



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

1 Introduction

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

Items marked with a * are different from JCT MW due to the special requirements for soft landscape works. Revisions, except those marked with a *, are the same as the revisions introduced by JCT in JCT MW 2005 Edition and its Revision 1 of May 2007.

See also the JCLI 'track changes' document titled "Differences between JCLI LWC 2008 and JCT MW 2007" which is available free at www.landscapeinstitute.org

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; Defects Period to Rectification Period; Determination to Termination; Schedules to Work Schedules; Supplemental Conditions to Schedules.
- 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 CIS provisions (no supplemental conditions), VAT (no supplemental conditions), Adjudication (no supplemental conditions), Termination provisions, CDM provisions due to the CDM 2007 revision (revised in MW Revision 1 May 2007), Insurance provisions (revised in MW Revision 1 May 2007).

3 Summary of Revisions and Additions

JCLI LWC 2002 Clause numbers	JCLI LWC 2008 Clause numbers	Notes
Recitals		
First	First and Second	
Second	Third	
Third	Second	
Fourth	Deleted	QS
	New Fourth Recital	CIS
Fifth	Fifth	Revised to refer to Contract Particulars
Articles		
Article 1	Article 1	Reworded
2	2	
3	3	
4	4	Reworded
5	5	
6	6	Reworded
7A	7	See 2.6 above
7B	8	See 2.6 above
7C	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	3.10	Reworded due to CDM 2007 revision
	1.3	Added
1.4	deleted	Not applicable due to CDM 2007 revision
1.5	1.6	

1.6.1	1.4	
1.6.2	1.1	
1.7	1.7	
1.8*	deleted	BoQ no longer an option in contract documents (never was in JCT MW). See JCLI Practice Note No 8 item 2
1.9	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	
2.3	2.8	
2.4	2.9	
2.5	2.10A*, 2.10B*, 2.11	JCT MW has only one option for 2.10: Defects
2.6*	2.12*	Partial possession by Employer *
2.7*	deleted*	Failures of plants (pre practical completion) *
2.8A* and B *	2.10A*, 2.10B*	Options for different length defects periods removed*
2.9A* and B*	2.13*	Theft and malicious damage (prior to practical completion) *
3.1	3.1	3.3.3 reworded
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	PC Sums deleted* (were never in JCT MW)

3.8*	Deleted*	Objections to a nomination *
4A	4.2, Fourth Recital, Contract Particulars	
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
4.5.1.1-4	4.8	
4.5.1.5*	deleted*	
4.5.2	4.9	
4.6	4.11	
4.7	4.10	
4.8	4.7	
5.1	2.1.1, 2.5, 2.6	2.1.1 reworded
5.2	4.1	Reworded
5.3	4.2, Fourth Recital, Contract Particulars	
5.4 not used		
5.5	6.6	
5.6	3.9, 3.9.1	CDM provisions revised re CDM 2007
5.7	3.9.2	
	3.9.3	Added
5.8	3.10	
5.9	3.9.4	
6.1	5.1, 5.3	Reworded
6.2	5.2, 5.3	Reworded
6.3A	5.4A	Reworded
6.3B	5.4B	Reworded
	5.4C	Added

6.4	5.5	Reworded
7.1	6.2	
7.2.1	6.2, 6.4	Reworded
7.2.2	6.1, 6.2, 6.5	Reworded
7.2.3	6.7	Reworded
7.2.4	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	
Footnote [x]	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 1.1)
C	deleted	CIS (see clause 4.2)
D	deleted	Adjudication (see clause 7.2)
E	Schedule 1	Arbitration
	Guidance Notes	Added
	Notes on suitability on inside cover	Added

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