

L.N. \_\_ of 2021

**BUILDING REGULATION ACT  
(CAP.513)**

**Avoidance Of Damage To Third Party Property Regulations, 2021**

IN exercise of the powers conferred by article 6 of the Building Regulation Act, the Minister responsible for the building industry, after consultation with the Building Regulation Board has made the following regulations :-

Citation.

1. The title of these regulations is the Avoidance of Damage to Third Party Property (Amendment) Regulations, 2021 and they shall be read and construed as one with the Avoidance of Damage to Third Party Property Regulations, 2021.

Introduction of Regulation 8A in the principal regulations

2. Immediately after regulation 8 of the principal regulations, this new regulation shall be inserted:

8A

(a) When, at least, half the owners of the properties immediately adjacent to and, or touching the property where development is to take place decide to appoint the perit of their choice to review the condition reports and, or method statements prepared on behalf of the developer as required in terms of these regulations, the appointed perit is entitled to a payment not exceeding five hundred euro plus the value added tax from the developer after the said perit makes a request for payment accompanied by the relative findings to the developer.

(b) When the property immediately adjacent to and, or touching the property where development is to take place is owned by one owner, the owner may decide to appoint the perit of his choice to review the condition reports and, or method statements prepared on behalf of the developer as required in terms of these regulations, in which case, the appointed perit is entitled to a payment not exceeding five hundred euro plus the value added tax after the said perit makes a request for payment accompanied by the relative findings to the developer.

(c) For the purpose of this regulation, a co-owned third party property is considered to be owned by one owner;

(d) The appointed perit is not prohibited to make independent arrangements with the third parties appointing him for additional payments subject to prior agreement.