

and threw the contractor off the site. He then had the work completed by another contractor and other consultants at a cost of around £7,000, in addition to which he was obliged, as a result of the original contractor having obtained judgment against him, to pay all ten certificates in full. As this contractor was then declared bankrupt, Mr Sutcliffe brought a claim against the architect. The architect contended, among other things, that its duty of supervision did not extend to informing the quantity surveyor of defective work that should be excluded from the valuation. HH Judge Stabb QC found for Mr Sutcliffe, stating 'I do not expect that the words "work properly executed" can include work not then properly executed but which it is expected, however confidently, the contractor will remedy in due course' (at page 156).

Dhamija and another v Sunningdale Joineries Ltd and others [2010] EWHC 2396 (TCC)

The claimants brought an action against the building contractor, the architect and the quantity surveyor (McBains) arising out of alleged defects in the design and construction of their home. There had been no written or oral contract with the quantity surveyor, but the claimants argued that there was an implied term that the quantity surveyor would only value work that had been properly executed by the contractor and was not obviously defective. The court held that a quantity surveyor's terms of engagement would include an implied term that the quantity surveyor act with the reasonable skill and care of quantity surveyor of ordinary competence and experience when valuing the works properly executed for the purposes of interim certificates. However, the judge held that the quantity surveyor would not owe an implied duty to exclude the value of defective works from valuations, however obvious the defects. This was the exclusive responsibility of the architect appointed under the contract. Further, the quantity surveyor owed no implied duty to report the existence of defects to the architect.

Unfixed materials and goods

7.6 Certificates should include for materials which have been delivered to the site but not yet incorporated in the works. Although obliged under the contract to include such items, the contract administrator should be aware that this could result in some considerable risk to the employer. Once materials have been built in, under common law they would normally become the property of the owner of the land, irrespective of whether or not they have been paid for by the contractor. This would be the case even if there were a retention of title clause in the contract with the sub-contractor or supplier. A retention of title clause is one which stipulates that the goods sold do not become the property of the purchaser until they have been paid for, even if they are in the possession of the purchaser.

7.9 The employer could be at risk, however, where materials have not yet been built in, even where the materials have been certified and paid for. The contractor might not actually own the materials paid for because of a retention of title clause in the sale of materials contract. Under the Sale of Goods Act 1979, sections 16–19, property in goods normally passes when the purchaser has possession of them, but a retention of title clause will be effective between a supplier and a contractor even where the contractor has been paid for the goods, provided they have not yet been built in. The employer may have some protection through section 25 of the Act, which in some circumstances allows the employer to treat the contractor as having authority to transfer the title in the goods (*Archivent v Strathclyde Regional Council*).

P81 Study Guide

Michael Lynch



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Concepts and Trends in Global Education ERIC Clearinghouse for Social Studies/Social Science Education, Bloomington, IN., 2001 This publication addresses trends and issues in global education providing information about what global education is and how to teach it The publication emphasizes ERIC resources It offers ERIC Digests about global education and selected items from the ERIC database that exemplify different viewpoints and approaches to global education It contains a directory of key organizations and World Wide Web sites that provide teacher resources Designed as a guide for educators who want to include global education across the various subjects of the curriculum the volume is divided into four parts 1 Overview of Global and International Education 2 Institutionalizing Global Education 3 Curriculum Methods and Approaches and 4 Appendices Information about documents in the ERIC database and how to submit documents for the database is appended BT *Air University Library Index to Military Periodicals*, 1995 *AQA Geography for A Level & AS Physical Geography Revision Guide* Lawrence Collins, Simon Ross, 2018-09-13 The AQA Geography for A Level AS Human Geography Revision Guide is the most student friendly resource for the 2016 AQA A Level and AS Level Geography specifications written specially to target the demands of revising for these content heavy linear geography courses Accessible clear and thorough this revision guide engages all your students Each Human Geography section is condensed into interesting relevant single or double page examples Clearly written objective open each section setting out for students what they need to revise using high quality photos maps and diagrams to aid retention of key geographical processes and information Motivating revision activities and a focus on the exam requirements reinforce the rigorous approach **Health planning reports subject index** United States. Health Resources Administration, 1979

A Critical Study of Keynes's General Theory Colin Champion, 2019-01-31 Keynes's General Theory was the most influential piece of economic writing of the twentieth century and is one of the least understood Keynes wrote brilliantly for the popular press but tied himself in knots when trying to present his own theoretical ideas He was seen at the time as a heretic and a paradox monger His ideas were accepted by much of the economics establishment and then rejected by adversaries who had absorbed more of them than they cared to admit Nowadays it is hard to tell what comes from Keynes and what doesn't The relevance of his ideas is not just to theoreticians Political discussion often hinges on ideas associated with Keynes Every voter is called on to express a quinquennial preference between balanced budgets and fiscal stimulation yet nowhere can he or she find adequate guidance on the meaning of Keynes's words or on whether they

are indeed paradoxes or instead a banal application of the laws of supply and demand to the economy as a whole This Critical Study presents Keynes s ideas in a clear and systematic way 26 colour diagrams illustrate the theoretical relationships and an initial chapter provides a primer on the basic concepts needed to understand Keynes s work Above all as its title suggests the book is critical It looks at those aspects of Keynes s doctrine which were seen as paradoxical when they appeared and tries to examine the rationale for his rejection of Classical theory All this is presented in the context of the society of the 30s struggling to rebuild itself after the disasters of war but confronted by hyperinflation and depression A vivid picture emerges of the personalities involved and there is a relatively sympathetic portrayal of the contributions of A C Pigou and Dennis Robertson to the topics raised by the General Theory Health Planning Reports: Subject index. 4 v United States. Health Resources Administration,1978 **Book Review Index** ,2006 Every 3rd issue is a quarterly cumulation

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