



**DIFFERENCES BETWEEN
JCLI LANDSCAPE MAINTENANCE WORKS CONTRACT 2008
(JCLI LMWC 2008)
and
JCLI AGREEMENT FOR LANDSCAPE MAINTENANCE WORKS
Feb 2002**

1 Introduction

This document only lists the main differences between the 2008 Edition of the JCLI Landscape Maintenance Works Contract and the February 2002 revision of the JCLI Agreement for Landscape Maintenance Works 1998 Edition.

The JCLI Landscape Maintenance Works Contract 2008 is based on the JCLI Landscape Work Contract, which in turn is based on the JCT Minor Works Building Contract (JCT MW).

See also the JCLI 'track changes' document titled "Differences between JCLI LMWC 2008 and JCLI LWC 2008" which is available free at www.landscapeinstitute.org

The majority of the revisions originate from the revisions introduced by JCT in JCT MW 2005 Edition and its Revision 1 of May 2007, and included in the 2008 Edition of the JCLI Landscape Works Contract.

2 General

- 2.1 Order of clauses changed to improve clarity. (The new locations for the old clauses are listed in section 3 below).
- 2.2 Many clauses reworded to improve consistency
- 2.3 Terminology changed, eg: Agreement to Contract; Determination to Termination; Schedules to Work Schedules; Supplemental Conditions to Schedules; working days to Business Days; assignment to novation.
- 2.4 Contract Particulars included instead of insertions in individual clauses.
- 2.5 Definitions and Interpretation clause added
- 2.6 Dispute resolution default changed to legal proceedings unless arbitration is chosen in the Contract Particulars.

2.7 Significant revisions to VAT provisions (no Supplemental Condition), Adjudication (no Supplemental Condition), Termination provisions, CDM provisions due to the CDM 2007 revision (revised in JCT MW Revision 1 May 2007, but also application of the Regulations to maintenance works changed in 2007 Regulations – see JCLI Practice Note No 9 August 2008 item 3), Insurance provisions (revised in JCT MW Revision 1 May 2007).

3 Summary of Revisions and Additions

JCLI LMWC 2002 Clause numbers	JCLI LMWC 2008 Clause numbers	Notes
Recitals		
First	First	
Second	Second	
Third	Third	
Fourth	Second	
	Fourth	Added: CDM see 2.7 above
Articles		
Article 1	Article 1	Reworded
2	2	
3	3	
	4	CDM Coordinator added See 2.7 above
	5	Principal Contractor added See 2.7 above
4	6	Reworded
5A	7	See 2.6 above
5B	8	Reworded See 2.6 above
5C	Deleted	Default position now in Contract Particulars, see 2.6 above
	Contract Particulars	Added see 2.4 above
Conditions		
	1.1	Added (see 2.5 above)
1.1	2.1.1 and 2.1.2	Reworded (2.1.3 see below)
1.2	2.3	
	1.2	Added, partly from 4.1

	1.3	Added
1.3	1.6	
1.4.1	1.4, 1.1	
1.4.2	1.1	
1.5	1.7	
1.6	1.5	
	2.1.3	Added (2.1.1 and 2.1.2 from 1.1): CSCS
2.1	2.2	
2.2	2.7	
3.1	3.1	Rewritten: Novation
3.2	3.3	
3.3	3.2	
3.4	3.8	
3.5	3.4, 3.5	
3.6	3.6	3.6.2 reworded
3.7	3.7	
	3.9	Added: CDM see 2.7 above
	3.10	Added: CDM see 2.7 above
4.1	1.2, 2.4	
4.2.1	4.3	
4.2.2	4.4	
4.3	4.5	
4.4	4.6	Reworded
4.5A	4.8	
4.5B	4.2	
4.6	4.11	
4.7	4.10	Reworded

4.8	4.7	
	4.9	Added
5.1	2.1.1, 2.5, 2.6	
5.2	4.1	Reworded
5.3	6.6	
6.1	5.1, 5.3	Reworded
6.2	5.2, 5.3	Reworded
6.3	5.4	
7.1	6.2	
7.2.1	6.2, 6.4	Reworded
7.2.2	6.4.3	
7.2.3	6.1, 6.2, 6.5	Reworded
7.2.4	6.7	Reworded
7.2.5	6.7	Reworded
7.2.6	6.3.1	
	6.3.2	Added
7.3.1	6.2, 6.8	Reworded
7.3.2	6.1, 6.2, 6.9	Reworded
	6.10	Added
7.3.3	6.11	Reworded
7.3.4	6.3.1	
7.4	6.12	
Footnote [n]	7.1	Added, instead of footnote
8.1	7.2	
8.2	7.3	
8.3	Article 8	
Supplemental Conditions	Schedules	
A	Schedule 2	Contribution, Levy and Tax Changes: reworded
B	deleted	VAT (see clause 4.1)
C	not used	

D	deleted	Adjudication (see clause 7.2)
E	Schedule 1	Arbitration
	Schedule 3	Added: Novation by Employer
	Schedule 4	Added: Novation by Contractor
	Guidance Notes	Added
	Notes on suitability on inside cover	Added

This document is issued by **the Joint Committee for Landscape Industries** comprising:

Arboricultural Association
 British Association Landscape Industries
 Horticultural Trades Association
 Institute of Chartered Foresters
 Landscape Institute



Published for the Joint Committee for Landscape Industries by the Landscape Institute
 33 Great Portland Street London W1W 8QG

Available to download free from the Landscape Institute web-site
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