
STATUTORY INSTRUMENTS

1997 No. 274

The Construction Contracts (Northern Ireland) Order 1997

Supplementary provisions

The Scheme for Construction Contracts in Northern Ireland

13.—(1) The Department shall by regulations make a scheme (“the Scheme for Construction Contracts in Northern Ireland”) containing provision about the matters referred to in the preceding provisions of this Order.

(2) Before making any regulations under this Article the Department shall consult such persons as it thinks fit.

(3) Where any provisions of the Scheme apply by virtue of this Order in default of contractual provision agreed by the parties, they have effect as implied terms of the contract concerned.

Service of notices, &c.

14.—(1) The parties are free to agree on the manner of service of any notice or other document required or authorised to be served in pursuance of the construction contract or for any of the purposes of this Order.

(2) If or to the extent that there is no such agreement the following provisions apply.

(3) A notice or other document may be served on a person by any effective means.

(4) Section 24 of the Interpretation Act (Northern Ireland) 1954 (service of documents), as it applies to the service by post of such a notice or other document, shall have effect with the omission of the word “registering” in subsection (1).

(5) This Article does not apply to the service of documents for the purposes of legal proceedings, for which provision is made by rules of court.

(6) References in this Order to a notice or other document include any form of communication in writing and references to service shall be construed accordingly.

Crown application

15. This Order applies to a construction contract entered into by or on behalf of the Crown otherwise than by or on behalf of Her Majesty in her private capacity.

Orders and regulations

16.—(1) Orders and regulations under this Order may contain such incidental, supplementary or transitional provisions and savings as the Department considers appropriate.

(2) Subject to paragraph (3), orders and regulations made under this Order shall be subject to affirmative resolution.

(3) Paragraph (2) does not apply to an order made under Article 1(2).