Model Adjudication Procedure

The Construction Industry Council (CIC) has published a third edition of the Model Adjudication Procedure (MAP). The MAP is drafted to comply with section 108 of the Housing Grants, Construction and Regeneration Act 1996 and can be incorporated by reference into a contract, or used by agreement of the parties. It is accompanied by an Agreement for the appointment of an adjudicator. The CIC encourages the reproduction of the MAP and strongly encourages its use unamended. If it is amended, it may not comply with section 108.

The new MAP can be obtained from, Construction Industry Council, 26 Store Street, London WC1E 7BT (020 7399 7400 cic@cic.org.uk) price £10, £11 inc p&p (by cheque or credit card over the telephone).

The differences between the three editions are set out below.

**First edition: published February 1998**

**Second edition: published November 1998**

Differences from the first edition:
1. paragraph 11: the addition of the last sentence, ‘No such request may be made after the adjudicator has notified the Parties that he has reached his decision.’
2. paragraph 14: ‘within 7 days of the Notice’ amended to ‘within 7 days of the giving of the Notice’; ‘and copy to the other Party’ amended to ‘and at the same time copy to the other Party’; the addition of the last sentence, ‘The statement of case shall be confined to the issues raised in the Notice’.
3. paragraph 24: the last sentence amended from ‘He shall not be required to give reasons’ to ‘He shall be required to give reasons unless both Parties agree at any time that he shall not be required to give reasons.’

**Third edition: published October 2003**

Differences from the second edition:
1. paragraph 6: the addition of the following at the end of the sentence, ‘unless expressly stated otherwise in the Contract.’
2. paragraph 24: the middle sentence, ‘The Adjudicator may withhold delivery of his decision until his fees and expenses have been paid’ deleted.
3. new paragraph 28: the following (Correction of errors) inserted, and subsequent paragraphs renumbered: ‘The Adjudicator may, within 5 days of delivery of the decision to the parties, correct his decision so as to remove any error arising from an accidental error or omission or to clarify or remove any ambiguity.’
4. the Agreement: amended, in particular by the addition of a new paragraph 4 as follows: ‘The Adjudicator may destroy all documents received during the course of the adjudication six months after delivering his decision, provided that he shall give the parties 14 days notice of his intention to do so and that he shall return the documents to the Parties if they so request.’

November 2003.