



# LAW FOR THE CONSTRUCTION INDUSTRY

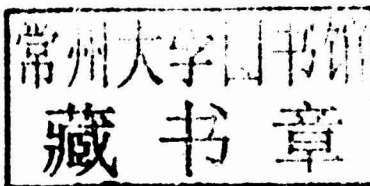
2nd edition

Stephanie Owen

# Law for the Construction Industry

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For Barry, Edward and Chloë

## Preface to the second edition

I was very pleased to be asked to update my original book, 'Law for the Builder', published 10 years ago. Now in its new guise, 'Law for the Construction Industry', I hope that a new generation of building students will find it useful, not only in their academic work but also on site, as I know it has been in the past. Extensive revisions have been made, as can be seen from the text. I have tried to steer a middle course, providing sufficient detail and depth, where I have thought it important or necessary. Where only an overview has been given, I hope that the book will provide a useful springboard and the appropriate legal advice is sought. The revision has been rather like painting the Forth Bridge and whilst every effort has been made to bring the law as up to date as possible, events often overtake one and a keen eye should be kept on the construction journals and newspapers. My greatest piece of advice to students based on my recent teaching experiences, is 'Buy the book!' or certainly, at least a text-book. Student finances are precarious, I know, but too many are trying to get through examinations, with only lecture notes and the occasional borrowed library book. My other piece of advice is that the law is not difficult – there is just so much of it. Steady work right from the beginning of the course will pay good dividends. If you don't understand something, leave it till the next day when you are fresh and better able to absorb the information, and if you still don't understand, make sure you ask your lecturer for help.

I wish all readers every success in their studies.

Stephanie Owen, Ashtead 1997

## Preface to the first edition

This book is not intended for lawyers. It has been written for the many thousands of builders who are faced with legal problems either in their daily work or when studying for their building examinations. After lecturing to building students for a number of years it became apparent that the average builder takes to the law like a duck to water, providing the information is shown to be relevant to the building industry and wherever possible plenty of diagrams are given. This book has been designed to convey the essential elements of English law in a relatively simple way, providing as much information and practical suggestions as possible and there are over 50 diagrams to assist. The index is detailed and should be used in conjunction with the text as a glossary.

Preferably the book should be read from the beginning as many of the mysteries of English law can be simply explained by reference to legal history.

In a book of this nature which covers so many areas of the law, I had to finally fix the law as best I could as at October 1985. I appreciate that there will be some areas in which there will be changes and I urge the reader to open a legal file into which he can start putting relevant cuttings, brief notes on radio programmes, articles from professional journals etc. so that he builds up a living picture of the English legal system as it affects him. I hope also that by the time he throws away this book (and buys a new edition) that it will be dog-eared with use, pencilled and underlined, which is how a law book should be especially for those studying for examinations. There is undoubtedly a correlation, in my experience, between high grades in examinations and 'dog-earedness' of books.

In a book of this nature, it would be extremely difficult and lengthy if I were to use both masculine and feminine examples at all times. For this reason I have adopted the usual law textbook approach i.e. by Section 6 of the Interpretation Act 1978, where words referring to the masculine gender are used, the female is included unless the contrary is shown.

Finally I hope that my book will encourage all builders to share my enthusiasm for the law. No other discipline is so relevant to everyday life and a well informed person gets much more satisfaction from their work.

*Stephanie Owen  
Ashtead, April 1986*

# Acknowledgements

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Whilst every effort has been made to ensure accuracy, any errors remaining are my own. In practical legal difficulty, I cannot recommend too highly that professional advice is sought as soon as possible and before the situation gets worse.

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