



**REQUEST FOR APPOINTMENT OF
ADJUDICATOR**

THE HONG KONG INSTITUTE OF SURVEYORS

REQUEST FOR APPOINTMENT OF ADJUDICATOR

(Pursuant to Technical Circular of “Implementation of the Spirit of Security of Payment Legislation in Public Works Contracts” issued by the Development Bureau)

Please read the following instructions before completing this Application Form:

1. Application must be made in the form of this Application Form [App Adj].
2. This Application Form must be submitted within **one (1) working day** after the date of issuance of the Notice of Adjudication.
3. Please submit:
 - a. 1 original duly completed and signed copy of this Application Form;
 - b. 3 sets of accompanying documents (2 sets of hard copies and 1 set in USB memory stick); and
 - c. A cheque in the amount of HK\$8,000 issued by the applicant or the representing law firm (if applicable) or a cashier’s order made payable to the “The Hong Kong Institute of Surveyors” being payment for the Application Fee

by hand to

Room 1205,
12/F, Wing On Centre,
11 Connaught Road Central,
Sheung Wan,
Hong Kong

[Request for Appointment of Adjudicators]

4. Please submit this Application Form within the specified time as follows:

Monday – Friday: 9:00 am – 4:30 pm

Lunar New Year Eve, Mid Autumn Festival, Winter Solstice Festival and Christmas Eve (other than Saturday/Sunday): 9:00 am – 12:00 pm

Documents submitted after the specified hours shall be treated as being lodged the next working day.

5. The HKIS will not accept any lodgement of documents by fax, post or electronic mail.
6. The HKIS reserves the right to copy this Application Form to the Respondent.
7. The HKIS retains the full discretion on nomination of adjudicator.
8. Please notify the HKIS as soon as possible if the dispute is resolved before a nomination is made.
9. The HKIS is not liable, by reason of having appointed or nominated the adjudicator, for anything done or omitted to be done by the adjudicator in the discharge or purported discharge of his/her functions.
10. The validity of this application will not be investigated by the HKIS.
11. The information submitted on this application is accepted on the basis that the same has been declared by the applicant as true and accurate. The HKIS or the adjudicator will not accept liability in relation to the nomination due to false or inaccurate information provided.

12. Where it is one of a series of adjudications on the same contract, normal policy is to nominate the same adjudicator because of potential savings in costs and time unless both parties are in agreement not to re-appoint (in which case evidence of such agreement shall be enclosed with this Application Form). Each application is treated on an individual basis and there may be circumstances where it may not be appropriate to nominate the same adjudicator. These could include (but not limited to):
- a. the availability of the adjudicator;
 - b. different type of dispute; or
 - c. other reasons which the HKIS consider making such a nomination inappropriate.
13. The HKIS is not obliged to seek representations from the parties concerning possible conflict of interest before appointing an adjudicator.
14. The HKIS respects personal data privacy and are committed to fully implementing and complying with the data protection principles and all relevant provisions of the Personal Data (Privacy) Ordinance (Cap. 486).
15. The appointment of adjudicator does not constitute any contract with the adjudicator with whom conditions of appointment must be agreed directly.

A. Information about the parties and their representatives

The Claimant	
Name of the Claimant	
Business Address	
Telephone Number	
Fax Number	
Email Address	
Contact Person	

The Claimant's Legal Representatives (if applicable)	
Name	
Name of Firm	
Business Address:	
Telephone Number	
Fax Number	
Email Address	
Contact Person	

The Respondent	
Name of the Respondent	
Business Address	
Telephone Number	
Fax Number	
Email Address	
Contact Person	

The Respondent's Legal Representatives (if applicable)	
Name	
Name of Firm	
Business Address	
Telephone Number	
Fax Number	
Email Address	
Contact Person	

B: Information about the contract

Contract and Project Details	
Project/Contract Name	
Project Address	
Date of Contract	

C: Information about the dispute

Nature of Dispute	<input type="checkbox"/> Dispute on payment <input type="checkbox"/> Dispute on time for performance or entitlement to extension of time
Notice of Adjudication	
Date of Notice of Adjudication served on Respondent (<i>copy of Notice of Adjudication is enclosed</i>)	

1. Dispute on Payment (*Copy of Payment Claim and Payment Response (if any) are enclosed*)

Payment Claim	
Date of service of the Payment Claim	
Payment Interval	
Due Date for Payment	
Payment Claim Amount	
Payment Response	
Due Date for Payment Response to be served	
Date of Service of the Payment Response (if any)	
Payment Response Amount (if any)	
Payment Made by Respondent (if any)	
Due Date for Payment	
Date of Payment made by the Respondent	
Amount of Payment made by the Respondent	
Claim Amount under this Application	

2. Dispute on time for performance or entitlement to extension of time (*Copy of relevant terms and conditions of contract and other documents are enclosed*)

Date of issuance of application for extension of time	
Duration of extension of time applied for	
Date of issuance of assessment of extension of time	
Duration of extension of time granted (if any)	
For dispute on time for performance other than entitlement to extension of time, please specify	

D: Specific Requirements (Optional)

Please specify below suggested adjudicator (who must be on the Panel of Adjudicators of the HKIS) with reasons or the professional skills required from the adjudicator to be appointed (if any):

**The HKIS will give careful consideration to any suggested adjudicator or specified requirements but it retains full discretion on nomination of adjudicator.*

E: Application Fee

A cheque in the amount of HK\$8,000 issued by the applicant or the representing law firm (if applicable) or a cashier's order made payable to the "The Hong Kong Institute of Surveyors" for payment of the Application Fee is enclosed.

Once this application has been submitted to the HKIS, the above application fee is non-refundable in any event.

F: Declaration

The Claimant hereby acknowledges and declares that the disputes leading to the subject claim are those that can be referred to adjudication under the Technical Circular of “Implementation of the Spirit of Security of Payment Legislation in Public Works Contracts” (DEVB TC(W) No. 6/2021) issued by the Development Bureau.

The Claimant hereby applies appointment of adjudicator by the HKIS under the Technical Circular of “Implementation of the Spirit of Security of Payment Legislation in Public Works Contracts” (DEVB TC(W) No. 6/2021) issued by the Development Bureau and declares that all information provided hereinabove is true and accurate.

Signed by/on behalf of the Claimant

Name:

Position:

Date:

Enclosures: Checklist for fully completed, signed and dated Application Form:

1. Cheque by the applicant or representing law firm (if applicable)/cashier order
2. Copy of Notice of Adjudication
3. Copy of Payment Claim and Payment Response (if applicable)