# Design and Build Contract 2016

## Clause 7.4 Third Party Rights

A copy of this is to be provided by the main contractor on execution of the contract and by all other parties as part of a clause 3.3

### Model Form for the Rights Particulars

**(A) Rights to be granted by the Contractor**

**Daedalus Site B Technology Park**
**New Airfield Perimeter Road**
**Lee on Solent**
**PO13 9FX**

1 Identity of Beneficiaries

Purchasers/Tenants (P&T)
(Specify by name or category)

**Tidebank (UK) Limited**
**Purchasers/Tenants**

Funder (F)

**Tidebank (UK) Limited**
**AN Other as notified from time to time**

2 Mode of Grant

Rights to be granted as Third Party Rights

3 Applicable Terms

*(References below to paragraphs are to those in the relevant part of Schedule 5 of the Design and Build Contract)*

(P&T) Liability for Other Losses

- 1.1.2 is to applies for any beneficiary
- Liability is limited up to the value of the insurance cover carried by the sub-contractor. (£5m)

(P&T and F) Net Contribution

If for the purpose of the Net Contribution provisions the definition of Consultants in clause 7.4.3 of the Contract Conditions is to be modified, state the modifications.

None

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## (B) Rights to be granted by Sub-Contractors

1 Identify Sub-Contractors and Beneficiaries

| Sub-Contractors by whom rights are to be granted | Beneficiaries to whom those rights are to be granter | Rights to be granted as Third Party Rights (TPRs) | Requirements for Sub-Contractor's Professional Indemnity (PI) or Product Liability (PL) insurance (where applicable) [3] |
|---|---|---|---|
| Any and all designing Sub-Contractors: | P&T and F&E | TPRs | PI £5M |
| Structural Steelwork | P&T and F&E | TPRs | PI £5M |
| Cladding and Roofing | P&T and F&E | TPRs | PI £5M |
| Windows and Pedestrian Doors | P&T and F&E | TPRs | PI £5M |
| External Access Doors | P&T and F&E | TPRs | PI £5M |
| Mechanical Works | P&T and F&E | TPRs | PI £5M |
| All Electrical and Alarm System Works | P&T and F&E | TPRs | PI £5M |
| | P&T and F&E | TPRs | PI £5M |

2 Mode of execution

For Third Party Rights, Sub-Contracts must be executed as deeds

3 Applicable Terms

*(References below to paragraphs are to those in the relevant part of Schedule 6 to the JCT Design and Build Sub-Contract Conditions;).*

(P&T) Liability for Other Losses

- 1.1.2 is to applies for any beneficiary
- Liability is limited up to the value of the insurance cover carried by the sub-contractor. (£5m)

(P&T, F and E) Net Contribution

If in the case of the Employer Rights paragraph/clause 1.3 is to apply, this must be stated, as should any variation in its terms.

None

Unless otherwise stated, the definition of Consultants shall be that in clause 2.26.6 of the Design and Build Sub-Contract Conditions (DBSub/C)

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## *Execution as a Deed*

### Executed as a Deed by the Contractor or Sub-Contractor

Namely[1] _____

**(A)** acting by a Director and the Company Secretary/two Directors of the company [2, 3]

_____ and _____
*(Print name of signatory)* *(Print name of signatory)*

_____ and _____
*Signature* Director *Signature* Company Secretary/Director

**(B)** By affixing hereto the common seal **of the Company/Other Body Corporate** [2, 4]

_____
*Signature* Director

_____
*Signature* (Company Secretary/Director)

*[Common Seal of Company]*

**(C)** By attested signature of a single Director **of the Company** [2, 5]

*Signature* Director

In the presence of

S. Ryves S. RYVES
*Witness Signature* *Print Name*

160 Christchurch Road, Ringwood, Hampshire, BH24 3AR
*Witness' Address*

**(D)** by attested signature **of the individual** [6]

_____
*Signature*

In the presence of

_____ _____
*Witness Signature* *Print Name*

_____

_____
*Witness Address*

*Note: The numbers on this page refer to the numbered paragraphs in the Notes on Execution as a Deed*

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