Additional Errata for 2017 FIDIC contracts

Red Book 2017:

Sub-Clause 15.2.1 [Notice]:

The sentence "and such failure constitutes a material breach of the Contractor's obligations under the Contract" following sub-paragraph (a) should be indented so as to be clear that it is part of sub-paragraph (a).

(a) fails to comply with:
   (i) a Notice to Correct;
   (ii) a binding agreement, or final and binding determination, under Sub-Clause 3.7 [Agreement or Determination]; or
   (iii) a decision of the DAAB under 21.4 [Obtaining DAAB's Decision] (whether binding or final and binding)

and such failure constitutes a material breach of the Contractor’s obligations under the Contract;

(b) abandons the Works or otherwise plainly demonstrates an intention

Sub-Clause 16.1 [Suspension by Contractor]:

The sentence "and such failure constitutes a material breach of the Employer's obligations under the Contract" following sub-paragraph (d) should be indented so as to be clear that it is part of sub-paragraph (d).

(c) the Employer fails to comply with Sub-Clause 14.1 [Payment], or
(d) the Employer fails to comply with:
   (i) a binding agreement, or final and binding determination under Sub-Clause 3.7 [Agreement or Determination]; or
   (ii) a decision of the DAAB under 21.4 [Obtaining DAAB's Decision] (whether binding or final and binding)

and such failure constitutes a material breach of the Employer's obligations under the Contract,

the Contractor may, not less than 21 days after giving a Notice to the Employer (which Notice shall state that it is given under this Sub-Clause,
Sub-Clause 16.2 [Termination by Contractor]:

The sentence "and such failure constitutes a material breach of the Employer's obligations under the Contract" following sub-paragraph (d) should be indented so as to be clear that it is part of sub-paragraph (d).

Sub-Clause 14.7 [Payment];

(d) the Employer fails to comply with:

(i) a binding agreement, or final and binding determination under Sub-Clause 3.7 [Agreement or Determination]; or

(ii) a decision of the DAAB under 21.4 [Obtaining DAAB’s Decision] (whether binding or final and binding)

and such failure constitutes a material breach of the Employer's obligations under the Contract;
Sub-Clause 16.1 [Suspension by Contractor]:

The sentence "and such failure constitutes a material breach of the Employer’s obligations under the Contract" following sub-paragraph (d) should be indented so as to be clear that it is part of sub-paragraph (d).

(c) the Employer fails to comply with Sub-Clause 14.1 [Payment], or

(d) the Employer fails to comply with:

(i) a binding agreement, or final and binding determination under Sub-Clause 3.7 [Agreement or Determination]; or

(ii) a decision of the DAAB under 21.4 [Obtaining DAAB’s Decision] (whether binding or final and binding)

and such failure constitutes a material breach of the Employer’s obligations under the Contract,

the Contractor may, not less than 21 days after giving a Notice to the Employer (which Notice shall state that it is given under this Sub-Clause...
Sub-Clause 15.2.1 [Notice]:

The sentence "and such failure constitutes a material breach of the Contractor’s obligations under the Contract" following sub-paragraph (a) should be indented so as to be clear that it is part of sub-paragraph (a).

Intention to terminate the Contractor, in the case of sub-paragraph (f), (g) or (h) below a Notice of termination, if the Contractor:

(a) fails to comply with:
    (i) a Notice to Correct;
    (ii) a binding agreement, or final and binding determination, under Sub-Clause 3.5 [Agreement or Determination]; or
    (iii) a decision of the DAAB under 21.4 [Obtaining DAAB’s Decision] (whether binding or final and binding)

and such failure constitutes a material breach of the Contractor’s obligations under the Contract;

(b) abandons the Works or otherwise plainly demonstrates an intention

Sub-Clause 16.1 [Suspension by Contractor]:

The sentence "and such failure constitutes a material breach of the Employer’s obligations under the Contract" following sub-paragraph (c) should be indented so as to be clear that it is part of sub-paragraph (c).

(b) the Employer fails to comply with Sub-Clause 14.7 [Payment]; or
(c) the Employer fails to comply with:
    (i) a binding agreement, or final and binding determination under Sub-Clause 3.5 [Agreement or Determination]; or
    (ii) a decision of the DAAB under 21.4 [Obtaining DAAB’s Decision] (whether binding or final and binding)

and such failure constitutes a material breach of the Employer’s obligations under the Contract,

the Contractor may, not less than 21 days after giving a Notice to the