

## **Guidance by the commercial judges on the enforcement of adjudication awards**

1. The commercial judges recognise that unless disputes as to the enforceability of adjudication awards are determined swiftly the intended benefits of adjudication may be diminished.
2. In general the court is likely to be favourably disposed towards reasonable proposals which may facilitate early determination of the dispute, as long as the defender's legitimate interests are not unfairly prejudiced by them. Appropriate proposals might involve shortening the period of notice (rule 13.4(2)); fixing an early hearing for the determination of a summary decree motion; or fixing an early substantive hearing (either at the preliminary hearing or at a procedural hearing heard soon after the preliminary hearing).
3. Where it is appropriate to do so the court will deliver an *ex tempore* judgement after a summary decree motion or after a substantive hearing. In the event that judgement is reserved the court will endeavour to issue its decision within 28 days.
4. This guidance has effect from 4 February 2019.

J. Raymond Doherty  
Iain A. S. Peebles  
Sarah Wolffe  
Andrew Stewart

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