



Northern Ireland Assembly

Defective Premises Bill

Annotated Marshalled List of Amendments Consideration Stage

Tuesday 11 June 2024

Amendments tabled up to 9.30am Wednesday, 5 June 2024 and selected for debate

The Bill will be considered in the following order-

Clauses and Long Title

Amendment 1 [Negatived on division]

New Clause

After clause 1 insert -

‘Defective materials, products and design features etc.

1A. In the Defective Premises (Northern Ireland) Order 1975 after Article 4 insert—

“Defective materials, products and design features etc.

4B.—(1) The Department may, by regulations, specify—

- (a) particular building materials;
- (b) particular building products;
- (c) structural design features; and

(d) any other construction details as the Department may consider appropriate, which are likely to give rise to a cause of action under Article 3 [or Article 4A].

(2) The Department shall have due regard to the Building Regulations (Northern Ireland) Order 1979, and guidance published under those Regulations, when specifying any materials, products, features or other construction details under paragraph (1).

(3) An action shall not be deemed to fail solely on the grounds that the premises in question does not feature a material, product, feature or other detail specified in regulations made under paragraph (1).

(4) The provisions of this section shall be without prejudice to other considerations the court may deem relevant in the determination of an action under this Order.

(5) Regulations under this section may not be made unless a draft of the regulations has been laid before and approved by a resolution of the Assembly.

(6) Before any regulations are laid before the Assembly, the Department shall lay a report with the Assembly detailing the factors which will inform the content of the regulations.”.’

Mr Daniel McCrossan

Mr Mark Durkan