

*These notes refer to the Construction Contracts (Amendment) Act (Northern Ireland) 2011 (c.4) which received Royal Assent on 10 February 2011*

# Construction Contracts (Amendment) Act (Northern Ireland) 2011

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 4 - Adjudication costs***

Section 4 inserts new Article 7A into the 1997 Order. New Article 7A provides that any contractual provision by the parties to a construction contract concerning the allocation between them of costs relating to an adjudication is ineffective except in two cases. The first such case is where the contractual provision is in writing, is a provision of the parties' construction contract, and is one which allows the adjudicator to allocate his own fees and expenses between the parties. The second such case is where the contractual provision is in writing and is made after the giving of notice by one party to the other of the former's intention to refer a dispute to adjudication.