

THE LIAISON COMMITTEE

Of

The Royal Institute of the Architects of Ireland
The Society of Chartered Surveyors
The Institution of Engineers of Ireland and
The Association of Consulting Engineers of Ireland and
The Construction Industry Federation

CONSTITUTION AND STANDING ORDERS

AUGUST 2000

1. Composition and Functions of the Committee

The Liaison Committee of the Royal Institute of the Architects of Ireland, the Society of Chartered Surveyors, the Institution of Engineers of Ireland, the Association of Consulting Engineers of Ireland and the Construction Industry Federation is established by agreement between the five bodies (hereinafter referred to as "the Constituent Bodies"). The Royal Institute of the Architects of Ireland, the Society of Chartered Surveyors and the Construction Industry Federation shall each have four representatives on the Committee. The Institution of Engineers of Ireland and the Association of Consulting Engineers of Ireland shall each have two representatives on the Committee, of which at least two will be Mechanical and Electrical Engineering Consultants and at least two will be Structural and Civil Engineering Consultants. The functions of the Committee are:-

- (a) to make such recommendations to the constituent Bodies for any amendment to the provisions of the Agreement and Schedule of Conditions of Building Contract issued by the Royal Institute of the Architects of Ireland in agreement with the Construction Industry Federation, the Society of Chartered Surveyors, the Institution of Engineers of Ireland and the Association of Consulting Engineers of Ireland (hereinafter referred to as "the RIAI Agreement and Conditions") as the Liaison Committee may consider desirable;
- (b) (i) to make such recommendations as the Committee may consider desirable for the amendment of any other building contract which the Committee may decide to accept for consideration;
- (ii) when such other building contracts are under consideration the Committee may be augmented by not less than two nor more than four persons nominated as their joint representative by any issuer or co-issuer of and any body or bodies having a direct interest in the said building contracts who are not already, through a Constituent Body, represented on the Committee.
- (c) to make recommendations on practice concerning tendering and contractual procedures, documentation and any other matter which may arise from the relationship between the members of the Constituent Bodies themselves or any bodies with ad hoc representations on the Committee or with building owners;

2. Procedures

- (a) subject to sub-clause 1(b)(i) the matters to be considered by the Committee shall be restricted to those referred to it by one of the Constituent Bodies or any matters which the Committee itself by a majority vote may deem proper to place on its agenda. Such a reference from a Constituent Body shall be advised to the Committee Secretary at least fourteen days prior to a meeting of the Committee. The Secretary shall then acknowledge its receipt, immediately advise the other four Constituent Bodies of the reference, and place the matter on the agenda for the next meeting. When the Committee itself takes up a matter the Secretary shall immediately advise the Constituent Bodies accordingly and place the matter on the agenda for the next meeting after its adoption. It shall be at the discretion of the Committee Chairman to decide whether any matter has been properly referred or taken up; (see also (13) herein).
- (b) the Committee shall then formulate a draft recommendation in the matter at its earliest convenience and not later than six months from the date of the meeting at which the matter is first up for discussion;
- (c) (i) in the case of the RIAI Agreement and Conditions the draft recommendation when ready shall be referred to the Constituent Bodies for approval or suggestions for change which shall be conveyed by the Bodies to the Secretary as soon as possible but in any case within three months of the references to them. In cases where a response is not received from a Body within three months that Body will be deemed to have agreed to the recommendation in toto;
- (ii) in the case of any other building contract the referrals stipulated above shall be made both to the Constituent Bodies and to the bodies not represented on the Committee through a Constituent Body (see (1)(b)(ii) above) and the latter shall be subject to the same conditions as those set out above for the Constituent Bodies;
- (d) At its next meeting after the expiry of the aforesaid three months the Committee shall have the authority to proceed to finalise its recommendation without further reference to the Constituent Bodies or any other body. The Committee's final recommendation shall be issued within two months after the expiry of the aforesaid three months.
- (e) if any of the time limits above is insufficient for its purpose the Committee shall notify the bodies, or the body concerned shall notify the Committee, as the case may be, of the additional time required, giving the reason therefor;

3. The Final Recommendations

- (a) (i) The Committee's final recommendations shall, in the case of the RIAI Agreement and Conditions, be binding on the Constituent Bodies, that is, any amendments to the RIAI Agreement and Conditions contained in such final recommendations shall be circulated by the Constituent Bodies to their members and shall be incorporated in all copies of the RIAI Agreement and Conditions thereafter distributed by the Bodies;
- (ii) the Committee's final recommendations in respect of any other building contracts shall be conveyed to the issuer or issuers thereof and to any body or bodies having a direct interest in them for adaption and circulation at their discretion;

- (b) in the case of Practice Notes (see 1(c) above) the Constituent Bodies shall issue the Committee's final recommendation as advisory notes and circulate them as in (a) above. Thereafter the Committee itself may at its discretion publish comments and reminders concerning practice as recommended in the Notes.

4. Decisions of the Committee

A decision of the Committee shall be deemed to have been made if supported by a majority of those present and voting, such majority to include not less than two representatives from each Constituent Body (for the purpose of representation under this clause, the Institution of Engineers of Ireland and the Association of Consulting Engineers of Ireland shall be treated as one Constituent Body) and, in the case of a vote on a recommendation in respect of a building contract other than the RIAI Agreement and Conditions, not less than two from the additional representatives referred to in 1(b)(ii) above. The Chairman shall not have a casting vote.

5. Chairman and Vice Chairman

The Chairman and vice-Chairman shall be elected annually at the first meeting of the Liaison Committee held after the 1st January.

The Chairman shall be elected annually from the representatives of each of the Constituent Bodies in turn but the Committee, at its discretion, may appoint a Chairman for not more than one further year.

6. Secretary to the Committee

The Committee shall make such arrangement as may be necessary for the execution of its secretarial work.

7. Honorary Officers

The Committee shall appoint annually, at its first meeting held after 1st January, Joint Honorary Treasurers, one of whom shall be selected from each of two of the Constituent Bodies. The Joint Honorary Treasurers shall be responsible for all monies received which shall be lodged in a banking account opened in the name of the Liaison Committee and they may expend such sums as may be necessary to discharge the liabilities of the Committee which may arise from time to time, having examined documentary evidence of the debts.

Cheques drawn on the Committee's account shall be signed by both the Honorary Treasurers or by the Chairman and one Honorary Treasurer.

8. Quorum

A quorum of the Committee shall be eight members of whom not less than two shall be from each Constituent Body, (for the purpose of representation under this clause, the Institution of Engineers of Ireland and the Association of Consulting Engineers of Ireland shall be treated as one Constituent Body) plus, when any building contract other than the RIAI Agreement and Conditions is under consideration, two from the additional representatives referred to in 1(b)(ii) above;

9. Tenure of Committee Members

One member from each Constituent Body shall retire in rotation annually on 31st December but shall be eligible for reappointment by the appointing Body. The rotation as been the representatives from each constituent Body shall be determined in the first instance by lot.

10. Vacancies

If, for any reason, a vacancy shall occur in the membership of the Committee or if any member of the Committee shall fail to attend three consecutive meetings without adequate reason or if it shall be the decision of the remaining members of the Committee that, for reasons thought to be sufficient by them, the position of any one member shall be declared vacant then the Committee shall be empowered to deem that a vacancy exists in its number and shall request the relevant Constituent Body to nominate another person to fill such a vacancy, (for the purpose of representation under this clause, the Institution of Engineers of Ireland and the Association of Consulting Engineers of Ireland shall be treated as one Constituent Body). Any person appointed to fill a vacancy under this standing order shall occupy the same position in the rota (see 9 above) as that occupied by the person whom he or she is replacing.

11. Sub-Committees

The Committee may appoint such sub-committees as it considers desirable and may delegate to such sub-committees such functions as it considers appropriate.

Any such sub-committee may, with the sanction of the Committee, co-opt persons to their number to act in an advisory capacity.

Any such sub-committee shall, before initiating any action, submit a full report to the Committee and obtain the Committee's approval to the proposed action.

12. Meetings of the Committee

Meetings of the Committee shall take place on the last Tuesday of each month or as close thereto as possible except in the month of August, when no meeting shall be held. Special meetings may be convened in the intervening periods on the instructions of the Chairman or on the requisition of any three members of the Committee.

13. Committee Funding

The Committee is, by agreement, funded by the Constituent Bodies, and funding shall be decided from time to time as recommended by the Committee and approved by the Constituent Bodies.

14. Notification of Business

The Secretary shall issue a notification of each meeting to the Committee members not less than one week before the meeting is due to be held. The notification shall be accompanied by an agenda setting out the business to be undertaken at the meeting. No decision or ruling shall be made on any matter at a meeting unless it is on the agenda for that meeting (see also 2(a) herein). Business not so included on an agenda may, by permission of the Chairman, be introduced at any meeting under the item "other business" but then only as a subject for preliminary discussion.

15. Amendments to Constitution

Proposals for amendments to the Constitution and Standing Orders of the Liaison Committee shall be referred and dealt with in accordance with the procedures in 2(a) and (b) above and shall be implemented only on the unanimous agreement of the Constituent Bodies.