

Contents

	Conditions	<i>Page 1</i>	2.23	Deductions under the Main Contract Conditions
			2.24	Not used
Section 1	Definitions and Interpretation	<i>1</i>	2.25	Not used
1.1	Definitions			Third Party Rights and Collateral Warranties etc.
	Interpretation			
1.2	Reference to clauses etc.		2.26	Particulars and notices
1.3	Sub-Contract to be read as a whole		2.27	Rights of termination, variation etc.
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		3.1	Non-Assignment
1.8	Effect of Final Payment Notice		3.2	Consent to sub-contracting
1.9	Consents and approvals		3.3	Conditions of sub-contracting
1.10	Applicable law			
Section 2	Carrying out the Sub-Contract Works	<i>9</i>		Section 3 Control of the Sub-Contract Works <i>17</i>
	Sub-Contractor's Obligations			Assignment and Sub-Contracting
2.1	General obligations		3.4	Power to issue directions
2.2	Not used		3.5	Compliance with directions
2.3	Time of commencement and completion		3.6	Non-compliance with directions
2.4	Materials, goods and workmanship		3.7	Directions other than in writing
2.5	Compliance with the Main Contract and indemnity		3.8	Person-in-charge
	Supply of Documents, Setting Out etc.		3.9	Access for Contractor and Architect/Contract Administrator
2.6	Not used			
2.7	Further drawings, details and directions			
	Errors, Discrepancies and Divergences			Opening Up and Remedial Measures
2.8	Preparation of Bills of Quantities		3.10	Directions to open up and test
2.9	Bills of Quantities – errors and inadequacy		3.11	Work not in accordance with the Sub-Contract
2.10	Notice of discrepancies etc.		3.12	Instructions and deductions under the Main Contract
2.11	Not used			
2.12	Divergences from Statutory Requirements		3.13	Workmanship not in accordance with the Sub-Contract
2.13	Not used		3.14	Indemnity by Sub-Contractor
2.14	Not used		3.15	Effect of non-compliant work by others
2.15	Unfixed Materials and Goods			Attendance and Site Conduct
	Adjustment of Period for Completion			
2.16	Related definitions and interpretation		3.16	Attendance
2.17	Notice by Sub-Contractor of delay to progress		3.17	Temporary buildings
2.18	Fixing Period for Completion		3.18	Site clearance
2.19	Relevant Sub-Contract Events			
	Practical Completion and Lateness			Health and Safety and CDM Requirements
2.20	Date of practical completion			
2.21	Failure of Sub-Contractor to complete on time		3.19	Health and Safety
	Defects		3.20	CDM Regulations
2.22	Sub-Contractor's liability			
				Suspension of Main Contract by Contractor
			3.21	Notification by Contractor
			3.22	Directions following suspension
				Other Provisions
			3.23	Strikes
			3.24	Benefits under the Main Contract
			3.25	Certificates under the Main Contract

Section 4 Payment	23	5.10	Not used
		5.11	Change of conditions for other work
		5.12	Additional provisions
Sub-Contract Sum and Sub-Contract Tender Sum		Section 6 Injury, Damage and Insurance	36
4.1	Adjustment Basis	6.1	Definitions
4.2	Remeasurement Basis		Injury to Persons and Property
4.3	Taking adjustments into account	6.2	Liability of Sub-Contractor – personal injury or death
	Taxes	6.3	Liability of Sub-Contractor – injury or damage to property
4.4	VAT	6.4	Injury or damage to property – Main Contract Works and Site Materials excluded
4.5	Construction Industry Scheme (CIS)	6.5	Insurance against personal injury and property damage
	Payments and Notices – general provisions		Insurance – Loss or Damage to Work and Site Materials
4.6	Interim payments – due dates, applications and sums due	6.6	Specified Perils cover under the Works Insurance Policy
4.7	Interim and final payments – final date, notices and amount	6.7	Sub-Contractor’s responsibility – damage to the Sub-Contract Works etc.
4.8	Sub-Contractor’s right of suspension	6.8	Terrorism Cover – non-availability – Employer’s options
	Interim Payments – calculation of sums due	6.9	Damage to Sub-Contractor’s plant, etc.
4.9	Gross Valuation	6.10	Not used
4.10	Sums due as interim payments	6.11	Not used
4.11	Listed Items		Joint Fire Code – compliance
	Retention	6.12	Application of clauses
4.12	Rules governing Retentions	6.13	Compliance with Joint Fire Code
4.13	Retention Bond	6.14	Breach of Joint Fire Code – Remedial Measures
	Loss and Expense	6.15	Joint Fire Code – amendments/revisions
4.14	Matters affecting regular progress	Section 7 Termination	41
4.15	Notification and ascertainment		General
4.16	Relevant Sub-Contract Matters	7.1	Meaning of insolvency
4.17	Contractor’s reimbursement	7.2	Notices under section 7
4.18	Reservation of rights and remedies of Contractor and Sub-Contractor	7.3	Other rights, reinstatement
	Final Adjustment and Final Payment		Termination by Contractor
4.19	Final Sub-Contract Sum – Adjustment Basis	7.4	Default by Sub-Contractor
4.20	Final Sub-Contract Sum – Remeasurement Basis	7.5	Insolvency of Sub-Contractor
4.21	Calculation of Final Sub-Contract Sum	7.6	Corruption
4.22	Final payment	7.7	Consequences of termination under clauses 7.4 to 7.6
Section 5 Valuation of Work and Variations	32		Termination by Sub-Contractor etc.
	General	7.8	Default by Contractor
5.1	Definition of Variations	7.9	Termination under the Main Contract
5.2	Valuation of Work	7.10	Insolvency of Contractor
5.3	Variation Quotation	7.11	Consequences of termination under clauses 7.8 to 7.10
5.4	Sub-Contractor’s right to be present at measurement		Section 8 Settlement of Disputes
5.5	Giving effect to Valuations, agreements etc.		46
	The Valuation Rules	8.1	Mediation
5.6	Measurable Work – Adjustment Basis	8.2	Adjudication
5.7	Measurable Work – Remeasurement Basis		
5.8	General rules		
5.9	Daywork		

Arbitration

8.3	Conduct of arbitration
8.4	Notice of reference to arbitration
8.5	Powers of Arbitrator
8.6	Effect of award
8.7	Appeal – questions of law
8.8	Arbitration Act 1996

Schedules

Schedule 1 Supplemental Provisions	<i>48</i>
Schedule 2 Variation and Acceleration Quotation Procedures	<i>51</i>
Schedule 3 Forms of Bonds	<i>53</i>
Part 1:	Bond in respect of payment for off-site materials and/or goods
Part 2:	Retention Bond
Schedule 4 JCT Fluctuations Option A	<i>59</i>
	(Contribution, levy and tax fluctuations)
Schedule 5 Sub-Contract Code of Practice	<i>63</i>
Schedule 6 Third Party Rights	<i>64</i>
Part 1:	Third Party Rights for Purchasers and Tenants
Part 2:	Third Party Rights for a Funder
Part 3:	Third Party Rights for the Employer