|  |
| --- |
| **Construction Contracts Act, 2013 Form No. 3**  **Notice of Intention to Suspend Work from an Executing Party**  **– if an amount due under a construction contract is not paid in full**  **pursuant to section 5(2) of the Construction Contracts Act, 2013** |
| **An Executing Party is required** **to deliver a Notice of Intention to Suspend Work to the Other Party:**  **not earlier than the day after the day on which the amount concerned is due, and**  **at least 7 days before the proposed suspension of work is due to begin.**   |  |  |  | | --- | --- | --- | | **Contract Title/Description (whether oral or written):** | |  | | **Site Address:** |  | |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | **State the date of Intention to Suspend Work:** |  |  | **/** |  |  | **/** |  |  |  |  | |

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

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **PART A: Executing Party details** | | | | | | | | | | | | | | |
| **Name of Person /Company/Public Body:** | | |  | | | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **Trading Name (if different):** | | |  | | | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **Address:** | |  | | | | | | | | | | | | |
|  | |  | | | | | | | | | | | | |
|  | |  | | |  | | | | | | | | | |
| **City/Town:** | |  | | | **County:** |  | | | | | | | | |
|  | |  | | |  |  | | | | | | | | |
| **Country:** | |  | | | **Eircode / Postcode:** |  | |  |  |  |  |  |  |
|  | | | | |  | | | | | | | | | |
|  | | | | |  | | | | | | | | | |
| **Name of person who may be contacted about this matter:** | | | | |  | | | | | | | | | |
| **Email:** |  | | | **Telephone/Mobile:** | | |  | | | | | | | |
|  |  | | |  | | |  | | | | | | | |

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Other Party[[1]](#footnote-1) details** | | | | | | | | | | | |
| **Name of Person /Company/Public Body:** | |  | | | | | | | | | |
|  | | | | | | | | | | | |
| **Trading Name (if different):** | |  | | | | | | | | | |
|  | | | | | | | | | | | |
| **Address** (**registered address for a Company**)**:** | | |  | | | | | | | | |
|  |  | | | | | | | | | | |
|  |  | |  | | | | | | | | |
| **City/Town:** |  | | **County:** |  | | | | | | | |
|  |  | |  |  | | | | | | | |
| **Country:** |  | | **Eircode / Postcode:** |  |  |  |  |  |  |  |
|  | | |  | | | | | | | | |
|  | | |  | | | | | | | | |
| **Name of Senior Contact Person (if known):** | |  | | | | | | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **PART B: Payment dispute details** | | | | |
| |  |  |  |  |  | | --- | --- | --- | --- | --- | | **Does the amount that is due arise under a construction contract as defined**  **in the Construction Contracts Act, 2013?[[2]](#footnote-2)** | **Yes** |  | **No** |  |  |  |  |  |  | | --- | --- | --- | --- | | **State the amount in dispute:** | | **€** | | | **State the amount in words:** |  | | | | | | |
| **Describe the payment dispute, stating whether this is part of a payment due at a particular date and specify the date on which that amount was due:** | | | | |
|  | Failure to make an interim payment | | |  | | --- | |  | | |
|  | Failure to make a final payment | | |  | | --- | |  | | |
|  | Other payment dispute (please specify) |  |  | |
|  | | | | |
|  | | | | |
|  | | | | |

Continue on separate sheet if needed

**Specify the grounds on which it is intended to suspend work** (see Note 2)**:**

|  |
| --- |
|  |
|  |
|  |

Continue on separate sheet if needed

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **PART C: Signature** | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **Signature:** |  | **Date:** |  |  | **/** |  |  | **/** |  | |  |  |  |  |
| **Print Name:** |  | | | | | | | | |
| **Capacity/Position:** |  | | | | | | | | |
| **RETAIN A COPY** **of this completed form** for your records as you may be required to produce it at a later date. | | | | | | | | | | | | | |

**Notes**

**Note 1**

An Executing Party may only use this form if the proposed suspension of work 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 right to suspend work under section 5(1) of the Construction Contracts Act, 2013 **is** **limited to an** “**Executing Party”.** Work may **not** be suspended by an Executing Party after:

(*a*) the payment by the Other party of the amount due, or

(*b*) if a notice of intention to refer the payment dispute for adjudication has been served by a party to the construction contract under section 6 of the Construction Contracts Act, 2013 (in relation to the amount concerned).

CCAS v1

1. If there is more than one Other Party to the construction contract, 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 Other Party. [↑](#footnote-ref-2)