

My March commentary [reminded us that 28-day adjudication has been with us for just 12-years](#) and made a big difference. In April, [I coaxed you to appoint a person in charge of watching out for disputes](#), "A dispute watcher",. My advice in May was about [getting an adjudication under way](#). This time let's have a look at getting the right adjudicator for your particular dispute.

Options

- Put a name (or names) in the contract at the outset;
- Put an Adjudicator Nominating Body ('ANB') in the contract at the outset.
- Do nothing until a dispute arises.

Naming a person

It never surprises me when a 'Notice of Adjudication' arrives telling me a dispute has arisen and my name is in the document. No one previously told me; and that doesn't worry me. I am up for having my name in any contract. The snag is availability when and if needed. A telephone call to my clerk asking if I am ok for this one is all that is needed.

A useful alternative is to have two or three names to get over availability and provide a choice.

Naming an 'Adjudicator Nominating Body'

The only requirement to be an Adjudicator Nominating Body (ANB) is "a body (not being a natural person and not being a party to a dispute), which holds itself out publicly as a body which will select an adjudicator when requested to do so by a Referring Party",. This definition is in the Statutory Instrument 1998 [No.649] known as "The Scheme",. Some ANB's are better set up than others. Some have panels of people who vary in quality and experience. The ANB takes potluck in who it puts in place. There is a mad rush to "just get a candidate in the saddle",. That's not so bad if the entire panel is very experienced. Otherwise - oh dear! The ANB "adjudication.co.uk" uses a very experienced practising adjudicator to investigate who should be appointed. The chooser is conflicted out of course. But it's an in-depth dynamic.

Do nothing

This too has merit. Even if the contract is silent as to adjudication you can negotiate a name with the other party or go to whichever ANB appears to suit you. Be careful about the fee and quality.

It's all up to you.