

JCT NEWS

THE JCT CONTRACTS UPDATE FOR THE CONSTRUCTION PROFESSIONAL

ROCHDALE TOWN HALL

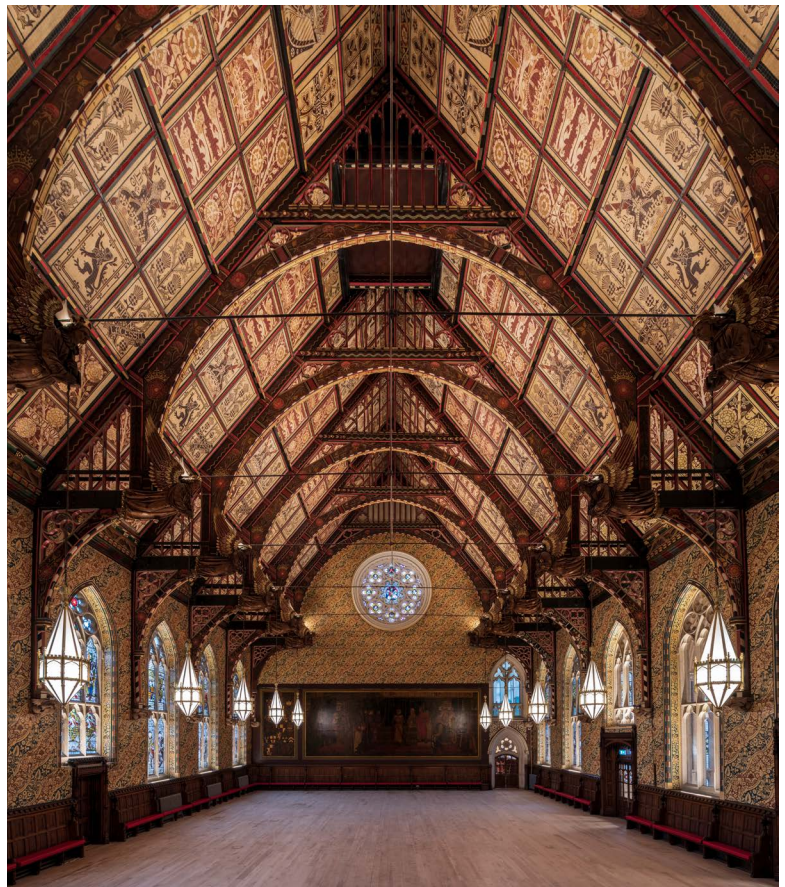
Rochdale's Grade I-listed Town Hall, one of Britain's finest examples of Victorian Gothic Revival architecture, re-opened to the public last spring after four years of restoration. A JCT Standard Building Contract and Pre-Construction Services Agreement were the contracts chosen to help revive this historic building.

Rochdale Town Hall was originally designed by William H Crossland and completed in 1871. It is widely regarded as being one of the finest examples of a municipal building, and one of the most historically significant buildings in the country. It was described by Historic England as being 'rivalled in importance only by those [buildings] contained in the Palace of Westminster'. A fire in 1883 destroyed the original clock tower, which was replaced in 1887 by Manchester Town Hall designer Alfred Waterhouse. By the early 21st century, the fabric of the building had become compromised and unfit to meet the changing needs of the Council and the local community.

The restoration of the Town Hall is phase 2 of an ongoing project, funded by the National Lottery Heritage Fund (and others) which also includes the extensive redevelopment of the surrounding external area to create a new Town Hall Square. The brief was to reflect Rochdale Borough Council's mission of a 'heritage-led regeneration that imbues pride and ownership in the local community'. As such, in addition to providing a restoration, the project incorporates a number of design interventions to improve the 'physical and intellectual access'. The works were led by Rochdale Development Agency (RDA) and conservation architects, Donald Insall Associates.

The historically significant areas, such as the Great Hall and the Mayor's suite, have undergone the most extensive repairs and restoration work. In some cases, this has revealed previously unseen areas and made them accessible to the public for the first time. One example is the Bright Hall, where 20th century office provisions were removed to reveal a double height ceiling, angels along the walls, and a hidden window with views of the great hall. The room now hosts community events and features a new permanent artwork, co-created with the local community.

The restoration of the Great Hall ceiling proved to be one of the project's biggest challenges. Serious concerns as to its structural stability were discovered — a combination of cohesive failure, material fatigue and mechanical stress. The solution was to use an aqueous colloidal silica



Donald Insall Associates - Rochdale Town Hall, Great Hall

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consolidant and install a series of pads to stabilize the lath and plaster panels. By removing non-functioning laths and carefully drilling small holes, the consolidant and plaster were able to penetrate the panels below. The

area was cleaned, and the surface treated, then the pads (formed from Quadaxial fabric, rib lath and a plaster of Paris mix) were applied before being mechanically fixed by a stainless-steel tie attached to a stainless-steel band spanning across the joists.

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Following local feedback that the entrance felt unwelcoming, the existing porte-cochère has been fully glazed, and increased levels of lighting have been added. A lift and staircase, along with a glazed entrance have been installed in the Clock Tower. The addition of an alternative point of entry enables the Town Hall to host more than one event simultaneously.

Several modern upgrades have been made in terms of services provisions, which have not only enabled more of the building to be revealed and celebrated in its original form, but increased comfort and energy efficiency. The various heating, electrical, and ventilation solutions applied over the past century had resulted in an uncared-for, institutional appearance. These were stripped away, and full new mechanical and electrical installations throughout have ensured that all service distribution routes are concealed. Improved zoning of heating and lighting has ensured better control and lower energy consumption, working in tandem with the new roof insulation and double-glazed windows. Dependency on gas has been reduced with the installation of an air source heat pump and a new power supply to electrify the heating systems and kitchens. These energy performance measures are estimated to deliver a 55% reduction in carbon emissions, with the infrastructure in place to deliver Net Zero as a future objective.

The redevelopment of the external area into the new Town Hall Square has required a complete transformation, including the removal of existing roads and car parks that



Donald Insall Associates - Rochdale Town Hall, exterior

© James Newton

detracted from the grandeur of the Town Hall. A multi-functional space has been designed by Gillespies, resulting in the largest town hall square in the country. RDA's objective was for a vibrant and accessible public space across the town centre. The square is a combination of lawns, trees, seasonal plants, and public art. Other features include glazed terracotta benches and intricate engraved paving. The green space frames the Town Hall, extending the celebration of Rochdale's rich culture and history.

The local community has been actively involved in the restoration project, from inception to completion. More than 500 volunteers participated in the works. A Heritage Skills Studio, set up in the basement

of the Town Hall provides a dedicated space to host volunteer workshops, employing a specialist conservator.

The use of a variety of modern techniques and upgrades has enabled Rochdale Town Hall to be restored to its former glory, as well as provide a functional, welcoming space for the local community. The JCT Standard Building Contract, along with the use of the Pre-Construction Services Agreement, are just the tools to capture this range of different complex services and sets of requirements. Echoing the theme of a traditional building brought up-to-date, it provides a tried-and-tested set of terms with the flexibility to capture the full range of modern construction activity.

PROJECT DATA:

START ON SITE:	January 2022 (Phase 2)
COMPLETION:	December 2023
GROSS INTERNAL FLOOR AREA:	3,237m ²
GROSS (INTERNAL + EXTERNAL) FLOOR AREA:	17,181m ²
CONTRACT:	JCT Standard Building Contract with Quantities 2016 with JCT Pre-Construction Services Agreement 2016
ARCHITECT:	Donald Insall Associates
CLIENT:	Rochdale Borough Council
STRUCTURAL ENGINEER:	Price & Myers
PUBLIC REALM CIVIL ENGINEER:	Buro Happold
M&E CONSULTANT:	Max Fordham

QUANTITY SURVEYOR:	Frank Whittle Partnership
LANDSCAPE CONSULTANT:	Gillespies
PROJECT MANAGER:	Rochdale Development Agency
ACOUSTICS CONSULTANT:	Max Fordham
LIGHTING DESIGNER:	Max Fordham
LEAD CONSULTANT AND CONSERVATION ARCHITECT:	Donald Insall Associates
EXHIBITION DESIGN:	Redman Design
SPECIALIST CONSERVATION REPAIRS:	Hirst Conservation
SPECIALIST CLEANING AND RESTORATION:	Lancashire Conservation Studios
STAINED GLASS CLEANING AND REPAIRS:	The York Glaziers Trust
CAD SOFTWARE USED:	AutoCAD

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SAFETY FIRST FOR JCT

PETER HIBBERD

2024 has seen the publication of the principal JCT 2024 contracts, with its other contracts to follow. It also saw the publication of the Grenfell Report Phase 2 on the 4th September, a report that highlights one of construction's great disasters. Not that there is any direct link between these events but there is a common issue, that of adherence to contractual provisions and relevant statutory frameworks.

The Phase 2 Report identifies that there were 'organisations bound together by a web of contracts and subject to legislation in the form of the Building Regulations'. It also states that there existed 'an ingrained willingness to accommodate customers instead of insisting on high standards and adherence to a contract that was intended to maintain them.' The issue of parties not complying with contracts and with processes, arises throughout large parts of the Report.

Those comments in the Report raises many issues, such as (i) that contracts are important in setting out obligations and responsibilities (ii) that there should be adherence to such provisions (iii) that strict statutory obligations must be complied with (iv) that management must be exercised professionally, which naturally embraces ethical behaviour. Any failure of these increases risk, and where it relates to safety, the cost, as we have witnessed, goes far beyond purely economic cost.

Therefore, it is not surprising that the JCT 2024 revision embraces the Building Safety Act 2022, which was introduced in response to the Grenfell Tower fire. The principal changes are the adjustment to reflect the new Part 2A of the Building Regulations 2010, introduced by the Building Regulations (Amendment) (England) Regulations 2023. The background and nature of these changes are covered in the JCT Guidance Note 'The Building Safety Act 2022', which is available at www.jctltd.co.uk/useful-documents. Following the Phase 2 Report, there are likely to be further measures introduced by the Government. What parts of this Report will be implemented, and whether any will require a contractual response is not yet known.

That JCT Guidance Note recognises that, for the most part, the obligation to comply with the Building Safety Act is covered by the obligation to comply with Statutory Requirements, a defined term in the principal JCT contracts. Despite this it has specifically dealt with the new dutyholder regime, which it has treated in the same way as it provides for the CDM requirements related to dutyholders.

That is a new Article, to which there is a useful footnote, for the appointment of the Principal Designer and Principal Contractor for the purposes of the Building Regulations. The provision dealing with the CDM Regulations has been extended to cover Part 2A of the Building Regulations. As has the provision under the Supply of Documents requiring any building information to be provided to the Contractor by the Employer under regulation 11A (4) of the Building Regulations.

Against this background it is important to recognize that a strict obligation to comply with statutory requirements, including Building Regulations, is not superseded by an obligation to exercise reasonable skill and care *LDC (Portfolio One) Limited v (1) George Downing Construction Ltd and (2) European Sheeting Ltd* [2022] EWHC 3356 (TCC). Although this leaves the interesting question as to whether an implied obligation would produce a different result it is not one to dwell on. What is more important is that one should act professionally and ethically when carrying out one's business, because amongst other things it reduces risk. A part of that means adhering to appropriate standards, adhering to contract provisions and any inherent processes – they are there for reason. Sadly, adherence in this way does not always occur, sometimes because of a lack of knowledge and skill but all too often because of disregard.

There is no doubt the changes to the JCT regarding the Building Safety Act are important, not least because they raise the profile of the need to act properly. Nevertheless, the JCT changes also embrace other areas not concerned with safety but are important issues in the context of standard form contracts. These include such matters as; gender neutral language, which reflects a social change that is long overdue; the extension of the notice provisions to provide for the service by email and a note on electronic execution of documents; the inclusion in the main conditions of some of the previous supplemental provisions to raise their profile and to support concepts contained within The Construction Playbook (2022); the extension of Relevant Events to specifically include an epidemic (and a corresponding Relevant Matter for loss and expense) together with updated provisions for administering the extensions of time process; updated provisions to cover Statutory Providers rather than the Statutory Undertakers of the 2016 Edition; and changes to the Termination provisions.

Details of those changes can be found in the respective JCT contract guide or in the 'Tracked' version of the contract.



JCT Network - keeping you informed
with updates about the JCT 2024 Edition.

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JCT'S YPG PARTNER WITH RICS MATRICS AND CIOB TOMORROW'S LEADERS FOR SECOND CROSS-INDUSTRY EVENT



JCT's Young Professional Group (YPG) have held their 'Construct and Connect' networking event in partnership with members of the Royal Institution of Chartered Surveyors' (RICS) Matrics UK, and the Chartered Institute of Building's (CIOB) Tomorrow's Leaders.

The event, which was attended by 114 guests, and hosted jointly between the three groups and KPMG, took place on Wednesday, 27 November 2024 at KPMG's Canary Wharf offices in London. It was the second occasion that the YPG has joined with peer groups from professional bodies across the construction industry.

Expanding on their last joint event, 'Construct and Connect' also featured representation from a number of other industry groups, including the Society of Construction Law's (SCL) Astra Committee, the Chartered Institution of Building Services Engineers' (CIBSE) Yen London, the Association for Project Management's (APM) Built Environment Network Group, the British Property Federation's (BPF) Futures network, and the Institution of Civil Engineers (ICE).

The event was an opportunity for members from across the various networks to meet informally, discuss ideas and relevant

topics, and gain the perspective of other young professionals working across all areas of the built environment.

The JCT YPG is a focus group for construction professionals within approximately the first ten years of their career, those 'young in the industry' regardless of age, and students. Membership of the group provides peer-to-peer networking opportunities across all sectors of the industry, including events, webinars, and talks from industry professionals.

Exclusive access to the JCT YPG online portal also provides videos, articles, papers, blogs, interviews, and more.

The YPG is a unique membership group within the construction industry as, just as JCT itself is comprised of member bodies from across the built environment, the YPG also aims to bring together young people from all professions to learn, connect, and gain a broader perspective on key issues.

The 'Construct and Connect' networking event, where the YPG had the opportunity to collaborate with groups from two of the UK's major construction professional bodies, was an important occasion for all those early in their career looking to establish new connections and learn more about the wider industry.

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JCT TRAINING: SPRING 2025 COURSE DATES LIVE, NEW JCT 2024 VIDEO MODULES RELEASED

The Spring 2025 series of JCT Training is now live with a range of full-day in-person courses and 3-hour online webinar courses. Scheduled to take place from March to May, the courses will focus on three different contract families from the JCT 2024 Edition of Contracts.

The sessions to take place and the dates are as follows:

In-person courses

Wednesday, 12 March 2025

[JCT Design and Build Contract 2024](#)

Wednesday, 30 April 2025

[JCT Intermediate Building Contract 2024](#)

Online courses

Wednesday, 23 April 2025

[JCT Design and Build Contract 2024](#)

Wednesday, 21 May 2025

[JCT Minor Works Building Contract 2024](#)

In addition to the spring courses, JCT has also released the latest JCT Training Video Modules covering contracts from the JCT 2024 Edition – ‘Introduction to JCT Standard Building Contract 2024’ and ‘Introduction to JCT Intermediate Building Contract 2024’.



The spring courses are now open for booking at www.jcttld.co.uk/jct-training/available-courses.

The latest JCT Training Video Modules can be purchased at www.jcttld.co.uk/category/jct-training-videos.

JCT 2024 EDITION – AVAILABLE PRODUCTS UPDATE

The following JCT 2024 contracts are now available via the JCT Online Store – access instantly online through *JCT On Demand* digital and via the *JCT Construct* digital subscription service, or purchase in hardcopy for delivery.

JCT Contracts Complete Edition 2024



Presented in two box sets, comprising six volumes, the JCT Contracts Complete Edition 2024 is an ideal purchase for reference libraries, universities, colleges and all those looking for the convenience of having the entire JCT 2024 suite readily available.

Box Set 1 (volumes 1-3) contains the following contracts:

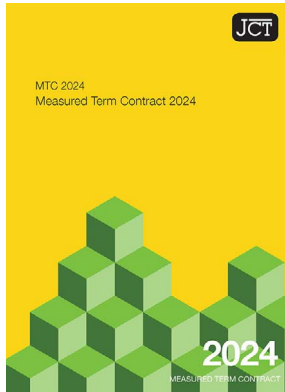
- Standard Building Contract family
- Intermediate Building Contract family
- Minor Works Building Contract family
- Design and Build Contract family
- Generic Contracts (ShortSub, SubSub)
- Collateral Warranties (CWa/F, CWa/P&T, SCWa/F, SCWa/P&T, SCWa/E)
- JCT Homeowner Contracts

Box Set 2 (volumes 4-6) contains the following contracts:

- Consultancy Agreement
- JCT – Constructing Excellence Contract Family
- Construction Management Contract family
- Framework Agreement family
- Major Project Construction Contract family
- Measured Term Contract family
- Prime Cost Building Contract family
- Target Cost Contract family
- Adjudication Agreement family
- Dispute Adjudication Board Documentation
- Management Building Contract family
- Collateral Warranties (CMWa/F, CMWa/P&T, TCWa/F, TCWa/P&T, MCWa/F, MCWa/P&T, WCWa/F, WCWa/P&T)
- Pre-Construction Services Agreement family
- Project Bank Account Documentation
- Repair and Maintenance Contract family
- Tendering Practice Note

When placing orders for the JCT Contracts Complete Edition 2024, Box Set 1 is despatched straight away. Box Set 2 will be despatched automatically once the final contract documents within the JCT 2024 Edition have been published (estimated to be summer 2025).

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JCT Measured Term Contract 2024

Contract family includes:

JCT Measured Term Contract 2024 (MTC 2024)

JCT Measured Term Contract Guide 2024 (MTC/G 2024)

Coming Soon – launching on 5 March

JCT Construction Management Contract 2024

Contract family includes:

JCT Construction Management Appointment 2024 (CM/A 2024)

JCT Construction Management Trade Contract 2024 (CM/TC 2024)

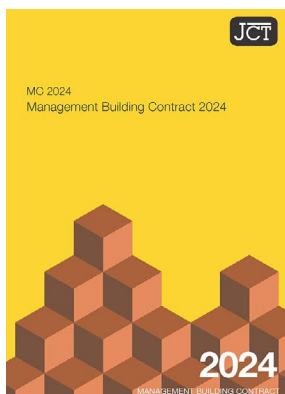
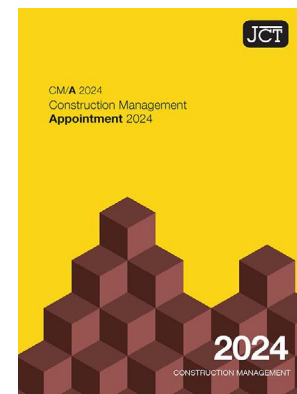
JCT Construction Management Guide 2024 (CM/G 2024)

JCT Construction Manager Collateral Warranty for a Funder 2024 (CMWa/F 2024)

JCT Construction Manager Collateral Warranty for a Purchaser or Tenant 2024 (CMWa/P&T 2024)

JCT Trade Contractor Collateral Warranty for a Funder 2024 (TCWa/F 2024)

JCT Trade Contractor Collateral Warranty for a Purchaser or Tenant 2024 (TCWa/P&T 2024)



JCT Management Building Contract 2024

Contract family includes:

JCT Management Building Contract 2024 (MC 2024)

JCT Management Works Contract Agreement 2024 (MCWC/A 2024) †

JCT Management Works Contract Conditions 2024 (MCWC/C 2024) †

JCT Management Works Contractor/Employer Agreement 2024 (MCWC/E 2024)

JCT Management Building Contract Guide 2024 (MC/G 2024)

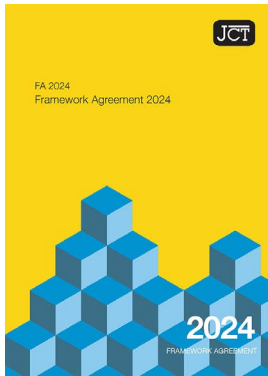
Management Contractor Collateral Warranty for a Funder 2024 (MCWa/F 2024)

Management Contractor Collateral Warranty for a Purchaser or Tenant 2024 (MCWa/P&T 2024)

Works Contractor Collateral Warranty for a Funder 2024 (WCWa/F 2024)

Works Contractor Collateral Warranty for a Purchaser or Tenant 2024 (WCWa/P&T 2024)

Coming Soon – launching on 5 March



JCT Framework Agreement 2024

Contract family includes:

JCT Framework Agreement 2024 (FA 2024)

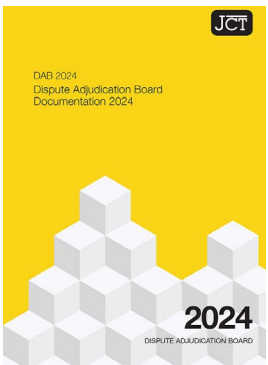
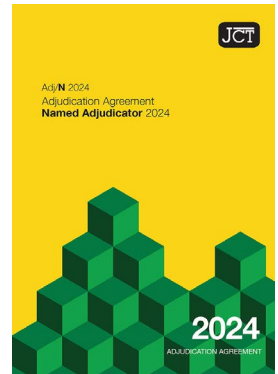
JCT Framework Agreement Guide 2024 (FA/G 2024)

JCT Adjudication Agreement 2024

Contract family includes:

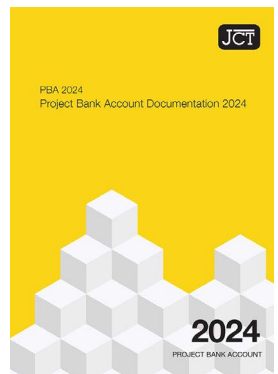
JCT Adjudication Agreement 2024 (Adj 2024)

JCT Adjudication Agreement (Named Adjudicator) 2024 (Adj/N 2024)



JCT Dispute Adjudication Board Documentation 2024 (DAB 2024)

JCT Project Bank Account Documentation 2024 (PBA 2024)



† For digital versions (*JCT* On Demand and *JCT* Construct) the product includes both the Agreement and Conditions

For information on the JCT Tracked Change Documents, visit www.jctltd.co.uk/category/jct-tracked-change

DIVERSITY AND INCLUSION THE KEY TO UNLOCKING THE TRUE POTENTIAL OF COLLABORATIVE CONTRACTING



Katy Dowding, President and CEO, Skanska UK presents the JCT Povey Lecture 2024

Without diversity, equity, and inclusion, the opportunities that the construction industry seeks to achieve with collaborative contracting will never be fully realised, explained Katy Dowding, president and CEO, Skanska UK, in a thought-provoking JCT Povey Lecture, on Thursday, 7 November 2024.

In her presentation entitled “Construction – The Secret To More Collaborative Contracting and Better Project Outcomes Through Diversity and Inclusion”, Katy explained how embedding a diverse and inclusive culture throughout the workplace and in the project team is a key part of unlocking the benefits of collaborative contracting.

Where collaborative contracting brings the parties together and aligns goals, diversity identifies those that should be at the table in order to maximise the full range of perspectives and thought. Equity ensures that barriers to individuals being able to contribute are removed, whilst inclusion enables all voices to be heard.

When these factors are combined with an outcome-driven approach, it can enable businesses to achieve tangible economic and social benefits, driving long-term success.

Katy also highlighted the role JCT has played fostering a collaborative approach – with the JCT – Constructing Excellence family of contracts, the inclusion of a collaborative working article in all JCT 2024 Edition contracts, and the change to gender-neutral language throughout the suite.

Katy Dowding, said:

“How we contract is considerably more collaborative, we are achieving better outcomes for our customers and our wider stakeholders, our working environments on projects

are cleaner, more collaborative and we are more inclusive – what we really need to do now is to accelerate our performance.

I genuinely believe that the combination of Inclusion and Diversity with Collaborative Contracting is the move that can help us to achieve that step change.”

Following the presentation, Katy took part in an interactive audience Q&A, hosted by JCT chair, Karen Kirkham.

Watch On Demand

The full presentation and Q&A is available to view at: corporate.jctltd.co.uk/povey-lecture-2024.

Visit the web page for more information, including downloadable presentation slides and lecture notes.

About the JCT Povey Lecture

The JCT Povey Lecture is an annual event at which an eminent person is invited to give their thoughts on significant matters that are relevant to the construction and property industry. The purpose of the lecture is to stimulate thought and encourage ways of continuing to improve the quality and value of construction output.

The event was inaugurated in 2003 to acknowledge and pay tribute to Philip Povey, who served JCT for fifty years.

The JCT Povey Lecture is delivered as part of JCT’s ‘digital first’ approach, which encompasses a range of digital-only and hybrid activities. It provides a flexible and interactive way for construction professionals across the industry, and regardless of location, to access high quality content from industry experts.

JCT YOUNG PROFESSIONALS GROUP – FOUNDER MEMBER LEADERS



In this series we find out more about some of the key people who give their time to support the JCT Young Professionals Group (JCT YPG). We will look at our interviewees' background and how they got into the industry, the importance of their contribution to JCT YPG specifically, and gain their views on JCT's wider role within the industry.

Bethany Penman, HLM Architects, Legal Advisor

Bethany is a Legal Advisor for HLM Architects; her role involves reviewing and negotiating contracts, advising project teams on issues, managing disputes internally and securing the practices insurance (including PI).

JCT: Tell us a bit about your background; what is your current role, and why did you decide on a career in the construction industry?

I currently work as a Legal Advisor for HLM Architects; my role involves reviewing and negotiating contracts, advising project teams on issues, managing disputes internally and securing the practices insurances (including PI). The role is varied so I deal with a wide range of commercial issues, including ones that are not construction related.

Before embarking on a career move sideways into law, I practiced as an Architect, designing a variety of typologies from luxury homes and extensions, to hotels and schools. My project experience covers RIBA Stage 0/1 to 6 and includes running projects on site. I qualified as an Architect in 2018 gaining my Part 3 from the Architectural Association School of Architecture. I have a BSc and MArch in Architecture from University College London.

As cliché as it may sound, seeing The Gherkin being constructed as a child was what inspired me to pursue a career in the construction industry. I remember seeing this amazing curved glass structure emerge from the City while walking down Whitechapel Road and ever since then I knew I wanted to be an Architect.

It was while working as an Architect and as a Contract Administrator that I became interested in the legal side of construction. I found it interesting that the provisions of a contract, if drafted carefully, guide the parties through challenging times. These experiences demonstrated how a good relationship between the contractor and employer is crucial to enabling negotiation and compromise.

In 2020 I embarked on an MSc in Construction Law and Dispute Resolution at King's College London where I learnt foundational knowledge in law alongside in-depth construction law modules. I wrote my dissertation on inflation in the construction industry, and the methods and outcomes employed by parties to overcome the financial burden of inflation.

I am now training to be a Solicitor and I look forward to what the future holds as I embark on a career change (all be it, still within the construction industry).

JCT: Bethany, how did you first come to be involved with JCT's Young Professionals Group? Why do you think it is important to be involved with the new focus group?

I came across the JCT's Young Professionals Group during the Covid-19 pandemic and, once restrictions lifted, I went along to some of the YPG events to hear the talks and to network. The events provided insight on topical construction issues but also were a great place to ask questions and get understanding from

others in the industry.

The YPG provides an important learning and networking environment for young professionals, without the pressure of feeling your questions or knowledge are being judged; I find that refreshing.

JCT: Can you tell us about any specific work you're currently doing that has any association to JCT and its contracts (e.g. any case studies/webinars/podcasts/blogs/vlogs)?

In my current role, about 75% of the contracts I review are bespoke agreements with the other 25% being standard forms. In terms of JCT agreements, I frequently see the 2016 Consultancy Agreement (Public Sector) being used.

JCT: Do you have any personal career highlights so far?

In terms of my legal career, graduating from the MSc in Construction Law course at King's was pivotal. The course led me on the journey to becoming a Solicitor and I am grateful to the knowledgeable tutors at King's for preparing me for a career in Construction Law.

In terms of my architectural career, successfully delivering two hospitality projects on site during the Covid-19 pandemic was a highlight. I faced many obstacles such as restrictions in working environments, sub-contractors not being able to carry out their portion of work at the last minute and one of the clients being stuck in another country, but I worked alongside the contractor to ensure the works continued despite some set-backs.

JCT: What are you most proud of about the construction industry as a whole and where do you think it most needs to improve?

The construction industry's approach to change; whether that be economic volatility, the introduction of new legislation or the pandemic. The challenges over the past few years demonstrate the industry's adaptability and strength.

JCT: Does JCT and the Young Professionals Group have a wider role to play in the industry beyond producing contracts?

I believe JCT and the YPG do have a role to play in the industry in informing each other; the YPG, in terms of how members and the industry use JCT contracts, and the JCT, in responding to changes in the industry and informing YPG members of the latest developments.

JCT Construct

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