

These notes refer to the Construction Contracts (Amendment) Act (Northern Ireland) 2011 (c.4) which received Royal Assent on 10 February 2011

Construction Contracts (Amendment) Act (Northern Ireland) 2011

EXPLANATORY NOTES

BACKGROUND AND POLICY OBJECTIVES

3. This Act amends the Construction Contracts (Northern Ireland) Order 1997 to replicate the recent amendments to the originating legislation in GB, namely Part 2 of the Housing Grants, Construction Regeneration Act 1996, by Part 8 of the Local Democracy, Economic Development and Construction Act 2009 which received Royal Assent in November 2009. The Order and the Act are solely concerned with the construction industry and cover the operation of construction contracts only.
4. The originating legislation in GB, the HGCR Act 1996, known as the Construction Act, was intended primarily to allow swift resolution of disputes by way of adjudication and to improve payment practices to relieve issues that had long encumbered the construction industry. While it was considered that the Act was working well, it was widely recognised that some improvements would be welcome. Poor payment practices and restrictions on access to adjudication had continued to be problematic.
5. After extensive public consultation in England and Wales over a number of years and separately in Scotland, amendments that commanded broad support were eventually laid before Parliament. These amendments represented proportionate reform of the original Act rather than wholesale change, with guidance remaining the preferred route to improved practice.