



MALAYSIAN  
SOCIETY OF  
ADJUDICATORS

## MEMBERSHIP APPLICATION FORM

With the advent of the Construction Industry Payment & Adjudication Act 2012 [CIPAA 2012], a new profession of Adjudicators have emerged.

The Malaysian Society of Adjudicators (MSA) is formed with a common purpose of having a professional body to promote ethical & professional standards of service & conduct of adjudicators in Malaysia.

The Society is also set up to promote resolution of construction disputes by means of adjudication. It was formed for the Malaysian Construction Industry to benefit from the wealth of experience of the adjudicators associated with the introduction of CIPAA 2012.

The Society's purpose is to encourage and develop adjudication as a method of resolving construction disputes (without denouncing other dispute resolution methods, such as arbitration, mediation and conciliation) and also to provide a communication channel for which adjudication practices may be discussed among professionals.

The Society also aims to publish newsletters and other information materials as means of promoting the study of the law and practice relating to adjudication.

Membership of the Society is open to persons whose work, business and/or services are related to the area of law and/or practice relating to adjudication.

There are 4 categories of membership, namely **Affiliates, Associates, Members and Fellows.**



## 1. INTRODUCTION & OBJECTIVE OF THE SOCIETY

The *Malaysian Society of Adjudicators* (“MSA”) was established with the following objectives in mind:-

- (a) to promote the facilities for the determination of disputes by the adjudication process.
- (b) to provide means of communications between members of the Society and other bodies concerned with adjudication within the country or overseas.
- (c) to co-operate with other professional bodies having the same common interests in adjudication.
- (d) to provide training and educational facilities for members who are desirous of becoming adjudicators and to promote the study of the law and practice relating to adjudication, subject to the Education Act, 1961 and the Construction Industry Payment & Adjudication Act 2012;
- (e) to arrange for and provide facilities for meetings, seminars, conferences and workshops and arrange for the reading and presentation of lectures and demonstrations of the adjudication proceedings.
- (f) to promote the ethical and professional standards of service and professional conduct of its members and the exercise of professional supervision and disciplinary power over its members.
- (g) to print and publish papers, periodicals, magazines, journals, circulars, books and other literatures and information material pertaining to arbitration subject to the prior approval of the relevant authorities.
- (h) to disseminate widely the knowledge of the practice and the law of adjudication.
- (i) to regulate the conduct of its members.
- (j) to do all other things which are incidental to and necessary for the attainment of the objectives stated hereinabove.

## 2. TYPE OF MEMBERSHIPS

Membership of this Society shall be open to persons whose duties, activities, work, business and/or services are such as to cause them to deal, participate, or work in the area of the law and/or practice relating to adjudication.

There are 4 categories of Membership which are as follows:-

- (a) **Affiliates;**
- (b) **Associates;**
- (c) **Members;** and
- (d) **Fellows.**

The word “Council” used below shall mean “The Council of the Society”.

### 2.1 AFFILIATES

- 2.1.1 Any graduate, undergraduate or person who is unable to qualify as an Associate under the conditions stipulated to apply as an Associate but who intends to so qualify shall be entitled to join the Society as an Affiliate provided he satisfies the Council that he/she is fit in all respects to be a proper person for admission as an Affiliate.
- 2.1.2 Any person admitted as an Affiliate shall take up approved training to qualify as an Associate within 5 years of his/her admission as an Affiliate, failing which any extension of membership as an Affiliate shall be subject to the approval of Council and Council may prescribe such conditions thereto as it thinks fit.

### 2.2 ASSOCIATES (AMSAdj)

Associates shall be elected by Council and every candidate for election shall fulfil the following conditions in that he/she:-

- 2.2.1 Be proposed and seconded by Fellows or Members of the Society;
- 2.2.2 Satisfies the Council that he/she is fit in all respects to be a proper person for admission and not one who had been convicted of any criminal offence by the courts of law;
- 2.2.3 Be engaged in a profession, occupation or calling in which there is recourse to adjudication directly or indirectly;
- 2.2.4 Be over twenty-one years of age at the date of submitting an application for membership; and
- 2.2.5 Has obtained a degree or equivalent qualification from a university or tertiary educational body acceptable to the Council

### 2.3 MEMBERS (MMSAdj)

- 2.3.1 Members shall be elected by the Council.
- 2.3.2 Every candidate for election as a Member:
  - (a) shall fulfil the conditions for election to be an Associate as stated above (read with the provisos);
  - (b) he or she satisfies the Council either as to his/her actual involvement in the adjudication process as an adjudicator, counsel, expert witness or advisor, or as to his/her actual experience in making judicial decisions for not less than two years in a court of law or judicial tribunal, or as to his/her proficiency in the law and procedure relating to adjudication; and
  - (c) he or she satisfies the competency standard and criteria of an adjudicator as set by the Kuala Lumpur Regional Centre For Arbitration, or such other equivalent qualification as may be recognised by the Council.

2.3.3 Provided always that the Council may, at its sole discretion, waive totally or partly the requirements aforesaid and directly elect into the Member category candidates who are employees or officers of the Kuala Lumpur Regional Centre for Arbitration holding position as an Executive or above.

## 2.4 FELLOWS (FMSAdj)

Fellows shall be elected by the Council and every candidate for election shall:-

- 2.4.1 Be a member of the Society for a period of not less than five years and be over the age of thirty five years on the date of his application.
- 2.4.2 Satisfy the Council that he is a fit and proper person to be made a Fellow.
- 2.4.3 Have practiced as an adjudicator or counsel representing parties in the adjudication, arbitration or litigation of disputes for not less than 10 years and satisfy Council as to his proficiency in the law and practice relating to adjudication. Provided always, that Council may waive this requirement in the case of a candidate who has at least 5 years' experience as aforesaid and passes any assessment or examination as may be prescribed by Council from time to time to evaluate the candidate's proficiency in the law and practice relating to adjudication.
- 2.4.4 Provided always that Council may, in exceptional circumstances, waive the requirement that the candidate for election as a Fellow shall have attained the age of Thirty Five Years in the case of candidates holding a professional qualification recognised by Council as justifying such a waiver or the requirement of a period of satisfactory training.
- 2.4.5 Provided always that Council may, at its discretion, directly elect into the Fellow category candidates who are already Fellows of a national Society or organisation where Council considers the candidate to be a fit and proper person to be so elected.
- 2.4.6 Provided always that the Council may, in exceptional circumstances set out below, waive totally or partly the requirement that the candidate for election as a Fellow shall have been a Member of the Society for not less than five years in the case of:-
- (a) a candidate who has been actively practicing as an adjudicator, arbitrator or counsel in the settlement of construction disputes for not less than five years, who satisfies the Council as to his/her proficiency in the law and procedure relating to adjudication, and who is of considerable reputation in adjudication matters; or
  - (b) a candidate who has been actively involved in adjudication in the settlement of construction disputes in his/her capacity as adjudicator or counsel or as administrative head or director of a national or international adjudication Society or body, and with whom the Council is satisfied as to his/her proficiency in the law and procedure relating to adjudication, and whose election as a Fellow would in the opinion of the Council, enhance or promote the image or reputation of the Society; or
  - (c) a candidate who is or has been a Judge of the High Court (or its equivalent) or a Judge of a Court of higher hierarchy, whether in Malaysia or outside Malaysia, and with whom the Council is satisfied as to his/her proficiency in the law and practice relating to adjudication.
- 2.4.7 "Counsel" shall include any person who represents a party in an adjudication and conducts the adjudication on its behalf.

## 3. SUBSCRIPTION FEE

3.1 Annual subscriptions and Entrance Fees for membership shall be as follows:

Membership	Entrance Fee	Annual Subscription Fee
Affiliate	RM 50.00	RM 50.00
Associate	RM 250.00	RM 150.00
Member	RM 250.00	RM 200.00
Fellow	RM 250.00	RM 250.00

Entrance Fee shall be payable only once upon the first admission to the membership of the Society. A candidate whose membership is upgraded to a higher category in a particular year shall, in addition to the annual subscription for his previous category, also pay an annual subscription for the higher category in respect of the same year.

3.2 A member who has attained the age of 65 years or more shall be exempted from payment of annual subscriptions provided that for 5 years preceding such exemption he/she had been a member in good standing and had fully paid up all dues to the Society.

## 4. APPLICATION FOR MEMBERSHIP

Every application for membership should be made in the prescribed form provided by the Society and submitted to the Council for approval.

All membership form must be submitted in full and must be legible. Membership form shall be submitted together with a copy of relevant academic certificates/AIAC Certificate in Adjudication and applicable membership fee.

Cheques for payment shall be issued in favour of **Malaysian Society of Adjudicators**.

Kindly complete the registration form as below and send it together with the required documents via:

FAX: 03 6206 1549  
EMAIL: secretariat.msadj@gmail.com  
MAIL: Esther Ooi  
B-07-16 Gateway Kiaramas  
No 1 Jalan Desa Kiara  
50480 Kuala Lumpur



MALAYSIAN  
SOCIETY OF  
ADJUDICATORS

TEL: +603 6206 1549

For enquiries, please contact **Esther Ooi** at **+603-6206 1549** or email **secretariat.msadj@gmail.com**

## MEMBERSHIP APPLICATION FORM

Name (as per NRIC/ Passport) .....

NRIC No/ Passport No .....

Membership Type (*Kindly tick where applicable*)

Affiliate     Associate     Member     Fellow

Organization (if applicable) .....

Position .....

Correspondence Address .....

Postcode ..... State ..... Country .....

Telephone ..... Mobile ..... Fax .....

Email .....

(Please ensure that the telephone number and e-mail address given are valid ones for communication purposes)

Payment (*Kindly tick where applicable*)

Relevant academic certificates/AIAC Certificate in Adjudication

Payment for Membership Fee (RM ..... ) Cheque No. ....  
(Please refer to the Subscription Fee table for amount payable)

### DECLARATION

I hereby declare that the documents enclosed herein are true and accurate to my knowledge. I have read and understood the terms and conditions in this Registration Form.

.....  
(Signature)

### FOR OFFICE USE ONLY

Ref No.

.....

Approved by

.....