



Source: Berita Harian (2021)



Source: Reuters (2021)

INCLEMENT WEATHER - What is and how to claim

Contents:

1. Introduction
2. Definition of “Inclement” vs “Adverse” Weather
3. Relevant Contract Provisions
4. Methodology of Weather Measurement
5. Essential Elements in Weather Claim
6. Mitigation
7. Compensation for Costs Incurred
8. Relevant Legal Cases
9. Conclusion/Summary



Source: Channel News Asia (2021)

Organised by:



Est. 1961

In Collaboration with:



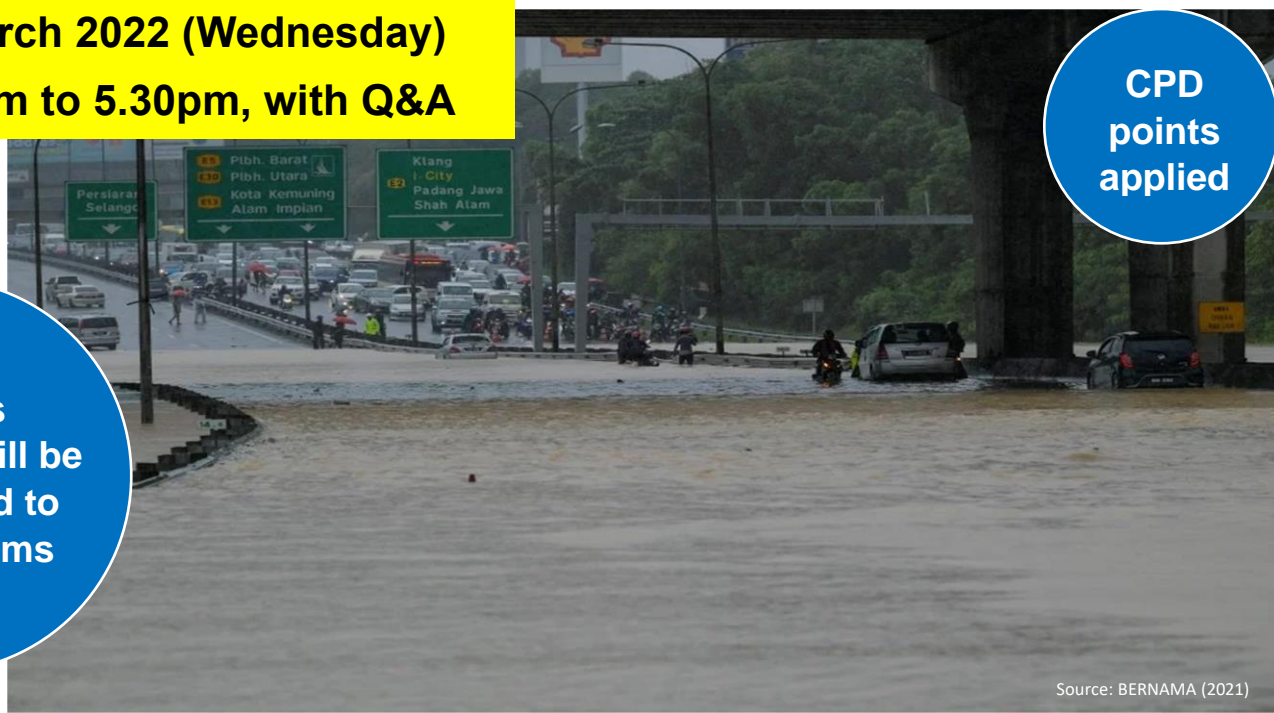
Endorsed by:



Date: 9th March 2022 (Wednesday)
Time: 3.00pm to 5.30pm, with Q&A

All fees collected will be channelled to flood victims

CPD points applied



Source: BERNAMA (2021)

OBJECTIVE

In recent years, the weather is no longer as predictable as before owing to global warming and climate changes. In Dec 2021, many parts of Malaysia were hit hard by devastating floods from Typhon Rai/Odette rage causing significant losses and damages to infrastructure, buildings, economy, social, etc., with numerous reported fatalities and thousands have lost their home. For the construction industry, the severe flood disaster has adversely impacted many construction works progress and cost.

Inclement or adverse weather conditions have been recognized as valid ground or event for extension of time claims. However, the success rate for such claims is often rather slim due to lack of understanding and documentation to support them.

Therefore, it is critical for contracting parties, especially employers, consultants, contractors, subcontractors, suppliers, etc. to know what are the commercial and/or contractual recourse available in dealing with delays and damages resulting from the effects of inclement weather on construction work progress and productivity.

In this webinar, we aim to provide participants with an understanding and appreciation of what is "inclement" or "adverse" weather claims with reference to Malaysian and several overseas' standard forms of construction contract, supported with relevant legal cases.

We shall explore how inclement or adverse weather can be a relevant event in claiming for delay and/or loss/expense entitlements under construction contracts.

Specific emphasis is on the methodology, computation and analysis of meteorological data and its measurement to support a claim on inclement weather condition based on adversity and exceptionality in order to succeed.

Speaker's Profile



Sr ONG HOCK TEK ("HT")

Arbitrator/Adjudicator/Mediator  Evaluative Mediator
 CQS/Cert.Constr.PM/VM Practitioner/Master Trainer
 BSc(1st Hons) MSc MBA DipM DipICarb MIVMA MIVMM MMIM
 FCIArb FSIArb FMIArb FMSAdj FAIADR FCIOB FCIInstCES FRICS
 FRISM

Managing Director, BK Entrustly

Sr Ong Hock Tek ("HT") is a Fellow of nine professional institutions, a well-qualified multi-disciplinary and specialist consultant, over 30 years of working experience with architects, quantity surveyors, project managers, civil engineering/building contractors and specialist consultants. His specific experience/expertise include construction project/contracts management, quantity surveying, risks/value management, claims preparation/defense, alternative dispute resolution (ADR), particularly in advisory, management, support, documentation and related services.

HT is an Arbitrator, Mediator, Negotiator, Expert (quantum) and Party Counsel/Representative on technical, commercial and contractual disputes/ differences between the contracting parties, at both main and sub-contract levels. He has been a Panel Mediator, Arbitrator and Adjudicator of AIAC, Panel Arbitrator of PAM and SIArb, Accredited Mediator, Value Manager and Certified Construction Project Manager of CIDB, past Deputy President of CIOB Malaysia, Past President of Lighthouse Club, past 1st Treasurer-General and current ADR Chair (QS Div.) of RISM.

Being a Master Trainer, HT has organised and delivered many public and in-house conferences, seminars/webinars and workshops for professional institutions and private/public listed companies, in particular on construction contracts, ADR, risks and value management. He has also lectured part-time for bachelor and master degree programme in the same areas for several years and has been a regular article contributor to the Master Builders Journal on construction contract and management issues since 2002 till to-date. He is the speaker/trainer for the annual 6 to 12 one-day seminar sessions on Practical Construction Contract Administration/Management organised by Master Builders Association Malaysia since 2015 till 2020. Thereafter, he conducted similar but 15-half day webinar module courses for Pertubuhan Akitek Malaysia and Royal Institution of Surveyors Malaysia, in collaboration with BK Entrustly, since 2020 onwards till to-date.

REGISTRATION

Registration Forms:



Please scan the QR Code or use the link below for registration:
<http://shorturl.at/tuCU4>

Please make payment to:
 ROYAL INSTITUTION OF SURVEYORS MALAYSIA
 RHB- A/C NO: 21403500132988
 Email bank slip to qsdiv@rism.gov.my
 Swift Code: RHBBMYKL
 (Payment receipt is **COMPULSORY** to be attached in the Google Form)

	Fee (RM)
Member	75
Institution	100
Non-Member	125
Member	Royal Institution of Surveyors Malaysia (RISM)
Institution	Pertubuhan Akitek Malaysia (PAM)
	Real Estate & Housing Developers' Association (REHDA)
	The Institution of Engineers, Malaysia (IEM)
	Chartered Institute of Arbitrators (CIArb)
	The Malaysian Institute of Arbitrators (MIArb)
	Master Builders Association Malaysia (MBAM)

NOTE:

- Registration is confirmed upon receipt of payment only.
- Cancellation 3 days before any session (for fee paid per session option) shall be subjected to a thirty percent (30%) service charge. No refund for cancellation within 3 days of the scheduled session. However, substitute participants are welcomed at no extra cost.
- The Organizer reserves the right to change the contents, date, time and webinar application of the training programme if necessary. In any case, the Organiser's liability shall be limited to a refund on the session fee paid only.
- The copyright of the handout notes and webinar video are sole property of the BK Entrustly. No recording is permitted.
- For any enquiry, please contact **Ms. Zarinah** at 03 - 7954 8358 or email to qsdiv@rism.org.my