

## **EXPERT DETERMINATION**

Synopsis of Talk.

“**Expert Determination** is a dispute resolution process in which an independent **expert** in the subject matter of the dispute is appointed by the parties to resolve the matter.

The **expert's** decision is - by prior agreement of the parties - legally binding on the parties and is private.”

Although Expert Determination is an Alternative Dispute Resolution process, it can also be used when there is no dispute, but a difference which needs to be resolved for example a point in the Contract or a technical matter.

Expert Determination: How effective as a Dispute Resolution Regime?

The Singapore Institute of Architects (SIA) launched its Expert Determination in March 2011 to complement its current ADR regime. It is a faster and less expensive dispute resolution focused on “technical” issues or questions.

How does it affect the architect position in the contract administration? Is it effective or creating more problems in resolving differences between the parties? Whether the expert determination has binding effect on the parties? Should the architect or other professional be an expert in “Expert Determination”?

The speaker also provides a review of case law where expert determination had been applied in Singapore.