

## NEC3 Engineering and Construction Contract

### Amendments September 2011

The following amendments have been made to the June 2005 edition (with amendments June 2006). Note that page numbers are given for the document containing all main Options.

Page 46 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 46 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 46 subclause W2.3(12): replaced 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 55 Option Y(UK)2: 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 55 Option Y(UK)2: Y2.2 third paragraph replaced with the following:

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

Page 55 Option Y(UK)2: Y2.3 replaced with the following:

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 contract unless he has notified his intention to pay less than the notified sum as required by this contract.

Page 61 Contract Data part one, 1 General, line 4: added "and September 2011" after "June 2006".