Scottish Building Contract Committee

Tailored for Scotland in Scotland

About the SBCC

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ABOUT THE SCOTTISH BUILDING CONTRACT COMMITTEE

Introduction

We are the Scottish College of the Joint Contracts Tribunal Ltd. (JCT) and adapt JCT contracts to produce contracts compliant with Scottish law and practice. This is often referred to as 'Kilting' the contracts.

About JCT

The SBCC website hosts an invaluable service, providing users with the contractual documentation for any building and construction work in Scotland. Print copies of SBCC contracts and accompanying guides are available from selling agents.

We regularly run events such as our Annual Conference and Annual Lecture to assist construction industry professionals to keep up to date with the latest developments in their industry. These events are open to all.

BACKGROUND

SBCC is the only pan industry organisation to produce building contracts designed to meet the needs of the construction industry in Scotland.

SBCC was founded in 1964 and became a Limited Company in 2003.

A college of the Joint Contracts Tribunal Ltd. (JCT), SBCC adapts JCT documents for use in Scotland as well as drafting and providing additional documentation suitable to Scotland.

We produce building contracts that are compliant with Scots law and designed to meet the needs of the construction industry in Scotland.

SBCC is committed to assisting the furthering of the education and training of those in the building professions and those wishing to join.

SBCC is committed to working with public sector clients, local and central government to ensure that SBCC contracts and documents are central to effective public sector procurement.

Our aims are:

- publishing first class forms of building contracts for use in Scotland
- promotion of best practice in building contracts in Scotland
- publication of guidance and practice notes, lecture notes and commentaries on relevant contractual matters

SBCC BOARD

The SBCC Board has overall responsibility for setting and monitoring SBCC's policies and strategies, including business management and finances.

Board members are nominated by SBCC's five financial stakeholders:

- Association for Consultancy and Engineering (ACE)
- Build UK
- Royal Incorporation of Architects in Scotland (RIAS)
- Royal Institution of Chartered Surveyors (RICS)
- Scottish Building Federation (SBF)

Details of our current Board Members can be found on the Board page of the SBCC website.

SBCC COMMITTEE

SBCC's Committee considers a range of policy matters and reports its recommendations to the Board.

Committee members are nominated by the Scottish Building Contract Committee's (SBCC) five financial stakeholders and associated bodies.

- Association for Consultancy and Engineering (ACE)
- Build UK
- Royal Institution of Chartered Surveyors (RICS)
- Royal Incorporation of Architects in Scotland (RIAS)
- Scottish Building Federation (SBF)
- Association for Project Safety (APS)
- National Health Service Health Facilities (NHS)
- Law Society of Scotland
- Society of Construction and Quantity Surveyors (SCQS)
- Young Professionals in Construction (Scotland) (YPiC)
- Chartered Institute of Arbitrators (Scotland) (Ciarb)
- Scotland Excel

Committee members are senior members of their respective building industry professions. Their combined experience and differing backgrounds places SBCC in a unique position to produce contracts tailored to meet the needs of all the building industry professions in Scotland and to engage knowledgably on issues affecting the building industry in Scotland.

SBCC DRAFTING SUB-COMMITTEE

Members of the SBCC Drafting Sub-Committee are made up of representatives from key stakeholders and report back to SBCC Committee/Board. They meet online or in person when appropriate to review documentation received from JCT or if there are changes specific to Scotland that need to be incorporated. They are responsible for adapting JCT contracts (usually when new suites are being published by JCT) to produce building contracts for publication that are compliant with Scottish law and practice.

STAFF

SBCC Manager (Part-time role): Stuart Bryce (Tuesdays/Wednesdays/Thursdays)

Contact: info@sbcconline.com

The SBCC Manager provides day-to-day management and support services for the Scottish Building Contract Committee (SBCC), working closely with the SBCC Board, SBCC Committee, SBCC Members, external consultants and the RIAS Head of Practice and team. The SBCC Manager manages SBCC projects and activities, including events, marketing, communications and contract sales and assists with the appointment of arbitrators. Staffing of the SBCC Manager role is currently provided through a service agreement with the RIAS (Royal Incorporation of Architects in Scotland).

Additional support

RIAS provide additional staff support to the SBCC Manager for key priorities, events and holiday cover.

External Consultants

External consultants Chiene + Tait are employed for accountancy and finance services and David Kelly Design Office (DKDO) are employed for Website hosting, management and database support and maintenance.

ORGANISATION STRUCTURE

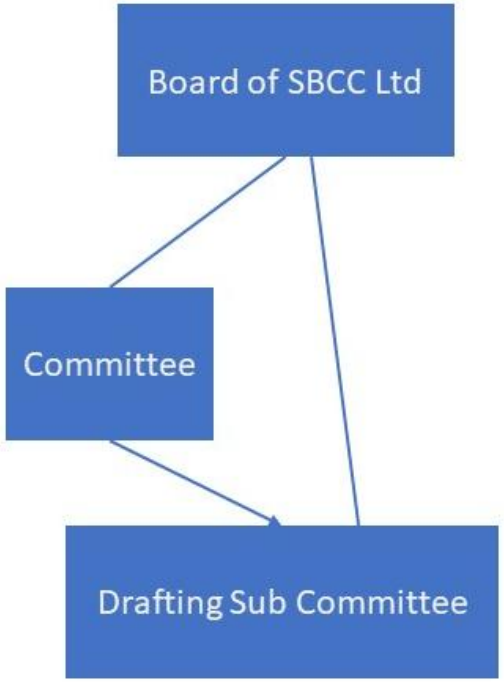
SBCC Ltd
Board and Committee Structure

Composition

Board:
- Directors appointed by financial stakeholders
- Chief Executive Officer
- Drafting Sub-Committee Convenor
- Legal Advisor as required
- Observers by agreement of financial stakeholders
- Decisions by majority voting

Committee:
- 2 representatives of relevant financial stakeholders plus officials
- Members of drafting sub-committee*
- 2 representatives from each associated body
- Chaired by chair of SBCC

*** Drafting Sub-Committee:**
- Co-opted from representatives as required
- Convenor appointed from representatives
- Recommendations by consensus



Remit

Board:
- Overall responsibility for setting and monitoring SBCC's governance, policies and strategies, including business management and finances

Committee:
- Considers a range of policy matters, issues arising from JCT Council, other relevant issues of SBCC Strategy and reports its recommendations to the Board
- Contract drafting instructions solely from Board

Drafting Sub-Committee:
- Contract issues to the Board
- Responsible for adapting JCT contracts to produce building contracts for publication that are compliant with Scottish law and practice.

Scottish Building Contract Committee Limited. A Company Limited by Guarantee. Financial Shareholders Represented on Board.

ADDITIONAL INFORMATION FOR NEW COMMITTEE AND BOARD MEMBERS

The following provides additional key information regarding the SBCC which may be helpful for new committee and board members.

General background - SBCC is a limited company and the Scottish College of the Joint Contracts Tribunal (JCT). SBCC's primary function is to adapt JCT's contracts and produce equivalent contracts fully compliant with Scottish law and practice. SBCC has no scope to amend JCT contracts other than to bring them in line with Scottish law and practice.

Contracts - SBCC currently produces a range of contracts, sub-contracts and guides, including the main suites – Design and Build, Standard Building and Minor Works contracts – and Homeowner, Measured Term contracts, Framework Agreement, Constructing Excellence, Collateral Warranties, Project Bank Account and Pre-Construction Service Agreements.

SBCC Articles of Association – These are the written rules about running the company agreed by the shareholders or guarantors, directors and the company secretary.

Board and Committee meetings - Board meetings are held quarterly on the same day as Committee meetings, usually on Thursday afternoons, either in person or online. Meeting dates are agreed during the previous year. Board meetings are held following Committee meetings to allow a verbal report of the Committee meeting to go to the board. Agendas are agreed by the Chair and are provided along with, SBCC Managers report, any additional reports and the previous draft minutes. Minutes are taken at each meeting, matters outstanding, ongoing and actions and approvals are noted. Board meetings require to be quorate (50% of members entitled to vote must be present).

AGM – The SBCC AGM is generally held on the same day as the Board and Committee meetings in September. At least 21 days written notice is given to all members (Board and Committee) of the date and time. The business to be transacted at each Annual General Meeting of the company shall include: (a) The consideration of reports of the company's activities and financial position and of the income and expenditure account and balance sheet to be presented to the meeting. (b) The appointment of Directors.

Joint Contracts Tribunal (JCT) – SBCC are represented on JCT Board, JCT Council and the JCT Drafting Committee by Committee and Board members of the SBCC. SBCC Chair represents SBCC on the JCT Board of Directors.

SBCC Financial year - runs 1st May to 30th April and the management accounts are usually approved at the AGM. Quarterly management accounts are provided by accountants for approval at Board meetings.

SBCC Events – SBCC holds a full-day Annual Update Conference, typically held in November each year (although online now also an option), alternating venues between Glasgow and Edinburgh. Planning to discuss speakers, topics and venues is usually made at SBCC Board/Committee meetings. At the Chair's discretion a separate meeting (possibly including Vice Chair, Past Chair and SBCC manager) may take place to plan the event. An Annual Lecture may also be held, typically in the spring. This is usually a free event. Planning to discuss speakers, topics and venues is usually made at SBCC Board/Committee meetings.

SBCC Website and digital contracts – Scottishbuildingcontracts.com is an invaluable service that provides contractual documentation for building and construction work in Scotland. SBCC online contracts are designed to be intuitive and easy to use.

The benefits of SBCC online are:

- Access to the latest contracts.
- Complete documents online (except the Homeowner and PBA contracts which you may only purchase online).
- One complete, stand alone and project specific document is produced.
- Documents are securely stored on-line in your secure "area".
- Users have 24-hour access.
- Unlimited printed copies of completed documents can be made.

There are two subscription options:

Full Subscription - Click here for pricing**.** The full annual subscription model allows users to access and purchase SBCC's full range of contracts and guides. Subscriptions auto renew annually unless cancelled.

Free Subscription - No charge. The free subscription model allows users to purchase SBCC's range of Homeowner Contracts and the Project Bank Account Documentation. Subscriptions auto renew annually unless cancelled.

Once users have subscribed, individual digital contracts can then be purchased at the prices detailed in the Contracts section of the website. The cost to purchase a digital contract is the same as print copies purchased from selling agents.

Print Contracts – Print copies of contracts are also published by the SBCC. These contracts and accompanying guides can be obtained from our selling agents. Older and archived contracts can also be obtained, in print format only, from selling agents.

Under SBCC's Agreement with JCT, SBCC must apply the same selling prices as equivalent JCT Contracts.

Education - SBCC offer an Education Subscription and reduced rates for students at most SBCC seminars and training events, including the Annual Update Conference.

Education subscriptions allow students and staff, at educational institutions, to view (but not complete) all contracts available online. Education subscriptions are free but must be requested by the university/college, not individual students, and should only be set up where they are for and restricted to staff and students on relevant courses.

Marketing and Social Media – The SBCC website has a news section for advertising news, events and other relevant information. SBCC updates and information are also shared with partner organisations. SBCC has a LinkedIn page for sharing news and relevant information with members and followers. This was set up in 2022.