



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

EXPLANATORY MEMORANDUM

The purpose of the (Home Remediation-Pyrite) Bill 2012 is to amend the current *Statute of Limitations 1957* due to the rise in homeowners affected by Pyrite. Whilst the previous *Statute of Limitations* provided for cover upon which a problem was able to be discovered, the (Home Remediation Bill-Pyrite) 2012 changes this provision so that the *Statute of Limitations* will come into effect only after the problem has been diagnosed by an Approved Independent Pyrite Test.

Pyrite is formed after continued exposure of bacteria and ferric iron to water and oxygen, which can take up to ten years for its damage to visibly show. In many types of household construction, the backfill that could potentially form Pyrite is used under the concrete floor foundations and structural support of the home. The prolonged oxidization can cause the mass of the Pyrite to swell, forcing the concrete slabs to lift and crack. These cracks leave a unique form and are the clearest indicator as to whether the swelling is caused by Pyrite or not.

Thousands of houses have already had Pyrite independently identified and approximately 72,500 homeowners predominantly in Dublin and the east coast of Ireland are potentially affected. Many houses that are facing structural damage are recently built, leaving families facing significant costs.

Removing the contaminated Pyrite backfill is an expensive operation that often involves modification to the existing first floor and roof structure, removing the ground concrete floor and partitioning walls, replacement and removal of all plumbing fixtures, and the replacement of the heating and electrical systems located in the affected area, all before the Pyrite contaminated backfill can be removed. Unfortunately building guarantee companies have decided that they have no liability in this matter. An official Government response to the Pyrite Crisis has yet to be published. The on-going delay in taking effective action means that as every month passes, hundreds of homeowners become Statute barred, thereby removing their recourse to the courts.

The (Home Remediation-Pyrite) Bill 2012 will ensure that homeowners have significantly more time to address the issue due to the *Statute of Limitations* coming into effect *after* Pyrite has been independently identified following and an approved Pyrite test.

*Senator Darragh O'Brien,
Senator Thomas Byrne,
Senator Averil Power,
Senator Diarmuid Wilson,
July, 2012.*