

# ASK EXPERIENCED PRACTITIONERS!

Association of Arbitrators  
(Southern Africa) NPC



Workshop  
In-person and Online

## Construction Conundrums

Please join us for this important workshop on 16 May 2024, presented by our KwaZulu-Natal Regional Chairman, regional committee members and partners of Cox Yeats Attorneys, as part of the Association's ongoing mission to provide regular upskilling opportunities for everyone interested in Alternative Dispute Resolution (ADR).

### ABOUT THE WEBINAR WORKSHOP:

The workshop will be presented in-person and via Zoom. The following topics will be canvassed:

- ✓ Review of arbitration awards: recent case studies;
- ✓ Time's up! The adjudicator's decision is delivered late;
- ✓ Navigating non-responsive bids: debunking the decision-making process;
- ✓ Do experts have a free rein? Admissibility of expert evidence;
- ✓ What is the effect of a letter of intent?

### ABOUT OUR PRESENTERS:

#### Mr Alastair Hay, FAArb (SA):



Alastair is a senior consultant and ex-senior partner of Cox Yeats Attorneys. He is a Notary Public, a director and Fellow of the Association of Arbitrators (Southern Africa) NPC and the current Chairman of the KwaZulu-Natal Chapter. He is a member of the International Bar Association. During his time in practice he has gained considerable experience in diverse fields of law with particular focus on Construction Law. He is a recognised expert in the field of Construction Law in which he regularly acts as an arbitrator and presenter of seminars on the subject. He is also listed as a specialist in Construction Law and Corporate Law in the global publication, Best Lawyers ([www.bestlawyers.com](http://www.bestlawyers.com)), published in the United States.

#### Mr Richard Hoal, AAArb (SA):



Richard is a lead partner in the construction and insurance law teams. He has practised as an admitted attorney in South Africa for over 25 years and has extensive litigation and business law experience. He has developed a unique speciality in construction and project work, as well as complex insurance casualty claims.

He has advised clients on a range of project development, construction and engineering contracts, including major infrastructural projects undertaken in Southern Africa. He has represented clients in litigation and arbitration proceedings relating to building, engineering and commercial contracts and insurance contracts. His insurance practice includes professional indemnity work in the built environment as well as general professions and director and officer liability. He also deals with complex indemnity and recovery claims.

He is a committee member of the KwaZulu-Natal Branch of the Association of Arbitrators (Southern Africa) NPC and conducts adjudications and arbitrations in the field of construction and engineering law as well as insurance law and professional indemnity claims. He is a member of the International Bar Association Committee on International Construction Projects. He has been recognised by Best Lawyers for Construction Law and in 2022 was recognised as Construction Lawyer of the Year in South Africa by virtue of the highest overall peer feedback.

**Professor Nishani Harinarain, BSc Quantity Surveying, MSc Construction Management, PhD Construction Management, FAarb (SA):**



Professor Harinarain is an Associate Professor at the School of Engineering at the University of KwaZulu-Natal. The research conducted by Dr Harinarain focuses on the areas of Sustainable Development, Construction Management, Quantity Surveying, Construction Education, and Construction Health and Safety. Her research is informed by a strongly interdisciplinary approach addressing critical problems for the South African construction industry and society. She has won numerous academic awards, some of which include Best Lecturer Awards, JW Nelson Fund Research Productivity Awards, and Certificate of Achievement for Excellence: Teaching and Learning from the Women in Engineering. She has contributed significantly to various papers and journals and has presented at local and international conferences. Prof Harinarain is registered with The South African Council for the Project and Construction Management Profession (SACPCMP), a member of the Chartered Institute of Builders (CIOB) and Association of South African Quantity Surveyors (ASAQS), ESR member of South African Council for the Quantity Surveying Profession (SACQSP) and a Fellow of the Association of Association of Arbitrators (Southern Africa) NPC.

**Mr Steve Poorter, FAarb (SA):**



Steve is a seasoned construction specialist with over 30 years of experience in the construction and engineering industry, having worked on a diverse range of large multidisciplinary projects, including power stations, water works, industrial civils, shopping centres and hospitals amongst others. Steve spent 4 years at GIBB Engineers as a Project Executive and, prior to that, was at Aveng GLTA from 2004 where he fulfilled a number of roles including Divisional Director and General Manager. He has a B.Sc in Engineering from UCT and a B.Comm Management degree from UNISA. Steve is a Fellow of the Association of Arbitrators (Southern Africa) NPC and a committee member of the KwaZulu-Natal Branch of the Association, with over 10 years' experience as a practising arbitrator.

**Mr Mohamed Mota, LL.M:**



Mohamed is a partner in the Cox Yeats construction team. He is a litigation and dispute resolution practitioner, specialising in disputes in court, arbitration, appeal and tribunal proceedings. Mohamed's primary areas of practice are in administrative law, public procurement law, construction law, energy law, environmental law and town planning related issues.

**DATE:** Thursday, 16 May 2024 **TIME:** 14:00 to 17:00

**VENUE:** Zoom and in-person at Cox Yeats Attorneys  
45 Vuna Close, Umhlanga Ridge, KwaZulu-Natal, 4319

**NOTE: Seats are limited for attendance in-person!**

**LINK:** The Zoom link will be emailed to you if you indicate that you will attend via Zoom in the Registration Form and upon receipt of payment.

**COST (incl. VAT):** AoA members: **R 200.00**  
Non-members: **R 300.00**

**RSVP BY:** **Wednesday, 15 May 2024**  
Please send your completed [Registration Form](#) to our Financial Manager, **Michelle Venter**, at [michelle@arbitrators.co.za](mailto:michelle@arbitrators.co.za)

THEY SAID WHAT?



*"This is an annual (afternoon) event used by the KwaZulu Natal Branch for fundraising. Construction is a traditionally large constituency of the AoA so the focus on construction and the use of the expertise available for the three-hour session was certainly appropriate and of value to the membership. The Zoom presentation meant instant participation and availability for the whole of the AoA's membership."*



*"This is excellent for me being a first time attendee. It is really useful to learn from other well experienced practitioners!"*



*"This was an excellent workshop. The presenters were well prepared and imparted knowledge of great value. Thanks for an informative presentation."*



*"Keep up the good work you're doing in equipping and preparing us for the eventualities in this industry."*



*"I appreciate the fact that the presenters not only refer to legislation or cases but also discuss it and its relevance to the topic."*