
STATUTORY INSTRUMENTS

1997 No. 274

The Construction Contracts (Northern Ireland) Order 1997

Payment

[^{F1}Payment notices: contractual requirements

9A.—(1) A construction contract shall, in relation to every payment provided for by the contract—

- (a) require the payer or a specified person to give a notice complying with paragraph (2) to the payee not later than 5 days after the payment due date, or
- (b) require the payee to give a notice complying with paragraph (3) to the payer or a specified person not later than 5 days after the payment due date.

(2) A notice complies with this paragraph if it specifies—

- (a) in a case where the notice is given by the payer—
 - (i) the sum that the payer considers to be or to have been due at the payment due date in respect of the payment, and
 - (ii) the basis on which that sum is calculated;
- (b) in a case where the notice is given by a specified person—
 - (i) the sum that the payer or the specified person considers to be or to have been due at the payment due date in respect of the payment, and
 - (ii) the basis on which that sum is calculated.

(3) A notice complies with this paragraph if it specifies—

- (a) the sum that the payee considers to be or to have been due at the payment due date in respect of the payment, and
- (b) the basis on which that sum is calculated.

(4) For the purposes of this Article, it is immaterial that the sum referred to in paragraph (2)(a) or (b) or (3)(a) may be zero.

(5) If, or to the extent that, a contract does not comply with paragraph (1), the relevant provisions of the Scheme apply.

(6) In this and the following Articles, in relation to any payment provided for by a construction contract—

“ payee ” means the person to whom the payment is due;

“ payer ” means the person from whom the payment is due;

“ payment due date ” means the date provided for by the contract as the date on which the payment is due;

“ specified person ” means a person specified in or determined in accordance with the provisions of the contract.]

Changes to legislation: There are currently no known outstanding effects for the The Construction Contracts (Northern Ireland) Order 1997, Section 9A. (See end of Document for details)

F1 Art. 9A - Art. 9B inserted (14.11.2012) by [Construction Contracts \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 4\), ss. 6\(4\), 9\(2\)](#) (with s. 9(4)); S.R. 2012/367, art. 2

Changes to legislation:

There are currently no known outstanding effects for the The Construction Contracts (Northern Ireland) Order 1997, Section 9A.