

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? We track every period on both sides and send the notices before they matter.

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