

Construction Newsletter – How long do the Liquidated Damages continue?

The latest edition of our Construction Newsletter is now [available](#).

This edition, written by Quentin Tannock and Jonathan Schaffer-Goddard, features the recent decision of the Court of Appeal in *Triple Point Technology, Inc. v PTT Public Company Limited* [2019] EWCA Civ 230.

In this case, the Court of Appeal gives comprehensive guidance as to the period for which liquidated damages can be levied in the event that the contract is terminated or for some other reason a contractor never achieves completion.

As the newsletter explains, previous case law has indicated three possible outcomes:

- the liquidated damages do not apply at all in such a scenario;
- they apply until termination with damages at large thereafter; or
- they apply until completion by a third party. All will, as ever, turn on the interpretation of the particular clause at issue.