



MEMBER BENEFITS

Legal & Commercial

Service Level Agreement

Summary

The BESA Legal and Commercial team aims to provide reliable, responsive and practical legal and commercial services to BESA Members.

Our services include:

- Contract Management
- Compliance
- Debts and Disputes
- Payment
- Business protection

Our legal information, publications, advice and referral services are free to BESA Members.

How can we help?

Depending on your situation and the details of your legal problem, we might be able to help you in the following ways:

Document Reviews

We will provide you with commentary, risk appraisal and drafting advice for any of your construction or business related contract and ancillary agreements including:

- Construction Contracts
- Warranty Documents
- Bonds & Guarantees
- Commercial Purchase Agreements

We cannot negotiate directly on your behalf but are happy to guide and advise you through points raised by other parties to ensure you feel supported.

Disputes

- Payment – we will advise you on the merits of your payment dispute and the most commercial recourse for claiming outstanding sums. This includes help drafting demand letters, statutory demands, suspension letters and small claims.
- Settlements – we can advise you on the merits of proposed settlements or help you formulate and draft appropriate settlement offers.
- Adjudication – we can advise you on the merits of an adjudication claim and refer you to an approved partner who offer exclusive discounted rates to BESA Members.

- Insolvency – we can advise you if you experience any issues through the supply chain in respect of insolvency. This includes advice on statutory demands, winding up petitions, security agreements together with commercial advice specific to your situation.
- Litigation – we can advise you on the merits of your claim and assist in drafting statements of case for small claims. For larger claims we can advise on the merits of the case and refer you to an approved provider who offer exclusive discounted rates to BESA Members.
- ADR – we can advise on the most appropriate form of alternative dispute resolution and refer you to a mediation service exclusively available for BESA Members.

Free Precedents

We have a variety of precedent contracts and letters drafted in favour of the sub-contractor available to BESA Members to use in the course of their business arrangements. We are happy to provide guidance on modification of these documents to suit your business needs.

These include:

- JCT Sub-Contract Amendments
- Sub-sub Contract
- Maintenance Agreement
- Labour Only Agreement
- Conditions of Trading
- Consumer Contract
- Performance Bond
- Collateral Warranty
- Parent Company Guarantees
- JCT notices and letters
- Retention recovery letter

Education and Guidance

- Full guide to the Construction Act available on the BESA website
- Compliance guidance available on the BESA website
- Variety of fact sheets available on the BESA website
- Guide to onerous clauses available on the BESA website
- Quarterly bulletin updates by email
- We provide discounted training courses that span construction and commercial issues



MEMBER BENEFITS

Legal & Commercial

What we can't help with

There are certain services that we are not able to provide. These include:

- Representing you at court proceedings;
- Wills and probate activities;
- Activities related to real or personal estate;
- Notarial services;
- The administration of oaths.

Service levels

- A verbal response will usually be available over the telephone during office hours which are currently Monday - Friday 9.00am to 5.00pm, otherwise normally within two working days.
- You will receive confirmation that your email has been received and your query will be allocated to a member of the team within 2 days. We will then advise you of any further information we require and a timescale for a full initial response to your query.
- The Legal and Commercial team will use reasonable endeavours to provide members with comprehensive and timely advice and support.
- When demand exceeds the capacity of the service, the Legal and Commercial team will prioritise levels of urgency in their discretion for the benefit of the service as a whole.

How to get help:

If you have a legal problem you can search our comprehensive pages on the BESA website, www.thebesa.com to find useful information.

You can also contact our **Legal and Commercial team on 02073134919 or by email at legal@thebesa.com**