
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 371

**The Scheme for Construction Contracts
(Scotland) Amendment Regulations 2011**

Amendment of Part I of the Scheme

3.—(1) Part I (adjudication) of the Scheme is amended as follows.

(2) In paragraph 20(2)(b) for “section 111(4)” substitute “section 111(9)”.

(3) After paragraph 22 insert—

“**22A.**—(1) The adjudicator may on his own initiative or on the request 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 shall be made within 5 days of the date upon which the adjudicator’s decision was delivered to the parties.

(3) Any correction of a decision shall form part of the decision.”.

(4) For paragraph 25(2) substitute—

“(2) Without prejudice to the right of the adjudicator to effect recovery from any party in accordance with sub-paragraph (1), the adjudicator may determine the apportionment between the parties of liability for the payment of his fees and expenses and such determination shall be binding upon the parties unless any effective contractual provision in terms of section 108A(2)(1) of the Act applies.”.

(1) Section 108A was inserted by section 141 of the Local Democracy, Economic Development and Construction Act 2009 (c.20) (“the 2009 Act”).