

BERITA AKITEK

eISSN 2811-3306

APRIL 2022

UNITY THROUGH ADVERSITY

KLAF 2022 ARCHIDEX 2022

12 May 2022

PAM Online Technical Talk: Corrosion Protection & Cellulosic Passive Fire Protection Fundamentals & Structural Fire Design
ZOOM Webinar

28 May 2022

Selamat Hari Raya Aidilfitri
OPEN HOUSE
PAM Centre

28 May 2022

KLAF2022: Edric Ong - Talk & Fashion Show
KLAF2022: Harith Ridzuan - Talk
PAM Centre

29 May 2022

KLAF2022: Edric Ong
KLAF2022: Harith Ridzuan - Exhibition & Workshop
Central Market

28 & 29 May 2022

KLAF2022: GROW.EAT.WELL - Exhibition & Workshop
Central Market

29 June 2022

DATUM:EDU
KL Convention Centre

30 June 2022

DATUM:GREEN
KL Convention Centre

30 June 2022

DATUM +PLUS
KL Convention Centre

1-2 July 2022

DATUM:KL
KL Convention Centre



Cover: Estuari Sport Centre by Archicentre

Kindly note that the scheduled events are subject to change. Please call PAM at 03-2202 2866 for confirmation.

FIRST PAM SECRETARIAT STAFF MEETING WITH HONORARY SECRETARY & HONORARY TREASURER TOGETHER WITH PRESIDENT 2022-23

The first meeting of PAM Secretariat Staff with newly-elected Office Bearers (OBs) was held in Dewan Presiden on Thursday 28 April 2022, just five days after the reconvened AGM announced the 2022-23 term line-up. It was organised by Honorary Secretary Ar. Dexter Koh & Honorary Treasurer Ar. Erdayu Os'hara, and President Ar. Sarly Adre Sarkum who graciously attended in support.

As the backbone of PAM, the Secretariat Staff plays an important yet unsung role in the continuous administration and management of the institute. Hence the OBs felt it important to have direct engagement with the Secretariat Staff, to seek first-hand feedback on problems and issues faced in the day-to-day running of the institute.

One of the key goals to be achieved is improving work-flow efficiency and productivity. In the era of IR4.0 automation and application of the right tools are necessary so that staff can concentrate on delivery and service instead of mundane manual data entry work, which to the surprise of the OBs, still occurs in some workflows. President has given the undertaking that he will, together with Hon. Sec in Secretariat & Finance Committee take an in-depth look into PAM's IT infrastructure with a view of upgrading certain aspects, budget permitting. This will hopefully, in the long run, reduce administration costs as it currently equals almost the entire membership subscription income.

Many other issues and matters were discussed, which will require further deliberation and endorsement of Council before it can be further resolved and revealed.

As the last Secretariat Staff Meeting was held back in April 2021, Ar. Dexter proposed more frequent meetings this term, to be held quarterly in July and October 2022 and January 2023. This will enable closer tracking and oversight of deliverables and staff performance, hence making the Secretariat more effective in delivering services to PAM members.

OBs thanked Secretariat Staff for their attendance and active participation in this 'townhall' meeting.

Ar. Dexter Y.P. Koh
Honorary Secretary

****Dear PAM member, If you have faced any problems or issues dealing with PAM Secretariat, you may email info@pam.org.my and we will endeavour to get to the root of the issues and resolve them.***



PAM TO PARTICIPATE IN THE BIDDING TO HOST THE INTERNATIONAL UNION OF ARCHITECTS (UIA) FORUM 2024

PAM with the support of Malaysia Convention & Exhibition Bureau (MyCEB) is bidding to host the International Union of Architects (UIA) Forum 2024 at the UIA Extraordinary Assembly in Madrid, Spain from 16 to 17 May 2022.

PAM, with more than 4,000 members locally is an active member of UIA. The architects in Malaysia are growing every year. With growing business potential and strong numbers of architects in our region, PAM believes it is very timely to have this world architecture event in Kuala Lumpur.

The theme of the Malaysia bid stresses on the importance of Malaysia's diverse and rich Heritage and Culture which PAM believes will be well accepted by the international community. Preservation of Heritage and Culture is important to our society, enabling to foster international understanding of local architecture as well as sharing experience among participants from all regions of UIA.

Further updates on PAM's bid will be published in May 2022 issue.



UNITY THROUGH ADVERSITY

As I write this, it has barely been a week since I have been in office as the President of PAM. First and foremost, I would like to thank the membership of PAM for giving their trust in my humble self and the newly-elected office-bearers and council members. Thank you for your trust, support and belief in our shared vision of making PAM a better institution. One of the primary things that we would do is to continue the good works that have been executed by our immediate past president, Datuk Ar. Ezumi Harzani Ismail. One of those efforts is the continuation of the regular publication of Berita Akitek. Despite barely into office - as the elections only concluded a few days ago - I feel that it is in good spirit that I continue this effort even though April is a month of transition.

Looking at the trends, it is pretty apparent that we are living in challenging times. The construction industry was hurled into turmoil due to the pandemic. Architects, being part of this industry, are not spared hardship and distress directly caused by the pandemic. I am sure that in one way or another all of us are affected both financially and strategically. Though the situation seems dire, we are starting to see a very promising tangent towards economic improvement with the government's efforts in declaring an endemic phase as covid cases decline. We are beginning to see many projects that have been stalled now being resumed. It is a great time for PAM to assist our members in this period of recovery.

In order to serve the members better we are planning to conduct a town hall every quarter with our members to gauge their concerns and garner feedback from them instead of merely expressing themselves during AGMs. We would like to make this open to all levels of membership, in order to create an atmosphere of cohesion and unity. These town hall sessions will be done online to ensure that all our chapters can equally participate without the inconvenience of travelling to Kuala Lumpur. Similarly, we will ensure the next AGM is held virtual+physical for the same reason. It has now been 2 consecutive years PAM have had to reconvene AGM due to lack of quorum resulting in wastefulness in time and effort, especially members from chapters taking flights to attend the AGM.

The key areas we will be focusing on this term are -

- Continually engaging with students, youth and graduates to turn the tide of membership attrition. Our institute is suffering from membership attrition. I am sure some of you know of architects, even registered LAM architects who are not members of PAM. This is even more prevalent amongst the other categories of membership: graduate, academic & student. This all stems down to relevance and the value-add that PAM provides to members, which needs to be one of our main priorities.
- Pursuing Architect's statute of limitation for Professional Liability. One of the long-standing issues in the profession is that there is no statute of limitation for Malaysian Architects, which means that you are liable for life. Contrast that with the global norm; for example in the UK architects are liable six years from the date of completion if the contract of engagement is executed under hand and 12 years if it is executed under seal.
- Resolving long-standing practice issues such as stakeholder fees, export of services and fee parity. We would like to continue the previous efforts led by the dynamic teaming of both younger and more senior practitioners in the Practice Committee to continue to tackle these issues, as well as the

good work being done under the Promotion of Profession Committee. Discussion on this is varied and wide-ranging and will be covered in future issues of Berita Akitek and other PAM media.

- Promoting competitions as the main method of procurement in major projects. Competitions should be mandated as a more equitable procurement system, besides providing a more transparent method of procurement for larger national projects. We will continue this effort to influence major project proponents to adopt this methodology as well as provide any support needed to organise them.
- Creating a unified architecture fraternity adopting the culture and spirit of camaraderie. Due to our growing numbers of architects and many varied areas of specialisations in the industry, there is a slightly less cohesive voice to speak on issues. Many other professions have closer bonds and speak in unison with regard to their interest both nationally and internationally. Though we are doing quite well, our strength really lies in the unity that exists between us. In the words of Henry Ford - "Coming together is a beginning, staying together is progress, and working together is success."
- Concerning the welfare of members affected by calamities like the pandemic. Our CSR committee will be actively looking for opportunities and means to help our fellow comrades. Before we help others we should help members of our family, especially those who have fallen in dire straits.

It is my sincere hope that all of you continuously support Council and PAM in these efforts to continuously improve our profession. On behalf of the newly elected Office Bearers and Ordinary Council Members, I would like to wish everyone who is celebrating Eid -

"Selamat Hari Raya, Maaf Zahir dan Batin"

Assoc. Prof. (Ind.) Ar. Sarly Adre Sarkum

President,

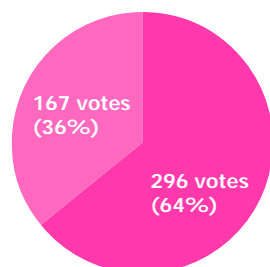
Pertubuhan Akitek Malaysia





CONGRATULATIONS TO THE NEWLY ELECTED PAM COUNCIL 2022-2023

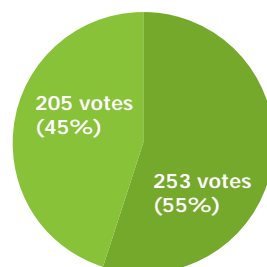
**Final Result for
PRESIDENT:**
Sarly Adre Bin Sarkum, Ar.



Difference: 129 votes

- Sarly Adre bin Sarkum, Ar.
- Abu Zarim bin Abu Bakar, Ar.

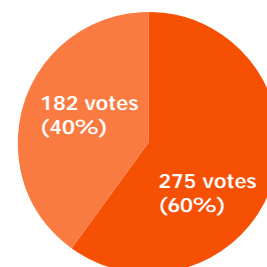
**Final Result for
DEPUTY PRESIDENT:**
Leong Pek Lian, Alice, Ar.



Difference: 48 votes

- Leong Pek Lian, Alice, Ar.
- Lim Hai Seah, Alvin, Ar.

**Final Result for
HON SECRETARY:**
Koh Yew Peng, Dexter, Ar.



Difference: 93 votes

- Koh Yew Peng, Dexter, Ar.
- Thirilogachandran a/l Shanmugasundaram, Ar.

Note: Only 3 positions were contested due to the fact that all other positions are uncontested.

President	Assoc. Prof. (Ind.) Ar. Sarly Adre Sarkum
Deputy President	Ar Alice Leong Pek Lian
Vice President	Ar Adrianta bin Aziz
Honorary Secretary	Ar Dexter Koh Yew Peng
Honorary Treasurer	Ar Erdayu Os'hara binti Omar
Immediate Past President	YBhg Datuk Ar Ezumi Harzani bin Ismail

ORDINARY COUNCIL MEMBER

Ar Abu Zarim bin Abu Bakar	Ar Ng Chee Hin
Ar Aimi Ramizah Roslan	Ar Shafik bin Kamarulzaman
Ar Daniel Choo Heng Huat	Ar Tan Kwong Chong
Ar David Yek Tak Wai	Ar David Teoh Wui Leng
Ar Anthony Lee Tee	Ar Thirilogachandran a/l Shanmugasundaram
Ar Alvin Lim Hai Seah	YBhg Dato' Ar IDr Zulkhairi Md Zain
Ar Mohd Azli Mohamad Jamil	

ELECTED CHAPTER REPRESENTATIVE TO COUNCIL

Northern	Ar Leow Kwong Choon
Southern	Ar Ahmad Farik Abd Ghaffar
Sabah	Ar Haji Shahrman Abdullah
Sarawak	Ar Chai Si Yong
East Coast	Ar Nasharuddin bin Abdul Majid

ARCHIDEX 2022 IS BACK!

Malaysia's most established trade exhibition for the architecture, interior design, and building industry welcome you with a hybrid exhibition and a new highlight on Future City.

The Kuala Lumpur Convention Centre is set to welcome thousands of delegates and trade visitors as the International Architecture, Interior Design & Building Exhibition (ARCHIDEX), Asia's Leading Architecture Business Event and Malaysia's most established trade exhibition for the architecture, interior design and building industry, returns from 29 June to 2 July 2022 for its 21st edition.

In a preview on 26 April, this industry must-attend trade exhibition is ready to host exhibitors and members of Malaysia's largest community of architects, interior designers, and building industry professionals, including many foreign delegates and trade buyers and industry specifiers, to meet again over four days.

Held in a hybrid exhibition format the vibrant face-to-face exhibitions will be held together with an engaging and immersive online format via its ARCHIDEX Online, its official digital platform.

ARCHIDEX is jointly organised by the Malaysian Institute of Architects (Pertubuhan Akitek Malaysia or PAM) and leading business events organiser C.I.S. It is an official event under the Kuala Lumpur Architecture Festival (KLAF).

During which, exhibitors can expect to meet with trade visitors and industry specifiers, including the largest gathering of architects, interior designers, and building-related professionals with a thriving marketplace and exhibition stands, DATUM Conference, forums, talks, product launches, and business networking events.

During the preview, **Assoc. Prof. (Ind.) Ar. Sarly Adre Sarkum, President of Pertubuhan Akitek Malaysia (PAM)** said: "DATUM is one of the largest architecture conferences in Asia and we're expected to welcome over 2,000 architects, developers, designers and such in the building industry during KLAF."

"This year, ARCHIDEX and DATUM will continue to be the driving force behind this huge congregation of visitors and delegates. Running concurrently, we are expected to line-up speakers and side-events that are diverse, unexpected and unique as the fraternity and design community continues to advance the advocacy in the building industry with Future City as we conquer climate change, digital transformation and sustainability among other initiatives," he added.

"I always believe that in order for us architects to remain relevant, we must constantly strive to spearhead changes for the future – and this Future City Ideas Competition that will be highlighted at ARCHIDEX, is another place for us to be inspired from," Ar. Sarly continued.

Dato' Vincent Lim, President of C.I.S and the Asian Federation of Exhibition and Convention Associations (AFECA) added: "The momentum for business opportunities have returned and ARCHIDEX is a multi-faceted platform that has remain until today, an industry pillar and an important date on all trade calendars".

"We are honoured and delighted to welcome our invaluable visitors and exhibitors in person. While there is a massive opportunity for growth in a borderless world, there is still the need for physical events for exhibitors and visitors to connect and build relationships, see and touch the exhibits, products, and materials."

ARCHIDEX 2022 welcomes the future with new exhibitors' profiles as a leading sourcing platform for architects designing the buildings of tomorrow. With an all-new highlight dedicated to the theme 'FUTURE CITY', the space will feature exhibitors, speakers and the Future City Ideas Competition to showcase brilliantly conceptualised and designed future city concepts, building materials, technology, services, software, and solutions and for the future.

"Future City and the Ideas Competition is a natural evolution of ARCHIDEX's advanced materials showcase that champion outstanding designs of products, technology, and sustainable solutions. It will drive the vision to reality and encourages us to future-proof, not just businesses but the way we live, work and play" explained Lim.

Exhibitors with products designed for sustainability for future cities and ARCHIDEX are welcomed to showcase their collections for the changing requirements of housing, industrial, and business needs.

During the event, both Lim and Ar. Sarly urged the audience to stay agile and steadfast to future-proof their business operations by embracing technology and new ways of working and for PAM members to rise together and be ready to Build Beyond Tomorrow.



REGISTER NOW

DATUM:KL

KLAF2022
KUALA LUMPUR ARCHITECTURE FESTIVAL

1 - 2 JULY 2022 (8.30 AM – 5.00 PM)

Plenary Hall (Level 1), Kuala Lumpur Convention Centre

Book early to enjoy: 5% early registration discount
(ends 26 May 2022)
10% group discount
(10 participants and above)

via <https://ticket.klaf.my>

Speakers

Masyerin Mohamad Nor

Domaine Architects (Malaysia)

Kamarul A Muhamed

Aerodyne Group (Malaysia)

Akshay Heranjal

The Purple Ink Studio (India)

Arief Rabik

Indonesia Environmental Bamboo
Foundation (Indonesia)

Antonius Richard Rusli

RAD+ar (Indonesia)

Patcharada Inplang

Shermaker Studio (Thailand)

Yann Follain & Jonathan Poh

WY-TO Architects (France/Singapore)

3 more speakers to be confirmed

KLAF2022
KUALA LUMPUR ARCHITECTURE FESTIVAL

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for the future

FEB > MAY > JUNE > JULY

8 CPD

Registration Fees (subject to 6% SST)

- PAM Corporate/Fellow/Retired Members
- PAM Graduate/Associate Graduate/Academic Members
- PAM Student Members
- Students (Non-PAM Member)
- Public/Professional

www.klaf.my

RM 750.00

RM 650.00

RM 500.00

RM 700.00

RM 1,050.00

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Huawei AppGallery

REGISTER NOW

DATUM:GREEN

KLAF2022

KUALA LUMPUR ARCHITECTURE FESTIVAL

30 JUNE 2022 (8.00 AM – 1.00 PM)

Plenary Hall (Level 1), Kuala Lumpur Convention Centre

Book early to enjoy: 5% early registration discount
(ends 26 May 2022)
10% group discount
(10 participants and above)

via <https://ticket.klaf.my>

Speakers

Phua Chin Eng
Landart Design (Malaysia)

Lee Wern Ching
SD 2 Sdn Bhd (Malaysia)

Jelle Hendrik Therry
RAMBOLL (Singapore)

Alfred Lee Fei Chong
STX Landscape Architects (Singapore)

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KUALA LUMPUR ARCHITECTURE FESTIVAL

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FEB > MAY > JUNE > JULY

3 CPD

Registration Fees (subject to 6% SST)

- PAM Members (All Categories)
- PAM Student Members/Students (Non-PAM Member)
- Public/Professional

www.klaf.my

RM 200.00

RM 120.00

RM 300.00

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Huawei AppGallery

REGISTER NOW

DATUM+PLUS

KLAF2022

KUALA LUMPUR ARCHITECTURE FESTIVAL

30 JUNE 2022 (1.30 PM – 6.00 PM)

Plenary Hall (Level 1), Kuala Lumpur Convention Centre

Book early to enjoy: 5% early registration discount
(ends 26 May 2022)
10% group discount
(10 participants and above)

via <https://ticket.klaf.my>

Speakers

Adela Askandar
Studio Bikin (Malaysia)

Pamela Tan
Poh Sin Studio (Malaysia)

Suhaimi Fadzir
Puyu Studio (Malaysia)

Melvin Tan
Laud Architects Pte Ltd (Singapore)

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KUALA LUMPUR ARCHITECTURE FESTIVAL

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FEB > MAY > JUNE > JULY

3 CPD

Registration Fees (subject to 6% SST)

- PAM Members (All Categories)
- PAM Student Members/Students (Non-PAM Member)
- Public/Professional

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RM 200.00

RM 120.00

RM 300.00

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REGISTER NOW

DATUM:EDU

KLAF2022
KUALA LUMPUR ARCHITECTURE FESTIVAL

29 JUNE 2022 (1.30 PM – 5.30 PM)

Plenary Theatre (Level 3), Kuala Lumpur Convention Centre

Book early to enjoy: 5% early registration discount
(ends 26 May 2022)
10% group discount
(10 participants and above)

via <https://ticket.klaf.my>

Speakers

Dr. Abu Sayeed M Ahmed
President ARCASIA (Bangladesh)

Denny Setiawan
Studio Denny Setiawan (Indonesia)

HM Reizal Mohd Ali
Head of School of Science and Engineering
Head of Architectural Education, PUJA
(Brunei)

1 more speaker to be confirmed

Convenor:
Ar. Adrianta Aziz
(PAM Vice-President)

Program Leader:
Ts. Dr Mohd Zairul Mohd Noor
(UPM)

KLAF2022
KUALA LUMPUR ARCHITECTURE FESTIVAL

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FEB > MAY > JUNE > JULY

2 CPD

Registration Fees (subject to 6% SST)

- PAM Corporate/Fellow/Retired Members	RM 200.00
- PAM Graduate/Associate Graduate/Academic Members	RM 180.00
- PAM Student Members	RM 150.00
- Students (Non-PAM Member)	RM 180.00
- Public/Professional	RM 300.00

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MAY 28
PAM CENTRE

Talk & Fashion Show 7.00PM

MAY 29
CENTRAL MARKET
Exhibition

* CPD Points have
been applied

KLAF2022
KUALA LUMPUR ARCHITECTURE FESTIVAL

EDRIC ONG

**Crafts &
Architecture**
Tree of Life...
Glow series



Edric Ong 'EO' Brand,
EON Company is based in
Kuching Sarawak. He has
been pioneering new designs
with traditional artists of
Sarawak in the area of textiles,
basketry, vibes, ceramic, wood
and stone. His work has been
showcased in Asia, UK, US
and Europe.



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MAY 28
PAM CENTRE

Talk at 6.00PM

MAY 29
CENTRAL MARKET

Exhibition & Workshop

** CPD Points have
been applied*

KLAF2022
KUALA LUMPUR ARCHITECTURE FESTIVAL

HARITH RIDZUAN

thegreencarpenter

Furniture made of upcycled wood.

The green factory is a hub for sustainable Malaysian-crafted wood products. With 28 years of carpentry experience, the past 9 years has been spent championing practices in the local wood industry and to attain zero-waste wood manufacturing and waste management.



At the Green workshop: Through a fun interactive activity, we will help to guide participants to a better understanding of the concept of material upcycling, how wood is considered one of the most sustainable raw materials in the world, and how used wood or 'waste' can be transformed into further purposeful items.

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KUALA LUMPUR ARCHITECTURE FESTIVAL

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FEB > MAY > JUNE > JULY

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MAY 28, 29

CENTRAL MARKET

Exhibition & Workshop

* CPD Points have been applied

KLAF2022

KUALA LUMPUR ARCHITECTURE FESTIVAL



GROW.EAT.WELL

Garden-to-table freshness
grown from hydroponic kit

Grow your vegetables indoor and
produce pesticide-free vegetables.



At our workshop you will learn:-

- 3 ways to use seedlings to grow to a large sized garden
- How to set up a hydroponic kit
- How to grow vegetables easier and safer for you

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PUBLIC / MEMBER QUERIES - APRIL 2022

No.	INQUIRY	RESPONSE FROM TEAM
1.	<p>Date: 13 April 2022 Category A: Architect Practice</p> <p>With LAM GC 2/2017, Guidelines on the Third Schedule for Stage Certification Stage 2(g) The drains serving the said building on Schedule H.</p> <p>I am writing to ask for your advice. For the project site that adopted a pump drainage system as DBKL approved road and drain.</p> <p>We want to enquire if all the items 1, 2, 3 listed below need to be completed before stage 2(g) can be certified:</p> <ol style="list-style-type: none"> 1) pipe connection to the external drain 2) pump installation complete 3) pump testing and commissioning is complete and the pump is functioning. <p>Based on the understanding of the LAM Cir for a gravity or pump drainage system, as long as the item (1) is completed stage 2(g) can be certified.</p>	<p>We refer to your query as received on 13th April 2022 and note that your housing project has adopted a pump drainage system as part of the DBKL approved road and drainage system.</p> <p>In accordance with the LAM Circular 2/2017, the certification for Stage 2(g) under Schedule H of the Housing Development (Control & Licensing) (Amendment) Regulations 2015 stipulates that <u>the drains serving the building need to be completed</u>. Further elaboration on the drainage works that must be completed for certification is described as "drains and main drains connected to the outfall - The alignment of the drains and the outfall may be permanent or temporary as approved by the local authority". Kindly note that the only item of work which are allowed to be excluded for the certification of this stage is the installation of drain covers or gratings, i.e.; once this stage is certified as being completed, there is the expectation that the drainage system as a whole, is able to perform as intended with all stormwater/surface run-off being channelled away as per the approved plan up to at least the outfall.</p> <p>Based on the little information which we have received, it would seem that your items 1 (pipe connection to the external drain), 2 (pump installation) and 3 (pump testing and commissioning) are required for the operation of the drains serving the building and the drains may be deemed as not being fit for purpose if the above items are incomplete. We are of the opinion as such that these 3 items may need to be completed before certification.</p> <p>That being said and as it would seem that the drainage plans have been prepared by the Engineer, please also be reminded that under Item 7 of the Supplementary Notes to the above-mentioned LAM Circular, the Architect shall prior to his certification, request the Engineer to confirm in writing, his concurrence of the satisfactory completion of 2(g). Under the circumstances, we would certainly advise that you consult your Engineer and seek his confirmation prior to any certification by yourself.</p> <p>As the above-mentioned Circular has been issued by the <i>Lembaga Arkitek Malaysia</i> (LAM) you may also consider contacting them for clarification, as to the items required prior to certification of this stage.</p> <p>We hope that this is helpful.</p>
2.	<p>Date: 5 April 2022 Category G: Contract Management</p> <p>Kindly seek direction on how a Contractor could address grievance with a Project Architect, which we are of the view has not and continues to not act professionally as per the Codes and Conduct expected of this professional body.</p> <p>The Architect deem unprofessional conduct against PAM Contract 2006 (with Quantities) shall be strictly towards Clauses 30 - Certification and Payment and Sub-Clause 30.10, 30.12 and 30.14.</p> <p>We hope PAM guidance and directions as to how we could amicably review our position while safeguarding and holding in high esteem the good names of the Client, Architect & the Team of Consultants Offices.</p>	<p>We refer to your query as received on the 5th April 2022.</p> <p>We note your reference to Clauses 30.10, 30.12 and 30.14 of the PAM Contract 2006 (With Quantities) which outline the timeline, procedures and documents required, pertaining to the Final Account, Conclusiveness of Final Account and Issuance of Final Certificate. Nevertheless, as there are no details informing us on either your grievance or the conduct of the Architect in relation to the relevant Clauses mentioned, we have difficulty in advising you accordingly.</p> <p>If either of the contractual parties (i.e.; the Employer or Contractor) should feel aggrieved as a result of the Architect's actions, we would normally advise that the aggrieved party should first approach the Architect to review and discuss the cause of such grief. If after such discussion, there is still a disagreement, either of the contractual parties may give notice that there is a dispute and they may make use of the Alternative Dispute Resolution (ADR) Clauses stipulated in the PAM Contract 2006 (Clauses 34 and 35) to resolve this dispute. We are of the opinion that wherever possible, it is always advisable to negotiate a resolution of any dispute.</p> <p>If you are of the opinion that the architect is not conducting himself in accordance with his Code of Conduct, you may consider filing a complaint with PAM. Kindly note though that PAM is a Professional Institute for architects and that we are only empowered to act if the architect in question is a PAM member. Furthermore, any disciplinary action that PAM may take is restricted to either a reprimand, suspension or expulsion from the Institute only.</p> <p>Alternatively, you may also file a complaint with the <i>Lembaga Arkitek Malaysia</i> (LAM) as this is the statutory body empowered to regulate the conduct of all registered architects. The penalties from LAM extend to reprimands, suspension, imposition of fines or de-registration. Please be advised though that in accordance with our Constitution, PAM is unable to act on any complaint if a similar complaint has already been lodged with LAM.</p>

No.	INQUIRY	RESPONSE FROM TEAM
		<p>Lastly, you may also address your grievance by taking legal action against the architect and if this is indeed your intended course of action, we would suggest that you seek legal advice before taking any further action.</p> <p>We hope that this is helpful.</p>
3.	<p>Date: 23 March 2022 Category D: Housing & Legislation Control</p> <p>I have purchased a condominium unit under a private developer, and the unit has just been delivered for vacant possession on 23/2/22.</p> <p>Upon entering the unit, I discovered that the kitchen sink location is not built by the brochure plan – the brochure plan that I received when I first placed the booking fee showed the sink is parked against the wall, but the existing location of the sink is at the centre of the kitchen. When the pipes on the floor above the leak, the water/wastewater will drip down to the centre of my kitchen/dining room and damage my interior fitting out.</p> <p>When I referred this issue to the developer, the developer pulled out a letter signed by buyers, which approved all developer changes without any claim. I do not remember I had signed such a letter. I supposed the letter was slotted among the many S&P documents for signatures referring to its date 28/6/19.</p> <p>Hence, my questions are:</p> <p>a. The developer had created a letter to procure 'blanket' approvals from the buyers in this case. Most buyers are laymen, can the developer ask the buyers to sign such a letter to approve all changes and forgo any claim resulting from variation made? If the developer does not inform the buyers of changes, the buyers probably will only know about such changes after collecting the unit's keys, is such a letter legally valid?</p> <p>b. Even with the letter, the variation is not informed to the buyers for collection of opinions. Can buyers ask the developer to improve the situation (to prevent leakage etc.)? Is the developer liable for any leakage/defect that occurs in the future?</p> <p>c. Besides, when I look back into the S&P documents, I just discover there is no particulars of the developer's solicitors. The developer's initial solicitor is used as the buyer's lawyer as the developer is offering a free lawyer fee. The developer's solicitor should be its stakeholder to hold the Stage 5 purchase price before all defects are rectified and cleared. So, does it mean there is no stakeholder for the developer under the S&P? Can advise how can I pursue recourse if defects are not rectified?</p>	<p>We refer to your e-mail dated 23 March 2022. As no further details were provided on your signed Sales & Purchase Agreement (SPA), we shall assume that your SPA is as per the agreement under Schedule H of Housing Development (Control and Licensing) Regulation 1989.</p> <p>Our replies to your queries are as follows:</p> <p>a. The developer had created a letter to procure 'blanket' approvals from the buyers in this case. Most buyers are laymen, can the developer ask the buyers to sign such a letter to approve all changes and forgo any claim resulting from variation made? If the developer does not inform the buyers of changes, the buyers probably will only know about changes after collecting the unit's keys, is such a letter legally valid?</p> <p><i>As far as we are aware, the letter you mention does not form any part of the standard SPA under the Housing Development (Control & Licensing) Regulations 1989. As we are also not aware of the circumstances behind the issuance and signing of such a letter, we are unable to comment on whether the Developer is within his rights to ask purchasers to sign such a letter or if the letter is indeed valid. If you do have queries on this letter, we would suggest you seek independent legal advice or direct your query to the Ministry of Housing, Local Government and Urban Well-being as they are the body tasked with regulating the use of the SPA under the Housing Development (Control & Licensing) Act 1966.</i></p> <p>b. Even with the letter, the variation is not informed to the buyers for collection of opinions. Can buyers ask the developer to improve the situation (to prevent leakage etc.)? Is the developer liable for any leakage/defect that occurs in the future?</p> <p><i>As far as we are aware, there is nothing within the SPA to prevent purchasers from asking developers to "improve the situation" but would note that there is also nothing in the SPA requiring a Developer to entertain any requests as the Developer is only legally obliged to deliver the property in accordance to the terms and conditions of the SPA.</i></p> <p><i>If any defects were to occur within the Defects Liability Period (DLP) (and subject to such defects NOT being due to the work of others), the Developer is obliged to rectify such defects by Clause 30 (1) of your SPA.</i></p> <p><i>If any defects were to occur after the expiry of the DLP, the Developer may also be held liable, but this is subject to the cause of such defect, i.e. whether the defect is due to his poor workmanship or an inherent design defect. If such a defect were to occur, we would suggest that you seek legal advice on how to pursue your case with the Developer.</i></p> <p>c. Besides, when I look back into the S&P documents, I just discover there are no particulars of the developer's solicitors. The developer's initial solicitor is used as the buyer's lawyer as the developer is offering a free lawyer fee. The developer's solicitor should be its stakeholder to hold the Stage 5 purchase price before all defects are rectified and cleared. So, does it mean there is no stakeholder for the developer under the S&P? Can advise how can I pursue recourse if defects are not rectified?</p> <p><i>Unless you have directly engaged a lawyer (and paid for his services), we note that for the standard housing transaction, there is no "buyer's lawyer". The lawyer/solicitor who prepared your SPA and arranged for its execution is acting on behalf of the Developer. When the Developer mentions that there is a "free lawyer fee", it normally means that he is not charging you for the payment of his legal fees. Kindly note that the Developer's solicitor is required to act as the "stakeholder" under Clause 30 (3) of the SPA and his particulars may be found under Clause 30 (4) of the SPA.</i></p> <p><i>In the event the Developer does not rectify your defects, your rights/recourse may be found under Clause 30 (2) of the SPA.</i></p> <p>We hope the above has been of assistance.</p>

EXTRAORDINARY GENERAL MEETING (EGM) OF PERTUBUHAN AKITEK MALAYSIA 23 APRIL 2022, AT 12.30 P.M. AT PAM CENTRE

The EGM was reconvened on Saturday, 23 April 2022, at 12.30 p.m., at Dewan Presiden, Level 2, PAM Centre, 99L Jalan Tandok, 59100 Kuala Lumpur following the EGM that was called on 16 April 2022 pursuant to Clause 7.4(c) which was attended by 39 Corporate Members and did not garner sufficient quorum of 60 Corporate Members.

Datuk Ar. Ezumi Harzani Ismail, the Chairman of the EGM, announced at 1.00 p.m. that there were 39 Corporate Members present. Pursuant to Clause 7.8, these Corporate Members present at the adjourned meeting shall constitute as quorum, and he called the meeting to order. He thanked all present for attending the EGM on a Saturday for the second time.

The purpose of the Extraordinary General Meeting is to table to Members the following resolutions for amending the PAM Constitution and Bye-Laws, to be approved by a two-third majority of Corporate Members present at the EGM. Once the Resolution is passed by the Members at the EGM, the amendments shall be submitted to the Registrar of Societies (ROS) for approval before adoption by PAM.

Datuk Ar. Ezumi Harzani Ismail invited Ar. Abu Zarim Abu Bakar, Chairman of Constitution Review Committee 2021-2022, to table to members the resolutions for amendments to the PAM Constitution and Bye-laws for approval by members. The resolutions were as follows:

Resolution 1: To amend the PAM Constitution and Byelaws to reflect the resolutions adopted by the members at the 55th Annual General Meeting of PAM on 24 April 2021:

- To allow for Graduate Members to have a representative elected among Graduate Members to Council through a modification of the existing election system at PAM.
- The representative Graduate Member on Council to have the right to vote in Council.
- That the elected Graduate Member representative to become the Chairperson of a permanent 'Graduate Committee' (ie. formerly called PAM:NEXT) with adequately allocated resources.

The resolution was put to a vote by a show of hands.
38 Corporate Members voted 'Yes'.
0 Corporate Member voted 'No'.
1 Corporate Member 'Abstained'.

The Resolution was carried as the two-thirds majority (38 votes) was achieved to pass the resolution.

Resolution 2: To amend the PAM Constitution to correct a transcription error previously not picked up and should be corrected. The referred clause should be '4.2.2 Ordinary Member' and not '11.2.2', which does not exist.

The resolution was put to a vote by a show of hands.
38 Corporate Members voted 'Yes'.
0 Corporate Member voted 'No'.
1 Corporate Member 'Abstained'.

The Resolution was carried as more two-thirds majority was achieved to pass the resolution.

Resolution 3: To amend the PAM Constitution and Bye-laws to reflect the revised nomenclature and to ensure there is no confusion with the previous PAM Code of Professional Conduct or with the Code of Conduct For Architects as contained in the Architects Act 1967/Architects Rules 1996. The new updated PAM Code of Conduct had been circulated to members and came into effect from 13 April 2021. The updated PAM Code of Conduct maintains all the same existing principles of good conduct and behaviour set out in the preceding PAM Code of Professional Conduct which it now supersedes. It is re-stated in a brief and easily readable format and further sets out PAM's commitment as a professional organisation to uphold respect for environment, heritage and community well-being in Clause 15 of PAM Byelaws.

The resolution was put to a vote by a show of hands.
38 Corporate Members voted 'Yes'.
0 Corporate Member voted 'No'.
1 Corporate Member 'Abstained'.

The Resolution was carried as more than two-thirds majority was achieved to pass the resolution.

Resolution 4: To amend the Constitution to allow for a two-year Council term. In 2016, the Council presented a Council term of two years for consideration. However, it did not receive the two-thirds majority needed to amend the constitution. Since then, many developments and changes took place. The number of council members expanded, now totalling 31 comprising of 5 Office Bearers, 1 Immediate Past President, 4 nominated Past Presidents, 5 Chapter Chairmen, 13 Ordinary Council members and 3 nominated Non-Corporate members.

As more administrative staff were added to deal with the ever increasing issues, activities, programmes and events. There are now 31 secretariat staff in total. The creation of more committees meant programmes, events and activities also increased and many became more complex. In addition, issues relating to the profession become ever increasing complex. Time becomes essential to address these concerns. The current term of one year needs to be reviewed and extended.

The rationale for a two-year Council term are as follows:

1. Effective period of the council term

- a) The effective period for the elected council member is from May to March, i.e. 10 months, as 2 months are lost due to the elections.
- b) Before elections, the programmes, events and activities almost grind to a stop as Council Members slow down to prepare for the elections.
- c) One month after the elections, the newly elected Council Members need to prepare the new programmes and activities.

- d) If a member is elected twice consecutively, the number will be 20 months, as opposed to having a straight term of 2 years or 22 effective months. This will be beneficial in terms of planning and execution of programmes, events and activities.
- e) With 22 effective months, the elected president will have more time to plan out his vision and directions. Many agenda and issues could be planned, researched and discussed, and subsequently executed.
- f) The current short term of one-year term limits council members to change and present no continuity to the cause.

2. Administrative

A two-year term may reduce the hassle of changing the signatories of Office Bearers, i.e. President, Deputy President, Honorary Treasurer and Honorary Secretary, with the bank every year. This also applies to the changing of the Board of Directors in all PAM subsidiary companies.

3. Costs

- a) A 2-year term will reduce tangible and intangible costs of running the elections. It will reduce approximately RM 8,500 fees for the e-voting system only.
- b) It also costs the secretariat considerable commitment during the month of elections. The staff involved becomes unproductive as they focus on activities that needed to run the elections.

4. External representations

It takes time for a PAM representative to build rapport with the external agencies such as PBT, GLC, etc. As such, it does not bode well for PAM when PAM has to keep changing the PAM representatives annually, especially when representing as a Committee Member or a member of the Advisory Board at the local councils.

5. Newly elected council members

It takes time, money and effort for newly elected council members to familiarise themselves with the workings of the Council.

Disadvantages of a two-year term

- a) Any council member may not perform as expected. There is no provision in the constitution to remove or replace the non-performing council member.
- b) In order to address this matter, there is a need to amend the constitution to include a clause to remove or replace the said member and safeguard the interests of PAM.

The resolution was put to a vote by a show of hands.
 13 Corporate Members voted 'Yes'.
 22 Corporate Members voted 'No'.
 4 Corporate Members 'Abstained'.

The Resolution was not carried as the two-thirds majority (26 votes) was not achieved to pass the resolution.

Resolution 5: To amend the Constitution to expand the number of Chapters' Committee members in order to better serve the Chapter members. The Chapter Committee felt that there is an increased need to expand the number of Committee members in order to serve the Chapter members better by providing more services and programs for professional development. More members also have been showing interest to contribute to the Institute. The proposal will give the Chapters more flexibility to operate with 6 to 9 committee members.

The resolution was put to a vote by a show of hands.
 38 Corporate Members voted 'Yes'.
 0 Corporate Member voted 'No'.
 1 Corporate Member 'Abstained'.

The Resolution was carried as more than two-thirds majority was achieved to pass the resolution.

In his closing remarks, Deputy President and Chairman of the EGM Ar. Abu Zarim Abu Bakar thanked all members present and informed that Council would take note of all the suggestions that were proposed.

PAM Council 2022-2023

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