



ANNUAL GENERAL MEETING

CHAIRMAN'S REPORT

THURSDAY, 11 NOVEMBER 2010

I took over as the Chairman of the Adjudication Society in November 2008 and so my two year term is now complete. When I took over, I was keen to develop some clear simple goals for the Society over a five year period. The Society's main objective was and remains:

“To promote for the public and the individual member benefit, education, training, study and research (and publication of the useful results for such research) in the field of adjudication practice and procedure and related subjects worldwide.”

My goal was therefore to strive to meet this main objective, which in simple terms is to promote not just for our members, but also for the wider public, education, training, study and research in the field of adjudication practice and procedure. The focus I think should be very much upon education and training internationally. I hope that I have contributed towards this ongoing goal.

The Society now has a protocol for research funding (a copy will be provided separately). This sets out the parameters which an applicant should meet in order to obtain funding for a research project.

The new website has now been up and running for a year and has been very successful. In respect of guidance, the Adjudication Society has teamed up with the Chartered Institute of Arbitrators to draft guidance notes for adjudicators (the draft outline of the areas for those guidance notes is attached at Appendix 2). I chair that group, which has 6 members:

Nicholas Gould (Chairman)
William Webb,
Matt Molloy,
Phillip Fidler,
Robert Horne,
Jeremy Glover, and
Susan Francombe.

Stephen Clarke, the Honorary Secretary, has listed and provided copies of reports from the other honorary members on the Adjudication Society. Those officers and I should be pleased to answer questions at the AGM.

Finally, my proposed agenda for the AGM is:

- 1 Chairman's report and general introduction;
- 2 Treasurer's report;
- 3 Secretary's report;
- 4 Regional Coordinator's report;
- 5 Elections - Executive Committee (Honorary Officers and Ordinary Members);
- 6 The five year plan, one year in (education, training, study and research);
- 7 The sub-committees (and their purposes) continue:
 - 7.1 Awards (Universities and prizes: to promote and recognise academic achievement in respect of adjudication related matters) - Bob Davies and Edward Quigg;
 - 7.2 Communications (IT and Web services: to develop the Society through its website and improve appropriate communication with the Society's members) - Nicholas Gould, Glenn Godfrey and Edward Quigg;
 - 7.3 Training (To develop training programmes in or relating to adjudication for the Society's members) - Liam Holder, Ben Beaumont and Hamish Lal;
 - 7.4 Guidance and Standards (To draft in association with the Chartered Institute of Arbitrators guidance notes setting out best practice for adjudicators) - chair by Nicholas Gould;
 - 7.5 Legislative (To follow the developments in the legislation and the Scheme in order to keep the Society's members informed about the developments and to comment in respect of the proposed and actual changes) - Tim Willis;
- 8 Liam Holder will take over from Tim Willis as Regional Coordinator;
- 9 Amendments to the Constitution to allow for Committee Meetings to take place by telephone conference;
- 10 Any other business; and

- 11 General thanks to all members, Executive Committee, Conference organisers and our Honorary President Professor Phillip Capper.

Nicholas Gould
Chairman, Adjudication Society

APPENDIX 1
The Chartered Institute of Arbitrators & the Adjudication Society
Adjudication Sub-Committee
Guidance Note - DRAFT Subject Areas
8 June 2010

- 1 Construction contracts and construction operations.
- 2 Contracts in writing.
- 3 Has a “dispute” arisen?
- 4 Natural Justice.
- 5 Adjudicator’s jurisdiction.
 1. Can an adjudicator rule upon his own jurisdiction?
 2. The scope of an adjudicator’s jurisdiction.
 3. Procedural errors.
- 6 Payment notices - Section 110.
- 7 Withholding notices - Section 111.
- 8 The scheme for construction contracts.
- 9 Multiple or complex claims.
- 10 The importance of deadlines (late service of Referral, Decisions, etc).
- 11 Adjudicator’s lien.
- 12 The slip rule.
- 13 Costs.
- 14 Interest.
- 15 Set-off and withholding from an adjudicator’s decision.
- 16 Simultaneous proceedings.
- 17 Adjudicating the same issue.

Nicholas Gould