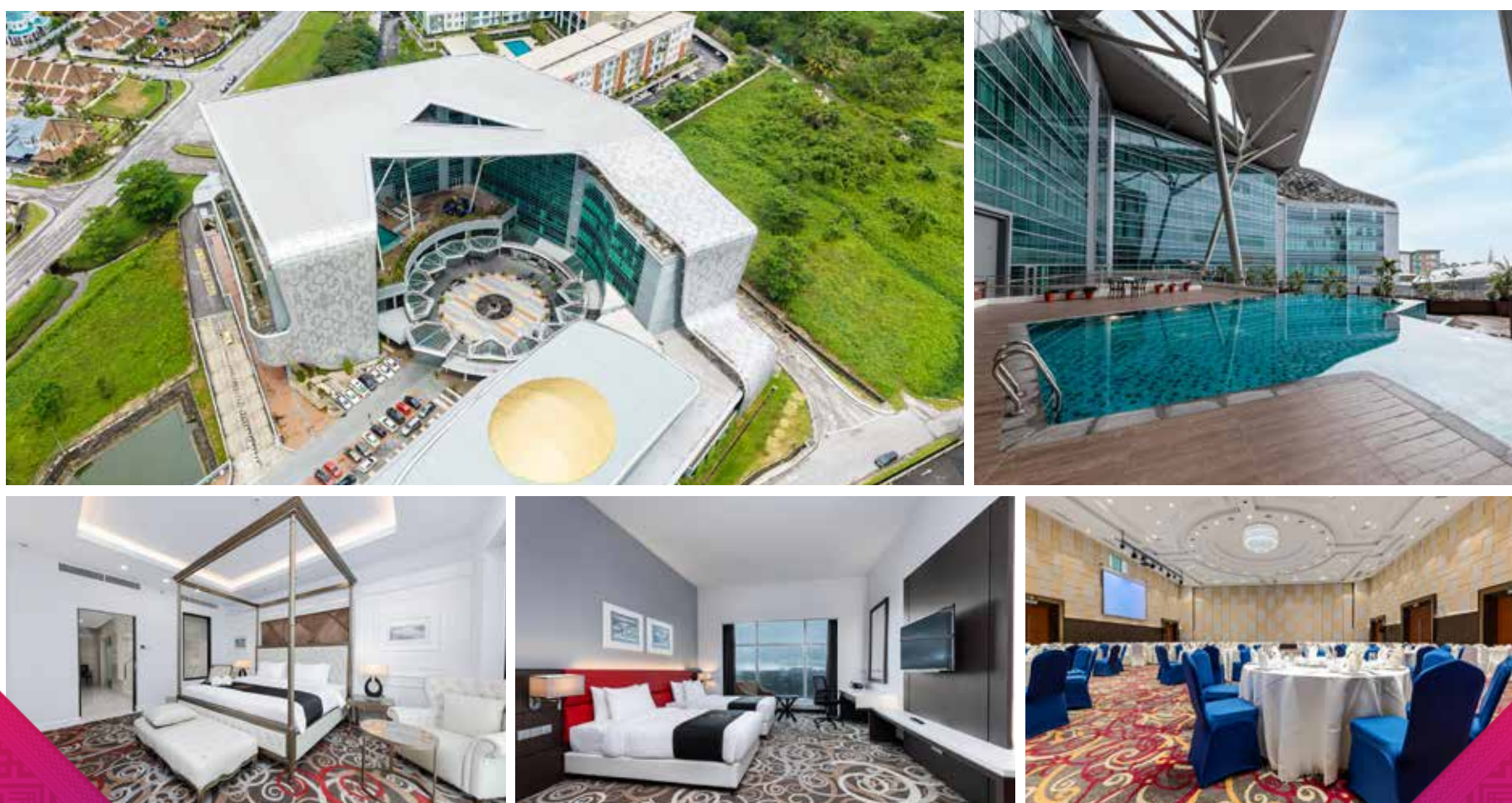
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CONFERENCE VENUE & ACCOMMODATION

RAIA HOTEL & CONVENTION CENTRE



SPECIAL ROOM RATE FOR CONFERENCE PARTICIPANTS

Raia Hotel is offering special rate of RM230 nett for Superior Room to our conference participants.

Please make your hotel reservations via email to **Nur Azmalina of Raia Hotel, Kuching** at **azmalina.norsenso@ujpm.com.my** by **end of April** to secure the special rate.

ABOUT RAIA HOTEL & CONVENTION CENTRE

Located within 5 minutes drive from Kuching Airport's terminals. Discover a 4-star comfortable accommodation, warm hospitality and courteous service at Raia Hotel & Convention Center Kuching. The Hotel Complex with a 9-storey building featuring 237 guestrooms including 2 units of premium suites. A convention hall up to 2,800 seating capacity and 9 conference rooms, Raia Hotel & Convention Center Kuching is the ideal place for business, leisure visits and transit. Highlighting Sarawak's cultural uniqueness in its design, the hotel features an exceptional masterpiece of the distinctive indigenous fabric, "Pua Kumbu" roof design.

Visit <https://www.raiahotels.com.my/Kuching> for more information.

CONFERENCE PROGRAMME

8:30AM **REGISTRATION & LOGIN**

9:15AM **WELCOMING**

By **YBhg TAN SRI JAMES FOONG**

Retired Federal Court Judge and Director of Legal Plus

9:20AM **OPENING REMARKS**

By **YBhg DATO SRI FONG JOO CHUNG**

Sarawak State Legal Counsel

9:30AM **KEYNOTE ADDRESS**

By **THE RIGHT HONOURABLE JUSTICE DATO' ABDUL RAHMAN BIN SEBLI**

Chief Judge of Sabah and Sarawak

10:00AM **SPECIAL ADDRESS**

By **YBrs. Ir. Ts. RICHARD ANAK TAJAN**

Director of Public Works Sarawak

10:15AM *COFFEE BREAK*

10:45AM **SESSION 1: CONSTRUCTION IN SABAH AND SARAWAK - MAJOR PROJECTS, KEY CHALLENGES AND RECOMMENDATIONS**

A number of major projects are underway in Sabah and Sarawak. This session brings together a panel of construction experts to discuss the key challenges faced by the Sabah and Sarawak construction industry on issues such as material procurement, material logistics and manpower shortage. The panel of experts will also provide whether the loss of time and cost on these issues is claimable under the contract or at law.

MODERATOR:

ROGER CHIN KEN FONG

President, Sabah Law Society and Partner, Chin Lau Wong & Foo

SPEAKERS:

GEORGE ALBERT WILLIAM CHAPMAN | General Manager, Legal of Sarawak Energy

NOR ZALIDA AHMAD | Head of Corporate Relations, Maltimur Resources

SR. ISABEL SIM TSEU YU | Principal Assistant Director (Quantity Surveying),
Public Works Department, Sarawak

ABANG IWAWAN | Founding Partner, Abang & Co.

CONFERENCE PROGRAMME

11:45AM

SESSION 2: CONDUCTING DELAY ANALYSIS AND ASSESSING EXTENSION OF TIME

In this session, the panellists will discuss the various delay analysis approaches used in Malaysia and the common mistakes found in contractor's application for extension of time.

MODERATOR:

JUSTICE DATO' LIM CHONG FONG

Court of Appeal Judge

SPEAKERS:

SOH LIEH SIENG

| Founding Partner, Contract Solutions-i

ADRIAN SEE

| Managing Partner, Belden

GRACE CHAW

| Founder, Grace Chaw & Co.

ALEX NGU SZE SHAE

| Managing Partner, Alex, Jason & Co.

12:45PM

PRESENTATION

1:00PM

LUNCH BREAK

2:15PM

SESSION 3: CONSTRUCTION PROJECT MANAGEMENT GOOD PRACTICES

The panellists will address various myths in construction contract management and what are the good practices.

Myth 1: Serving notice may ruin the harmonious relationship between parties

Myth 2: Do first, claim later

Myth 3: All paperwork can wait

Myth 4: Do it at the final claim stage

Myth 5: Concurrent delay is the employer's delay

Myth 6: It's not fair

Myth 7: The employer/consultant should know

MODERATOR:

GURVIR SINGH SANDHU

President, Advocates Association of Sarawak and Partner, Sandhu Lee & Co. Advocates

SPEAKERS:

IR HARBANS SINGH K.S.

| Professional and Chartered Engineer,
Chartered Arbitrator, Mediator and Adjudicator

ANIZ AHMAD AMIRUDIN

| Partner, Cecil Abraham & Partners

JANET CHAI PEI YING

| Partner, Chooi & Company

LEONG HONG KIT

| Managing Partner, MAC Consultant



CONFERENCE PROGRAMME

3:15PM	PRESENTATION
3:30PM	NETWORKING BREAK
4:00PM	SESSION 4: ADR LANDSCAPES IN SABAH AND SARAWAK AND LATEST DEVELOPMENT <i>The panellists will discuss the use of alternative dispute resolution mechanisms such as arbitration and statutory adjudication under CIPAA 2012 in Sabah and Sarawak and the relevant case law development.</i> MODERATOR: JUSTICE DATO' LEE SWEE SENG Court of Appeal Judge SPEAKERS: CHIN YUEN FONG Partner, Chee & Co. SATINDER SINGH SANDHU Managing Partner, Sandhu & Co. LAM WAI LOON Founding Partner, Harold & Lam Partnership HEATHER YEE Assistant Director, Asian International Arbitration Centre (AIAC)
5:15PM	CLOSING REMARKS
5:30PM	NETWORKING SESSION
6:00PM	END

POST-CONFERENCE

13 MAY 2023

9.00am - 10.30am

Breakfast Get Together
at RAIA Hotel

10.30am - 1.00pm

Free and Easy
(Tour Around Kuching)

Note: At participant's own costs and arrangements.

Must-Eat in Kuching



Sarawak Laksa



Mee Kolok



Kek Lapis
Sarawak



Umai



Manok Pansoh



Belacan Bihun



O chien



Engkalak



Midin

Must-Visit in Kuching



Sarawak
Cultural Village



Kuching
Waterfront



Darul Hana
Bridge



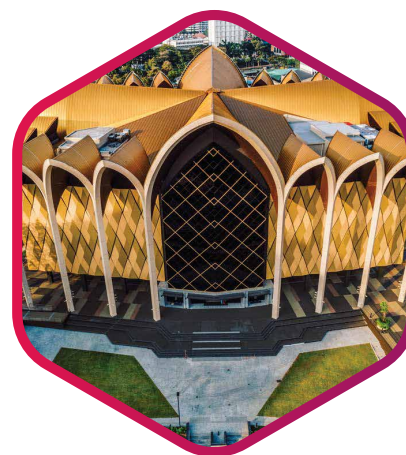
Bako
National Park



Carpenter
Street



Semenggoh
Wildlife Centre



Borneo Cultures
Museum



The Old
Courthouse



Fort
Margherita

PARALLEL EVENTS FOR

CONSTRUCTION CLAIMS AND ADR CONFERENCE SABAH & SARAWAK 2023

A Series of Complimentary  Zoom Webinars



No.	Topic	Date	MY Time (GMT +8)
1	SESSION 1  <p>Dealing with flooding at construction sites – how does the C. A. R policy respond?</p> <p>by Ir Pooba Mahalingam / Talent Asia Training & Consulting</p>	Apr 27, 2023	11am – 12pm
2	SESSION 2  <p>CIPAA 101</p> <p>by Kee Meng Fai & Terence Loh / Belden Advocates & Solicitors</p>	May 9, 2023	11am – 12pm
3	SESSION 3  <p>An Introduction to the FIDIC Contracts and Claims</p> <p>by Andy Hewitt & Paul Gibbons / Hewitt Decipher Partnership</p>	May 9, 2023	4pm – 5pm

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Parallel Events will be held on Zoom Platform



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OPENING REMARKS

by



DATO SRI FONG JOO CHUNG
Sarawak State Legal Counsel

Born in Kuching in 1949, he received his early education at St Joseph's School, Kuching, before proceeding, in 1968, to study law at the University of Bristol, England where he obtained his Bachelor of Laws (Hons) in June 1971. He was called to the English Bar by the Honourable Society of Lincoln's Inn in November 1971. He was admitted to practise as an Advocate in Sarawak in January 1972, and remained in private practice with the Law firm of Reddi & Company, Kuching until the end of July 1992.

On 8th August 1992, he was appointed as the State Attorney-General, Sarawak, a position he held until 31st December 2007. Upon relinquishing that position, he has been retained by the State Government of Sarawak in an advisory capacity and continues to represent the State Government in cases before the appellate Courts and the High Court. He sits on the Board of Directors of a number of Corporations wherein the State Government has equity interests, including Bintulu Port Holdings Berhad, Sarawak Energy Berhad, and Syarikat SESCO Berhad. He is a member of the Board of Curtin (Malaysia) Sdn Berhad (which runs the Curtin University Miri Campus) and St Joseph's Private School, Kuching.

From April to October 2022, Dato Sri Fong Joo Chung drafted Sarawak legislations relating to Carbon Capture Utilisation and Storage (CCUS) and Forests Carbon Projects to implement Sarawak's efforts towards reduction in carbon emission and mitigation against the effects of global warming as well as a transition towards a green economy.

He is the author of three books. Two books were published by Thomson- Reuters, namely Constitutional Federalism in Malaysia [2008] and Law on Native Customary Land in Sarawak [2011] and Sarawak Law Series Land Code [with Annotations] published by LexisNexis [2015].

KEYNOTE ADDRESS



THE RIGHT HONOURABLE JUSTICE DATO' ABDUL RAHMAN BIN SEBLI Chief Judge of Sabah and Sarawak

His Lordship Dato' Abdul Rahman bin Sebli was born on 25 January 1959 in Sarawak. His Lordship obtained his Bachelor of Laws (with Honours) from University of Malaya in 1983. Upon graduation His Lordship joined the Judicial and Legal Service of Malaysia in December 1983. Prior to His Lordship's elevation to the High Court of Malaya, His Lordship had served in various capacities in the Judicial and Legal Departments of the Government of Malaysia. Among the posts His Lordship held was that of Deputy Public Prosecutor in the State of Sarawak, Pahang, Kuala Lumpur; Senior Legal Officer at the Sarawak State Attorney-General's Chambers; Sessions Court Judge of Kota Bharu, Kelantan, Kota Kinabalu, Sabah and Miri, Sarawak; State Legal Advisor to the State of Pahang and Director of Legal Division at the Royal Malaysian Customs Putrajaya.

On 15 September 2008, His Lordship was appointed as Judicial Commissioner and on 9 August 2010, His Lordship was elevated to the position of a Judge of the High Court of Malaya. His Lordship served at the High Court Kota Kinabalu, Shah Alam and the High Court at Johor Bahru until His Lordship's elevation to the Court of Appeal. His Lordship was elevated to the Court of Appeal on 12 September 2014.

On 8 August 2019 His Lordship was elevated to the position of a Judge of Federal Court and on 17 January 2023 His Lordship was appointed as the Chief Judge of Sabah and Sarawak.

In recognition of His Lordship's service to the State of Penang, His Lordship was conferred the award of Darjah Indera Mahkota Pahang (D.I.M.P) which carries the honorific title "Dato" by Sultan of Pahang in 2003. His Lordship is married to Datin Sarbanun binti Mokhtar and is blessed with seven children.

SPECIAL ADDRESS



YBRS. IR. TS. RICHARD ANAK TAJAN Director of Public Works Sarawak

An engineer by profession, Ir.Ts. Richard Anak Tajan received his Bachelor's Degree (Hons) in Civil Engineering from the MARA University of Technology (UiTM), Shah Alam, in the year 1992 and later obtained his Master of Business Administration from Phoenix International University, New Zealand, in the year 2002. He entered the State Civil Service as a Civil Engineer in Jabatan Kerja Raya Sarawak on April 7, 1993 and served in various capacities throughout a distinguished civil service career until his recent appointment as Director of Public Works Sarawak on July 1, 2022. He is a member of the Board of Engineers, Malaysia (BEM), a Member of the Malaysia Board of Technologists (MBOT) as a Professional Technologist (Ts.) and a member of the Board of several Sarawak State agencies and statutory bodies. Throughout his career, he received numerous professional recognition and awards, including: Pingat Perkhidmatan Bakti, P.P.B , Pegawai Bintang Kenyalang, P.B.K , Pingat Perkhidmatan Cemerlang, P.P.C and Pingat Perkhidmatan Setia, PPS.

As Director of Public Works Sarawak, some of the areas of expertise would likely include: Infrastructure development and maintenance, including roads, bridges, buildings, and public facilities; Construction management and oversight, including planning, design, budgeting, and inspection; Project management and procurement, including the development and implementation of project schedules, budgets, and contracts; Environmental management, including ensuring that construction and maintenance activities comply with relevant environmental laws and regulations; Engineering design and technical support, including providing technical advice and support to other departments and agencies; Emergency management and disaster response, including coordination with other agencies to respond to natural and man-made disasters; Budget preparation and management, including preparation of the annual budget for the department and ensuring that funds are used effectively and efficiently; and Stakeholder engagement and community outreach, including regular communication with stakeholders and community members to keep them informed of departmental activities and initiatives.



SESSION 1: CONSTRUCTION IN SABAH AND SARAWAK - MAJOR PROJECTS, KEY CHALLENGES AND RECOMMENDATIONS



MODERATOR
ROGER CHIN KEN FONG
President, Sabah Law Society
Partner, Chin Lau Wong & Foo



GEORGE ALBERT WILLIAM CHAPMAN
General Manager,
Legal of Sarawak Energy



NOR ZALIDA AHMAD
Head of Corporate Relations,
Maltimur Resources



SR. ISABEL SIM TSEU YU
Principal Assistant Director
(Quantity Surveying),
Public Works Department, Sarawak



ABANG IWAWAN
Principal Partner, Abang & Co.

SESSION 2: CONDUCTING DELAY ANALYSIS AND ASSESSING EXTENSION OF TIME



MODERATOR
JUSTICE DATO' LIM CHONG FONG
Court of Appeal Judge



SOH LIEH SIENG
Founding Partner,
Contract Solutions-i



ADRIAN SEE
Managing Partner, Belden



GRACE CHAW
Founder, Grace Chaw & Co.



ALEX NGU SZE SHAE
Managing Partner,
Alex, Jason & Co.

SESSION 3: CONSTRUCTION PROJECT MANAGEMENT GOOD PRACTICES



MODERATOR
GURVIR SINGH SANDHU
President, Advocates Association of Sarawak
Partner, Sandhu Lee & Co. Advocates



IR HARBANS SINGH K.S.
Professional and
Chartered Engineer,
Chartered Arbitrator,
Mediator and Adjudicator



ANIZ AHMAD AMIRUDIN
Partner, Cecil Abraham & Partners



JANET CHAI PEI YING
Partner, Chooi & Company



LEONG HONG KIT
Managing Partner,
MAC Consultant

SESSION 4: ADR LANDSCAPES IN SABAH AND SARAWAK AND LATEST DEVELOPMENT



MODERATOR
JUSTICE DATO' LEE SWEE SENG
Court of Appeal Judge



CHIN YUEN FONG
Partner, Chee & Co.



SATINDER SINGH SANDHU
Managing Partner, Sandhu & Co.



LAM WAI LOON
Founding Partner,
Harold & Lam Partnership



HEATHER YEE
Assistant Director,
Asian International
Arbitration Centre (AIAC)

MEET OUR PLATINUM SPONSOR



Contract Solutions-i ("CSI") is a multi-disciplinary dispute resolution practice founded by experienced construction, engineering and oil & gas industry practitioners. The firm comprises of engineers, quantity surveyors, construction managers, planners, accountants and other built environment professionals, many of whom are dual qualified in law, adjudication and/or arbitration.

Senior members of CSI are regularly appointed as Adjudicator or Arbitrator to resolve construction related disputes, or to act as Expert Witness for contractors or employers in both Court and Arbitration matters. Their Experts have presented written and oral expert evidence on cases in relation to construction technology, contract termination, delay and extension of time, loss and expense, variations, cardinal change and contract interpretation in both domestic and international Arbitration proceedings. CSI also represent clients in Adjudication and Arbitration proceedings, as well as engaged by clients in non-contentious expert advisory roles.

MEET OUR PLATINUM SPONSOR

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Belden is a boutique legal practice recognised as specialists in construction and engineering dispute resolution. Belden's core expertise is in construction & engineering, oil & gas, energy & utilities, and insurance claims related to these industries. The firm's expertise, coupled with their meticulous analysis, lead to effective management and resolution of claims and disputes. Their lawyers are capable of analyzing complex engineering and technical issues to support experts, consultants and technical teams involved in disputes and claims. Their experience ensures they understand industry requirements and their clients' desire to balance risk and reward. The partners at Belden have a hands-on approach in every engagement. Because of their attention to detail, they leave no stone unturned in every issue they are asked to advise upon and resolve. Like investigators, they piece together the facts and technical issues so that the Court, arbitrator or adjudicator has a complete understanding of the issues at hand.

MEET OUR PLATINUM SPONSOR

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ADVOCATES & SOLICITORS

Cecil Abraham & Partners comprises lawyers with experience in both domestic and international dispute resolution. We offer clients a wide range of comprehensive legal solutions from strategic and preventive advice, to representation in court and in commercial and investment treaty arbitration. At Cecil Abraham & Partners, we are committed to understanding our client's unique challenges so that we may focus our experience and expertise in delivering solutions. We are well-equipped to handle multi-jurisdictional disputes wherever parties may be based. We have worked with financial institutions, government agencies and many of the world's leading multinational companies, resolving disputes and protecting business and other interests. Our services include highlighting opportunities and protecting against possible risks. We enable clients to realise solutions by providing clarity of thought and advice, and delivering smart and efficient dispute resolution solutions.



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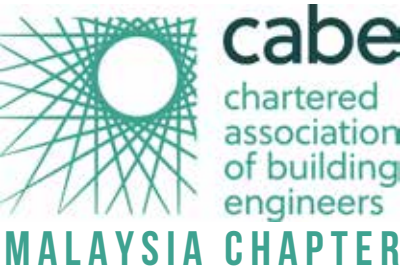


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ABOUT OUR MODERATORS AND SPEAKERS

MODERATOR



JUSTICE DATO' LEE SWEE SENG
Court of Appeal Judge

Justice Dato' Lee Swee Seng graduated with a Bachelor of Laws (Hons) degree from the University of Malaya and obtained his Master of Laws from the same university. He also holds an MBA degree from the University of Southern Cross, Australia. Justice Dato' Lee was called to the Malayan Bar in February 1985 and was in active legal practice until May 2010, when he was appointed a Judicial Commissioner of the High Court of Malaya. He was made a Judge of the High Court of Malaya in 2014 and elevated to the Court of Appeal on 8 August 2019.

Justice Dato' Lee has presented numerous papers and spoken at seminars and conferences on corporate and securities law, intellectual property, construction and adjudication, mediation, contractual disputes and many other topics. He was also a visiting fellow of Taylor University Law School and a part-time lecturer with UM Law Faculty for the LLM Masters Programme. Justice Dato' Lee is a trained advocacy trainer with Bar Council Malaysia for its Advocacy Training Course. He was also the High Court Judge of the Construction Court in Kuala Lumpur from 2016 to August 2019 before his elevation to the Court of Appeal.

MODERATOR



JUSTICE DATO' LIM CHONG FONG
Court of Appeal Judge

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.

MODERATOR



ROGER CHIN KEN FONG

President, Sabah Law Society
Partner, Chin Lau Wong & Foo

Roger Chin is the current President of the Sabah Law Society. Having graduated with an LLB and Bcom from The University of Melbourne, Victoria, Australia, he started the first part of his career at Accenture as a Business Analyst in the Strategy Capability Group before entering the legal profession and eventually becoming a Partner in Chin Lau Wong & Foo, Sabah, Malaysia. He is a Barrister and Solicitor of the Supreme Court of Victoria, Australia and a registered patent, trade mark and industrial design agent. He practices mainly in dispute resolution, corporate & commercial and intellectual property with a keen interest in building businesses with clients and sourcing investments for Sabah, Malaysia. He is also an Adjudicator and Mediator.

MODERATOR



GURVIR SINGH SANDHU

President, Advocates Association of Sarawak
Partner, Sandhu Lee & Co. Advocates

Gurvir graduated from Bond University in Gold Coast, Australia, and has since been practising principally in Sarawak, Malaysia. Gurvir specializes in the broad spectrum of civil litigation and dispute resolution with a keen interest in the niche area of corporate, commercial and construction disputes. Gurvir also regularly acts as counsel to resolve construction disputes within the framework of the Malaysian Courts and/or Adjudication/Arbitration in Malaysia. Gurvir represents construction industry players ranging from contractors involved in road/bridge construction projects, hotels and hydro dam projects in Sarawak - to landowners, developers and consultants involved in private and government projects throughout Sarawak. In the construction arena, apart from appearing as counsel for construction disputes, Gurvir's work involves drafting turnkey contracts and consultancy in ongoing projects, which include the administration of contracts during the project life. Gurvir was elected as the President of the Advocates Association of Sarawak for the 2022-2024 term and has since been involved in working with stakeholders to further enhance construction adjudication and arbitration in Sarawak.

SESSION 1

SPEAKERS

**GEORGE ALBERT WILLIAM CHAPMAN**

General Manager, Legal of Sarawak Energy

George Chapman was called to the Sarawak Bar in April 1995 and was in private practice till 2012. He joined Sarawak Energy in June 2012 as a Senior Legal Officer. He is currently the General Manager, Legal. His portfolio includes advising and supporting the Project Teams, Capital Works and Asset Owners holding Hydro, Thermal, Transmission, Substation, Civil, Mechanical and Electrical in the Sarawak Energy Group.

He obtained the Certificate in Adjudication in 2013 and was empanelled with the KLRCA (now known as "AIAC") in 2014.

NOR ZALIDA AHMAD

Head of Corporate Relations, Maltimur Resources

Nor Zalida Ahmad is currently Head of Corporate Relations at Maltimur Resources, a project management consultancy ("PMC") focused on infrastructure development and management services for roads and highways, rail and transit, and water networks. Maltimur's focus today is development of road projects in northern Sarawak. Zalida's background includes heading Communications at Lebuhraya Borneo Utara, the former Project Delivery Partner to the Government for development of the 1,000 km long Pan Borneo Highway in Sarawak. Today, Zalida continues to play a role in the development of the Pan Borneo highway as Director of Pengurusan Lebuhraya Pan Borneo Sarawak, the appointed PMC for the completion of the project.

Zalida graduated with an Honours degree in Economics from the United Kingdom. Her expertise is in communications, public relations and human resource, and has worked in both Government and the private sector. She has worked in SEDC Sarawak, in Encorp Berhad, in ntv7 television station, in listed conglomerate Cahya Mata Sarawak Berhad, and in Malaysia Airlines, in addition to her role as a pioneer team member on the Pan Borneo Highway Sarawak project. In August 2021, Zalida set up her own communication consultancy, Narrative Tree Sdn Bhd.



SESSION 1

SPEAKERS

**SR. ISABEL SIM TSEU YU**

Principal Assistant Director (Quantity Surveying),
Public Works Department, Sarawak

Sr Isabel Sim Tseu Yu is a quantity surveyor by profession, having obtained her Bachelor of Applied Science in Construction Management and Economics from Curtin University of Technology, Australia. She also has a Master of Business Administration (MBA) from Heriot-Watt University, United Kingdom. Sr Isabel is a CQS registered with the Board of Quantity Surveyors Malaysia, having served as a Board member for the term 2019-2021 and subsequently re-appointed for the current term of 2023-2025. Sr Isabel had served in various capacities including Head of Contract at LAKU Management Sdn. Bhd., Head of Contract at PWD Miri Divisional Office and Head of Procurement at Quantity Surveying Branch, PWD Sarawak Headquarters before her current appointment as the Principal Assistant Director (Quantity Surveying) for Public Works Department, Sarawak where her position supports the entire pre and post contract functions of the Department. She specializes in contract administration for Government works and supplies contracts where she has been involved in the implementation of mega projects under the purview of PWD Sarawak. Sr Isabel is the advisor for the special task force behind the new JKR Sarawak General Conditions of Contract PWD 75 (Ver. 2021), incorporating pertinent clauses to cater for the current slew of issues encountered in the local built milieu and where this new GCC has been endorsed by the Sarawak Government and adopted for use Region-wide. She is also the advisor for the task force responsible for the New Sarawak Tender Evaluation Model, all as part of the revolutionary upstream initiatives/measures undertaken by the Sarawak Government to address any potential issues or risks during the pre-contract phase and to provide the most technically and economically viable conceptual development options before actual project implementation.

ABANG IWAWAN

Principal Partner, Abang & Co.

Abang Iwawan is the Principal Partner of Abang & Co, a law firm specialising in commercial, environmental and construction law. In addition to his front-end project development practice, Iwawan has an active portfolio in all forms of dispute resolution and has acted as counsel, arbitrator, and mediator. He is a Fellow of the Chartered Institute of Arbitrators UK and is an empanelled arbitrator at the Asian International Arbitration Centre (AIAC) as well as Thailand Arbitration Centre (THAC).

Iwawan is the Founding President of the Young Society of Construction Law Malaysia and holds several committee appointments including the Bar Council Environment and Climate Change Committee, and the AIAC's Expert Advisory Committee on the Standard Form of Construction Contracts. He was recently awarded Rising Star in Malaysia and nominated as Young Lawyer of the Year (under 40 years old) in Southeast Asia by Thomson Reuters Asian Legal Business.



SESSION 2

SPEAKERS

**SOH LIEH SIENG**

Founding Partner, Contract Solutions-i

Soh Lieh Sieng is a consummate construction industry expert, having spent 31 years working for contractors, consultants and employers throughout the United Kingdom, Europe, Asia Pacific and the Middle East in engineering, construction and dispute resolution roles. Over the years, Lieh Sieng has developed skills in project management, construction of major bridges and infrastructure works, airports and buildings, power plants, oil/gas construction and heavy-lift operations. Lieh Sieng regularly acts as Expert Witness in court, adjudication and arbitration proceedings and has presented written and oral expert evidence in over 45 proceedings on disputes related to construction technology, defective works, contract termination, delay and extension of time, loss and expense, variations, cardinal change and contract interpretation in both domestic and international proceedings under ICC, AIAC and SIAC arbitration rules. Lieh Sieng also acts as party representative and has appeared before tribunals in over 20 arbitrations / 250 statutory adjudications in Malaysia and Singapore. As of 2022, Lieh Sieng has acted as a tribunal in 16 construction contract-related dispute proceedings.

ADRIAN SEE

Managing Partner, Belden

Adrian is the Managing Partner of Belden Advocates & Solicitors, a boutique legal practice specialising in construction & engineering dispute resolution. He is an accredited AIAC, THAC and AiADR arbitrator, AIAC panel CIPAA adjudicator, mediator and a Fellow of CIArb, MIArb and AiADR. Adrian focuses on the construction, engineering, oil and gas, energy and utilities industries. His practice area involves contract drafting, handling claims and disputes in the construction, engineering and energy sectors as well as servicing these clients' needs when they have industrial relations disputes.

Adrian also provides on-project legal advisory and works seamlessly with claims consultants on claims management and early dispute avoidance initiatives. He has appeared at all levels of the Malaysian court system, and in domestic and international arbitrations. Adrian's expertise includes other forms of dispute resolution such as adjudication, mediation, expert determination and early neutral evaluation. Adrian's notable cases include acting for contractors in high-value projects such as the KL main sewerage pipeline project, design, fabrication and installation of specialised steel and sub-sea structures, mixed development projects, professional fee claims and installation of high-voltage distribution lines.



SESSION 2

SPEAKERS

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. Local and foreign solicitors regularly brief Grace to appear as a trial lawyer and appellate counsel for contentious legal proceedings emanating from Sabah. She was the lead counsel in various decisions of the High Court, the Court of Appeal and the Federal Court, reported in 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). 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.

ALEX NGU SZE SHAE

Managing Partner, Alex, Jason & Co.

Alex was admitted as an Advocate of the High Court of Sabah and Sarawak in 2009. He has been in active law practice since then. He is an Arbitrator, Construction Adjudicator (which carries the title of AIAC Adj), and Mediator empanelled with the Asian Institute of Arbitration Centre (AIAC) (previously known as Kuala Lumpur Regional Centre for Arbitration), Fellow member of the Chartered Institute of Arbitrators (which carries the title of FCIArb), Member of the Malaysia Institute of Arbitrators (which carries the title of MMIArb), Member of the Society of Construction Law Malaysia and Member of the Sarawak Advocates Association. He is also a Trade-Mark Agent and a Commissioner for Oaths. He is also a fellow member of the Asian Institute of Alternative Dispute Resolution (AIADR), which carries the title of FAIADR. He is also a Representative Neutrals of The Mediation and Conciliation Network, a body that actively promotes Alternative Dispute Resolution until September 2019. He is also an Accredited Member of the Federation of Integrated Conflict Management, which carries the title of FICM-MCN until July 2019. He practices law that is related to general civil litigation, construction dispute, arbitration, construction adjudication, mediation, debt recovery, matrimonial law, contract law, land law, patent and trade mark law, company and corporate law, insolvency and bankruptcy law, employment law, probate law, administrative law, real estate law, insurance law, personal injury recovery claim and defence, advisory, conveyancing and other fields of laws.



SESSION 3

SPEAKERS

**IR HARBANS SINGH K.S.**

Professional and Chartered Engineer,
Chartered Arbitrator, Mediator and Adjudicator

Ir. Harbans Singh K.S. 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. 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, including IEM's Tan Sri Hj. Yusoff Prize for an outstanding Technical Paper (2001), the Cedric Barclay Award and the Chartered Institute of Arbitrator's Award for the Diploma in International Commercial Arbitration examination (2003). 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", "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.

ANIZ AHMAD AMIRUDIN

Partner, Cecil Abraham & Partners

Aniz Ahmad Amirudin is a partner at Cecil Abraham & Partners specialising in Construction & Infrastructure as well as Arbitration and Adjudication. He has extensive experience in both advisory and advocacy aspects in these areas and has been involved in both international and domestic arbitrations held under the auspices of the AIAC, SIAC, ICC and LMAA rules. Aniz actively sits both as an Arbitrator and as an Adjudicator on various construction disputes being a panel member of AIAC and ICC, Malaysia. Aniz has also been recently included in amongst others, the panel of LCIA, ADGM Arbitration Centre, Abu Dhabi and Shanghai International Arbitration Centre.

Aniz is also a Committee Member of the Bar Council Arbitration and Construction Law Committee and Committee Member of the ICC Malaysia Arbitration Committee. Apart from being recognised by the Global Arbitration Review 100, The Legal 500 Asia Pacific and the Asia Law Profiles, Aniz continues to be recognised by Benchmark Litigation Asia-Pacific since 2018. Further, and apart from construction disputes alone, Aniz is also an active litigator focusing on commercial disputes and has appeared as counsel in all levels of Malaysian Courts.



SESSION 3

SPEAKERS

**JANET CHAI PEI YING**

Partner, Chooi & Company

Janet's practice focuses on commercial, energy, construction and engineering disputes. Janet is experienced in dealing with a wide range of issues ranging from contractual disputes involving conspiracy and fraud issues, enforcement of securities and company law-related issues to land disputes. In terms of her construction and engineering disputes practice, Janet has experience in acting for employers, main contractors, sub-contractors and engineers over various agreements in respect of construction, building and/or supply of materials and services in the construction industry. In terms of energy disputes, Janet has advised on both upstream and downstream disputes ranging from unitization and operational agreements to downstream operational agreements. Janet also has experience in acting in disputes over power purchase agreements. Janet has been an accredited adjudicator with the Asian International Arbitration Centre since 2014, and since then, Janet has regularly been appointed as an adjudicator in various claims. Janet is also an advocacy trainer with the Bar Council's Advocacy Training Committee since 2016. Janet graduated from the University of Sheffield, England with a Bachelor of Laws (Hons) in 2003. She was called to the Bar of England and Wales in 2004 and admitted as an advocate and solicitor of the High Court of Malaya in 2006.

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.



SESSION 4

SPEAKERS



CHIN YUEN FONG

Partner, Chee & Co.

Yuen Fong 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. Yuen Fong is also a fellow of the Chartered Institute of Arbitrators (FCIArb) since 2008 and is also a distinguished Arbitrator and an accredited Mediator at the Asian International Arbitration Centre and Asia Mediation Centre. Further, Yuen Fong 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.

SATINDER SINGH SANDHU

Managing Partner, Sandhu & Co.

Satinder Singh Sandhu is an Advocate of the High Court of Sabah & Sarawak in Sarawak and has practised for over 21 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 counsel in various adjudication disputes. Satinder is also a panel Arbitrator with AIADR and actively acts as counsel in Arbitration disputes for construction projects in West Malaysia and Sarawak. Besides carrying out front-end drafting work for construction contracts relating to road, hydro-power, telecommunication and other infrastructure works, Satinder Singh Sandhu is also on the corporate advisory panel of various listed and private companies. In relation to mediation, 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 also been appointed by the Prime Minister's Department to mediate for the Pusat Mediasi Covid-19.



SESSION 4

SPEAKERS

LAM WAI LOON

Founding Partner, Harold & Lam Partnership



Lam Wai Loon is a founding partner of Messrs. Harold & Lam Partnership. He sits as an arbitrator and is a qualified adjudicator to adjudication disputes under the Construction Industry Payment and Adjudication Act 2012 ("CIPAA 2012"). He is a Chartered Arbitrator, a Fellow of the Chartered Institute of Arbitrators (U.K.), and is on the Asian International Arbitration Centre's and Kigali International Arbitration Centre's Panel of Arbitrators. Wai Loon has spoken at conferences on arbitration, adjudication and construction law, and has contributed various articles to legal publications. His recent publications include a co-authored book titled 'Construction Adjudication In Malaysia' [2nd Edition, Sweet & Maxwell Malaysia], and a co-authored Chapter on 'Arbitration In Malaysia' published in the text titled 'International Commercial Arbitration In Asia' [3rd Edition, 2013, JurisNet LLC]. Wai Loon was the immediate past President of the Malaysian Society of Adjudicators [2019-2020], Past President of the Society Construction Law, Malaysia [2017-2018] and the Past Chairman of the Chartered Institute of Arbitrators, Malaysia Branch [2016-2017]. He was also a committee member of the AIAC CIPAA Regulations Committee, and approved AIAC Tutor & Examiner of the AIAC Adjudication Training Programme. He was named as a Litigation Star by Benchmark Litigation [Years 2019, 2020 and 2021] as well as one of the Commended External Counsel of the Year, 2020 by asian-mena Counsel. He was also recently ranked by Chambers & Partners in Dispute Resolution: Construction 2022.

HEATHER YEE

Assistant Director, Asian International Arbitration Centre (AIAC)

Heather Yee is a Fellow of the Chartered Institute of Arbitrators (CI Arb) and accredited mediator. She is currently serving as the Assistant Director of the Asian International Arbitration Centre (AIAC). She regularly advises on alternative dispute resolution matters including mediation, adjudication, expert determination, ad hoc arbitration and institutional arbitration. She edited the book publication 'Standard Form of Building Contracts Compared' published by LexisNexis in 2022 and frequently invited to judge in international moot competitions and to speak in international events, forums and conferences on topics relating to dispute resolution and dispute settlement.



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