

# Mott Macdonald Ltd v Trant Engineering Ltd

Members of 4 Pump Court were involved on both sides of a recent TCC dispute arising from a power project on a military base in the Falkland Islands.

In the [judgment](#) given on 30 March 2021, HHJ Eyre KC considered an application concerning the proper interpretation of various exclusion and limitation clauses in the contract between the engineering contractor and its engineering consultant.

There is some very interesting law in the judgment, as the key issue was whether the alleged character of a breach being fundamental, deliberate or wilful affected the operation of the exemption clauses. Judge Eyre KC provides a detailed review of the principles in this area, which will be of interest to practitioners drafting or applying limitation and exclusion clauses in commercial contracts, whatever their factual context.

[Simon Hale](#) appeared for the Claimant, Mott MacDonald Limited, instructed by Clyde & Co. [Lord Marks KC](#) and [Daniel Goodkin](#) appeared for the Defendant, Trant Engineering Limited, instructed by KT Construction Law.

[Link to judgment](#)