

2-DAYS

"PRACTICAL AND LEGAL ISSUES PERTAINING TO PAYMENT IN CONSTRUCTION CONTRACTS (PWD 203/203A - REV.1/2010)"

**DATE:****SESSION 1: 15 – 16 JUNE 2021
(TUESDAY - WEDNESDAY)****SESSION 2: 9-10 SEPT 2021
(THURSDAY-FRIDAY)****TIME: 8:00 AM – 5:00 PM****MODE: ONLINE****PLATFORM:
MICROSOFT TEAMS****14 CPD
IEM20/SWAK/156/C (W)****COURSE SYNOPSIS :**

- Payments are an integral and important part in the sustainability of the construction industry. All construction-related activities and the success of a project is contingent on a 'healthy' and consistent disbursement of payment system. Nevertheless, there are numerous disputes and issues be it practical and legal with regards to payments.
- Therefore, it is necessary and important for practitioners in the construction industry including Clients, Consultants, Contractors, Sub-contractors, Suppliers and so on to equip themselves with relevant construction contract knowledge in administering and managing payment issues in a prudent way to avoid disputes from occurring and subsequently causing projects to be affected. Furthermore, industry practitioners should keep a brace on the current legal and contractual issues with regards to payments to govern their construction contract the best way possible.

Accordingly, it is the objective of this course to: -

1. Provide knowledge and understanding on legal and contractual provisions with regards to interim payments, variations, material on site, final account and so on;
2. Discuss and answer practical, important and Frequently Asked Questions on issues relating to payments with specific reference to PWD 203/203A (Rev 1/2010) Standard Form of Contract; and
3. Open Q & A session to address the latest issues on payments faced by construction industry practitioners

SPEAKER PROFILE



SR JASPAL SINGH A/L NACHATAR SINGH

B. SC. HBP (HONS) QUANTITY SURVEYING (USM)

B. JURISPRUDENCE (EXTERNAL) (UM)

M. SC. PROJECT MANAGEMENT (USM)

CONSULTANT QUANTITY SURVEYOR (BQSM)

REGISTERED MEMBER (RISM)

MEDIATOR & ADJUDICATOR (AIAC)

SR JASPAL SINGH A/L NACHATAR SINGH IS CURRENTLY ATTACHED WITH THE PUBLIC WORKS DEPARTMENT MALAYSIA (PWD) AS SENIOR QUANTITY SURVEYOR. HE HOLDS DUAL QUALIFICATIONS IN QUANTITY SURVEYING AND LAW. GRADUATED WITH A B.SC. (HONS) HOUSING, BUILDING & PLANNING (HBP) (QUANTITY SURVEYING) FROM UNIVERSITY SCIENCE MALAYSIA, HE THEN PURSUED HIS MASTER OF SCIENCE IN PROJECT MANAGEMENT FROM THE SAME UNIVERSITY. JASPAL ACQUIRED FURTHER QUALIFICATION IN LAW FROM UNIVERSITY MALAYA WITH BACHELOR OF JURISPRUDENCE (EXTERNAL)

WITH REGARDS TO PROFESSIONAL QUALIFICATIONS, HE IS A CONSULTANT QUANTITY SURVEYORS WITH BOARD OF QUANTITY SURVEYOR (BQSM) AS WELL AS A MEMBER OF ROYAL INSTITUTE OF SURVEYOR MALAYSIA (RISM). HE LATER PURSUED HIS PROFESSIONAL CERTIFICATE IN ADJUDICATION AND IS LISTED ON THE ASIAN INTERNATIONAL ARBITRATION CENTRE'S (AIAC) PANEL OF ADJUDICATORS. HE RECENTLY COMPLETED HIS PROFESSIONAL CERTIFICATE IN MEDIATION.

JASPAL HAS 15 YEARS OF EXPERIENCE AS A QUANTITY SURVEYOR BOTH IN THE PRIVATE AND GOVERNMENT SECTOR. HE HAS EXPERIENCE WORKING WITH QUANTITY SURVEYING CONSULTANT FIRM, MAIN CONTRACTOR AND SUB-CONTRACTOR. IN THE GOVERNMENT SECTOR, HE HAS GAIN EXPERIENCE IN VARIOUS DIFFERENT GOVERNMENT AGENCIES SUCH AS PWD PENANG, NATIONAL LANDSCAPE DEPARTMENT (KPKT), DRAINAGE AND IRRIGATION DEPARTMENT OF MALAYSIA (JPS) AND POLICY & CORPORATE MANAGEMENT BRANCH, PWD MALAYSIA. HE IS CURRENTLY ATTACH TO SPECIAL PROJECT TEAM, PWD MALAYSIA.

HE IS ALSO A REGULAR SPEAKER AT COURSES ORGANIZED BY VARIOUS GOVERNMENT AND PRIVATE SECTOR SUCH AS PUBLIC WORKS DEPARTMENT MALAYSIA, MINISTRY OF WORKS MALAYSIA, DEPARTMENT OF IRRIGATION AND DRAINAGE MALAYSIA (JPS), JPS SARAWAK, ATTORNEY GENERAL CHAMBERS MALAYSIA (ARBITRATION UNIT), BOARD OF QUANTITY SURVEYORS MALAYSIA, ROYAL INSTITUTE OF SURVEYOR MALAYSIA, INSTITUTION OF ENGINEERS MALAYSIA (IEM SARAWAK), PERSATUAN KONTRAKTOR MELAYU PULAU PINANG, CIDB PENANG, USM, UTM, UM, HERIOT-WATT UNIVERSITY MALAYSIA, UNIMASARAWAK, UCSI AND ETC.

HIS INTEREST IS ON MATTERS PERTAINING TO CONSTRUCTION CONTRACTS MANAGEMENT AND CONSTRUCTION LAW.

**PROGRAMME
SESSION 1**

DAY 1: 15 JUNE 2021, TUESDAY

8.00AM - 8.30AM

COURSE REGISTRATION

8.30AM - 10.30AM

**LEGAL VIEWPOINT ON PAYMENT, ENTIRE CONTRACT,
PURPOSE OF INTERIM PAYMENT**

10.30AM - 11.00AM

MORNING BREAK

11.00AM - 1.00PM

**BLIGATION OF S.O IN CERTIFYING PAYMENT, FAILURE TO
HONOR PAYMENT, CHALLENGES ON S.O ASSESSMENT**

1.00PM - 2.00PM

LUNCH BREAK

2.00PM - 5.00 PM

**CAN INTERIM CERTIFICATE BE CANCELED, WHOS
SUPPOSED TO CERTIFY PAYMENT, LEGAL STATUS OF
INTERIM PAYMENT, PAYMENTS FOR MATERIAL ON/OFF
SITE**

5.00 PM

TEA BREAK AND END OF DAY 1

DAY 2: 16 JUNE 2021, WEDNESDAY

8.00AM - 8.30AM

COURSE REGISTRATION

8.30AM - 10.30AM

**OVERPAYMENT ISSUES, POSITION OF RETENTION
SUM BEING TRUST MONEY, PAYMENTS FOR
TERMINATED CONTRACT, FINAL ACCOUNT PAYMENT,
EFFECT OF FINAL ACCOUNT CERTIFICATE**

10.30AM - 11.00AM

MORNING BREAK

11.00AM - 1.00PM

**PRACTICAL & FREQUENTLY ASKED QUESTIONS ON
PAYMENT**

1.00PM - 2.00PM

LUNCH BREAK

2.00PM - 5.00 PM

**PRACTICAL & FREQUENTLY ASKED QUESTIONS ON
PAYMENT**

5.00PM

TEA BREAK AND END OF THE COURSE

**PROGRAMME
SESSION 2**

DAY 1: 9 SEPT 2021, THURSDAY

8.00AM - 8.30AM

COURSE REGISTRATION

8.30AM - 10.30AM

**LEGAL VIEWPOINT ON PAYMENT, ENTIRE CONTRACT,
PURPOSE OF INTERIM PAYMENT**

10.30AM - 11.00AM

MORNING BREAK

11.00AM - 1.00PM

**OBLIGATION OF S.O IN CERTIFYING PAYMENT,
FAILURE TO HONOR PAYMENT, CHALLENGES ON S.O
ASSESSMENT**

1.00PM - 2.00PM

LUNCH BREAK

2.00PM - 5.00 PM

**CAN INTERIM CERTIFICATE BE CANCELED, WHOS
SUPPOSED TO CERTIFY PAYMENT, LEGAL STATUS OF
INTERIM PAYMENT, PAYMENTS FOR MATERIAL
ON/OFF SITE**

5.00 PM

TEA BREAK AND END OF DAY 1

DAY 2: 10 SEPT 2021, FRIDAY

8.00AM - 8.30AM

COURSE REGISTRATION

8.30AM - 10.30AM

**OVERPAYMENT ISSUES, POSITION OF
RETENTION SUM BEING TRUST MONEY,
PAYMENTS FOR TERMINATED CONTRACT,
FINAL ACCOUNT PAYMENT, EFFECT OF FINAL
ACCOUNT CERTIFICATE**

10.30AM - 11.00AM

MORNING BREAK

11.00AM - 1.00PM

**PRACTICAL & FREQUENTLY ASKED QUESTIONS
ON PAYMENT**

1.00PM - 2.00PM

LUNCH BREAK

2.00PM - 5.00 PM

**PRACTICAL & FREQUENTLY ASKED QUESTIONS
ON PAYMENT**

5.00PM

TEA BREAK AND END OF THE COURSE

FEES

**IEM MEMBER : RM300.00 PER PAX
IEM NON MEMBER : RM450.00 PER PAX**

MEETING LINK WILL BE SENT TO THE PARTICIPANTS VIA EMAIL ONCE REGISTRATION AND PAYMENT HAVE BEEN CONFIRMED

ALL REGISTRATION FEES MUST BE FULLY PAID BEFORE COMMENCEMENT OF THIS TALK. GOVERNMENT AGENCIES AND STATUTORY BODIES ARE REQUIRED TO PROVIDE LOCAL ORDERS. IEM SARAWAK BRANCH RESERVES TO REFUSE ENTRY FOR PARTICIPANT(S) WHO HAVE NOT PAID THEIR REGISTRATION FEES TO ATTEND THIS TALK. THIS REQUIREMENT WILL BE STRICTLY ENFORCED.

REGISTRATION

**KINDLY REGISTER BY COMPLETING THE FORM IN THE LINK BELOW;
<https://forms.gle/FVBC4BgcHYpsvodW8>
OR SCAN THE QR CODE BELOW TO RETRIEVE THE FORM:**



SCAN ME