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| **Construction Contracts Act, 2013**  **Form No. 4**  **Notice of Intention to refer Payment Dispute for Adjudication**  - pursuant to section 6(2) of the Construction Contracts Act, 2013  A Referring Party is required to send this form and the accompanying documentation to the Responding Party | | |
| **Contract Title/Description (whether oral or written):** | |  |
| **Site Address:** |  | |

Please ensure all parts of the form are completed in full, and in **Block Capitals** if handwritten(see Note 1)

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| **PART A: Referring Party details - must be a party to the construction contract (see Note 2)** | | | | | | | | | | | | | | | |
| **Name of Person /Company/Public Body:** | | |  | | | | | | | | | | | | |
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| **Trading Name (if different):** | | |  | | | | | | | | | | | | |
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| **Address:** | |  | | | | | | | | | | | | | |
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| **City/Town:** | |  | | **County:** | | |  | | | | | | | | |
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| **Country:** | |  | | **Eircode / Postcode:** | | |  |  |  |  |  |  |  |
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| **Telephone:** |  | | | | **Mobile:** |  | | | | | | | | |
| **Email:** |  | | | | **Fax (0ptional):** |  | | | | | | | | |
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| |  |  | | --- | --- | | **Name of person who may be contacted about this matter:** |  | | | | | | | | | | | | | | | | |
| |  |  |  |  | | --- | --- | --- | --- | | **Email:** |  | **Telephone/Mobile:** |  | | | | | | | | | | | | | | | | |

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| **Responding Party details[[1]](#footnote-1) - must be a party to the construction contract** | | | | | | | | | | | | | | |
| **Name of Person /Company/Public Body:** | | |  | | | | | | | | | | | |
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| **Trading Name (if different):** | | |  | | | | | | | | | | | |
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| **Address** (**registered address for a Company**)**:** | | | | |  | | | | | | | | | |
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| **City/Town:** | |  | | | **County:** | |  | | | | | | | |
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| **Country:** | |  | | | **Eircode / Postcode:** | |  |  |  |  |  |  |  |
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| **Telephone:** |  | | | **Mobile:** | |  | | | | | | | | |
| **Email:** |  | | | **Fax (0ptional):** | |  | | | | | | | | |
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| **Name of Senior Contact Person (if known):** | | |  | | | | | | | | | | | |
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| **PART B: Payment dispute details** | | | | | | | | | | | | | | |

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| **Does the payment dispute arise under a construction contract as defined**  **in the Construction Contracts Act, 2013?** [[2]](#footnote-2) | **Yes** |  | **No** |  |

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| **State the Payment Claim Date for the amount in dispute:** |  | |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  | **/** |  |  | **/** |  |  |  |  | |
| **State the amount in dispute (even if the amount is zero):** |  | **€** |

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| **State the amount in words:** |
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| **Describe the payment dispute from the following options:** | | | |
|  | Failure to make an interim payment | | |  | | --- | |  | |
|  | Failure to make a final payment | | |  | | --- | |  | |
|  | Other payment dispute (please specify) |  | |
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Continue on separate sheet if needed

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| **Provide any additional information considered relevant to the payment dispute:** |
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Continue on separate sheet if needed

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| **PART C: Signature** | |  |
| **Signature:** |  | |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  | **/** |  |  | **/** |  |  |  |  |   **Date:** |
| **Print Name:** |  |  |
| **Capacity/Position:** |  |  |

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| **The following documentation MUST be attached to this form:**     1. a copy of the relevant Payment Claim Notice and a copy of the Other Party's Response to the Payment Claim Notice, if any; 2. a copy of the written contract or, if the contract is an oral contract, other material evidencing the contract (if such exists); and 3. any supporting information that may assist an Adjudicator in understanding the nature of the payment dispute.   **RETAIN A COPY** **of this completed form and the accompanying documentation** for your records as you may be required to produce it at a later date in the adjudication process.  **Notes**  **Note 1**  A Referring Party may only use this form if the payment dispute arises under a construction contract as defined in the [Construction Contracts Act 2013](http://www.irishstatutebook.ie/eli/2013/act/34/enacted/en/html). The definition of a **construction contract** is set out in section 1 of the Act and section 2 lists exceptions which are not a construction contract for the purposes of the Act. An information booklet on the Construction Contracts Act, 2013 is available at [www.enterprise.gov.ie](http://www.enterprise.gov.ie/en/) for further guidance.  **Note 2**  The *Code of Practice Governing the Conduct of Adjudications* published under section 9 of the Construction Contracts Act, 2013 states at paragraph 4 that:  "A party to the construction contract (known as “**the Referring Party**”) commences adjudication pursuant to section 6(2) of the Act by serving a written Notice of Intention on the other party or parties to the construction contract (known as the “Responding Party/Parties”) under which an individual payment dispute arises."  **Note 3**  Paragraphs 6, 19 and 36 of the ‘Code of Practice Governing the Conduct of Adjudications’ require that a *prospective Adjudicator* should only accept an appointment to a payment dispute under the Construction Contracts Act, 2013 if they are able to give the time and attention which the parties to the dispute are reasonably entitled to expect; if they believe that they are competent to determine the issues in dispute; and if they are satisfied that no conflict of interest exists between the *prospective Adjudicator* and the parties to the dispute.  Where the appointment of an Adjudicator is to be made by the Chairperson of the Construction Contracts Adjudication Panel, pursuant to section 6(4) of the Act, and to assist *prospective Adjudicators* in determining their availability to a particular dispute, whenever the Chairperson enquires as to their availability prior to making an appointment to a particular dispute*,* the Chairperson will provide them with a copy of the document ‘Notice of Intention to refer the Payment Dispute for Adjudication’. |

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1. If there is more than one Responding Party, copy this blank page and include their details. [↑](#footnote-ref-1)
2. If you select **No**, this form should not be used to contact the Responding Party. [↑](#footnote-ref-2)