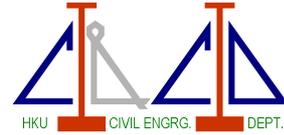




Department of Civil Engineering  
The University of Hong Kong



Centre for Infrastructure and  
Construction Industry Development

## SEMINAR

jointly organised by  
**Department of Civil Engineering and CICID, HKU**  
with **HKIE Building Division, CIOB HK and ACMA**

### **Managing Payment Disputes through legislation and contract – a comparative analysis**

by

**Dr Philip Chan**

**Associate Professor, Department of Building, National University of Singapore**

Date: **June 1, 2009 (Monday)**

Time: **6:00 – 7:00pm**

Venue: **Meng Wah Complex, Theatre T3**

**The University of Hong Kong, Pokfulam Road, Hong Kong**

#### **ABSTRACT**

Under-payment and non-payment must rank as common disputes in the construction industry. Parties may write dispute mechanisms into the contract to help resolve payment disputes. A recent trend is to use legislation to intervene. Dr Chan will give a comparative analysis of such mechanisms used in the US and Singapore. The stop in the comparative analysis is the examination of the dispute management mechanisms put in place in the Singapore Institute of Architects (SIA) Form of building contract by the late IND Wallace. His ideas were ahead of his time when it was drafted in 1980. Indeed, many of the features of the SIA form may now be seen in the various statutory adjudication schemes that have since sprouted. The speaker will look at the provisions of the Building and Construction Industry Security of Payment Act 2004 to verify this statement. The speaker then moves on to the USA where payment bonds are common and prompt payment is ensured by an Act of the same name, Prompt Payment Act. Other related payment US legislations will also be examined.

#### **ABOUT THE SPEAKER**

Dr Chan is the Deputy Head (Academic) of the department, the Programme Director of the Joint King's College, London [KCL] - NUS MSc in construction law and dispute resolution and the Co-Director of the Centre for Project Management and Construction Law. Outside the university, he is a Deputy President of the Singapore Strata Titles Board. He is also a General Editor of the Asian International Arbitration Journal and a member of the Editorial Advisory Board and Correspondent of the International Construction Law Review. Dr Chan is a practising arbitrator and an advocate and solicitor of the Supreme Court of Singapore. He is also a Fellow of the Singapore Institute of Arbitrators (SIArb). In the world of books, he is the author of four books and the co-author of six books including Volume Two of the Halsbury's Laws of Singapore [Arbitration, Building and Construction] the original edition and the 2003 Reissue edition. His latest book is entitled "Statutory Adjudication in Singapore: the Act, Standard Forms and Determinations" and was released in December 2008. He writes regularly in the newsletter of the SIArb. Dr Chan has also delivered more than 200 conference/seminar papers and conducted numerous in-house training programs on matters pertaining to standard form contracts and other areas of construction law and dispute resolution including arbitration.

**- ALL ARE WELCOME -**

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