

ANNUAL REPORT FOR 2008

The Committee met on 10 occasions with all meetings generally well attended.

The Committee is comprised of the following bodies:

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| ▪ The Construction Industry Federation | - | CIF |
| ▪ The Royal Institute of The Architects of Ireland | - | RIAI |
| ▪ The Society of Chartered Surveyors | - | SCS |
| ▪ The Institute of Engineers of Ireland | - | EI |
| ▪ The Association of Chartered Engineers of Ireland | - | ACEI |

The following matters were reviewed during the year:

1. The Liaison Committee Form of Building Contract

In 2007 the relevant Subcommittee had retired having issued the Draft Form. In 2008 it was agreed that a new Subcommittee be convened to further develop the Form, recognising the changing nature of the industry arising from the Public Works Contracts. It was further agreed that a Legally Qualified Chairman would be engaged and following a tender competition Mr Michael O'Reilly was appointed. The Subcommittee have at this time met on 9 occasions and an early Draft is expected in the coming weeks.

During this process the ACEI expressed a wish that they be involved in this new Form and it was agreed that they should.

The Subcommittee comprised of:

Arthur Hickey (**RIAI**), Martin Lang (**CIF**), Gerry O'Sullivan (**SCS**), Joe O'Gorman (**ACEI**).

Chaired by Mr Michael O'Reilly

2. Removal of the Fixed Percentages from the RIAI Form of Contract

It had been earlier agreed that the Fixed Percentages in the RIAI Form be omitted. This had several implications and the following documents have been finalised and await publication;

Revisions to Clause 19(a), 16(b), 16(d), 36(f) in the RIAI Form of Contract the updating of the "Schedule of Dayworks Charges" referred to in Clause 13(c)ii of the RIAI Form of Contract and the updating of Supplement A.3(a) the "Percentage additions to labour costs".

It has also been agreed that the SCS would request that the agreed Rules of Measurement be updated to reflect the omissions of discount referred to in Clause 19(a).

3. New VAT(Value Added Tax) Regime

During the year the Government introduced a reverse charge mechanism for dealing with the "Construction" VAT rate of 13.5%.

This required alterations to the code of practice. Such alterations have been drafted and await final approval. It was further agreed that the RIAI Form of Contract be altered to reflect a VAT exclusive contract sum. Again this is drafted and awaits approval.

4. Dispute Resolution Subcommittee (*formally Conciliation Subcommittee*)

The Subcommittee have finalised their work to introduce a new Mediation Clause into the RIAI Form of Contract and this now awaits final approval.

5. Collateral Warranties

A Subcommittee has been formed with the intention of reviewing the existing standard Collateral Warranties and preparing a document that might perhaps result in Solicitors having to make fewer alterations to the Forms. This work is ongoing. The Subcommittee comprises of:

Toal Ó Muiré (RIAI), Gerry Collins (CIF) and Martin Lang (CIF).

6. Health & Safety and the 2006 Act

During 2007 the Subcommittee reported their findings, however the Report was not an agreed Report. An agreed Report was not produced in 2008, however, the Subcommittee have met again and it is expected that an agreed Report will be circulated in early 2009.

7. Secretariat

The secretariat was again provided by the CIF and specifically by Ms Deborah Beddows. May I thank Deborah for her assistance and indeed her forbearance and patience with me during the year. Deborah now moves to another department within the CIF and I hope you will join with me in wishing her well.

Deborah's duties will now be taken up by Ms Alison Irving.

8. Conclusion

We look forward to the publication of the RIAI Form of Contract incorporating the alterations referred to earlier and further to the imminent first Draft of the Liaison Committee Form of Contract.

There is further work to be completed in the area of Training for Mediators and the consolidation of the lists of Conciliators / Mediators / Arbitrators.

The website will be further utilised to advise of impending contract and code of practice changes.

During the year Messrs Doherty, O'Neill and Mossop retired being replaced with Messrs Collins, MacIntyre and Duke, who are very welcome.

I wish to acknowledge the significant contributions that each has made, the work of the committee, both during my term in office and for many years previously, I would single out Richard Mossop for special mention in this regard.

I would like to thank all members of the Committee for their help and support during the year and I wish the new Chairman Liam Boylan every success in his work for 2009.

John A. Curtin, Chairman

Outgoing Committee

CIF	RIAI	SCS	ACEI/EI
Jerry Collins	Joe Miller	Kevin Duke	Kieran MacIntyre
William Hourie	Toal Ó Muiré	Ken Cribbin	Vincent Barrett
Martin Lang	Jude O'Loughlin	Liam Boylan	Brian O'Brian
John Curtin	Eugene Dunne	Gerry O'Sullivan	John Egan