

# Amendment sheet for Constructing Excellence Contract being Amendment 2 issued February 2018 (Effective from 26 February 2018),for:

## Constructing Excellence Contract 2014 Edition for use in Scotland (CE/Scot 2014)

This is Amendment 2: Contract (Third Party Rights) (Scotland) Act 2017 forming part of the contract between [ ] and [ ]

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Clause number and heading	Action
Contents at Conditions 1.6	Delete ' Third Party Rights' and insert ' Contract (Third Party Rights) (Scotland) Act 2017 '
Conditions at Clause 1.6 heading	Delete ' Third Party Rights' and insert ' Contract (Third Party Rights) (Scotland) Act 2017 '

### Incorporation of the modifications

The modifications may readily be incorporated as follows:

By attaching this Amendment to the Contract; and, prior to execution, inserting the following further provision in the Articles as Article 3a):

**"Article 3a: Amendment 1:- Contract (Third Party Rights) (Scotland) Act 2017 incorporation**

This Agreement and the Conditions shall have effect as modified by the amendments set out in the attached Amendment 2: Contract (Third Party Rights) (Scotland) Act 2017."

(with Article 3a in similar fashion being initialled on execution.)

### Note

Reference is now made to the Contract (Third Party Rights) (Scotland) Act 2017 ( the 'Act') which creates Third Party Rights and abolishes the common law rule *ius quaesitum tertio* . The Contract excludes the application of the Act.

