NEC4 ECC · PERIODS THAT RUN AGAINST THE PROGRAMME

The NEC4 Programme Clock

Every period in the NEC4 ECC that decides whether the programme is accepted, whether a compensation event survives, and what happens when somebody goes quiet. Four end in deemed acceptance, and none of the four happens by itself.

The programme

CLAUSE	EVENT	PERIOD	CONSEQUENCE
31.1	**First programme**	In Contract Data, unless identified with the tender	Until one is submitted, 50.5 applies
31.3	**Project Manager accepts or states reasons**	2 weeks from submission	Only four grounds for refusal
31.3	**Deemed acceptance of the programme**	Notice of failure, then 1 week	**Treated as accepted. Needs your notice**
32.2	**Revised programme**	Interval in Contract Data, or the period for reply after an instruction	An accepted revision replaces the Accepted Programme
50.5	**No first programme showing the required information**	Until one is submitted	One quarter of the Price for Work Done to Date retained

Compensation events

CLAUSE	EVENT	PERIOD	CONSEQUENCE
61.3	**Contractor notifies a compensation event**	8 weeks from becoming aware	Late: no change to Prices, Completion Date or Key Dates, subject to the exceptions in 61.3
61.4	**Project Manager replies to the notification**	1 week, or longer if agreed	
61.4	**Deemed acceptance as a CE**	Notice of failure, then 2 weeks	**Treated as a compensation event. Needs your notice**
62.3	**Quotation**	3 weeks from instruction	Late: Project Manager assesses under 64.1
62.3	**Project Manager replies to the quotation**	2 weeks from submission	
62.5	**Extending either period**	Agreed before the period expires	No extension after it has run
62.6	**Deemed acceptance of the quotation**	Notice of failure, then 2 weeks	**Quotation treated as accepted. Needs your notice**
64.4	**Project Manager fails to assess**	Notice of failure, then 2 weeks	**Your quotation treated as accepted. Needs your notice**

General

CLAUSE	EVENT	PERIOD	CONSEQUENCE
13.3	**Period for reply**	In Contract Data	Applies where no specific period is stated
15.1	**Early warning**	As soon as either party becomes aware	A separate obligation from 61.3

The four deemed routes all need a notice

Clauses 31.3, 61.4, 62.6 and 64.4. Silence at the end of the first period changes nothing. The Contractor sends a notice of the failure, and only then does the second period start. Deemed acceptance follows only if the Project Manager stays silent through that second period. A notice sent does not accept anything on its own.

Periods run in calendar weeks unless Contract Data says otherwise. Contract Data and Z clauses frequently change these periods, and some shorten the eight weeks in 61.3. Check both before relying on any period on this page.

Running the clock on a live NEC4 job? Book a 30-minute call about Clause 31 and 32 programmes.

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