

---

DRAFT STATUTORY INSTRUMENTS

---

**1998 No.**

**CONSTRUCTION, ENGLAND AND WALES**

**The Scheme for Construction Contracts  
(England and Wales) Regulations 1998**

*Made - - - - 1998  
Coming into force in accordance with  
regulation 1(1)*

**THE SCHEME FOR CONSTRUCTION CONTRACTS  
(ENGLAND AND WALES) REGULATIONS 1998**

1. Citation, commencement, extent and interpretation
2. The Scheme for Construction Contracts
3. Where— (a) the parties to a construction contract are unable...
4. The provisions in the Schedule to these Regulations shall be...  
Signature

---

**SCHEDULE — THE SCHEME FOR CONSTRUCTION CONTRACTS  
PART I— — ADJUDICATION**

1. Notice of Intention to seek Adjudication
2. (1) Following the giving of a notice of adjudication and...
3. The request referred to in paragraphs 2, 5 and 6...
4. Any person requested or selected to act as adjudicator in...
5. (1) The nominating body referred to in paragraphs 2(1)(b) and...
6. (1) Where an adjudicator who is named in the contract...
7. (1) Where an adjudicator has been selected in accordance with...
8. (1) The adjudicator may, with the consent of all the...
9. (1) An adjudicator may resign at any time on giving...
10. Where any party to the dispute objects to the appointment...
11. (1) The parties to a dispute may at any time...
12. Powers of the adjudicator
13. The adjudicator may take the initiative in ascertaining the facts...
14. The parties shall comply with any request or direction of...
15. If, without showing sufficient cause, a party fails to comply...
16. (1) Subject to any agreement between the parties to the...
17. The adjudicator shall consider any relevant information submitted to him...

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Scheme for Construction Contracts (England and Wales) Regulations 1998 No. 649

18. The adjudicator and any party to the dispute shall not...
  19. (1) The adjudicator shall reach his decision not later than—...
  20. Adjudicator's decision
  21. In the absence of any directions by the adjudicator relating...
  22. If requested by one of the parties to the dispute,...
  23. Effects of the decision
  24. Section 42 of the Arbitration Act 1996 shall apply to...
  25. The adjudicator shall be entitled to the payment of such...
  26. The adjudicator shall not be liable for anything done or...
- PART II— — PAYMENT
1. Entitlement to and amount of stage payments
  2. (1) The amount of any payment by way of instalments...
  3. Dates for payment
  4. Any payment of a kind mentioned in paragraph 2 above...
  5. The final payment payable under a relevant construction contract, namely...
  6. Payment of the contract price under a construction contract (not...
  7. Any other payment under a construction contract shall become due...
  8. Final date for payment
  9. Notice specifying amount of payment
  10. Notice of intention to withhold payment
  11. Prohibition of conditional payment provisions
  12. Interpretation

Explanatory Note