

A useful book for construction professionals

Book reviews

International dimensions of the role and responsibility of Construction Professionals

Author: Dr. Haris Deen

Sri Lankan born construction professional Dr. Haris Deen has published a book on the important aspects of the role and responsibility of construction professionals.

Drawing from his across the board knowledge of contract law, wide experience in construction claims and matters related to arbitration and his extensive international exposure, Dr. Deen has produced a work that will be of interest to both students of contract law, instructors in quantity surveying, project and construction management and practising professionals in these fields.

The book titled "International Dimensions of the Role of Responsibility of Construction Professionals" deals with the law of contracts as applied in many countries such as the United Kingdom, United States, Canada, Malaysia, Australia, New

Zealand, the United Arab Emirates, Qatar, Bahrain and Saudi Arabia.

Commencing with contractual relationships in depth, the book has interesting sections on duty of care and professional negligence, project managers' responsibility, role and responsibility of professionals in a construction contract and some aspects of the liabilities of all parties in a construction contract. All sections have been supported by latest decided cases of the British and courts of justice of as many countries as were available at the time of writing.

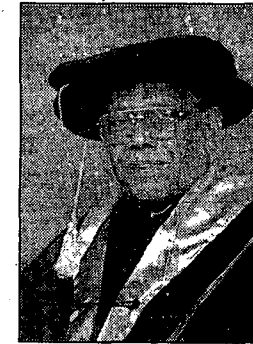
Professional functions

All professionals have a duty of care in the discharge of their professional functions. The construction professional is not different. He or she has the same responsibilities and professional liabilities in respect of duty of care and diligence as much as any other professional, towards the client or employer when charged with or assigned a function with his or her pro-

fessional competence. Clients or employers who pay for these services do expect such duty of care when they engage professional consultants to perform specific duties on their behalf. Therefore consultants who fail to extend such duty of care and diligence run the risk of being litigated against.

Dr. Deen's book deals with contractual relationships in the first instance. The basic requirements of offer, acceptance and consideration in the formation of contracts are dealt with supported by decided cases from various parts of the world in order to highlight the social, cultural and religious aspects that govern the formulation of laws in various countries.

The Middle East has been a hot bed of construction activity for sometime. However professionals, who venture into these parts from other parts of the world, including Sri Lanka, expect the same or similar legal systems they are familiar with, to prevail in these countries as well. Such misconception is brought about by the fact that forms of contract used are mainly



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derived from FIDIC or the JCT forms. However, resolution of disputes in many Arab Gulf States, are based on the provisions in their own legal systems. This book gives an insight into the legal systems prevailing in the Arab World, Malaysia and other Asian and South Asian

countries, where details are available.

Duty of care that every professional has to exercise is extensively dealt with supported by case studies. Particular reference has been made to the project manager and his responsibilities, since more and more clients are now engaging the services of project managers. These clients expect a high standard of service from their project

managers. Similarly more and more professionals are offering project management services.

Therefore, it is important that they know the extent of their role and responsibilities and the liabilities should they fail to deliver.

The project managers' responsibility, the extent of his liability for actions of other members of the construction team and the project management team's liability to third parties are all well researched in the book.

The book concludes with a review of the consultant's responsibility as agents of the client and their general professional liability.

The book is expected to provide immense knowledge to students, practising construction professionals and all those connected with construction claims management and arbitration.

Dr. Haris Deen is an old boy of Zahiria College, Colombo and son of the late Alhaj A. L. J. Deen of Maharagama.