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Book Review

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Book review

NEC3 and NEC4 Compared

Robert Alan Gerrard. ICE Publishing, London, UK, 2017, ISBN 978-0-7277-6201-6, £40.00 (paperback), 192 pp.

The fourth iteration of the New Engineering Contract, NEC4, was launched in June 2017. 'Evolution rather than revolution' was a strap line, but there are significant changes. NEC published a good summary (*NEC4: the Next Generation – an Explanation of Changes and Benefits*) on its website and offered a webinar ('Webinar: Revealing NEC4') to explain the key changes. Many a lawyer has also offered their summary and comments online. Another take – from the author of this review – will come in *Construction Law Quarterly* (part of the *Proceedings of the Institution of Civil Engineers – Management, Procurement and Law*) very soon. But, if you really want to see the details, then Robert Alan Gerrard's 192-page tome is a must-have – at the very least in the company library. Gerrard, the NEC Users' Group secretary, and a recognised expert on NEC, comes with a truly unique experience. He did the same task more than 10 years ago when NEC moved from '2' to '3' – true dedication to NEC!

The book is very clearly set out with all the words of the *Engineering and Construction Contract 3* (ECC3) on each left-hand page and the equivalent from ECC4 on the right. If ECC3 words have been changed or deleted, they are highlighted. The ECC4 text shows all new or changed words underlined in a light grey line. That detail is mentioned, as text underlined in a standard font is less easy to read. Clearly, the publishers thought through the style.

Short, sharp, boxed comments give a good explanation for all the substantive changes and, in many cases, a note of where the words have come from. Many of the key changes have now been well publicised, but, for example, it was difficult to notice that clause 73.2 has been changed, meaning the contractor in ECC4 has title to material from excavation and demolition unless stated in the scope. That reverses the situation in ECC3. This book has all the details!

As explained in the preface, many of the changes in ECC4 have been replicated in the other contracts of the NEC suite. So in some cases the book will be useful for those looking at other NEC4 contracts. But there is no high-level explanation of the new contracts in NEC4 and no attempt to look at those changes specific to the other contracts. That was never to be the role of this book. From that point of view, 'ECC3 and ECC4 Compared' would have been a more descriptive title. Working for a consultant as the reviewer does, he would ask NEC to get Gerrard on to 'PSC3 and PSC4 Compared'!

Most people with a detailed knowledge of ECC3 will want to acquaint themselves with the details of the changes in ECC4. This is the book for that, perhaps best used after reading one of the summaries mentioned earlier. I have already highlighted the key changes on my shiny new copy of ECC4 – but, as a frequent NEC trainer, I will certainly be carrying this book with me when on NEC duty.

Richard Patterson