



Events & Secretariat  
Solutions PLT

# PAM 2006 / 2018 LOSS & EXPENSE CLAIMS UNDER CLAUSE 24 - ANALYSIS OF CAUSATION & QUANTUM

It is a common position taken by contractors/employers that upon the Architect's Extension of Time determination pursuant to Clause 23, the Contractor's obligation to evidence the "cause" for suffering loss & expense is deemed satisfied pursuant to Clause 24. This seminar will focus on the provisions of Clause 23 and Clause, and highlight circumstances where it is necessary for causation to be evidenced under Clause 24 in order to quantify loss & expense, particularly when the loss suffered are due to loss of productivity/disruption, a common scenario that had affected contractors during the Covid-19 Pandemic.



## Date

26 March 2024, Tuesday



## Time

8:30am - 5:30pm



## Venue

Wyndham Grand Bangsar  
Kuala Lumpur

## Program

8.30 - 9.00	Registration
9.00 - 10.30	Session 1
10.30 - 10.45	Coffee/Tea Break
10.45 - 1.00	Session 2
1.00 - 2.00	Lunch
2.00 - 3.30	Session 3
3.30 - 3.45	Coffee/Tea Break
3.45 - 5.00	Session 4
5.00 - 5.30	Questions and Answers

CPD/CCD POINTS CLAIMABLE  
HRD CORP CLAIMABLE



# CONTENTS

## LECTURE

### **Session 1**

Speaker will clarify the similarities and differences between Clause 23 and Clause 24 of PAM 2006/2018, the general principle of loss and expense at law and contract, establishing the loss and expense claim period, distinguish between loss and expense and an extended preliminaries claim, the difference between a “delay to the Completion Date” and “regular progress materially affected”, the potential heads of claim provided under the loss and expense. Speakers also discuss the difficulties and possible solutions for the loss and expense arising from the COVID-19.

### **Session 2**

Speaker will highlight the contractual provisions of the loss and expense provided under PAM 2006/2018. Speaker will explain in details on the mechanism and contractual requirements for linking causation to quantum, distinguishing separate heads of claim, identification of relevant supporting documents, and preparing a verifiable claim.

## WORKSHOP

### **Session 3**

Participants will be taken through step by step in identifying causation and calculating quantum of a loss & expense claim arising from “a delay to the Completion Date”.

### **Session 4**

Participants will be taken through step by step in identifying causation and calculating quantum of a loss & expense claim arising from “regular progress materially affected” (Disruption Claims).



# SPEAKERS



**SOH LIEH SIENG**

Founding Partner  
Contract Solutions I

## **SOH LIEH SIENG FOUNDING PARTNER, CONTRACT SOLUTIONS I PLT**

Mr 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 act 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 act as party representative, and have appeared before tribunals in over 20 arbitrations / 250 statutory adjudications in Malaysia and Singapore. As of 2022, Lieh Sieng have acted as tribunal in 16 construction contract related dispute proceedings.



**WONG JIAN BEI**

Partner  
Contract Solutions I

## **WONG JIAN BEI PARTNER, CONTRACT SOLUTIONS I PLT**

Miss Wong Jian Bei graduated from the National University of Singapore with a degree in Project and Facilities Management in 2012, and began her career in facilities management at the landmark Gardens by the Bay, Singapore. Subsequently she moved into the field of construction scheduling with Sinohydro, where she developed experience in construction management & scheduling. Jian Bei leads CSI's Forensic Planning & Delay Services in our Kuala Lumpur office. Her recent appointments include acting as expert witness on delay for the external works of a power plant project, and a Malaysia Government water supply project, as well as advisor to parties on on-going buildings and infrastructure projects.

Jian Bei is a certified Scheduling Professional by the Project Management Institute, an accredited expert of the Academy of Experts UK, a Fellow of the Chartered Institute of Arbitrators UK, the Malaysian Institute of Arbitrators and a Member of the Singapore Institute of Arbitrators. She is certified to act as Adjudicator for statutory adjudication under the Construction Industry Payment and Adjudication Act (CIPAA) in Malaysia.

# SPEAKERS



**HIDAYAH SUHAIMI**

Managing Associate  
Contract Solutions I

**HIDAYAH SUHAIMI**

**MANAGING ASSOCIATE, CONTRACT SOLUTIONS I PLT**

Puan Hidayah Suhaimi graduated with qualifications in civil engineering and construction management in 2008, and began her career as a quantity surveyor with developers and contractors, before joining CSI in 2014. As a senior member of CSI's dispute management team, she leads our valuation work for disputed claims in relation to work done, variations and time extensions, preparing adjudication and arbitration submissions. Since 2015 Hidayah successfully represented parties in adjudication for claims and defence valued in excess of RM150 Million.

An empaneled Adjudicator and Arbitrator, Hidayah is a Fellow of Quantity Surveyors International UK, Chartered Institute of Arbitrators UK, the Malaysian Institute of Arbitrators, the Asian Institute of Alternative Dispute Resolution, and a Member of the Malaysian Society of Adjudicators. She is certified to act as Adjudicator for statutory adjudication under the Construction Industry Payment and Adjudication Act (CIPAA) in Malaysia.



**BEFFY YEW**

Senior Associate  
Contract Solutions I

**BEFFY YEW**

**SENIOR ASSOCIATE, CONTRACT SOLUTIONS I PLT**

Miss Beffy Yew graduated from University Sains Malaysia with an honours degree in Construction Management in 2013. Having bonded with YTL as a scholar, she started her career with YTL Construction as a site engineer on a high-rise building construction project, and was eventually employed in the role of construction planner & scheduler.

In 2017 Beffy joined CSI's forensic delay and planning team, where she regularly performs EOT assessment / delay analysis assignments, and assists with delay expert witness reports. She also assists with the preparation of adjudication and arbitration submissions. Recent appointments include assisting delay expert in an arbitration for a major mixed development project, the renovation works of a private hospital project, and assisting counsel in arbitration for a claim of wrongful Liquidated Damages imposition against the employer of a factory construction project.

Beffy is a Fellow of the Chartered Institute of Arbitrators UK and the Malaysian Institute of Arbitrators.



# SPEAKERS



**PING ZHIOW GIN**

Senior Associate  
Contract Solutions I

## **PING ZHIOW GIN** **SENIOR ASSOCIATE, CONTRACT SOLUTIONS | PLT**

Zhiow Gin joined CSI's dispute management team in 2019 and plays a key role in the firm's adjudication and arbitration work. Notable recent appointments include acting for a main contractor in pursuit of multiple adjudication claims against the same employer for three resort developments in Johor, assisting counsel in an arbitration for a disputed hospital construction project in Pahang, as well as retainer services for an on-going renovation of a 5-star hotel in Kuala Lumpur. At the same time Zhiow Gin pursued a bachelor's degree in Jurisprudence on a part-time basis and graduated in 2023.

Zhiow Gin recently completed her training and was admitted as a Fellow of the Chartered Institute of Arbitrators UK and the Malaysian Institute of Arbitrators. She is certified to act as Adjudicator for statutory adjudication under the Construction Industry Payment and Adjudication Act (CIPAA) in Malaysia. She actively participates in institutional activities, and she currently holds the position of Committee Member, Society of Construction Law Malaysia (2020-Present).



# REGISTRATION

## Payment before **21 February 2024**:

Early bird special fee at **RM1,050.00** per person with full payment via cheque and bank transfer before 21 March 2024.

## Payment after **21 February 2024**:

1 - 2 participants: **RM1,250.00** per person inclusive of 2 coffee/tea breaks and 1 lunch + softcopy slides materials + workshop materials

3 and above participants: **RM1,150.00** per person inclusive of 2 coffee/tea breaks and 1 lunch + softcopy slides materials + workshop materials

## Remarks:

- Payment via bank transfer or cheque, full payment is required before commencement of seminar except for payment under HRD Corp.
- No cancellation is allowed. Substitute is welcome.
- Registration under HRD Corp, grant approval with 30% of upfront payment is required before we proceed with the registration. (**MYCOID: LLP0018915-LGN**)
- Payment under HRD Corp, normal fee will be applied.
- In the event the registered participant(s) under HRD Corp does not attend the seminar and there is no replacement, balance seminar fee of the no show participant(s) will be invoiced to the company.

Account No: **CIMB 860-355365-9**, Payable to “**Events & Secretariat Solutions PLT**”.

Please email your registration details and proof of payment to Esther Ooi at [eventsecsolutions@gmail.com](mailto:eventsecsolutions@gmail.com).

You may contact Ms Esther Ooi at 03 6206 1549 for more information.

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Full Name :

Position :

Email :

Company :

Address :

Contact :