

MEDIATION FOR CONSTRUCTION INDUSTRY IN THE GREATER BAY AREA - RECOGNITION STATUS, MICRO SKILLS AND TECHNIQUES

Final Report

ABOUT THE HONG KONG INSTITUTION OF ENGINEERS - CONSTRUCTION DISPUTE RESOLUTION COMMITTEE

The Construction Dispute Resolution (CDR) Committee is responsible to the Learned Society Board for all matters relating to adjudication, arbitration, mediation, any other forms of dispute resolution, as well as the development of alternative dispute resolution, and in particular relating to the engineering profession.

Aims

- To promote the use of adjudication, arbitration, mediation or other appropriate forms of dispute resolution mechanism in handling disputes in relation to construction and engineering;
- To promote knowledge sharing and transfer about adjudication, arbitration, mediation and other forms of dispute resolution mechanism;
- To facilitate the provision of training relevant to adjudication, arbitration, mediation and other forms of dispute resolution mechanisms;
- To accredit arbitrators and maintain the Institution's Lists of Arbitrators and Mediators;
- To propose direction and provide assistance in the development, management, accreditation, and administration on matters relating to adjudication, such as the management of the proposed body of engineering adjudication nomination under the proposed Security of Payment Legislation; and
- To advise the Institution on adjudication, arbitration, mediation as well as other matters relating to alternative dispute resolution.

Construction Dispute Resolution Committee

Chairman	Ir Prof TO Wing Christopher
Immediate Past Chairman	Ir TONG Sidney Pui Keung
Deputy Chairman	Ir CHAN To Cheong Ben
Member	Ir Dr LEE Chi Hong Barry
Member	Ir Dr LIM Chaw Hyon Eric
Member	Ir LEUNG Man Yee Mandy
Member	Ir FAN Kai To Jason
Member	Ir YEUNG Ming Tai
Member	Ir TANG Ming Sum Michelle
Member	Ir HUNG Kin Chung Roy
Member	Ir TANG Whai Tak
Member	Ir WONG Cheuk Fai Peter
Member	Ir MAK Ka Wai
Member	Ir PONG Chung Lai Jeremy
Member	Ir KWONG Hui Lok Anthony
Member	Ir LI Yan Chun Dennis
Member	Ir LEE Yuk Yu Kevin
Co-opted Member	Ir CHAN Yu Sum Sam
Co-opted Member	Ir LI Man Kong Vincent
Co-opted Member	Ir Dr CHEUK Chi Yin Johnny
Co-opted Member	Ir CHEUNG Kwan Wing Kenneth

ABOUT THE HONG KONG INSTITUTION OF ENGINEERS

The Hong Kong Institution of Engineers (HKIE) was initially founded in Hong Kong in 1947 as The Engineering Society of Hong Kong to promote the professional standing, interests and technical standards of local engineers across a broad spectrum of engineering specialisations. Ever since, the Society had been advancing its members' professional and social involvement as it flourished. It was then incorporated in 1975 as the Hong Kong Institution of Engineers under the Hong Kong Institution of Engineers Ordinance, Chapter 1105 of the Laws of Hong Kong—as the city itself went through decades of phenomenal growth in areas of infrastructure, industrial and social development with engineers playing their pivotal roles during such process.

The HKIE first started off in 1975 with about 2,000 members, and until now, the number of members far exceeds 30,000. Through these years, the Institution has established various engineering disciplines to diversify and intensify our contributions to the development of Hong Kong. In 1982, the Corporate Members of the HKIE are recognised by the Hong Kong Government for civil service, marking a significant milestone for the development of the engineering profession.

The engineering professionals of Hong Kong have been evolving with the time as the HKIE continues to assert its driving force. Responding to and foreseeing technological advancements in a myriad of engineering disciplines, new Divisions have been – and will be – established by the HKIE to cater to the needs of members and society. Now, the HKIE proudly boasts in total 22 highly professional and specialised Disciplines and 19 Divisions to serve our members and the community.

Our Qualifications

Engineering encompasses an ever-widening spectrum of specialisation and practical work. The success of any engineering project depends heavily on the synergies among different disciplines. Among major fields of engineering practices in Hong Kong, the HKIE has established the following disciplines:

- Aircraft
- Biomedical
- Building
- Building Services
- Chemical
- Civil
- Control, Automation & Instrumentation
- Electrical
- Electronics
- Energy
- Environmental
- Fire
- Gas
- Geotechnical
- Information
- Logistics & Transportation
- Manufacturing, Industrial & Systems
- Marine & Naval Architecture
- Materials
- Mechanical
- Nuclear
- Structural

ABOUT HONG KONG MEDIATION COUNCIL

Hong Kong Mediation Council Limited (HKMCL) was the first professional group in Hong Kong to convene a community of professionals, corporate counsel, and law firms to develop a culture of mediation to avoid the high cost of litigation.

Established in January 1994, HKMCL was initially known as the Mediation Interest Group and was set up as a division within the Hong Kong International Arbitration Centre (HKIAC). As of 6 October 2022, HKMCL has been incorporated as a wholly-owned-subsiidiary of HKIAC. Please visit the website of HKMCL from [HERE](#).

Vision and Mission

HKMCL seek to help the community resolve disputes so that they can focus their efforts in furthering their goals. HKMCL mission is to offer an international mediation centre in Hong Kong and to cultivate a culture of mediation and other forms of Alternative Dispute Resolution so that ADR is accessible and comprehensible to everyone.

What HKMCL Do

Nearly 30 years later, HKMCL continue to lead as the Asian industry pioneer in developing the field of ADR. HKMCL do this by:

- Facilitating dialogues with international ADR organisations for information exchange.
- Organising international seminars and conferences to engage leading international ADR practitioners with the Asian community.
- Participating in international conferences to represent regional views.
- Assisting governments in building a comprehensive ADR system.
- Offering cutting-edge training programs to corporations and individuals on the latest ADR thoughts and techniques.

MESSAGE FROM GUEST OF HONOUR



Dr CHEUNG Kwok-kwan, SBS, JP

Deputy Secretary for Justice
Department of Justice, the Government of the
Hong Kong Special Administrative Region

I would like to extend my sincere congratulations to The Hong Kong Institution of Engineers (HKIE) for organising this Conference on “Mediation for the Construction Industry in the Greater Bay Area - Recognition Status, Micro Skills and Techniques”. As a corporate member of the Hong Kong Mediation Accreditation Association Limited (HKMAAL) and a member organisation of the Joint Mediation Helpline Office, HKIE has played a pivotal role in promoting mediation within the engineering and construction sectors over the years.

This conference will delve into the recognition status of mediation in the construction sector, alongside essential micro skills and techniques that can enhance the effectiveness of mediations. These discussions are vital as we seek to build a robust framework for mediation that can effectively address the complexities of construction disputes in the Greater Bay Area (GBA).

As enshrined in the 14th Five-Year National Development Plan, the GBA represents a dynamic and rapidly evolving region, where cross-border collaboration and innovation are key to sustainable development. As the construction and engineering industries continue to play an important role in shaping the GBA's infrastructure and economic growth, it is imperative that we adopt efficient, cost-effective, and collaborative dispute resolution mechanisms.

Hong Kong has long been a pioneer in promoting mediation as an alternative dispute resolution tool. Our world-class legal framework, coupled with the expertise of our mediation professionals, has earned us the reputation as a hub for international legal and dispute resolution services in the Asia-Pacific region.

Mediation, with its emphasis on preserving relationships and fostering mutually beneficial outcomes, is an ideal method for resolving often complex and high-stakes construction disputes due to its inherent flexibility and the mediator's ability to discuss issues confidentially with the parties involved. This process fosters open communication and collaboration, enabling parties to explore creative solutions for achieving win-win settlement that may not be available in traditional litigation or arbitration. By integrating mediation into the fabric of the construction and engineering industries, we can reduce litigation costs, save time, often achieve quicker resolution of complex construction disputes and minimizing project delays, and maintain the collaborative spirit essential for successful project delivery.

This conference brings together industry leaders, legal experts, and mediation professionals to explore the transformative potential of mediation in the construction and engineering sectors, and provides an excellent platform to share insights and exchange best practices. I encourage all stakeholders — engineers, contractors, developers, and legal professionals — to embrace mediation as a proactive and strategic tool for dispute resolution. Together, we can build a culture of collaboration and innovation that will drive the sustainable development of the GBA.

I would like to commend the HKIE for organizing this significant event and for your continued commitment to advancing the construction and engineering industries. Let us seize this opportunity to strengthen partnerships, enhance our skills, and promote the wider use of mediation across the region.

I wish you all a productive and inspiring conference, and would like to extend my heartfelt congratulations to the HKIE on the momentous occasion and golden milestone of your 50th anniversary!

MESSAGE

FROM PRESIDENT FOR SESSION 2024/2025, THE HONG KONG INSTITUTION OF ENGINEERS



Ir MA Siu-cheung, Eric, GBS, JP

President for Session 2024/2025,
The Hong Kong Institution of Engineers

On behalf of The Hong Kong Institution of Engineers (HKIE), I extend my warmest welcome to all participants of the Mediation Forum: “Mediation for the Construction Industry in the Greater Bay Area – Recognition Status, Micro Skills and Techniques”.

Mediation is becoming an essential competency in the construction industry, offering an effective and collaborative approach to resolving disputes. With large-scale, cross-border projects involving diverse stakeholders, it is crucial to adopt dispute resolution methods that preserve relationships, enhance project efficiency, and support long-term industry growth. The Greater Bay Area, as a dynamic centre for engineering and infrastructure development, presents both opportunities and challenges—making mediation a key element in fostering a sustainable and cooperative industry.

As the leading professional body for engineers in Hong Kong, HKIE recognises the importance of promoting mediation as a valued skill for engineers. Engineering disputes often require technical expertise and industry-specific knowledge, making engineers uniquely positioned to contribute as mediators. By equipping engineers with mediation qualifications, we strengthen not only individual careers but also the broader industry’s ability to manage conflicts constructively. The Construction Dispute Resolution Committee (CDRC) has been at the forefront of this effort, actively advancing professional mediation practices and recognition.

This aligns with HKIE’s 2025 theme, “Grow the Nexus, Link the Links”, which highlights the importance of strengthening professional connections across disciplines, industries, and regions. By promoting mediation expertise as one of the key skills among engineers, we build a more resilient, integrated, and forward-looking engineering community.

Mediation is not just about resolving disputes—it is about shaping a more collaborative and forward-thinking industry. I encourage you to embrace mediation as a core skill, apply it in your professional practice, and contribute to a more harmonious and efficient construction sector. Let us continue to work together to strengthen mediation’s role in the Greater Bay Area and beyond.

MESSAGE FROM CHAIRMAN OF THE HONG KONG INSTITUTION OF ENGINEERS - CONSTRUCTION DISPUTE RESOLUTION COMMITTEE



Ir Dr TO Wing, Christopher
Chairman for Session 2024/2025,
The Hong Kong Institution of Engineers -
Construction Dispute Resolution Committee

Welcome to the seminar on "Mediation for the Construction Industry in the Greater Bay Areas - Recognition, Status, Micro Skills, and Techniques." We are thrilled to have you join us for this significant event, which brings together a diverse group of professionals dedicated to enhancing the practice of mediation within the construction sector.

The Greater Bay Area is a dynamic and rapidly evolving region, characterized by its ambitious infrastructure projects and innovative construction endeavors. As the industry continues to expand, so too does the potential for disputes and conflicts. These challenges, if not managed effectively, can lead to costly delays, strained relationships, and hindered progress. Mediation emerges as a vital tool in this context, offering a structured yet flexible approach to conflict resolution that prioritizes collaboration and mutual benefit.

Our seminar today is designed to provide a comprehensive exploration of mediation's role in the construction industry. We will begin by examining the current status and recognition of mediation within the Greater Bay Area. This includes an in-depth look at the legal and regulatory frameworks that support mediation, as well as the evolving trends that are driving its increased acceptance and utilization. Understanding these elements is crucial for appreciating how mediation can be effectively integrated into our professional practices and how it can serve as a cornerstone for resolving disputes.

A key focus of our seminar will be on the micro skills and techniques that are essential for successful mediation. These skills include active listening, empathy, neutrality, and the ability to facilitate constructive dialogue. Our expert speakers, who bring a wealth of experience and knowledge, will share practical insights and strategies that you can apply in your own mediation practices. Whether you are a seasoned mediator or new to the field, these sessions are designed to equip you with the tools needed to navigate the complexities of construction disputes effectively.

We believe that the exchange of ideas and experiences is what makes events like this truly valuable. Therefore, we encourage you to actively participate in the discussions, ask questions, and share your own insights. By engaging with one another, we can collectively enhance our understanding and application of mediation, ultimately contributing to the continued growth and success of the construction industry in the Greater Bay Area.

In addition to the formal sessions, we have also arranged for networking opportunities where you can connect with fellow professionals, share experiences, and build relationships that can support your mediation practice. We hope that these interactions will foster a sense of community and collaboration that extends beyond this seminar.

We would also like to extend a special invitation to engineers to actively engage in mediation. As key stakeholders in the construction process, your technical expertise and problem-solving skills are invaluable in the mediation process. By participating in mediation, engineers can help ensure that disputes are resolved efficiently and effectively, minimizing disruptions and fostering a more collaborative working environment. Your involvement can make a significant difference in achieving successful outcomes and maintaining the momentum of construction projects.

Thank you for being here today. Your participation is a testament to your commitment to advancing the practice of mediation and to fostering a more collaborative and efficient construction industry. We look forward to an engaging and productive seminar, and we are confident that you will leave with a deeper understanding of mediation and its critical role in our industry.

MESSAGE

FROM LEGCO MEMBER

FOR THE ENGINEERING CONSTITUENCY



Ir Dr Hon LO Wai Kwok, GBS, MH, JP
Member of Legislative Council
(Functional Constituency – Engineering)

I would like to congratulate the Construction Dispute Resolution Committee (CDRC) of the HKIE for hosting the conference with the theme “Mediation for the Construction Industry in the Greater Bay Area – Recognition Status, Micro Skills and Techniques”.

As the construction industry continues to evolve in the Greater Bay Area, effective mediation practices will be instrumental in ensuring smoother project execution, stronger professional relationships, and a more sustainable future for all stakeholders.

Over the past years, the CDRC of the HKIE has dedicated itself to promoting mediation as a key tool for dispute resolution, and I am confident that this conference will provide valuable insights and expertise to further enhance the adoption of mediation in the construction industry.

Congratulations again on this momentous occasion, and best wishes for a successful and impactful event. I also wish the CDRC of the HKIE every success in its future endeavors!

A handwritten signature in black ink, appearing to read 'Lo Wai Kwok', written in a cursive style.

MESSAGE

FROM PERMANENT SECRETARY FOR DEVELOPMENT (WORKS), DEVELOPMENT BUREAU HKSAR



Ir LAU Chun-kit, Ricky, JP

Permanent Secretary for
Development (Works)
Development Bureau, HKSAR

粵港澳大灣區建造業的調解——
認可情況、微觀技巧與技術研討會

翹才協契
華夏興騰

發展局常任秘書長(工務)劉俊傑

ABOUT THE CONFERENCE

Mediation has been proven to be highly effective worldwide, with a high settlement rate and a high level of satisfaction among participants to resolve disputes. It is essential to enhance engineers' understanding on the intricacies of mediation and HKIE-CDRC plays an important role in promoting and sharing the knowledge of construction and building-related mediation.

With the support of PASS (the Professional Services Advancement Support Scheme), HKIE-CDRC organise a one-day International Conference of "Mediation for Construction Industry in the Greater Bay Area – Recognition Status, Micro Skills and Techniques" on Thursday, 3 April 2025 in Hong Kong Convention and Exhibition Centre. A lot of experts are invited to share and explore the practices, adoption, regulation and the latest trends of mediation practices from Hong Kong, China and Macao, providing an in-depth understanding of the legal background, accreditation and standards for mediator, real practice and experience sharing for construction mediation to engineers.



ABOUT THE CONFERENCE HIGHLIGHTS

MEDIATION FOR CONSTRUCTION INDUSTRY IN THE GREATER BAY AREA - RECOGNITION STATUS, MICRO SKILLS AND TECHNIQUES

HONG KONG CONVENTION AND EXHIBITION CENTRE | 3 APRIL 2025



13

Invited Guests & Speakers

7

Discussion Topics

95

Onsite Participants

532

Online Participants

ABOUT THE CONFERENCE HIGHLIGHTS



ABOUT THE CONFERENCE HIGHLIGHTS



ABOUT THE CONFERENCE HIGHLIGHTS



ABOUT THE CONFERENCE

TIME (HKT)	DETAILS	TIME (HKT)	DETAILS
09:55 - 10:00	Opening Remarks Ir FAN Kai-to, Jason OC Chairman	14:00 - 14:10	Keynote Ir Dr Hon LO Wai Kwok, GBS, MH, JP LegCo Member for the Engineering constituency
10:00 - 10:15	Welcome Speech Ir MA Siu-cheung, Eric GBS, JP President for Session 2024/2025, The HKIE	14:20 - 14:30	Keynote Ir TONG Pui-keung, Sidney Immediate Past Chairman, The HKIE - Construction Dispute Resolution Committee
10:15 - 10:30	Speech by Guest of Honour Dr CHEUNG Kwok-kwan, Horace, SBS, JP Deputy Secretary of Justice, Department of Justice, HKSAR	14:30 - 15:05	Topic 3: 深圳國際仲裁院的調解實踐和創新及其在大灣區發揮的作用 Mr Weimin XIE General Counsel, Shenzhen Court of International Arbitration
10:30 - 10:50	Keynote Ir Dr TO Wing, Christopher Chairman of The HKIE - Construction Dispute Resolution Committee	15:05 - 15:40	Topic 4: Construction Mediation Practices in Hong Kong Ir CHAN To-cheong, Ben Deputy Chairman of The HKIE - Construction Dispute Resolution Committee
10:50 - 11:15	Group Photo and Tea Break	15:40 - 15:55	Break
11:15 - 12:00	Topic 1: Policy and regulation of mediation in the Mainland : Insights for the future development of mediation practices in GBA Mr WANG Haocheng (Brad) Deputy Secretary General (in Charge) CIETAC Hong Kong Arbitration Center	15:55 - 16:30	Topic 5: Mediation Accreditation and Standard in Hong Kong Ir Dr TO Wing, Christopher Chairman of The HKIE - Construction Dispute Resolution Committee
12:00 - 12:45	Topic 2: Exploring Alternative Dispute Resolution in Macau: Perspectives on Mediation Practices and Future Directions in the Greater Bay Area (GBA) Ms VONG Sok-hei, Rosita Secretary-General, World Trade Center Macau Arbitration Center	16:30 - 17:05	Topic 6: Mediation Practices and Sharing - Mainland Dr TANG Minli Partner of AllBright Law Offices
		17:05 - 17:40	Topic 7: Mediation Practices and Sharing - Macao Mr Norris HC YANG YYC Legal LLP
		17:40 - 17:45	Closing Remarks Ir KWONG Anthony OC Vice Chairman

SUMMARY

In Presentation Order



Ir FAN Kai-to, Jason

OC Chairman

Opening Remarks



Ir MA Siu-cheung, Eric, GBS, JP

President for Session 2024/2025, The Hong Kong Institution of Engineers

Welcome Speech



Dr CHEUNG Kwok-kwan, SBS, JP

Deputy Secretary for Justice
Department of Justice, the Government of the Hong Kong Special Administrative Region

Speech by Guest of Honour



SUMMARY

In Presentation Order



Ir Dr TO Wing, Christopher

Chairman of Construction Dispute Resolution Committee, The Hong Kong Institution of Engineers Session 2024/2025

Keynote



Ir Dr Hon LO Wai Kwok, GBS, MH, JP

Member of Legislative Council (Functional Constituency – Engineering)

Keynote



Ir TONG Pui Keung, Sidney

Immediate Past Chairman for Session 2024/2025, The Hong Kong Institution of Engineers - Construction Dispute Resolution Committee

Keynote



SUMMARY

Discussion Topics In Presentation Order



Mr WANG Haocheng, Brad

Deputy Secretary General (in Charge)
China International Economic and Trade
Arbitration Commission Hong Kong
Arbitration Center

Topic : Policy and regulation of mediation in the Mainland : Insights for the future development of mediation practices in GBA



Ms VONG Sok-hei, Rosita

Secretary-General, World Trade Center
Macau Arbitration Center

Topic : Exploring Alternative Dispute Resolution in Macau: Perspectives on Mediation Practices and Future Directions in the Greater Bay Area (GBA)



SUMMARY

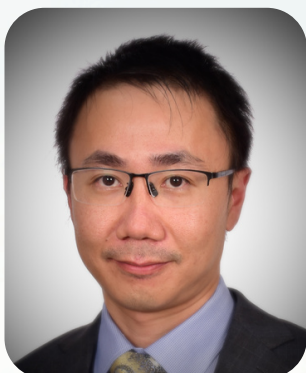
Discussion Topics In Presentation Order



Mr XIE Weimin

General Counsel
Shenzhen Court of International Arbitration

Topic : 深圳國際仲裁院的調解實踐和創新及其在大灣區發揮的作用



Ir CHAN To-cheong, Ben

Deputy Chairman of The Hong Kong Institution
of Engineers - Construction Dispute Resolution
Committee

Topic : Construction Mediation Practices
in Hong Kong



SUMMARY

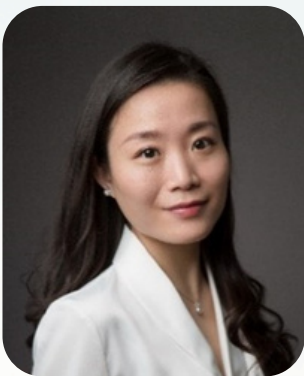
Discussion Topics In Presentation Order



Ir Dr TO Wing, Christopher

Chairman of Construction Dispute Resolution Committee, The Hong Kong Institution of Engineers Session 2024/2025

Topic : Mediation Accreditation and Standard in Hong Kong



Dr TANG Minli

Partner of AllBright Law Offices

Topic : Mediation Practices and Sharing - Mainland



Mr YANG H.C., Norris

YYC Legal LLP

Topic : Mediation Practices and Sharing - Macao



SUMMARY

In Presentation Order



Ir KWONG Hui-lok, Anthony

OC Vice-Chairman

Closing Remarks



FEEDBACKS

79

No. of Responses

4.59

Overall Satisfactory

Meet Expectation

YES 100%

Knowledge and Skills
Enhancement

YES 100%

Appropriate Time
Arrangement

YES 95%

NO 4%

Others 1%