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| **Construction Contracts Act, 2013 Form No. 3**  **Notice of Intention to Suspend Work from an Executing Party**  **– if an amount due under a construction contract is not paid in full**  **pursuant to section 5(2) of the Construction Contracts Act, 2013** |
| **An Executing Party is required** **to deliver a Notice of Intention to Suspend Work to the Other Party:**  **not earlier than the day after the day on which the amount concerned is due, and**  **at least 7 days before the proposed suspension of work is due to begin.**   |  |  |  | | --- | --- | --- | | **Contract Title/Description (whether oral or written):** | |  | | **Site Address:** |  | |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | **State the date of Intention to Suspend Work:** |  |  | **/** |  |  | **/** |  |  |  |  | |

Please ensure all parts of the form are completed in full, if applicable, and in **Block Capitals** (see Note 1)

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| **PART A: Executing Party details** | | | | | | | | | | | | | | |
| **Name of Person /Company/Public Body:** | | |  | | | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **Trading Name (if different):** | | |  | | | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **Address:** | |  | | | | | | | | | | | | |
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| **City/Town:** | |  | | | **County:** |  | | | | | | | | |
|  | |  | | |  |  | | | | | | | | |
| **Country:** | |  | | | **Eircode / Postcode:** |  | |  |  |  |  |  |  |
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| **Name of person who may be contacted about this matter:** | | | | |  | | | | | | | | | |
| **Email:** |  | | | **Telephone/Mobile:** | | |  | | | | | | | |
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| **Other Party[[1]](#footnote-1) details** | | | | | | | | | | | |
| **Name of Person /Company/Public Body:** | |  | | | | | | | | | |
|  | | | | | | | | | | | |
| **Trading Name (if different):** | |  | | | | | | | | | |
|  | | | | | | | | | | | |
| **Address** (**registered address for a Company**)**:** | | |  | | | | | | | | |
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|  |  | |  | | | | | | | | |
| **City/Town:** |  | | **County:** |  | | | | | | | |
|  |  | |  |  | | | | | | | |
| **Country:** |  | | **Eircode / Postcode:** |  |  |  |  |  |  |  |
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|  | | |  | | | | | | | | |
| **Name of Senior Contact Person (if known):** | |  | | | | | | | | | |

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| **PART B: Payment dispute details** | | | | |
| |  |  |  |  |  | | --- | --- | --- | --- | --- | | **Does the amount that is due arise under a construction contract as defined**  **in the Construction Contracts Act, 2013?[[2]](#footnote-2)** | **Yes** |  | **No** |  |  |  |  |  |  | | --- | --- | --- | --- | | **State the amount in dispute:** | | **€** | | | **State the amount in words:** |  | | | | | | |
| **Describe the payment dispute, stating whether this is part of a payment due at a particular date and specify the date on which that amount was due:** | | | | |
|  | Failure to make an interim payment | | |  | | --- | |  | | |
|  | Failure to make a final payment | | |  | | --- | |  | | |
|  | Other payment dispute (please specify) |  |  | |
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Continue on separate sheet if needed

**Specify the grounds on which it is intended to suspend work** (see Note 2)**:**

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Continue on separate sheet if needed

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| **PART C: Signature** | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **Signature:** |  | **Date:** |  |  | **/** |  |  | **/** |  | |  |  |  |  |
| **Print Name:** |  | | | | | | | | |
| **Capacity/Position:** |  | | | | | | | | |
| **RETAIN A COPY** **of this completed form** for your records as you may be required to produce it at a later date. | | | | | | | | | | | | | |

**Notes**

**Note 1**

An Executing Party may only use this form if the proposed suspension of work arises under a construction contract as defined in the [Construction Contracts Act 2013](http://www.irishstatutebook.ie/eli/2013/act/34/enacted/en/html). The definition of a **construction contract** is set out in section 1 of the Act and section 2 lists exceptions which are not a construction contract for the purposes of the Act.An information booklet on the Construction Contracts Act, 2013 is available at [www.djei.ie](http://www.djei.ie) for further guidance.

**Note 2**

The right to suspend work under section 5(1) of the Construction Contracts Act, 2013 **is** **limited to an** “**Executing Party”.** Work may **not** be suspended by an Executing Party after:

(*a*) the payment by the Other party of the amount due, or

(*b*) if a notice of intention to refer the payment dispute for adjudication has been served by a party to the construction contract under section 6 of the Construction Contracts Act, 2013 (in relation to the amount concerned).

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1. If there is more than one Other Party to the construction contract, copy this blank page and include their details. [↑](#footnote-ref-1)
2. If you select **No**, this form should not be used to contact the Other Party. [↑](#footnote-ref-2)