ABSTRACT

The negative impacts of disputes are well known to practitioners working in the construction industry: adversarial relationships and increase in cost and time to resolve the disputes. As such, there has been an extensive research geared towards finding effective solutions to manage the disputes. These can be broadly classified into two approaches: those that concentrated on improving the legal framework to prevent disputes from arising in the first place and those that focused on improving the people and management issues to resolve disputes quickly.

This dissertation seeks to address the issue of disputes over payment certificates similar to the two approaches: examination of contract provisions to determine the extent of control of disputes and identification of any inadequacies in the current dispute management practices in the industry.

The second approach was achieved through a postal survey sent to consultant architects, engineers and quantity surveyors. The main findings are that: (1) provisions in the two local standard contracts provide effective control of disputes over payment certificates and (2) there is still room for improvement in the dispute management practices.

Key words: disputes, dispute management, contract, payment certificates