

NEC3 Engineering and Construction Subcontract

Amendments September 2011

The following amendments have been made to the June 2005 edition (with amendments June 2006).

Page 44 subclause W2.3(7): New sentence added at the end:

If the *Adjudicator's* decision changes an amount notified as due, payment of the sum decided by the *Adjudicator* is due not later than seven days from the date of the decision or the final date for payment of the notified amount, whichever is the later.

Page 44 subclause W2.3(8): New sentence added at the end:

The *Adjudicator* may in his decision allocate his fees and expenses between the Parties.

Page 44 subclause W2.3(12): Replace with the following:

The *Adjudicator* may, within five days of giving his decision to the Parties, correct the decision to remove a clerical or typographical error arising by accident or omission.

Page 53 Option Y(UK)2: subclause Y2.1(1) replaced with the following:

The Act is the Housing Grants, Construction and Regeneration Act 1996 as amended by the Local Democracy, Economic Development and Construction Act 2009.

Page 53 Option Y(UK)2: subclause Y2.2 replaced with the following:

The date on which a payment becomes due is fourteen days after the assessment date.

The final date for payment is fourteen days or a different period for payment if stated in the Subcontract Data after the date on which payment becomes due.

The *Contractor's* certificate is the notice of payment to the *Subcontractor* specifying the amount due at the payment due date (the notified sum) and stating the basis on which the amount was calculated.

Page 53 Option Y(UK)2: subclause Y2.3

If either Party intends to pay less than the notified sum, he notifies the other Party not later than seven days (the prescribed period) before the final date for payment by stating the amount considered to be due and the basis on which that sum is calculated. A Party does not withhold payment of an amount due under this subcontract unless he has notified his intention to pay less than the notified sum as required by this subcontract.

Page 59 Subcontract Data part one, 1 General, line 4 add "and September 2011" after "June 2006".

Page 62 Subcontract Data part one, statement "If Y(UK)2 is used" the period for payment of "21 days" is changed to "14 days".