

4. In the Contract Particulars at "9.3 to 9.4" in the left hand column delete "(If an Arbitrator is not selected by the parties, the appointor shall be one of the appointors listed opposite)" and in the right hand column insert at the start "The appointor shall be:"

In footnote Q[27],AQ[26],XQ[28], DB[25] delete the existing wording and insert instead "The Scottish Building Contract Committee Limited will appoint unless struck out and replaced by another appointor"

4 In clause 1.1 insert the following definitions

:

Scottish Arbitration Rules see **clause 9.3**

Tribunal shall have the same meaning as in the Arbitration (Scotland) Act 2010

5.. In Clause 9.3 - delete "the Scottish Arbitration Code 2007 ... (Scottish Branch)" and insert "the Arbitration (Scotland) Act 2010, subject to disapplication in whole or in part of any of the default rules of the Scottish Arbitration Rules comprising Schedule 1 to that Act by this Contract*". At the end delete "and 9.6" and insert "and" between "9.4" and "9.5". In XQ insert "subject" before "to" in the penultimate line of the clause.

* Add a footnote to the end after "Contract":

"If any of the default rules are to be disapplied in whole or in part this requires to be indicated in the Contract Particulars

6. In clause 9.4 - delete "in accordance with the Scottish Code" in the first sentence. In the second sentence:

delete the word "Arbitrator" and replace it with "Tribunal"

delete the word "either" and replace it with "the referring"

insert after the word "appointed", "within 14 days"

7. In clause 9.5 delete "Scottish Code" and insert "Arbitration (Scotland) Act 2010 and the Scottish Arbitration Rules subject to the disapplication in whole or in part of any of the default rules of the Scottish Arbitration Rules "

8. Delete clause 9.5.5

9. Delete clause 9.6 and renumber clause 9.7 as 9.6