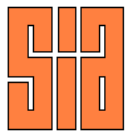


CPD



A seminar organised by  
Singapore Institute of Architects

# Updates in 9<sup>th</sup> Edition SIA Main Contracts & Introduction of Expert Determination Rules

**Date** : Friday, 29 July 2011  
**Venue** : SINGAPORE INSTITUTE OF ARCHITECTS  
SIA THEATRE - LEVEL 1  
79 NEIL ROAD S(088904)  
**Time** : 2.00PM - 5.00PM

## PROGRAMME

1.30pm	Registration with light refreshment
2.00pm	Welcome address by SIA
2.05pm	Presentation by Mr Raymond Chan
2.40pm	Presentation by Mr Naresh Mahtani
3.15pm	Presentation by Mr Darren Benger
3.50pm	Presentation by Mr Patrick Chia
4.25pm	Question and Answer
5.00pm	End

SIA Member	S\$ 100.00
BOA Registered Architects/	S\$ 150.00
CIJC Member	
Non-Member	S\$ 200.00

\*\*Seminar fees include 1 Lump-Sum Contract, 1 Measurement Contract,  
1 Sub Contract, and 1 Expert Determination Rules.

Registration on First-Come-First-Serve Basis  
BOA-SIA CPD Accreditation **6 points**

## SYNOPSIS

On 1st September 2010, the SIA introduced the 9th Edition of the SIA Articles and Conditions of Main Contract for both the lump sum and measurement contracts.

Since the 8th Edition of the SIA Conditions of Contract, where the Contractor fails to rectify the "defects" notified to him under Clauses 27.(1) and 27.(2) of the Conditions of Contract within the specified period, the Architect is required under Clause 27.(4) to give a direction that the defect need not be remedied and instead the Employer may recover against the Contractor the damages thereby suffered by him.

In the 9th Edition revisions, Clause 27.(4) introduces a new measure of damages to be adopted in place of the measures in the 8th Edition for the assessment of damages. The measure of damages is now based on the estimated cost which the Employer may incur in having to employ other contractors to rectify the defects.

Further, and more importantly, under the amended Clause 27.(5), there is a fixed and definite time period in which the Architect must issue his Maintenance Certificate. This is unlike the previous Editions of the Building Contract where there was no fixed time for him to issue the Maintenance Certificate.

The first portion of the seminar will examine and discuss the above amendments and its impact on the administration of SIA Conditions of Contract, particularly with respect to unremedied defects.

The second portion of the seminar will discuss why Expert Determination is a useful and cost-effective tool for resolving certain kinds of construction disputes, in particular specific technical engineering and construction issues or questions (such as those relating to defects or compliance with technical specifications); how Expert Determination can be an effective dispute resolution mechanism for construction and complement and support the current ADR regime; Introduce the new SIA EXPERT DETERMINATION RULES and SIA-facilitated Expert Determination procedures; highlight the key features of the new SIA EXPERT DETERMINATION RULES – including procedures for the appointment of Expert Determinators, procedures for conduct of expert determinations, "temporary finality" and enforceability of expert determinations, matters concerning costs, and other procedural matters; and introduce SIA's plan to move forward with ED including training, accreditation schemes for training aspiring Expert Determinators and admission onto the SIA Panel of Expert Determinators.

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SINGAPORE INSTITUTE OF ARCHITECTS

2011/057/MS/JT

## SPEAKERS

### **Raymond Chan:**

Raymond Chan is a Partner of Chan Neo LLP and the Immediate Past President of the Singapore Institute of Arbitrators. He is on the Panel of Arbitrators of the Singapore International Arbitration Centre and is an Accredited Adjudicator with the Singapore Mediation Centre.

He is Honorary Legal Advisor to both the Singapore Real Estate Developers Association ("REDAS") and the Singapore Institute of Architects ("SIA").

He acts regularly for property developers, contractors and design consultants and has represented them as Counsel in the High Court as well as in domestic and international arbitrations. He was Counsel for an International Engineering Design & Consultancy Firm during the Inquiry to the Nicoll Highway Collapse.

He is active as an arbitrator and has been appointed by the International Court of Arbitration of the ICC and by the Singapore International Arbitration Centre as Arbitrator in several international and domestic arbitrations.

For the past 15 years, he was involved in the drafting of the Standard Forms of Building Contracts for private sector building works in Singapore including the 5th to 9th Editions of the Singapore Institute of Architects Main Contract, the 2nd to 4th Editions of the SIA Conditions of Sub Contract, the Guidance Notes on the SIA Conditions of Contract and the 1st and 2nd Editions of the REDAS Design & Build Conditions of Contract.

He co-authored the Textbook Construction Law in Singapore and Malaysia (2nd Edition) and The Singapore Standard Form of Building Contract –An annotation both published by Butterworths.

He is listed in the 2009 Edition of the International Who's Who of Construction Lawyers as a Leading Construction Lawyer in Singapore and by Euromoney Legal Media Group in 2009 as leading expert in commercial arbitration.

He is a frequent speaker in construction and arbitration subject in both local and International Conferences and is the author of many articles on these subjects.

### **Darren Bengier:**

Darren received his Bachelor of Architecture degree with First Class Honours from the University of Adelaide, Australia in 1995, and registered with the Board of Architects, Singapore in 2001.

Since 1996 Darren has resided in Singapore, and he is currently a Director of ATA Architects Pte Ltd.

Darren's involvement in the Singapore Institute of Architects includes election to Council for the 2007/08, 2008/09, 2009/10 and 2010/11 terms, and he has actively participated in various SIA committees, including the Building Contracts Committee since 2007 and the ADR Committee since 2008.

Darren has contributed to the BOA/SIA Architectural Practice Course as a speaker/tutor since 2008, and to the building contracts module of the Architectural Practice course for the National University of Singapore - School of Architecture in 2009, 2010 and 2011.

Darren is also a Council member of the Society of Construction Law, Singapore in 2010/11 and is a Fellow member of the Singapore Institute of Arbitrators. Darren received the Graduate Certificate in International Arbitration from the National University of Singapore in 2008.

### **Naresh Mahtani:**

**Mr Naresh Mahtani, FCiArb, FSiArb**, has been in active legal practice for 28 years in regional and international construction projects, oil and gas projects, commercial transactions and dispute resolution, as counsel as well as arbitrator and adjudicator in various cases in Singapore and the region (including India, Indonesia, Malaysia and Brunei).

He is a founding partner of ATMD Bird & Bird LLP, at which firm he is now a practising consultant for projects and dispute resolution. He was the former Chairman of the Society of Construction Law, Singapore (2006-2008) and has served as council member on the Singapore Institute of Arbitrators and as CEO of the Law Society of Singapore for several years. Amongst various appointments relating to dispute resolution, he has been appointed as arbitrator in SIAC and ICC cases; and is on the Disputes & Compensation Resolution Panel of Singapore Wholesale Electricity Market; adjudicator in the Financial Industry Dispute Resolution Panel (Fidrec) as well as an accredited Adjudicator with the Singapore Mediation Centre. He was engaged by the Singapore Institute of Architects as draftsman of the new Rules for Expert Determination. He writes and speaks regularly at seminars relating to arbitrations and dispute resolution in the construction industry.

### **Patrick Chia:**

Architect

Chartered Arbitrator, Chartered Institute of Arbitrators, London

Adjudicator, Singapore Mediation Center

Panel Member, Complaints Committee, Singapore Medical Council



## REGISTRATION FORM

### Updates in 9th Edition SIA Main Contracts & Introduction of Expert Determination Rules

-Friday, 29 July 2011

-2.00pm - 5.00pm

-SIA THEATRETTE - LEVEL 1

(All seminar fees are inclusive of GST. Seminar fees also include 1 Lump-Sum Contract, 1 Measurement Contract, 1 Sub Contract, and 1 Expert Determination Rules.)

SIA Member S\$ 100.00

BOA Registered Architects/ S\$ 150.00

CIJC Member

Non-Member S\$ 200.00

Closing Date for Registration **25 July 2011**  
BOA-SIA CPD Accreditation **6 points**

## PARTICULARS

Name (as in Passport): \_\_\_\_\_

NRIC No: \_\_\_\_\_

Membership No: [ ] SIA \_\_\_\_\_

[ ] CIJC (Pls specify Institution) \_\_\_\_\_

[ ] BOA Reg No \_\_\_\_\_ [ ] Non-Member

Organisation: \_\_\_\_\_

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

Tel: \_\_\_\_\_ S ( ) \_\_\_\_\_

HP: \_\_\_\_\_ Fax: \_\_\_\_\_

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

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

Fees paid are non-refundable under all circumstances. Replacement of participant will be allowed only if written notification is made at least 3 days before the event.

Where a Non-Member replaces a Member (must be from the same organisation) the fee difference will have to be made good to SIA prior to the event.

## MULTIPLE REGISTRATION

NAME:

NRIC NO.

SIA/BOA NO.

ORG.

AMT:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_

## PAYMENT OPTIONS

Please tick your payment mode:

### [ ] By Cheque

Bank/Chq # : \_\_\_\_\_ Amt S\$: \_\_\_\_\_

Local Cheque (must be drawn in Singapore) should be crossed and made payable to "Singapore Institute of Architects".

Please mail to:

Singapore Institute of Architects  
79B Neil Road, Singapore 088904

**Please indicate your name and company/institution (if any) and seminar date/title on the back of the cheque.**

### [ ] By Cash

You can drop by the SIA office to make cash payment between 9.30 am - 5.30 pm on weekdays.

Address:

Singapore Institute of Architects  
79B Neil Road, Singapore 088904

•All registration will be on a First-Come-First-Served basis and will be accepted upon receipt of registration form and payment to SIA. Registration by fax will only be confirmed upon receipt of payment.

Cheque payment for this activity should not be combined with payment for other SIA events/courses.

Registration Confirmation No.:-

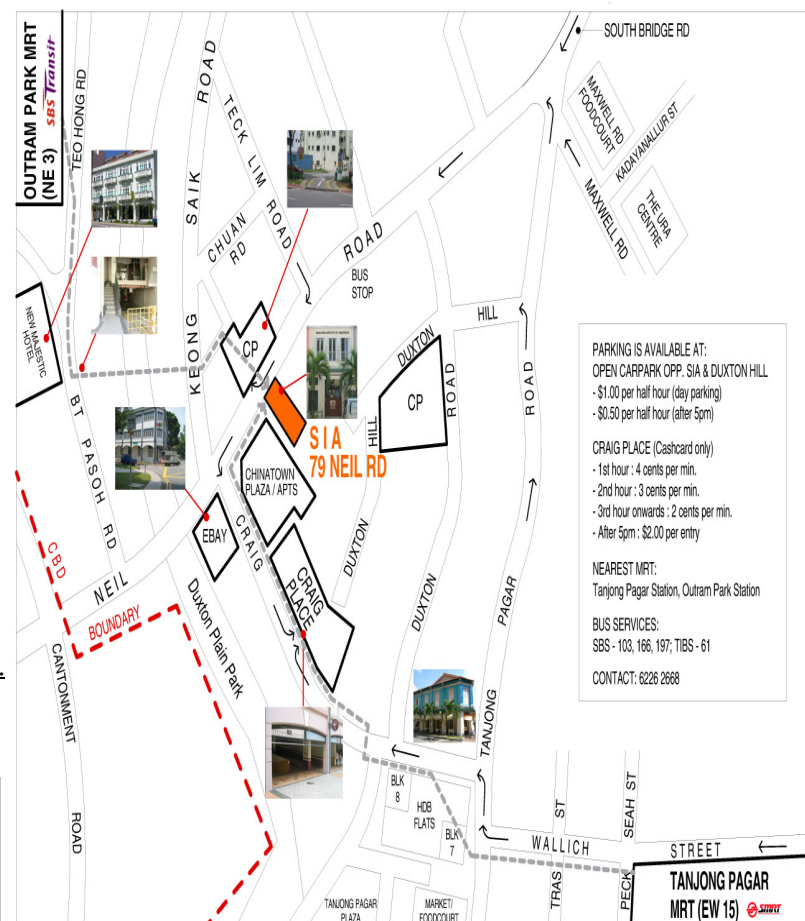
For Enquiry (Ms Jacey Tay):

Email: cpd@sia.org.sg

Fax: (65) 6226 2663

Tel: (65) 6226 2668

## LOCATION MAP



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