



**AN BILLE UM REACHT NA dTRÉIMHSÍ (LEASÚ)
(LEASÚCHÁN TÍ-PIRÍT), 2012
STATUTE OF LIMITATIONS (AMENDMENT) (HOME
REMEDIAATION-PYRITE) BILL 2012**

*Mar a tionscnaíodh
As initiated*

ARRANGEMENT OF SECTIONS

Section

1. Citation and commencement.
 2. Definitions.
 3. Amendment of Statute of Limitations 1957.
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BILL

entitled

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AN ACT TO AMEND THE STATUTE OF LIMITATIONS 1957
TO ENABLE HOUSEHOLDERS WHOSE HOUSES HAVE
BEEN DAMAGED BY PYRITE TO INSTITUTE A CLAIM
WITHIN A PERIOD OF TIME COMMENCING WHEN
THE PRESENCE OF PYRITE WITHIN THE HOUSE HAS
BEEN CERTIFIED BY AN ENGINEER.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

15 1.—(1) This Act may be cited as the Statute of Limitations (Amendment) (Home Remediation-Pyrite) Act 2012. Citation and commencement.

(2) This Act shall come into operation on such day or days as may be appointed by Order or Orders made by the Minister.

2.—In this Act, unless the context otherwise requires— Definitions.

20 “house owner” refers to the owner of any residential dwelling within the State;

“dwelling” refers to any residential dwelling within the State;

“Minister” refers to the Minister for the Environment, Community and Local Government;

25 “pyrite” refers to iron sulphide present in infill used below the ground floor of a dwelling and which has been certified by an engineer as expanding such that it has caused or will cause significant structural damage to the dwelling.

3.—The Statute of Limitations 1957 is amended by the insertion of the following sections in Part II of the Act of 1957 after Section 11: Amendment of Statute of Limitations 1957.

30 “11A.—(1) Where any cause of action has been brought by a house owner arising from structural damage caused to his or her dwelling as a result of the presence of pyrite in the infill under the ground floor of that dwelling or under the ground floor of another neighbouring dwelling then, for the purposes of

any provision of this Act, the time within which such an action may be brought shall not begin to run until the earlier of the following:

- (a) the dwelling or the other neighbouring dwelling has been certified by an engineer as containing pyrite that, in his or her opinion, has or is likely to cause structural damage to the dwelling; or 5
- (b) the house owner has been informed by the party who built the dwelling that the infill within the house contains pyrite that, in the opinion of the builder of the dwelling, has or is likely to cause structural damage to the dwelling.”. 10