



# Housing Grants, Construction and Regeneration Act 1996

## 1996 CHAPTER 53

### PART II

#### CONSTRUCTION CONTRACTS

##### *Introductory provisions*

#### **104 Construction contracts.**

- (1) In this Part 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 Part 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 Part to a construction contract do not include a contract of employment (within the meaning of the <sup>M1</sup>Employment Rights Act 1996).
- (4) The Secretary of State may by order add to, amend or repeal any of the provisions of subsection (1), (2) or (3) as to the agreements which are construction contracts for the purposes of this Part or are to be taken or not to be taken as included in references to such contracts.

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*Status: Point in time view as at 11/09/1996.*

*Changes to legislation: There are currently no known outstanding effects for the Housing Grants, Construction and Regeneration Act 1996, Section 104. (See end of Document for details)*

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No such order shall be made unless a draft of it has been laid before and approved by a resolution of each of House of Parliament.

- (5) Where an agreement relates to construction operations and other matters, this Part 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 subsection (1) or (2).

- (6) This Part applies only to construction contracts which—
- (a) are entered into after the commencement of this Part, and
  - (b) relate to the carrying out of construction operations in England, Wales or Scotland.
- (7) This Part applies whether or not the law of England and Wales or Scotland is otherwise the applicable law in relation to the contract.

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**Commencement Information**

- II** S. 104 wholly in force; s. 104 not in force at Royal Assent see s. 150; s. 104 in force for certain purposes at 11.9.1996 by S.I. 1996/2352, art. 2(2); s. 104 in force insofar as not already in force at 1.5.1998 by (E.W.) S.I. 1998/650, art. 2 and (S.) S.I. 1998/894, art. 2
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**Marginal Citations**

- M1** 1996 c. 18.

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