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STATUTORY RULES OF NORTHERN IRELAND

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**2012 No. 365**

**The Scheme for Construction Contracts in Northern Ireland (Amendment) Regulations (Northern Ireland) 2012**

**Amendments to Part 1 (Adjudication) of the Schedule to the Principal Regulations**

3.—(1) Part 1 (Adjudication) of the Schedule to the Principal Regulations is amended as follows.

(2) In paragraph 1(1), before the words “of his intention”, insert the words “at any time”.

(3) After paragraph 7(3) insert—

“(4) Upon receipt of the referral notice, the adjudicator must inform every party to the dispute of the date that it was received”.

(4) In paragraph 9(4), for the second sentence substitute—

“Subject to any contractual provision pursuant to Article 7A(2) of the 1997 Order, the adjudicator may determine how the payment is to be apportioned and the parties are jointly and severally liable for any sum which remains outstanding following the making of any such determination”(1).

(5) In paragraph 11(1), for the third sentence substitute—

“Subject to any contractual provision pursuant to Article 7A(2) of the 1997 Order, the adjudicator may determine how the payment is to be apportioned and the parties are jointly and severally liable for any sum which remains outstanding following the making of any such determination”.

(6) In paragraph 15(b)—

(a) insert the word “the” after the word “as”; and

(b) for the words “be justified”, substitute “justify”.

(7) In paragraph 19(1)—

(a) in sub-paragraphs (a) and (b), for the words “the date”, substitute “receipt”; and

(b) in sub-paragraph (c), insert the words “receipt of” after the word “after”.

(8) In paragraph 20(b), for the words “Article 10(4)”, substitute “Article 10(9)”(2).

(9) In paragraph 21, omit the words “in accordance with this paragraph”.

(10) After paragraph 22 insert—

“**22A.**—(1) The adjudicator may on his own initiative or on the application of a party correct his decision so as to remove a clerical or typographical error arising by accident or omission.

(2) Any correction of a decision must be made within five days of the delivery of the decision to the parties.

(3) As soon as possible after correcting a decision in accordance with this paragraph, the adjudicator must deliver a copy of the corrected decision to each of the parties.

(4) Any correction of a decision forms part of the decision.”

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(1) Article 7A was inserted by section 4 of the Construction Contracts (Amendment) Act (Northern Ireland) 2011 c.4

(2) Article 10 was substituted by section 7 of the Construction Contracts (Amendment) Act (Northern Ireland) 2011 c.4

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(11) Omit paragraph 23(1).

(12) Omit paragraph 24.

(13) In paragraph 25, for the second sentence substitute—

“Subject to any contractual provision pursuant to Article 7A(2) of the 1997 Order, the adjudicator may determine how the payment is to be apportioned and the parties are jointly and severally liable for any sum which remains outstanding following the making of any such determination”.