

Summary:

Management has many privileges and effective authority in public works contracts in all its phases, as public works contracts are the most used instrument of Management for the completion, construction and development of all the facilities and buildings that the Management needs to run its facilities .

Despite this, the rights of the contractors of the Management have not found sufficient interest with specialists in Yemen .

Whereas there is inadequate specialist research in this field in Yemen. And despite there being some indications to the rights of the contractors in contract management theory, this aspect has not been taken far enough .

The problem represented in research into the study of inquiries and questions such as: What are the Management's privileges vis-a-vis the contractor ? What are the effects of the public works contracts on the contractor ? What are the rights of those contracted by the Management ? And is the financial aspect of the contractor impacted by the Management's exercising of its authority against him ? What is the reasonable compensation for the contractor?

For answering these questions, the researcher has employed the comparative and analytical methods, with emphasis on the authority and privileges enjoyed by the Management, and determining the corresponding rights and obligations of the contractor.

This study also sheds light on the modern developments in this field, and puts forward practical and legal solutions to the problems that may face the execution of public works contracts .

This study has come to the conclusion of the necessity of amending and increasing the period of the guarantee up to five years, and force the Management and the contractor to execute the contract at the contractor's expense if he delays in the execution of the contract, so that public facilities do not fail.

This study also advises the necessity of protecting the rights of the contractor and providing him with adequate compensation in case the Management decides to amend the value of the contract or reduces it.