

Client Alert

Construction

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Adjudicator Nominating Bodies

Stanley Lo

In our Construction Client Alert dated [15 October 2021](#), we reported on the release of Technical Circular (Works) no. 6/2021 – Security of Payment (SOP) Provisions in Public Works Contracts which sets out the policy on the implementation of SOP and how this circular will influence the payment landscape on public works contracts starting from year 2022.

On 30 December 2021, the Development Bureau announced the Register of Adjudicator Nominating Bodies (ANBs) which will be specified in the Public Works Contracts for the nomination and appointment of adjudicators. Aiming at an expedited commencement of the adjudication proceedings, the ANBs will appoint an adjudicator within 5 working days after the service of the notice of adjudication.

The Register of ANBs is formed by 4 institutions, namely, The Hong Kong Institute of Architects, The Hong Kong Institute of Surveyors, The Hong Kong Institution of Engineers and The Hong Kong International Arbitration Centre.

In Deacons' Construction Department, we have lawyers with adjudication qualifications and experience in advising on adjudication claims in respect of:

1. how SOP will affect you;
2. what new obligations will be imposed upon you;
3. what you should do to protect your rights under the contracts and subcontracts; and
4. how subcontracts should be amended to cope with this new arrangement.

Since October 2021, Deacons has delivered talks on SOP Provisions in Public Works Contracts through various professional forums.

We are also pleased to advise that our Mr. Stanley Lo (Consultant of our Construction Practice) is a member of the Panel of Adjudicators of the Hong Kong International Arbitration Centre.

Feel free to contact any of the lawyers below for further details.

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