

LEGAL ALERT

JCT 2005

Are you ready for the biggest change the Joint Contracts Tribunal (JCT) has ever made to its contracts?

It took the JCT nearly 20 years to replace the JCT 1980 traditional and JCT 1981 design and build forms of building contract with the documents we are now using. In the last 7 years these contracts have been amended 5 times. Now, everything is being replaced and, at last, we can say goodbye to the JCT's practice of issuing pages of amendments to its contracts to update them.

The JCT 2005 contracts have been extensively re-designed, re-drafted, re-branded and colour-coded, making it easy to select the contract, sub contract or guide that's most appropriate for the particular project. There are no longer any separate supplements. Fluctuations, sectional completion and contractors' design portion have all been incorporated within the relevant contract for use as appropriate.

Four new standard forms of construction contract, forming the first part of JCT's 2005 suite of documents, were launched on Monday 6th June. The other new contracts, to include the Design and Build Contract (which replaces the 1998 With Contractor's Design Building Contract), several Standard Building Contracts (replacing the traditional procurement building contracts forming part of the 1998 suite) and the Major Project Construction Contract (which replaces the Major Project Form 2003) will be rolled out during the remainder of this year.

The contracts launched include two Framework Agreements (one binding and one non-binding) for use for those wishing to develop long-term relationships and achieve continuous improvement.

The other two contracts that were launched to meet user need were a Minor Works Building Contract with contractor's design and an Intermediate Building Contract with contractor's design. These additional versions of Minor Works and Intermediate Building Contracts are to meet a growing need for employers and the design team to involve the contractor in designing part of the works. They are not to be confused with design and build contracts.

Updated versions of the Minor Works and Intermediate Forms, now called the Minor Works Building Contract and Intermediate Building Contract have also been published.

**If you require further information and advice please contact Paul Matcham
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