

CONSTRUCTION INDUSTRY PAYMENT AND ADJUDICATION ACT 2012 MAXIMISING THE CHANCES OF SUCCESS IN 100 WORKING DAYS

Traditionally, both technical and legal disputes arising out of construction disputes were resolved through formal court proceedings or arbitration. However, with the introduction of the Malaysian Construction Industry Payment and Adjudication Act 2012 ("CIPAA"), construction parties now have a new approach to dispute resolution. Parties can dust off a claim in just 100 working days through a process which is primarily driven by documents - a quicker and cheaper alternative to dispute resolution.



9AM - 12PM



THURSDAY,
8TH AUGUST 2024



ATRIA SIMPUR HALL
JKR HEADQUARTERS

SPEAKER

Darshendev Singh

Arbitrator, Adjudicator & Lawyer

Darshendev Singh is a Partner with Lee Hishammuddin Allen & Gledhill. His primary area of practice is commercial dispute resolution with a focus on complex disputes relating to construction, engineering, oil & gas, and infrastructure projects. Besides regularly sitting as an arbitrator and an adjudicator, Darshendev also represents clients in international and domestic arbitration, litigation, mediation and adjudication.

Darshendev, who was the former chairperson of the Chartered Institute of Arbitrators (Malaysia) Young Members Group, is a frequent speaker on the international circuit and contributes to global publications on arbitration and construction law landscape.

FEES

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SEMINAR HIGHLIGHTS

- What is CIPAA?
- Does CIPAA apply to every construction contract?
- Can you be exempted from CIPAA?
- Can you contract out of CIPAA?
- Is the Government exempted from CIPAA?
- Insight to the adjudication process.
- What are the powers of an Adjudicator?
- What are your rights as the winner or as the unsuccessful party?
- In what circumstances can you challenge an Adjudication Decision?
- Can you as a third party to the adjudication be made to pay the Adjudicated Amount?
- Can you as the winner suspend or reduce the rate of progress of performance of your work and, in turn, be entitled to extension of time, and loss and expense?
- Can you refer your dispute to both arbitration and adjudication concurrently? What happens if one is concluded before the other?
- Can you make a claim for loss and expenses under CIPAA?
- Can you make a claim for liquidated damages under CIPAA?
- Are conditional payment provisions including pay-when-paid / pay-if-paid clauses in construction contracts still enforceable?
- What happens when the terms of payment are absent in the construction contract?