

Annexure B

Option X7: Delay damages

Delay damages	X7	
	X7.1	The <i>Contractor</i> pays delay damages at the rate stated in the Contract Data from the Completion Date for each day until the earlier of <ul style="list-style-type: none">• Completion and• the date on which the <i>Employer</i> takes over the <i>works</i>.
	X7.2	If the Completion Date is changed to a later date after delay damages have been paid, the <i>Employer</i> repays the overpayment of damages with interest. Interest is assessed from the date of payment to the date of repayment and the date of repayment is an assessment date.
	X7.3	If the <i>Employer</i> takes over a part of the <i>works</i> before Completion, the delay damages are reduced from the date on which the part is taken over. The <i>Project Manager</i> assesses the benefit to the <i>Employer</i> of taking over the part of the <i>works</i> as a proportion of the benefit to the <i>Employer</i> of taking over the whole of the <i>works</i> not previously taken over. The delay damages are reduced in this proportion.