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MODULE DESCRIPTOR

Module Title

Construction Adjudication Law, Practice And Procedure

Reference	LLM229	Version	1
Created	April 2020	SCQF Level	SCQF 11
Approved	May 2020	SCQF Points	30
Amended		ECTS Points	15

Aims of Module

1.To enable students to obtain knowledge and understanding of: a.dispute resolution processes in the construction industry and the background to the introduction of statutory adjudication; b.the role of statutory adjudication in the construction context under the Housing Grants, Construction and Regeneration Act 1996 (and secondary legislation) and the role of contractual adjudication; c.the relationship between statutory adjudication and the employer?s payment obligation under a construction contract; and d.the nature, characteristics and operation of statutory and contractual adjudication in the construction sector. 2.To enable students to obtain knowledge and understanding of the key practical and procedural issues involved before and during a statutory adjudication in the UK. 3.To teach students how to conduct key parts of the UK statutory adjudication procedure. 4.To convey an understanding of the importance of the decision and its component parts - and the requirements for such a decision to survive judicial scrutiny. 5.To allow students to understand in outline the key procedural issues arising out of contractual adjudications.

Learning Outcomes for Module

On completion of this module, students are expected to be able to:

1	Understand the role and origins of statutory adjudication in the UK construction sector under the Housing Grants, Construction and Regeneration Act 1996 (and secondary legislation).
2	Understand and evaluate the nature, characteristics and operation of statutory and contractual adjudication in the construction sector.
3	Understand and apply, in the context of a UK statutory adjudication, the required rules and approaches to achieve a professional standard of case management and inter-personal skills.
4	Demonstrate the ability to conduct a UK statutory adjudication in a way which would creatively and accurately apply procedural norms and survive judicial scrutiny.

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Indicative Module Content

Dispute resolution processes in the construction industry; adjudication around the world, the background to the introduction of statutory adjudication in the UK ; the role of statutory adjudication in the construction sector under the Housing Grants, Construction and Regeneration Act 1996; the relationship between statutory adjudication and the employer?s contractual payment obligation; the nature, characteristics and operation of statutory and contractual adjudication; jurisdiction to adjudicate; notice of adjudication; response to notice and reply;, appointment of adjudicator; adjudication timetable; confidentiality of adjudications; adjudicator's contract; threshold challenges; meetings with parties; approach to the conduct of adjudication generally; evidence from parties; resignation of adjudicator; adjudication costs and adjudicator?s fees; anatomy of an adjudication decision; drafting of correspondence with parties ; basic process in contractual adjudication; construction law principles and alternative dispute resolution.

Module Delivery

This course will be taught via online lecture notes, online tutorials, assigned reading, case studies and directed reading/research, topic activities and directed reading/ research. It will be supported by audio-visual material where appropriate.

Indicative Student Workload	Full Time	Part Time
Contact Hours	N/A	72
Non-Contact Hours	N/A	228
Placement/Work-Based Learning Experience [Notional] Hours	N/A	N/A
TOTAL	N/A	300
Actual Placement hours for professional, statutory or regulatory body		

ASSESSMENT PLAN

If a major/minor model is used and box is ticked, % weightings below are indicative only.

Component 1

Type:	Examination	Weighting:	10%	Outcomes Assessed:	1, 2
Description:	Multiple choice questions				

Component 2

Type:	Coursework	Weighting:	40%	Outcomes Assessed:	1, 2
Description:	Coursework assessment in the form of a problem question(s)				

Component 3

Type:	Examination	Weighting:	50%	Outcomes Assessed:	3, 4
Description:	A closed book exam				

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MODULE PERFORMANCE DESCRIPTOR

Explanatory Text

The Module is assessed by four components: C1 - MCQ - 10% weighting. C2 - Coursework - 40% weighting. C3 - Exam ? Closed Book Exam - 50% Module Pass Mark = Grade D (40%)

Module Grade	Minimum Requirements to achieve Module Grade:
A	At least 70% on weighted aggregate and at least 35% in each component
B	At least 60% on weighted aggregate and at least 35% in each component
C	At least 50% on weighted aggregate and at least 35% in each component
D	At least 40% on weighted aggregate and at least 35% in each component
E	At least 35% on weighted aggregate
F	Less than 35% on weighted aggregate
NS	Non-submission of work by published deadline or non-attendance for examination

Module Requirements

Prerequisites for Module	None.
Corequisites for module	None.
Precluded Modules	None.

INDICATIVE BIBLIOGRAPHY

1	Coulson, P., 2018. Construction adjudication. 4th ed. Oxford: Oxford University Press (Hard copy available in the RGU Library. E-copy not yet available)
2	Uff, J., 2017. Construction Law. 12th ed. London: Sweet & Maxwell.
3	Ramsey, Sir Vivian and Furst, S., 2016. Keating on construction contracts. 10th ed. London: Sweet & Maxwell.
4	Pickavance, K A Practical Guide to Construction Adjudication 2015 Wiley Blackwell
5	Riches, J.L. and Dancaster, C., 2004. Construction adjudication. 2nd ed. London: Wiley Blackwell. eBook
6	Latham, M., 1994. Constructing the team: final report of the government/industry review of procurement and contractual arrangements in the UK construction industry. London: HMSO.