STATUTORY INSTRUMENTS

1997 No. 274

The Construction Contracts (Northern Ireland) Order 1997

Introductory

Construction contracts.

3.—(1) In this Order a construction contract means an agreement with a person for any of the following—

> (a) the carrying out of construction operations;
>
> (b) arranging for the carrying out of construction operations by others, whether under sub-contract to him or otherwise;
>
> (c) providing his own labour, or the labour of others, for the carrying out of construction operations.

(2) References in this Order to a construction contract include an agreement—

> (a) to do architectural, design, or surveying work, or
>
> (b) to provide advice on building, engineering, interior or exterior decoration or on the laying-out of landscape,

in relation to construction operations.

(3) References in this Order to a construction contract do not include a contract of employment (within the meaning of the Employment Rights (Northern Ireland) Order 1996).

(4) The Department may by order add to, amend or repeal any of the provisions of paragraph (1), (2) or (3) as to the agreements which are construction contracts for the purposes of this Order or are to be taken or not to be taken as included in references to such contracts.

(5) Where an agreement relates to construction operations and other matters, this Order applies to it only so far as it relates to construction operations.
An agreement relates to construction operations so far as it makes provision of any kind within paragraph (1) or (2).

(6) This Order applies only to construction contracts which—

> (a) are entered into after the coming into operation of this Order, and
>
> (b) relate to the carrying out of construction operations in Northern Ireland.

(7) This Order applies whether or not the law of Northern Ireland is otherwise the applicable law in relation to the contract.