

ASK EXPERIENCED PRACTITIONERS

Association of Arbitrators (Southern Africa) NPC

Workshop
In-person and Online



Construction Conundrums

Join us for this important workshop, presented by our KwaZulu-Natal Regional committee members and Chairman, **Mr Alastair Hay**, as part of the Association's ongoing mission to provide regular upskilling opportunities for everyone interested in Alternative Dispute Resolution (ADR).

ABOUT THE WORKSHOP:

The following topics will be canvassed:

- ✓ NEC4: A brief overview;
- ✓ Can an arbitrator correct an ambiguity in an award and when can an award be challenged?
- ✓ What time-related costs follow an extension of time?
- ✓ One party wants to arbitrate, the other says there is no dispute. What now?
- ✓ Thumbs-up or E-signature: Can digital gestures create binding agreements?

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), 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 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.

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 Khanya Mgebisa:



Khanya is an Associate in the Construction and Insurance Team at Cox Yeats. He specialises in construction and engineering law, advising clients across various sectors within the built environment. Khanya regularly assists contractors, subcontractors, developers, and consultants with construction-related claims and contractual matters. His experience covers litigation, arbitration and alternative dispute resolution methods, as well as the vetting and drafting of construction contracts and professional services agreements, either as bespoke agreements or using the standard forms of contract, including the FIDIC, NEC and JBCC Contracts.

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 Arbitrators (Southern Africa) NPC.

LINK: The event link will be emailed to you upon receipt of your completed [Registration Form](#) and upon receipt of payment.

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

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

PREVIOUS WORKSHOP COMMENTS

"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."

Prof David Butler
...

Adv Yvette Le Roux
...

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

Mr Steven Mills
...

"Overall an excellent investment to me, as Engineers we tend to overlook some of the clauses in the contracts and this has refreshed my understanding on how important it is, to stay up to date with Contractual Legal requirements."

Ms Corrie Moll
...

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