ASK EXPERIENCED PRACTITIONERS

Association of Arbitrators (Southern Africa) NPC

Hybrid Workshop
12 November 2026

Construction Conundrums

Join us for this valuable hybrid workshop, presented by our KwaZulu-Natal regional committee, under the chairmanship of **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 workshop will be presented in-person and via Zoom. The following topics will be canvassed:

- ✓ Can an Organ of State Cancel its own Tender Award?
- ✓ The Limits of the Mandate: What Can an Adjudicator Actually Decide?
- ✓ Variation Orders in FIDIC and GCC 2015;
- ✓ No Payment, No Progress. When Can a Contractor Suspend or Terminate?

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 (FAArb)** of the Association of Arbitrators (Southern Africa) NPC (the Association) and the current Chairman of the KwaZulu-Natal Chapter. 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, LLB; B.Soc.Sc; AAArb:



Richard is a premier South African attorney and a cornerstone of the legal landscape. As co-head of the Construction, Engineering and Infrastructure team and the Insurance team at Cox Yeats, he brings over 28 years of specialised experience. He has cultivated a unique dual-speciality, balancing the technical intricacies of project development and construction with high-stakes insurance casualty claims and professional indemnity work. Richard's practice encompasses the full lifecycle of major infrastructural projects. He is a trusted advisor to employers, contractors and subcontractors, providing expert guidance on contract negotiations and risk assessments while navigating complex frameworks like NEC3 and GCC 2010. His project development experience includes advising on massive builds such as the R6b Ingula Hydro Power Project and the Durban Soccer Stadium. Regarding claims formulation, he assists in technical development and represents clients in multi-million Rand/Euro litigation and arbitration. His inquiry representation includes a significant track record

investigating structural collapses and appearing in formal inquiries under the Occupational Health and Safety Act. A dedicated leader in the ADR space, Richard is an **Associate (AAArb)** and a Committee Member of the Association. He conducts adjudications and arbitrations across construction law and professional indemnity. His international reach is furthered by membership of the International Bar Association Committee on International Construction Projects. Richard's reputation as a top-tier litigator is reflected in his recognition as Construction Lawyer of the Year (South Africa) by Best Lawyers, Global 100, and Corporate INTL. He maintains top rankings in Chambers and Partners, Legal 500, and Global Law Experts for excellence in construction and insurance work, alongside long-service as a Small Claims Court Commissioner.

Mr Steve Poorter, BSc Eng (Civil); FAArb:



Steve is a registered Professional Civil Engineer, Professional Construction Project Manager and experienced Arbitrator. He is a director, Committee Member and **Fellow (FAArb)** of the Association. Steve is a member of SAICE's, KZN MBA's and the Associations' panels of arbitrators and adjudicators. Over the last 15 years he has acted as an arbitrator or adjudicator in over 100 construction disputes. He is currently a member of 5 standing dispute adjudication boards on various major construction projects.

With more than 35 years' experience in delivering building and civil engineering projects, Steve has the rare advantage of having been employed by client bodies, a professional engineering company, and major construction companies, with 6 years as a divisional director. This experience has provided him with a wide yet comprehensive perspective of the construction industry. Since June 2022 he has been self-employed and dedicates his time entirely to construction dispute resolution. His engineering and extensive practical construction experience, coupled with his close connections with SAICE and ECSA, bring value to the Association's Board and its members.

Ms Jennifer Smit, LLB:



Jennifer is Senior Associate at Cox Yeats Attorneys and is a commercial and dispute resolution attorney with a passion for solving problems and a keen interest in administrative and procurement law, insurance law and construction disputes. Public procurement and administrative law form a significant part of her practice. She advises clients on bid compliance, challenges unlawful tender processes and awards, and represents clients in internal appeals and review proceedings against organs of state and state-owned entitles. She regularly assists clients by instituting urgent interdicts and PAJA reviews to ensure that procurement processes remain within the parameters of section 217 of the Constitution.

She collaborates with clients in the private, public construction, engineering and mining sectors which clients are often involved in large-scale engineering and infrastructure projects across various contracts, including GCC, JBCC, FIDIC and NEC. She assists clients with effective contract management, claims preparation and management, and sources practical solutions to minimise disputes.

DATE: **Thursday, 12 November 2026** **TIME:** **14:00 to 17:00**

VENUE: Zoom or in person at Cox Yeats Attorneys
45 Vuna Close, Umhlanga Ridge, KwaZulu-Natal, 4319
NOTE: Seats are limited for attendance in person!

LINK: The Zoom link will be emailed to you if you indicate that you will attend via Zoom in the Registration Form and upon receipt of payment.

COST (incl. VAT):

AoA members:	**R 200.00**
Non-members:	**R 300.00**

RSVP BY: **Wednesday, 11 November 2026**
Please send your completed **Registration Form** to our Financial Manager, **Michelle Venter**, at **michelle@arbitrators.co.za**

 © Association of arbitrators (Southern Africa) NPC. All rights reserved.

PREVIOUS WORKSHOP COMMENTS

Mr Brian Katjaerua
...

"This is excellent for me being a first time attendee. It is really useful to learn from other well experienced practitioners!"

Prof David Butler
...

"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."

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 Kehitlhile Masisi
...

"Keep up the good work you're doing in equipping and preparing us for the eventualities in this industry."

Ms Corrie Moll
...

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

© Association of arbitrators (Southern Africa) NPC. All rights reserved.