

Schedule 1
The Construction Industry

1. Subject to the provisions of this Schedule, the activities of the construction industry are the following activities in so far as they are carried out in Northern Ireland:-
 - (a) all operations in:-
 - (i) the construction, alteration, repair or demolition of a building;
 - (ii) the construction or demolition of a railway-line, siding or monorail;
 - (iii) the construction, structural alteration, repair or demolition of any aerodrome, airport, bridge, road, viaduct, dock, harbour, pier, quay, wharf, coast protection, river or drainage work, aqueduct, canal, inland navigation, reservoir, water-works, bore-hole, well (other than an oil-well), filter bed, sewage works, sewer, cooling tower or pond, tunnel, heading, adit, chimney, furnace, carbonising or gas making plant, nuclear or thermal power station, hydro-electric station, cable trench or duct, oil refinery, pipe-line or defence installation;
 - (iv) the preparation of the site or the laying down of a foundation or sub-structure in connection with any of the above-mentioned operations or with the construction of a furnace or with the erection of structural metal-work;
 - (v) the construction of a swimming pool or other bathing place, or of a playing field or ground for sporting or recreational purposes, or the laying out of a cemetery;
 - (vi) ;
 - (vii) the erection or dismantling of fencing, hoarding or scaffolding;
 - (viii) the erection of steel or other metal framework of buildings, or of structures made wholly or mainly of steel or other metal;
 - (b) the preparation of stone for building purposes;
 - (c) all operations in the manufacture of:-
 - (i) a prefabricated building or section of a building, not being constructed wholly or mainly from metal or plastics material or from a combination of metal and plastics material;
 - (ii) doors, window frames, , stairs or curtain walling being in each case constructed wholly or mainly from wood; or
 - (iii) bank, church, laboratory or other joinery;
 - (d) the construction of shop, office or similar fittings on the premises on which they are to be installed;
 - (e) the erection or dismantling of exhibition stands;
 - (f) the hiring out of contractors plant or scaffolding;
 - (g) when carried out in association with or in conjunction with any of the foregoing activities, any of the following activities, that is to say:-
 - (i) research, development, design or drawing;
 - (ii) operations in connection with sale, packing, warehousing, distribution or transport;
 - (iii) work done at any office or laboratory, at any store, warehouse, or similar place or at a garage;
 - (h) any other activity of industry or commerce carried out at or from an establishment engaged mainly in one or more of the foregoing activities.

2. Notwithstanding anything contained in this Schedule there shall not be included in the activities of the construction industry:-
 - (a) the activities of any establishment (not being that of a local authority) engaged mainly in one or more activities not included in paragraph 1 of this Schedule;
 - (b) the activities included in paragraph 1(g) of this Schedule when carried out by a local authority;
 - (c) the activities of any body or person authorised by or under any enactment to construct, work, maintain or carry on any undertaking for the supply of electricity, gas or water, or any dock or harbour;
 - (d) the activities of any establishment engaged wholly or mainly in –
 - (i) the provision by the Northern Ireland Transport Holding Co. Ltd., or a local authority of a road transport passenger service;
 - (ii) the installation, testing, inspection or repair of any machinery or plant, not being operations included in paragraph 1(a) (vi) of this Schedule;
 - (e) the supply of food or drink for immediate consumption;
 - (f) the activities of any company, association or body that is required by its constitution to apply its profits, if any, or other income in promoting its objects and is prohibited thereby from paying any dividend to its members, and that has for its sole or principal object or among its principal objects the provision of facilities for any of the purposes mentioned in section 15 (1) of the Disabled Persons (Employment) Act (Northern Ireland) 1945(b) (which relates to the provision of registered persons who are seriously disabled of employment or work on their own account under special conditions and of training for such employment or work); or
 - (g) the activities of any local authority in the provision of sheltered employment carried on in accordance with arrangements under section 3 of the Disabled Persons (Employment) Act (Northern Ireland 1960(c)), or under section 14 of the Welfare Services Act (Northern Ireland) 1949(d), or under section 2 of the Mental Health Act (Northern Ireland) 1961 (e).
 - (h) the activities of any establishment engaged wholly or mainly in electrical construction, installation, maintenance or repair work.

3. (1) In this Schedule:-

- (a) “building” includes any structure or erection (other than a tent or caravan) and any part of a building as so defined;
- (b) “company”, “holding company” and “subsidiary” have the same meanings as in section 148 of the Companies Act (Northern Ireland) 1960 (f);
- (c) ;
- (d) “local authority” means the council of a county, county or other borough, or of an urban or rural district;
- (e) “manufacture” includes assembly or any process or operation incidental or appertaining to manufacture or assembly;
- (f) “pipe-line” means a pipe or system of pipes (together with any apparatus or works associated therewith) for the conveyance of anything but does not include a pneumatic despatch tube;
- (g) “plastics material” means any material made wholly or mainly by addition, polyaddition, condensation, polycondensation, polymerisation, copolymerisation, esterification or other similar chemical process or regenerated or modified cellulose, or hardened proteins, or natural resin modified by fusion or esterification;
- (h) “repair” in relation to a building includes maintenance, re-pointing, re-decoration and external cleaning;
- (i) “section of a building” includes composite framed or laminated woodwork absorbing calculated stresses applied direct or from attached non-loadbearing portions of a structure.

2. For the purpose of this Schedule, an activity shall not be deemed to be carried out in conjunction with any other activity unless such activities are carried out by the same employer, or by a holding company and another company which is a subsidiary of the holding company, or by companies which are subsidiaries of the same holding company.