



## NEC4 Y(NI)1 Clauses

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Optional contract clauses and guidance for use in Northern Ireland on contracts which are subject to the Construction Contracts (Northern Ireland) Order 1997.

Clauses and guidance are also provided for other NEC4 contracts which may be subject to the Construction Contracts Act 2013. These are available for download from [neccontract.com](http://neccontract.com).

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# Acknowledgements

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The fourth edition of the NEC suite was produced by the Institution of Civil Engineers through its NEC4 Contract Board.

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## NEC4 Y(NI)1 CLAUSES

# Guidance

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Option W2 was provided in appropriate NEC contracts to provide for adjudication and Y(UK)2 for payment to incorporate the requirements of the Housing Grants, Construction and Regeneration Act 1996. This applies to construction contracts (defined in the Act) in England, Scotland and Wales. Northern Ireland introduced its own provisions under the Construction Contracts (Northern Ireland) Order 1997.

The Northern Ireland Order has one difference which affects clause W2, relating to the effect of Sundays and public holidays on timescales. This Y(NI)1 clause amends clause W2 (where applicable) to give effect to this change, and otherwise changes references to the Act to refer to the Northern Ireland Order.

For construction contracts in Northern Ireland which are subject to the Order, in Contract Data part 1 "W2" should be included as the dispute resolution Option (where applicable), and "Y(UK)2" and "Y(NI)1" should be included as secondary Options.



# Y(NI)1 The Construction Contracts (Northern Ireland) Order 1997

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<b>Disputes</b>	Y1.1	In the preamble to clause W2, delete "United Kingdom Housing Grants, Construction and Regeneration Act 1996" and replace it with "Construction Contracts (Northern Ireland) Order 1997".
<b>Reckoning Periods of Time</b>	Y1.2	Delete clause W2.2(2) and replace it with the following:  W2.2(2) – In this Option, where a time period expires on a Sunday or public holiday, the time period extends to the first following day that is not a Sunday or public holiday.
<b>Payment</b>	Y1.3	In the preamble to Option Y(UK)2, delete the two references to "The Housing Grants, Construction and Regeneration Act 1996" and replace them with "The Construction Contracts (Northern Ireland) Order 1997".
<b>Suspension of Performance</b>	Y1.4	In clause Y2.5, delete "Housing Grants, Construction and Regeneration Act 1996 as amended by the Local Democracy, Economic development and Construction Act 2009" and replace it with "Construction Contracts (Northern Ireland) Order 1997 as amended by the Construction Contracts (Amendment) Act (Northern Ireland) 2011".