

Contents

	Conditions	1
Section 1	Definitions and Interpretation	1
	Definitions	
1.1	Definitions	
	Interpretation	
1.2	Reference to clauses etc.	
1.3	Sub-Contract to be read as a whole	
1.4	Headings, references to persons, legislation etc.	
1.5	Reckoning periods of days	
1.6	Contracts (Rights of Third Parties) Act 1999	
1.7	Notices and other communications	
1.8	Effect of Final Payment Notice	
1.9	Consents and approvals	
1.10	Applicable law	
Section 2	Carrying out the Sub-Contract Works	9
	Sub-Contractor's Obligations	
2.1	General obligations	
2.2	Time of commencement and completion	
2.3	Materials, goods and workmanship	
2.4	Compliance with the Main Contract and indemnity	
	Supply of Documents, Setting Out etc.	
2.5	Construction information and directions	
2.6	Time of supply	
	Errors, Inconsistencies and Divergences	
2.7	Bills of Quantities	
2.8	Directions on errors, omissions and inconsistencies	
2.9	Directions – additions to Final Sub-Contract Sum, exceptions	
2.10	Divergences from Statutory Requirements	
	Unfixed Materials and Goods	
2.11	Unfixed Materials and Goods	
	Adjustment of Period for Completion	
2.12	Notice of delay – extensions	
2.13	Relevant Sub-Contract Events	
	Practical Completion and Lateness	
2.14	Date of practical completion	
2.15	Failure of Sub-Contractor to complete on time	
	Defects	
2.16	Sub-Contractor's liability	
2.17	Deductions under the Main Contract Conditions	
	Collateral Warranties – particulars and notices	
2.18	Collateral Warranties – particulars and notices	
	Sub-Contractor's Design	
2.19	As-built Drawings	
2.20	Copyright and use	
2.21	Design liabilities and limitation	

Section 3 Control of the Sub-Contract Works

19

Assignment and Sub-Contracting

- 3.1 Non-Assignment
- 3.2 Consent to sub-contracting
- 3.3 Conditions of sub-contracting

Contractor's Directions

- 3.4 Power to issue directions
- 3.5 Compliance with directions
- 3.6 Non-compliance with directions
- 3.7 Person-in-charge
- 3.8 Access for Contractor and Architect/Contract Administrator

Opening Up and Remedial Measures

- 3.9 Inspection – tests
- 3.10 Work not in accordance with the Sub-Contract
- 3.11 Directions as to removal of work etc.
- 3.12 Indemnity by Sub-Contractor
- 3.13 Effect of non-compliant work by others

Attendance and Site Matters

- 3.14 Attendance
- 3.15 Temporary buildings
- 3.16 Site clearance

Health and Safety, CDM Regulations and Part 2A of the Building Regulations

- 3.17 Health and Safety
- 3.18 CDM Regulations and Part 2A of the Building Regulations

Suspension of Main Contract by Contractor

- 3.19 Notification by Contractor
- 3.20 Directions following suspension

Other Provisions

- 3.21 Strikes
- 3.22 Benefits under the Main Contract
- 3.23 Certificates under the Main Contract

Section 4 Payment

25

Sub-Contract Sum and Sub-Contract Tender Sum

- 4.1 Adjustment Basis
- 4.2 Remeasurement Basis
- 4.3 Taking adjustments into account

Taxes

- 4.4 VAT
- 4.5 Construction Industry Scheme (CIS)

Payments and Notices – general provisions

- 4.6 Interim payments – due dates, applications and sums due
- 4.7 Interim payments – calculation of sums due
- 4.8 Listed Items
- 4.9 Interim and final payments – final date, notices and amount
- 4.10 Sub-Contractor's right of suspension

Loss and Expense

- 4.11 Matters affecting regular progress
- 4.12 Notification and ascertainment
- 4.13 Relevant Sub-Contract Matters
- 4.14 Contractor's reimbursement
- 4.15 Reservation of rights and remedies of Contractor and Sub-Contractor

Final Adjustment and Final Payment

- 4.16 Final Sub-Contract Sum – Adjustment Basis
- 4.17 Final Sub-Contract Sum – Remeasurement Basis
- 4.18 Calculation of Final Sub-Contract Sum

4.19	Final payment	
Section 5	Valuation of Work and Variations	33
	General	
5.1	Definition of Variations	
5.2	Valuation of Work	
	The Valuation Rules	
5.3	Measurable Work – Adjustment Basis	
5.4	Measurable Work – Remeasurement Basis	
5.5	General rules	
5.6	Daywork	
5.7	Change of conditions for other work	
5.8	Additional provisions	
5.9	Sub-Contractor’s Designed Portion – Valuation	
Section 6	Injury, Damage and Insurance	37
	Definitions	
6.1	Definitions	
	Injury to Persons and Property	
6.2	Liability of Sub-Contractor – personal injury or death	
6.3	Liability of Sub-Contractor – injury or damage to property	
6.4	Injury or damage to property – Main Contract Works and Site Materials excluded	
6.5	Insurance against personal injury and property damage	
	Insurance – Loss or Damage to Work and Site Materials	
6.6	Specified Perils cover under the Works Insurance Policy	
6.7	Sub-Contractor’s responsibility – damage to the Sub-Contract Works etc.	
6.8	Terrorism Cover – non-availability – Employer’s options	
6.9	Damage to Sub-Contractor’s plant, etc.	
	Joint Fire Code – compliance	
6.10	Application of clauses	
6.11	Compliance with Joint Fire Code	
6.12	Breach of Joint Fire Code – Remedial Measures	
6.13	Joint Fire Code – amendments/revisions	
	SCDP Professional Indemnity or Product Liability Insurance	
6.14	Obligation to insure	
6.15	Increased cost and non-availability	
Section 7	Termination	43
	General	
7.1	Meaning of insolvency	
7.2	Notices under section 7	
7.3	Other rights, reinstatement	
	Termination by Contractor	
7.4	Default by Sub-Contractor	
7.5	Insolvency of Sub-Contractor	
7.6	Corruption	
7.7	Consequences of termination under clauses 7.4 to 7.6	
	Termination by Sub-Contractor etc.	
7.8	Default by Contractor	
7.9	Termination under the Main Contract	
7.10	Insolvency of Contractor	
7.11	Consequences of termination under clauses 7.8 to 7.10	
	Termination Payment – final date, notices and amount	
7.12	Termination Payment – final date, notices and amount	

Section 8	Settlement of Disputes	50
8.1	Notification and negotiation of disputes Notification and negotiation of disputes	
8.2	Mediation Mediation	
8.3	Adjudication Adjudication	
8.4	Arbitration Conduct of arbitration	
8.5	Notice of reference to arbitration	
8.6	Powers of Arbitrator	
8.7	Effect of award	
8.8	Appeal – questions of law	
8.9	Arbitration Act 1996	

Schedules	52
------------------	-----------

Schedule 1	Form of Bond	52
Schedule 2	Supplemental Provisions	56
Schedule 3	Design Submission Procedure	58