

1. Record Nr.	UNINA9910830047903321
Autore	Barrett Kevin
Titolo	Defective construction work [[electronic resource] /] / Kevin Barrett
Pubbl/distr/stampa	Chichester, West Sussex, UK ; ; Ames, Iowa, : Blackwell Science, c2008
ISBN	1-282-00932-X 9786612009327 1-4443-0236-1 1-4443-0237-X
Descrizione fisica	1 online resource (224 p.)
Disciplina	343.42 343.42/07869 624
Soggetti	Construction contracts - England Liability for building accidents - England Premises liability - England
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Contents; Preface; Abbreviations; Chapter 1: Definition and Categorisation of Defects; 1.1 Definition of 'defect'; 1.2 Qualitative defects; 1.3 Patent/latent defects; 1.4 Reasonable examination; 1.5 Importance of the distinction between patent and latent defects; 1.6 The 'purchaser', the 'project team' and other terminology; Chapter 2: Common Law, Statutory and Contractual Rights; 2.1 Common law; 2.2 Statute; 2.3 Contractual rights; Chapter 3: Contracts: An Overview; 3.1 Function; 3.2 The basics; 3.3 Express terms; 3.4 Implied terms; 3.5 Exclusion of implied terms; 3.6 Exclusion clauses 3.7 Risk allocation3.8 Model conditions of contract; Chapter 4: No Contract/Restitution; 4.1 Restitution; 4.2 Restitution and defects; Chapter 5: Letters of Intent; 5.1 Function; 5.2 Legal analysis; 5.3 The implications where defects occur; Chapter 6: Tort: An Overview; 6.1 Negligence; 6.2 Complex structures; 6.3 Economic harm; 6.4 Builders and professional consultants; Chapter 7: The Defective Premises Act 1972; 7.1 Application; 7.2 Fitness for habitation; 7.3 Exclusion; Chapter 8: Third Party Rights; 8.1 The exception; 8.2 Agency; 8.3

Assignment; 8.4 Novation

8.5 Statutory third party rights 8.6 Collateral contracts; 8.7 Tort;  
Chapter 9: Statutory Requirements; 9.1 The Building Act 1984; 9.2  
Building regulations; 9.3 Construction products; 9.4 Workplace safety  
regulations; 9.5 CDM regulations; 9.6 The relationship with contractual  
obligations; Chapter 10: The Builder's Obligations: Design,  
Workmanship and Materials; 10.1 Buildability, durability and  
maintenance; 10.2 Workmanship; 10.3 Materials; 10.4 Design; Chapter  
11: The Builder's Obligations: Defects Before Completion; 11.1  
Temporary disconformities; 11.2 Opening up the work  
11.3 Defects and interim payment Chapter 12: The Builder's  
Obligations: Defects at Completion; 12.1 Scope of work to be  
completed; 12.2 Completion; 12.3 Snagging; 12.4 The effect of  
practical completion; 12.5 The ICE, NEC3 and MF/1 conditions; 12.6  
The JCT Major Project Construction Contract; 12.7 The provision of  
information prior to practical completion; Chapter 13: The Builder's  
Obligations: Defects Post Completion; 13.1 The common law; 13.2  
Defects liability period; 13.3 Retention money; 13.4 Retention bonds;  
13.5 Final certificates; Chapter 14: The Professional Team  
14.1 Membership of a professional body 14.2 The structure of the team;  
14.3 Duties; 14.4 Buildability, durability and maintenance; Chapter 15:  
Architects and Engineers; 15.1 Design; 15.2 Selecting builders and  
other specialists; 15.3 Supervision; 15.4 Periodic inspection; 15.5  
Certification; 15.6 Design review; 15.7 Defects investigations; 15.8  
Honest reporting; 15.9 Termination of performance; Chapter 16:  
Project Managers, Surveyors and Others; 16.1 Project managers; 16.2  
Quantity surveyors; 16.3 CDM coordinators; 16.4 Clerk of  
works/engineer's representative; Chapter 17: Compensation  
17.1 Abatement

---

## Sommario/riassunto

Defective construction work, whether the result of inadequate design, faulty workmanship or poor materials - or some combination of these failings - is a frequent cause of legal disputes. Someone is usually to blame, either the builder or one or more of the professional consultants, or even the entire project team. It is important therefore that the project team should possess a good working knowledge of their responsibilities and liabilities. Written by a solicitor with over twenty years of experience of building disputes, this book examines the responsibilities and liabilities of the proje

---