
STATUTORY INSTRUMENTS

1979 No. 1709

Building Regulations (Northern Ireland) Order 1979

Civil liability

20.—(1) Subject to the provisions of this Article, breach of a duty imposed by building regulations shall, so far as it causes damage, be actionable except in so far as the regulations provide otherwise; and as regards any such duty building regulations may provide for any described defence to be available in any action for breach of that duty brought by virtue of this paragraph.

(2) Paragraph (1) and any defence provided for in regulations made by virtue thereof shall not apply in the case of a breach of such a duty in connection with a building erected before the date on which Article 12A(1) of the Building Regulations (Northern Ireland) Order 1972 came into force unless the regulations imposing the duty apply to or in connection with the building by virtue of paragraph (2) of Article 6.

(3) Nothing in this Article shall be construed as affecting the extent (if any) to which breach—

(a) of a duty imposed by or arising in connection with this Order or any other enactment relating to building regulations; or

(b) of a duty imposed by building regulations in a case to which paragraph (1) does not apply, is actionable, or as prejudicing any right of action which exists apart from the enactments relating to building regulations.

(4) In this Article “damage” includes the death of, or injury to, any person (including any disease and any impairment of a person's physical or mental condition).

Changes to legislation:

There are currently no known outstanding effects for the Building Regulations (Northern Ireland) Order 1979, Section 20.