Proposed Framework for *Tahkīm* in the Construction Industry

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Abstract:

Conventionally, arbitration is deemed the most frequently used alternative dispute resolution (ADR) mechanism for settling construction related disputes. In Islam a similar approach in ADR, and is *Shari'ah*-compliant, is known as *Tahkīm*. While the practice and procedures in arbitration are well established but not much is known about *Tahkīm*. In line with the interest of the business community to seek ways to adopt *Shari'ah*-compliant practice and procedures it is considered important and urgent for the use of *Tahkīm* in settling construction related disputes to be promoted. This paper reports on a study to develop a proposed framework for *Tahkīm*. Methodology adopted for the study combines review of literature and interviews with *Shari'ah,* legal and construction experts. It concludes with a recommendation for the framework to be considered for use in settling construction related disputes.

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