Defective Premises Act 1972

1972 CHAPTER 35

3  Duty of care with respect to work done on premises not abated by disposal of premises.

(1) Where work of construction, repair, maintenance or demolition or any other work is done on or in relation to premises, any duty of care owed, because of the doing of the work, to persons who might reasonably be expected to be affected by defects in the state of the premises created by the doing of the work shall not be abated by the subsequent disposal of the premises by the person who owed the duty.

(2) This section does not apply—

(a) in the case of premises which are let, where the relevant tenancy of the premises commenced, or the relevant tenancy agreement of the premises was entered into, before the commencement of this Act;

(b) in the case of premises disposed of in any other way, when the disposal of the premises was completed, or a contract for their disposal was entered into, before the commencement of this Act; or

(c) in either case, where the relevant transaction disposing of the premises is entered into in pursuance of an enforceable option by which the consideration for the disposal was fixed before the commencement of this Act.
Changes to legislation:
Defective Premises Act 1972, Section 3 is up to date with all changes known to be in force on or before 03 September 2017. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

Commencement Orders yet to be applied to the Defective Premises Act 1972
Commencement Orders bringing legislation that affects this Act into force:
– S.I. 2003/1986 art. 2(a) commences (2002 c. 15)
– S.I. 2004/669 art. 2 commences (2002 c. 15)