

News Release



GROUNDBREAKING NEW PROTOCOL FOR DETERMINING EXTENSIONS OF TIME AND COMPENSATION FOR DELAY AND DISRUPTION

4 December 2001 - The Society of Construction Law (SCL) announced today that it has prepared a groundbreaking new Protocol that provides a “best practice” guide for how to record and manage delay in the construction process. If the guidance is followed, the scope for argument after the event about the causes of delay will be significantly reduced.

The Protocol also contains guidance on the efficient resolution of disputes on projects where there has already been delay. It recommends which of the many different methodologies should be used when analysing delay after the event. It provides answers to questions that recur repeatedly, like “Who owns the float?” and “How do you deal with concurrent delay?”, but which have not yet been conclusively answered by the courts.

The Protocol can be used by all participants in the construction process and at every level of the contractual chain.

Victoria Russell, Chairman of the SCL, said, “We believe that this Protocol will make an enormous contribution to the efficient resolution of disputes on construction and engineering projects, saving time, energy and money for all those involved”.

Jeremy Winter, Chairman of the Protocol’s Drafting Panel, commented: “The key to avoiding costly disputes is to tackle them early on. The Protocol provides an important framework to help people do this.”

The Protocol was drafted by a panel of experts from all sections of the construction industry. The original Protocol concept came from Jeremy Winter (Baker & McKenzie) and Peter Johnson (Linacre Associates) at a joint talk that they gave to the Society in June 2000 on 'Resolving complex delay claims'.

The Protocol, which is currently in draft form, will be subject to a public consultation, until 31 January 2002. The finalised Protocol will be published in April 2002.

For further details please contact:

Victoria Russell, Chairman, Society of Construction Law on 020 7956 9354 or at vrussell@fenwickelliott.co.uk

Jeremy Winter, Construction & Projects Partner, Baker & McKenzie on 020 7919 1269 or at jeremy.winter@bakernet.com

Katherine Steed, Press Office, Baker & McKenzie on 020 7919 1516 or at katherine.steed@bakernet.com

Notes to editors

- The text of the Protocol is available on a special SCL website at www.eotprotocol.com
- The Protocol Drafting Panel included:

Richard Bayfield	Independent Project Management Consultant	richardbayfield@adjudication.org
Paul Brough	McBains Cooper	p.brough@mcbainscooper.com
Anthony Caletka	Keane Associates	afc@keane-associates.com
Jonathan Douglas	Nabarro Nathanson	j.douglas@nabarro.com
Peter Johnson	Linacre Associates Ltd	pjohnson@linacre.co.uk
Stuart Jordan	Campbell Hooper	stuartjordan@campbellhooper.com
Stuart Nash	McGrigor Donald	stuartn@mcgrigors.com
Keith Pickavance	Pickavance Consulting Ltd	keith@pickavance.co.uk
Jim Pragnell	Jacobs Gibb	Jim.Pragnell@jacobs.com
David Richards	Mouchel	David.richards@mouchel.com
Jeremy Winter (Chair)	Baker & McKenzie	Jeremy.winter@bakernet.com

- Since its foundation in 1983, the Society of Construction Law has worked to promote for the public benefit education, study and research in the field of

construction law and related subjects (including adr, arbitration and adjudication), both in the UK and overseas.

- The Society of Construction Law now has over 1100 members from all sectors of the construction industry.
- Further detailed information about the Society can be found at <http://www.scl.org.uk/>.