Adjudication: a quick guide

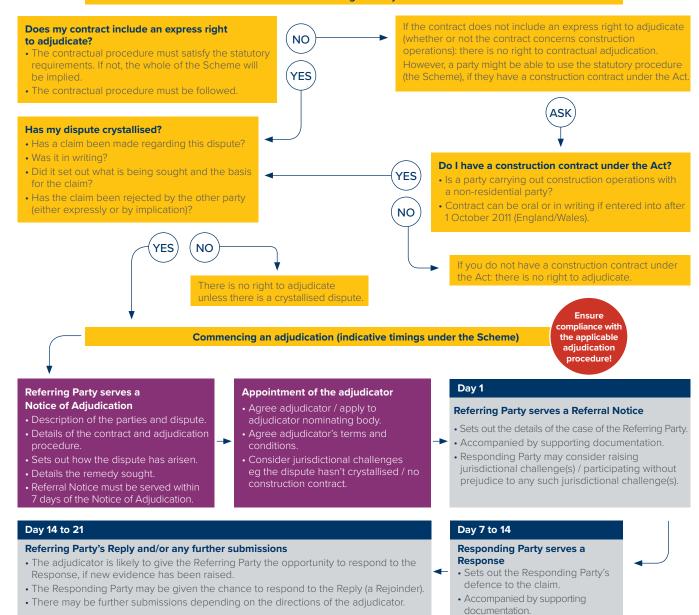


What is adjudication?

Adjudication is a statutory dispute resolution procedure introduced by the Housing Grants, Construction and Regeneration Act 1996 (as amended) (**Act**), to provide a quicker and cheaper method by which certain construction disputes could be resolved.

A party to a construction contract (as defined in the Act) has a statutory right to refer a crystallised dispute to adjudication at any time. Parties are free to agree their own adjudication procedure within their contract (contractual adjudication). If they have not, or their procedure does not satisfy the statutory requirements, the whole of The Scheme for Construction Contracts (England and Wales) Regulations 1998 (as amended) (**Scheme**) will apply. The below provides a very brief overview of adjudication.

Do I have the right to adjudicate?



Day 28

Adjudicator's Decision

- The adjudicator must reach his decision within 28 days of the Referral Notice (although the timetable may be extended).
- The adjudicator will give a ruling on the dispute that has been referred (in contrast to mediation, where non-binding recommendations are made).
- The decision is binding on an interim basis (until the dispute is finally determined by litigation, arbitration or by agreement).