

Design and Build Contract

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Updates and Corrections included in Revision 1 June 2007

Updates

Clause number and heading	Action taken
Fourth Recital	'Income and Corporation Taxes Act 1988' was changed to 'Finance Act 2004'; Footnote to the Fourth Recital was deleted
Schedule 7, paragraph A-1-4-3	'(Employments) Regulations 1993 (the PAYE Regulations)' was changed to '(Pay As You Earn) Regulations 2003'
Schedule 7, paragraph B-1-4-3	'(Employments) Regulations 1993 (the PAYE Regulations)' was changed to '(Pay As You Earn) Regulations 2003'

Corrections

Clause number and heading	Action taken
Clause 1-1	Footnote to Base Date: 'and CIMAR arbitration rules (clause 9-3)' was deleted; Contract Particulars: 'as completed' was changed to 'including the entries made'; Funder Rights Particulars: 'the items' was changed to 'the entries against clause 6-11 in Part 1 and the relevant items'; P&T Rights Particulars: 'the items' was changed to 'the entries against clause 6-11 in Part 1 and the relevant items'
Clause 2-10-2	After 'If the Employer or the Contractor' 'finds' was changed to 'becomes aware of'
Clause 2-12-1	'to which clause 2-11 applies' was changed to 'in relation to which the Contractor under clause 2-11 is not responsible for verifying its adequacy'; After 'to the extent that' 'that' was changed to 'the'
Clause 2-13	After 'If the Contractor' 'finds' was changed to 'becomes aware of'
Clause 2-13-3	'(save insofar as it is an instruction requiring a Change)' was deleted
Clause 2-15-1	After 'If the Contractor or Employer' 'finds' was changed to 'becomes aware of';
Clause 2-18	After 'The Contractor shall pay' 'and indemnify the Employer against liability in respect of any' was deleted and 'all' was inserted; After 'the Statutory Requirements' 'and indemnify the Employer against any liability resulting from any failure to do so' was inserted
Clause 3-6	'If' was changed to 'Subject to clause 3-5, if'
Clause 4-2-2-3	After '3-6' ', 6-5-3' was inserted
Clause 4-2-3-1	After '2-20' comma was changed to 'and'; 'and 6-5-3' was deleted

Clause number and heading	Action taken
Clause 4-5	'Where it is stated in the Contract Particulars that' was changed to 'If'; 'a 'contractor' for the purposes of the CIS or if' was changed to 'or'; After 'clause 4.12.10' 'the Employer' was deleted; 'such a 'contractor'' was changed to 'a 'contractor' for the purposes of the CIS ^[1] ; 'See the Contract Particulars (Fourth Recital and clause 4-5).' was inserted as the new footnote ^[1]
Clause 6-5-3	After 'shall have occurred and' 'may deduct a sum or sums equivalent to' was inserted
Subsection heading to clauses 7-3 to 7-5	'7F' was changed to '7E'
Clause 7-4	'7F' was changed to '7E'
Clause 8-3-1	'8-2' was changed to '8-4'
Clause 8-5-3-2	'clause 2.1' was changed to 'Article 1 and these Conditions'
Clause 8-10-3	'clause 2.1' was changed to 'Article 1 and these Conditions'
Clause 9-3	After 'conducted in accordance with' 'the issue of' was deleted; 'current at the Base Date' was deleted; After 'any amendments to' 'that edition of' was inserted; 'so current' was deleted; 'after the Base Date' was deleted; After 'references to such Rule(s)' 'as set out' was inserted; 'the issue of' was deleted; 'current at the Base Date' was deleted
Schedule 5, Part 2, paragraph 6-4	'or where the Contractor has wrongfully served notice under this Contract that he is entitled to terminate his employment under this Contract or has wrongfully treated this Contract as having been repudiated by the Employer' was deleted

Minor corrections to wording, punctuation etc. have been included in the following provisions:

Contract Particulars (Article 4)
Contract Particulars (2.4)
Contract Particulars (Schedule 2)
Attestation
Clause 1.1 (Provisional Sum)
Clause 2.6
Clause 2.14.2
Clause 2.17.1
Clause 4.7
Clause 4.12.6.2
Clause 4.15.3
Clause 6.8 (Specified Perils)
Schedule 3, paragraphs A.4.2, A.5.2, B.3.2 and C.4.2
Schedule 5, Part 1, paragraphs 1.2, 4 and 8.2
Schedule 5, Part 2, paragraphs 7, 11 and 12.2

Amendment 1 is separately available and is also included in Revision 1.