

2022 Edition

PBA/Scot

**Project Bank Account
Documentation for use in Scotland**

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Scottish Building Contract Committee Limited

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Project Bank Account Documentation (PBA)

This document contains the three relevant parts, i.e. Project Bank Account Agreement, form of Joining Agreement and the Enabling Provisions, to enable a project bank account to be set up and operated.

It is appropriate for use in conjunction with the following standard forms of SBCC main contract and their related standard forms of SBCC sub-contract:

- a SBCC Standard Building Contract (SBC/ Scot);
 - a SBCC Standard Building Sub-Contract Agreement for use in Scotland 2016 (SBSub/A/Scot); or
 - a SBCC Standard Building Sub-Contract with sub-contractor's Design Agreement Scotland 2016 (SBSub/D/A/Scot).

- a SBCC Design and Build Contract For Use in Scotland 2016 (DB/Scot);
 - a SBCC Design and Build Sub-Contract Agreement For Use in Scotland 2016 (DBSub/A/Scot).

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SAMPLE ONLY

And

(3) _____

_____ (Company No. _____)[*1]

of/whose registered office is at _____

_____ ('the Sub-Contractor')

And

(4) _____

_____ (Company No. _____)[*1]

of/whose registered office is at _____

_____ ('the Sub-Contractor')

And

(5) _____

_____ (Company No. _____)[*1]

of/whose registered office is at _____

_____ ('the Sub-Contractor')

And

(6) _____

_____ (Company No. _____)⁽¹⁾

of/whose registered office is at _____

_____ ('the Sub-Contractor')

SAMPLE ONLY

Recitals

Whereas

First

the Employer has engaged the Contractor by a contract dated _____
(‘the Building Contract’) to carry out the following building works _____

at _____
_____ (‘the Project’);

Second

to assist in the development and performance of the Project, the Contractor has engaged or will engage Sub-Contractors to carry out parts of the Project as set out in the Sub-Contracts;

Third

the Employer, Contractor and Sub-Contractors wish to adopt a payment mechanism which will ensure that the Sub-Contractors receive payment at the same time as the Contractor by having agreed to operate the Project Bank Account (PBA) in accordance with the terms of this Agreement;

Fourth

this Agreement is supplemental to the Building Contract identified in the First Recital;

Fifth

this Agreement is supplemental to any Sub-Contract identified in the Second Recital or added through a Joining Agreement;

Sixth

the Building Contract and the Sub-Contracts as referred to in the Fifth Recital are varied by this Agreement;

SAMPLE ONLY