This Revised Statutory Instrument is an administrative consolidation of Building Control Regulations 1997. It is prepared by the Law Reform Commission in accordance with its function under Law Reform Commission Act 1975 (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the Emergency Measures in the Public Interest (Covid-19) Act 2020 (2/2020), enacted 27 March 2020, and all statutory instruments up to and including Building Control Regulations 2020 (S.I. No. 113 of 2020), made 3 April 2020, were considered in the preparation of this Revised Statutory Instrument.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.
Introduction

This Revised Statutory Instrument presents the text of the instrument as it has been amended, and preserves the format in which it was made.

Related legislation

Building Control Regulations 1997 to 2020: this statutory instrument is one of a group of statutory instruments included in this collective citation, to be construed together as one (Building Control Regulations 2020 (S.I. No. 113 of 2020), reg. 1(2)). The instruments in this group are:

- Building Control Regulations 1997 (S.I. No. 496 of 1997)
- Building Control (Amendment) Regulations 2000 (S.I. No. 10 of 2000)
- Building Control (Amendment) Regulations 2004 (S.I. No. 85 of 2004)
- Building Control (Amendment) Regulations 2009 (S.I. No. 351 of 2009)
- Building Control (Amendment) Regulations 2013 (S.I. No. 80 of 2013)
- Building Control (Amendment) Regulations 2014 (S.I. No. 9 of 2014)
- Building Control (Amendment) (No. 2) Regulations 2014 (S.I. No. 105 of 2014)
- Building Control (Amendment) (No. 2) Regulations 2015 (S.I. No. 365 of 2015)
- Building Control (Amendment) Regulations 2018 (S.I. No. 526 of 2018)
- Building Control Regulations 2020 (S.I. No. 113 of 2020)

Annotations

This Revised Statutory Instrument is not annotated and only shows textual amendments. An annotated version of this revision is also available which shows textual and non-textual amendments and their sources. It also shows editorial notes including previous affecting provisions.

Material not updated in this revision

Where other legislation is amended by this instrument, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available. A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at
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REVISED
Updated to 3 April 2020

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The Minister for the Environment and Local Government, in exercise of the powers conferred on him by sections 4, 6, 7 and 18 of the Building Control Act, 1990 (No. 3 of 1990), hereby makes the following Regulations:—

PART I
PRELIMINARY AND GENERAL

Citation. 1. These Regulations may be cited as the Building Control Regulations, 1997.

Commencement. 2. These Regulations shall come into operation on the 1st day of July, 1998.

Application. 3. (1) Part II, subject to the provisions of that Part, applies to works, or a building as regards which a material change of use takes place, where the works commence or the material change of use takes place on or after the date referred to in article 2.

(2) Part III, subject to the provisions of that Part, applies to works, or a building as regards which a material change of use takes place, where—

(a) the works commence or the material change of use takes place on or after the date referred to in article 2, and

(b) Part III of the Building Control Regulations, 1991 and 1994, does not apply in relation to the works or building.

(3) Part IV applies in relation to—

(i) notices given to, applications made to, decisions made by, and enforcement notices served by, a building control authority,

(ii) determinations made by An Bord Pleanála, and

(iii) decisions made by a District Court,

as appropriate, on or after the date referred to in article 2.

(4) Part V, subject to the provisions of that Part, applies to—
(a) applications or notices,
(b) appeals, or
(c) copies of documents referred to in article 23(3),

which are made, given or requested, as the case may be, on or after the date referred to in article 2.

[(5) (a) Parts IIIA and Parts IIIB, subject to the provisions of those Parts, apply to works or a building as regards which a material change of use takes place, where the works commence or the material change of use takes place on or after the date those Parts come into effect.

(b) Subparagraph (a) does not apply to Article 20C.]

[(6)(a) Notwithstanding the requirements arising at Articles 9, 20A, 20F and 21 in respect of the assignment of an Assigned Certifier and the lodgement of an Inspection Plan, in the case of the classes of buildings referred to at paragraph (b), for the period of the transitional arrangements set out at paragraph (c), these requirements may be fulfilled by the lodgement of such Inspection Plan, inspection records and certificates as may be deemed appropriate and necessary by the Oversight Group in order to demonstrate that compliance with the requirements of the Second Schedule to the Building Regulations has been achieved for the building or works concerned.

(b) The provisions at paragraph (a) may apply to the following categories of buildings—

(i) buildings intended for use as places of first level, second level or third level education;

(ii) buildings intended for use as hospitals and primary care centres.

(c) The provisions at paragraph (a) shall only apply to buildings referred to at paragraph (b) where each of the following circumstances has been fulfilled—

(i) planning permission, where applicable, has been obtained before 1 March 2014;

(ii) contract documents have been signed before 1 November 2014; and

(iii) a valid commencement notice has been lodged with the building control authority no later than 1 March 2015.]

Revocation.

4. (1) The regulations specified in the First Schedule are hereby revoked.

(2) Notwithstanding sub-article (1), Part III of the Building Control Regulations, 1991 and 1994, shall, subject to the provisions of those regulations, continue to apply in relation to works, or a building as regards which a material change of use takes place, where—

(a) an application for a fire safety certificate in respect of the works or the building under those regulations is made before the date referred to in article 2, and

(b) the application is granted, and

(c) the works commence or the material change of use takes place between the date referred to in article 2 and the 31st day of December, 2002.

Interpretation.

5. (1) In these Regulations, any reference to a Schedule, Part or article which is not otherwise identified is a reference to a Schedule, Part or article of these Regulations.
(2) In these Regulations, any reference to a sub-article or paragraph which is not otherwise identified is a reference to the sub-article or paragraph of the provision in which the reference occurs.

(3) In these Regulations, a reference to any enactment shall be construed as a reference to that enactment as amended or adapted by any subsequent enactment.

[(4) In these Regulations, save where the context otherwise requires—

“the Act” means the Building Control Act 1990 (No. 3 of 1990) as amended by the Building Control Act 2007 (No. 21 of 2007);

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, the use of land for turbary, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes;

“appeal” means an appeal to the Board under section 7(1)(a), 7(1)(b), 7(1)(d) or 7(1)(e) of the Act;

“application” means—

(a) an application under section 4 of the Act for a dispensation from, or a relaxation of, a requirement of Building Regulations,

(b) an application for a fire safety certificate,

(c) an application for a revised fire safety certificate,

(d) an application for a regularisation certificate,

(e) an application for a disability access certificate, or

(f) an application for a revised disability access certificate.

“the Board” means An Bord Pleanala;

“building control authority” means a building control authority as defined in section 2 of the Act;

[“Building Control Management System” means the information technology-based system hosted by the Local Government Management Agency and developed to facilitate the electronic administration of building control matters by building control authorities as the preferred means of building control administration;]


“Building Regulations” means the Building Regulations, 1997;

“commencement notice” means a notice referred to in section 6(2)(k) of the Act;

[“company” means a company to which the provisions of the Companies Act 2014 apply, or a company or a body corporate incorporated in another state;]

[“Certificate of Compliance” means a certificate of compliance provided for under section 6(2)(a)(i) of the Act of 1990 and includes—

(i) Certificates of Compliance (Design),

(ii) Certificates of Compliance (Undertaking by Assigned Certifier),

(iii) Certificates of Compliance (Undertaking by Builder), and]
“day centre” means a building used for the provision of treatment or care to persons where such persons do not stay overnight and includes a day care centre, a pre-school, a creche, and a day nursery;

“disability access certificate” means a certificate referred to in section 6 (2)(a)(ix) of the Act;

“dispensation or relaxation” means a dispensation or a relaxation, under section 4 of the Act, from or of, as the case may be, any requirement of regulations made under section 3 of the Act;

“domestic garage” means a building ancillary to a dwelling which is used, or suitable for use, for the storage of a motor vehicle or vehicles and is not used for the purposes of any trade or business;

“drainage system” in relation to a building, means the system of pipes and drains used for the drainage of the building, including all other fittings, appliances and equipment so used but excluding subsoil water drains;

“an enforcement notice” means a notice served under section 8 of the Act;

“fire safety certificate” includes a certificate referred to in section 6(2)(a)(ii) of the Act;

“flat” means separate and self-contained premises constructed or adapted for residential use and forming part of a building from some other part of which it is divided horizontally;

“guest building” means a building (other than a hotel or hostel) providing overnight guest accommodation for reward, and includes a guesthouse;

“industrial building” includes a factory or other premises used for manufacturing, altering, repairing, cleaning, washing, breaking-up, adapting or processing any article, generating power or slaughtering livestock;

“institutional building” includes a hospital, nursing home, home for old people or for children, school or other similar establishment used as living accommodation or for the treatment, care or maintenance of persons suffering from illness or mental or physical disability or handicap, where such persons sleep on the premises;

“material alteration” means an alteration (other than a repair or renewal), where the work, or any part of the work, carried out by itself would be subject to a requirement of Part A or B of the Second Schedule to the Building Regulations;

“material change of use” means—

(a) a change of use, deemed by section 3(3) of the Act to be a material change of use, takes place, or

(b) a building which was not being used as—

(i) a day centre, becomes so used, or

(ii) a hotel, hostel or guest building, becomes so used, or

(iii) an industrial building, becomes so used, or

(iv) an institutional building, becomes so used, or

(v) an office (which is not ancillary to the primary use of the building), becomes so used, or

(vi) a place of assembly, becomes so used, or
(vii) a shop (which is not ancillary to the primary use of the building), becomes so used, or

(viii) a shopping centre, becomes so used;

“minor works” means works consisting of the installation, alteration or removal of a fixture or fitting, or works of a decorative nature;

“office” includes premises used for the purpose of administrative or clerical work (including writing, book keeping, sorting papers, filing, typing, duplicating, machine calculating, drawing and the editorial preparation of matter for publication, handling money (including banking and building society work) or telephone system operation);

[“oversight group” means a group appointed by the Minister of not less than 6 and not more than 8 persons who are eligible for inclusion on a register of construction professionals established pursuant to the Building Control Act 2007 or the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969.]

“party” means a party to an appeal, namely—

(a) the appellant,

(b) the building control authority against whose decision an appeal is made, and

“parties” shall be construed accordingly;

“place of assembly” includes—

(a) a theatre, public library, hall or other building of public resort used for social or recreational purposes,

(b) a non-residential school or other educational establishment,

(c) a place of public worship,

(d) a public house, restaurant or similar premises used for the sale to members of the public of food or drink for consumption on the premises,

but no building shall be treated as a place of assembly solely because it is a building to which members of the public are occasionally admitted;

“register” means a register pursuant to article 21 of these Regulations;

“regularisation certificate” means a certificate referred to in section 6(2)(a)(vii) of the Act;

“repair or renewal” means works of maintenance or restoration of a routine nature relating to—

(a) the keeping of a building in good condition or working order, or

(b) the return of the fabric of a building to its original condition;

“revised disability access certificate” means a certificate referred to in section 6(2)(a)(x) of the Act;

“revised fire safety certificate” means a certificate referred to in section 6(2)(a)(vi) and section 6(2)(a)(x) of the Act;

“shop” includes a building used for retail or wholesale trade or business (including retail sales by auction, self-selection and over-the-counter wholesale trading, the business of lending books or periodicals for gain and the business of a barber or hairdresser) and premises to which the public is invited to deliver or to collect goods in connection with their hire, repair or other treatment, or where they themselves may carry out such repairs or other treatments;
“shopping centre” includes a building which comprises a number of individually occupied premises to which common access is provided principally for the benefit of shoppers;

“State authority” means any authority being—

(a) a Minister of the Government, or

(b) the Commissioners of Public Works in Ireland;

“statutory declaration” means a statutory declaration referred to in section 6(2)(a)(vii) of the Act;

[“total floor area” as referred to under Articles 9(2)(b), 20A(2)(b)(ii) and 20F(2)(b) in the context of an extension to a dwelling refers only to the total floor area of the proposed extension as described in the commencement notice]

“works” includes any act or operation in connection with the construction, extension, alteration, repair or renewal of a building;

“7 day notice” means a notice referred to in section 6(2)(a)(iv) of the Act;

“7 day notice statutory declaration” means a statutory declaration referred to in section 6(2)(a)(v) of the Act.

(5) In these Regulations, a reference to the carrying out of works on behalf of a State authority shall, where the authority is a Minister of the Government, be construed as including a reference to the carrying out of works by the Commissioners of Public Works in Ireland on his behalf.

(6) Where a requirement of or under these Regulations requires submissions or observations to be made, or plans, documents, particulars or other information to be submitted to the Board within a specified period and the last day of that period is a Saturday, a Sunday, a public holiday (within the meaning of the Organisation of Working Time, Act 1997) or any other day on which the offices of the Board are closed, the submissions or observations, or plans, documents, particulars or other information (as the case may be) shall be regarded as having been received before the expiration of that period if received by the Board on the next following day on which the offices of the Board are open.

(7)(a) For the avoidance of doubt, these regulations do not prevent an owner when completing, as required, a Notice of Assignment of Builder as set out in the Second or Third Schedules as appropriate, from taking on the role of the builder for the purposes of these regulations. The owner shall then also sign the form of Undertaking by the Builder and, where applicable, Part A — Certificate by the Builder — of the Certificate of Compliance on Completion.

(b) Where the assigned builder is a building company, the form of Undertaking by the Builder and Part A — Certificate by the Builder — of the Certificate of Compliance on Completion shall be signed by a Principal or a Director of the Building Company. These forms shall not be signed by an ordinary employee of the building company.]

Exemptions.

6. For the purposes of these Regulations, works or a building as regards which a material change of use takes place in respect of the following, are exempted from the Regulations—

(a) […]

(b) works is connection with—

(i) a Garda station or other building used for the purposes of or in connection with the operations of An Garda Síochána,
(ii) a courthouse,

(iii) a barrack or other building used for the purposes of or in connection with the operations of the Defence forces,

(iv) an office or other building used for the purposes of or in connection with the business of Uachtarán na hÉireann, Dáil Éireann, Seanad Éireann, the Department of the Taoiseach, the Office of the Tánaiste, the Department of Defence, the Department of Foreign Affairs, the Department of Justice, Equality and Law Reform, the Office of the Attorney General, the Chief State Solicitor’s Office and the Office of the Director of Public Prosecutions, provided that after the works the building is or continues to be a building referred to in sub-paragraphs (i) to (iv).

(c) works, or a building as regards which a material change of use takes place, where the works are carried out or the material change of use is made, for reasons of national security—

(i) within, or bounding, the curtilage of any building (other than a building referred to in paragraph (b)), premises or other installation occupied by, or under the control of, a State authority,

(ii) by or on behalf of a State authority, within, or bounding, the curtilage of the residence of a holder, or former holder, of a public office or any other public servant or former public servant.

[(d) a building referred to in paragraph (b).]

[Offences 6A. Failure to comply with any requirement under Parts II, III, IIIA, IIIB or IIIC shall be an offence to which section 17(2) of the Act of 1990 applies.]

[PART II —
COMMENCEMENT NOTICES AND CERTIFICATES OF COMPLIANCE BEFORE CONSTRUCTION]

Application of Part II. 7. (1) Subject to sub-article (2) and articles 3 and 6, this Part applies to—

(a) the erection of a building,

(b) the material alteration or extension of a building, and

(c) a material change of use of a building,

to which the Building Regulations apply.

(2) (a) Subject to paragraph (b), this Part shall not apply to works or a building as regards which a material change of use takes place, where—

(i) the works are or the material change of use is exempted development for the purposes of the Local Government (Planning and Development) Acts, 1963 to 1993, and

(ii) Part III, or Part III of the Building Control Regulations, 1991 and 1994, do not apply to the works or building.

(b) This Part applies to works in connection with the material alteration (excluding a material alteration consisting solely of minor works) of a shop, office or industrial building to which Part III, or Part III of the Building Control Regulations, 1991 and 1994, do not apply.
8. A person who intends to carry out any works, or to make a material change of use as regards a building to which this Part applies, shall give, to the building control authority in whose functional area the works or building are, is or will be situated, notice in writing of such intention (in these Regulations referred to as a “commencement notice”) not less than fourteen days and not more than twenty-eight days before the commencement of the works or the making of the material change of use.

8A A commencement notice under article 8 shall not be required in respect of works or a building in respect of which a 7 day notice is required under article 20A(1).

9. (1) A commencement notice shall be—

(a) filed electronically on the Building Control Management System or set out in the form for that purpose included in the Second Schedule, and

(b) subject to paragraph (2), accompanied by—

(i) such plans, calculations, specifications and particulars as are necessary to outline how the proposed works or building will comply with the requirements of the Second Schedule to the Building Regulations relevant to the works or building concerned, and including—

(I) general arrangement drawings including plans, sections and elevations,

(II) a schedule of such plans, calculations, specifications and particulars as are currently designed or as are to be prepared at a later date,

(III) the completion of an online assessment, via the Building Control Management System, of the proposed approach to compliance with the requirements of the Second Schedule to the Building Regulations,

(IV) the preliminary Inspection Plan prepared by the Assigned Certifier, and

(ii) the following certificates and notices in the appropriate forms set out in the Second Schedule—

(I) a Certificate of Compliance (Design),

(II) a Notice of Assignment of Person to Inspect and Certify Works (Assigned Certifier),

(III) a Certificate of Compliance (Undertaking by Assigned Certifier),

(IV) a Notice of Assignment of Builder,

[V) a Certificate of Compliance (Undertaking by Builder).]

(iii) [...] 

[(c) such fee as is required under Part V.]

[(2) Subject to paragraph (5), the requirements of paragraph (1)(b) shall apply to the following works and buildings—

(a) the design and construction of a new dwelling,

(b) an extension to a dwelling involving a total floor area greater than 40 square metres,

(c) works to which Part III applies.]
(3) If, for whatever reason, having submitted the commencement notice in respect of works or a building subject to paragraph (1)(b), a building owner changes either the person assigned to inspect and certify the works or the assigned builder, then the building owner shall within 14 days notify the building control authority of the change by submitting, electronically or otherwise, the appropriate notices of assignment and forms of undertaking referred to under paragraph (1)(b) reflecting the up-to-date arrangements in this regard.

(4) If, for whatever reason, a change of ownership of works or a building subject to paragraph (1)(b) occurs prior to completion, the new owner shall within 14 days notify the building control authority electronically or otherwise that they are now the owner of the building or the works.

(5) Notwithstanding the provisions of subparagraphs (2)(a) and (2)(b), in the case of a new single dwelling, on a single unit development, or an extension to a dwelling, a commencement notice may, as an alternative to the requirements at subparagraphs (1)(b)(i)(IV), (1)(b)(ii)(I), (1)(b)(ii)(II), (1)(b)(ii)(III), and (1)(b)(ii)(V) be accompanied by a Declaration of Intention to Opt Out of Statutory Certification. This declaration shall be made by the owner via the Building Control Management System or on the appropriate form set out for that purpose in the Second Schedule.

Procedure on receipt of notice.

10. (1) On receipt of a commencement notice, a building control authority shall—

(a) record the date of receipt of the notice, and

(b) consider whether the notice complies with the requirements of article 9.

(2) Where a building control authority consider that a commencement notice complies with the requirements of article 9, they shall send to the person giving the notice an acknowledgement stating the date of receipt of the notice.

(3) Where a building control authority considers that a commencement notice does not comply with Article 9, they may respond, within 7 days of receipt of a notice filed electronically or within 12 days of receipt of a notice received in writing, by electronic means or in writing as appropriate, and notify the person giving the commencement notice, that, having regard to the extent of the failure to comply with the said Article,

(a) the commencement notice is invalid and cannot be accepted by the authority, or

(b) that such revised notice, or such additional information or fee, as may be necessary to comply with the said Article will be required to be submitted.

(4) Where a building control authority serve a notice in accordance with sub-article 3(a), they shall return to the person giving the notice, the fee and any original documentation received from the person giving the notice.

PART III

FIRE SAFETY CERTIFICATES

11. (1) Subject to sub-article (2) and articles 3 and 6, this Part applies to—

(a) works in connection with the design and construction of a new building,

(b) works in connection with the material alteration of—

(i) a day centre,

(ii) a building containing a flat,

(iii) a hotel, hostel or guest building, or
(iv) an institutional building, or
(v) a place of assembly, or
(vi) a shopping centre,
but excluding works to such buildings, consisting solely of minor works,
(c) works in connection with the material alteration of a shop, office or industrial building where—
(i) additional floor area is being provided within the existing building, or
(ii) the building is being subdivided into a number of units for separate occupancy,
(d) works in connection with the extension of a building by more than 25 square metres,
(e) a building as regards which a material change of use takes place,
to which the requirements of Part B of the Second Schedule to the Building Regulations apply.

(2) For the purposes of this Part, the following buildings are exempted—
(a) a single storey building which—
   (i) is used exclusively for the storage of materials or products, for the accommodation of plant or machinery or in connection with the housing, care or management of livestock,
   (ii) is used solely for the purpose of agriculture, and
   (iii) is a building in which the only persons habitually employed are engaged solely in the care, supervision, regulation, maintenance, storage or removal of the materials, products, plant, machinery or livestock in the building,
and which is either attached to another such building or detached from any other building,
(b) a building used as a dwelling other than a flat,
(c) a single storey building used as a domestic garage,
(d) a single storey building (other than one described in (c)) ancillary to a dwelling (such as a summer house, poultry-house, aviary, conservatory, coal shed, garden tool shed or bicycle shed) which is used exclusively for recreational or storage purposes or the keeping of plants, birds or animal for domestic purpose's and is not used for the purposes of any trade or business or for human habitation,
or to works in connection with such a building provided that, after the works are carried out, the building is or continues to be a building referred to in paragraphs (a) to (d).

(3) This Part shall not apply in relation to works carried out in compliance with a notice served under Section 20 of the Fire Services Act 1981 (No. 30 of 1981).

12. [1] Subject to paragraph (3), a fire safety certificate shall be required in respect of all works or buildings to which this Part applies.

(2) Where a fire safety certificate is required in respect of works or a building, a person shall not carry out such works or make a material change of use as regards such a building—
(a) in the absence of a fire safety certificate in respect of the works or building, or

(b) in contravention of any conditions subject to which the certificate is granted.

[(3) Paragraphs 1 and 2 shall not apply where a 7 day notice has been submitted to the relevant building control authority pursuant to Article 20A.]

Form of application.

13. (1) An application for a fire safety certificate shall be in the form set out in the Third Schedule.

(2) An application for a fire safety certificate shall be accompanied by—

(a) such plans (including a site or layout plan and drawings of floor plans, elevations and sections) (in duplicate), calculations, specifications and such other particulars as are necessary to—

(i) identify and describe the works or building to which the application relates, and

(ii) enable the building control authority to assess, whether the said works or building would, if constructed in accordance with the said plans, calculations, specifications and other particulars, comply with requirements of Part B of the Second Schedule to the Building Regulations,

(b) particulars of the nature and extent of the proposed use and, where appropriate, of the existing use, of the building concerned, and

(c) such fee (if any) as may from time to time be prescribed for that purpose in Part V.

Procedure on receipt of application.

14. (1) On receipt of an application for a fire safety certificate, a building control authority shall—

(a) stamp the documents with the date of receipt, and

(b) consider whether the application complies with the requirements of article 13.

(2) Where a building control authority consider that an application for a Fire Safety Certificate complies with the requirements of article 13, they shall send to the applicant an acknowledgement stating the date of receipt of the application.

(3) Where a building control authority consider that an application for a fire safety certificate does not comply with article 13, they may, as they consider appropriate having regard to the extent of the failure to comply with the said article, by notice in writing—

(a) inform the applicant that the application is invalid and cannot be considered by the authority, or

(b) require the applicant to furnish such further plans, calculations, specifications or particulars, or such additional fee, as may be necessary to comply with the said article.

(4) Where a building control authority serve a notice in accordance with sub-article 3(a), they shall return to the applicant all the documents and the fee which accompanied the application.

Consideration of application.

15. Where an application is made to a building control authority for a fire safety certificate, the authority, in considering such application, shall—
(a) be restricted to considering only the extent to which the design of the building or works complies with the requirements of Part B of the Second Schedule to the Building Regulations, and

(b) have due regard to any dispensation or relaxation in respect of, or which is relevant to, the works or building to which the application relates.

Revised plans. 16. Where a building control authority, having considered an application for a fire safety certificate, are disposed to granting such certificate subject to any modification of the plans, calculations, specifications or particulars to which the application relates, they may require the applicant to submit to them revised plans, specifications or other particulars providing for such modification and may decide to grant a fire safety certificate in respect of such revised plans, specifications or particulars so submitted.

Decision on application. 17. (1) A building control authority shall, having considered an application for a fire safety certificate, grant the certificate, with or without conditions, or refuse to grant the certificate, as the case may be.

(2) A fire safety certificate granted under this Part shall only be construed as certifying that the building or works, if constructed in accordance with the plans, documents and information submitted, would comply with the requirements of Part B of the Second Schedule to the Building Regulations.

Grant of certificate. 18. Where a building control authority decide to grant a fire safety certificate with or without conditions, the form set out in the Fourth Schedule or a form substantially to the like effect, shall be the form of every such certificate and where the fire safety certificate is granted subject to conditions, they shall inform the applicant in writing of the reasons therefor.

Refusal of certificate. 19. Where a building control authority decide to refuse to grant a fire safety certificate, they shall notify the applicant in writing of their decision and the reasons therefor.

Right of appeal. 20. Where a building control authority grant a fire safety certificate with conditions, or refuse to grant a fire safety certificate, they shall notify the applicant that he may appeal to the Board against the decision of the building control authority within the period prescribed in Part VI.
(2)(a) A 7 day notice shall be—

(i) filed electronically on the Building Control Management System or set out on the form for that purpose included in the Third Schedule,

(ii) subject to subparagraph (b), accompanied by—

(I) a valid application for a fire safety certificate from the applicant in the form specified for that purpose in the Third Schedule and accompanied by such plans and particulars as required under Articles 13(2)(a) and 13(2)(b),

(II) a 7 day notice statutory declaration in the form specified for that purpose in the Third Schedule,

(III) such plans, calculations, specifications and particulars as are necessary to outline how the proposed works or building will comply with the requirements of the Second Schedule to the Building Regulations relevant to the works or building concerned, and including—

(A) general arrangement drawings including plans, sections and elevations,

(B) a schedule of such plans, calculations, specifications and particulars as are currently designed or as are to be prepared at a later date,

(C) the completion of an online assessment, via the Building Control Management System, of the proposed approach to comply with the requirements of the Second Schedule to the Building Regulations,

(D) the preliminary Inspection Plan prepared by the Assigned Certifier, and

(IV) the following certificates and notices in the appropriate forms set out in the Third Schedule—

(A) a Certificate of Compliance (Design),

(B) a Notice of Assignment of Person to Inspect and Certify Works (Assigned Certifier),

(C) a Certificate of Compliance (Undertaking by Assigned Certifier),

(D) a Notice of Assignment of Builder, and

(E) a Certificate of Compliance (Undertaking by Builder), and

(iii) accompanied by such fee as is required under Part V.

(b) The requirements of paragraphs (2)(a)(ii)(III) and (2)(a)(ii)(IV) shall apply to the following works and buildings—

(i) the design and construction of a new dwelling,

(ii) an extension to a dwelling involving a total floor area greater than 40 square metres,

(iii) works to which Part III applies.

(c) If, for whatever reason, having submitted the 7 day notice in respect of works or a building subject to paragraphs (2)(a)(ii)(III) and (2)(a)(ii)(IV), a building owner changes either the person assigned to inspect and certify the works or the assigned builder, then the building owner shall within 14 days notify the building control authority of the change, electronically or otherwise, by submitting the appropriate notices of assignment and forms of undertaking.
as referred to under paragraph (2)(a) reflecting the up-to-date arrangements in this regard.

(d) If, for whatever reason, a change of ownership of works or a building subject to the requirements of paragraphs (2)(a)(ii)(III) and (2)(a)(ii)(IV) inclusive occurs prior to completion, the new owner shall within 14 days notify the building control authority, electronically or otherwise, that they are now the owner of the building or works.

(3) (a) On receipt of a 7 day notice, a building control authority shall—

(i) consider whether the application is in compliance with the requirements of paragraph (2), and

(ii) record the date of receipt of the notice.

(b) Where a building control authority consider that a 7 day notice complies with the requirements of paragraph (2), they shall send to the applicant an acknowledgment stating the date of receipt of the notice.

(c) Where a building control authority consider that a 7 day notice does not comply with paragraph (2), they may within 7 days of receipt of the notice, as they consider appropriate having regard to the extent of the failure to comply with the said paragraph, by notice—

(i) inform the applicant that the 7 day notice is invalid and cannot be accepted by the authority, or

(ii) require the applicant to furnish such further or amended plans, calculations, specifications, documents or particulars or such additional fee, as may be necessary to comply with the said paragraph.

(d) For the purposes of subparagraph (c), a building control authority may give or send any notice to the applicant by such of the following means as they consider effective:—

(i) in writing and sent by post or personal delivery;

(ii) subject to paragraph (e), by telephone, fax, electronic mail or such other means, whether electronic or otherwise, as may appear appropriate.

(e) Where a building control authority give or send any notice to the applicant in any form other than by electronic communication or in writing, the building control authority shall confirm such notice in writing to the applicant within fourteen days.

(4) Articles 15 to 20 shall apply mutatis mutandis as if any reference therein to an application or an application for a fire safety certificate were a reference to an application for a fire safety certificate which accompanied the submission of a 7 day notice under paragraph (2)(b).

20B (1) (a) A revised fire safety certificate shall be required in respect of works—

(i) where the original application for a fire safety certificate was submitted prior to the grant of planning permission, if necessitated by the subsequent grant of such planning permission, for the purpose of ensuring that the revised design arising from the grant of planning permission (including any conditions attached to it) complies with the requirements of Part B of the Second Schedule to the Building Regulations, or

(ii) where significant revision is made to the design or works of a building or an extension of, a material alteration to or a material change of use of a building in respect of which a fire safety certificate has been granted by a building control authority.
(b) Where a revised fire safety certificate is required in respect of all works or buildings, a person shall not carry out such works or make a material change of use as regards such a building—

(i) in the absence of a revised fire safety certificate in respect of the works or building, or

(ii) in contravention of any conditions subject to which the certificate is granted.

(2) An application for a revised fire safety certificate shall be in the form specified for that purpose in the *Third Schedule*.

(3) An application for a revised fire safety certificate shall be accompanied by—

(a) such revised plans (including a site or layout plan and drawings of floor plans, elevations and sections) (in duplicate) and such other revised calculations, specifications or other particulars as are necessary to—

(i) identify and describe the works or building to which the application relates, and

(ii) enable the building control authority to assess, whether the said works or building would, if constructed in accordance with the said plans, calculations, specifications and other particulars, comply with the requirements of Part B of the Second Schedule to the Building Regulations.

(b) such fee as may from time to time be prescribed for that purpose in *Part V*.

(4) (a) On receipt of an application for a revised fire safety certificate, a building control authority shall—

(i) stamp the documents with the date of receipt, and

(ii) consider whether the application complies with the requirements of paragraphs (2) and (3).

(b) Where a building control authority consider that an application for a revised fire safety certificate complies with the requirements of paragraphs (2) and (3), they shall send to the applicant an acknowledgement stating the date of receipt of the application.

(c) Where a building control authority consider that an application for a revised fire safety certificate does not comply with paragraphs (2) and (3), they may, as they consider appropriate having regard to the extent of the failure to comply with the said paragraphs, by notice in writing—

(i) inform the applicant that the application is invalid and cannot be considered by the authority, or

(ii) require the applicant to furnish such further plans, calculations, specifications or particulars, or such additional fee, as may be necessary to comply with the said paragraphs.

(d) Where a building control authority serve a notice in accordance with *subparagraph (c)*, they shall return to the applicant all the documents and the fee which accompanied the application.

(5) Articles 15 to 17 shall apply *mutatis mutandis* as if any reference therein to an application or an application for a fire safety certificate were a reference to an application for a revised fire safety certificate pursuant to paragraph (2).

(6) Where a building control authority decide to grant a revised fire safety certificate with or without conditions, the form specified for that purpose in the *Fourth Schedule* or a form substantially to the like effect, shall be the form of every such certificate
and where the revised fire safety certificate is granted subject to conditions, they
shall inform the applicant of the reasons therefor.

(7) Where a building control authority decide to refuse to grant a revised fire safety
certificate, they shall notify the applicant in writing of their decision and the reasons
therefor.

(8) Where a building control authority grant a revised fire safety certificate with
conditions, or refuse to grant a revised fire safety certificate, they shall notify the
applicant that he may appeal to the Board against the decision of the building control
authority within the period prescribed in Part VI.]

20C (1) Where works have been commenced or completed in respect of the
construction of a building or an extension of or a material alteration to a building
without a fire safety certificate as required under article 12(1) or the submission of
a 7 day notice under article 20A(1), an application shall be submitted to a building
control authority for a regularisation certificate.

(2) (a) An application for a regularisation certificate shall be in the form specified
for that purpose in the Third Schedule.

(b) An application for a regularisation certificate shall be accompanied by—

(i) drawings of the relevant works as they have been commenced or
constructed, so as to enable the building control authority to assess
whether the said works, as commenced or as constructed in accordance
with the said drawings, documents and information submitted, will comply
or are in compliance, as appropriate, with the requirements of Part B of
the Second Schedule to the Building Regulations,

(ii) a statutory declaration from the applicant in the form specified for that
purpose in the Third Schedule, and

(iii) such fee as may from time to time be prescribed for that purpose in Part V.

(3) (a) On receipt of an application for a regularisation certificate, a building
control authority shall—

(i) stamp the documents with the date of receipt, and

(ii) consider whether the application complies with the requirements of
paragraph (2).

(b) Where a building control authority consider that an application for a regulari-
sation certificate complies with the requirements of paragraph (2), they shall
send to the applicant an acknowledgement stating the date of receipt of the
application.

(c) Where a building control authority consider that an application for a regulari-
sation certificate does not comply with paragraph (2), they may, as they
consider appropriate having regard to the extent of the failure to comply
with the said article, by notice in writing—

(i) inform the applicant that the application is invalid and cannot be consid-
ered by the authority, or

(ii) require the applicant to furnish such further plans, calculations, specifi-
cations or particulars, or such additional fee, as may be necessary to
comply with the said paragraph.

(d) Where a building control authority serve a notice in accordance with
subparagraph (c), they shall return to the applicant all the documents and
the fee which accompanied the application.
(4) Where an application is made to a building control authority for a regularisation certificate, the authority, in considering such application, shall

(a) be restricted to considering only the extent to which the works, if commenced or as constructed in accordance with the drawings, documents and information submitted, will comply or are in compliance, as appropriate, with the requirements of Part B of the Second Schedule to the Building Regulations, and

(b) have due regard to any dispensation or relaxation in respect of, or which is relevant to, the works or building to which the application relates.

(5) Where a building control authority, having considered an application for a regularisation certificate, are disposed to granting such certificate subject to any modification of the plans, documents or information to which the application relates, they may require the applicant to submit to them revised plans, documents or information providing for such modification and may decide to grant a regularisation certificate in respect of such revised plans, documents or information so submitted.

(6) (a) A building control authority shall, having considered an application for a regularisation certificate and following an inspection of the building pursuant to paragraph (b), grant such certificate, with or without conditions or refuse to grant the certificate, as the case may be.

(b) An authorised person shall be entitled to enter at all reasonable times into any land (subject to his producing, if so required, his authority in writing as such person) and thereon enter and inspect, for the purposes of these Regulations, any building and any plans or documents relating to such building.

(c) In this article, an “authorised person” means a person authorised in writing by a building control authority to be an authorised person for the purposes of these Regulations.

(d) Subsections (3) to (7) of the Building Control Act 1990 shall apply mutatis mutandis as if any reference therein to an authorised person was a reference to an authorised person appointed pursuant to this article.

(e) A regularisation certificate granted under this Part shall only be construed as specifying, that in the opinion of the building control authority, the works as constructed in accordance with plans, documents and information submitted, comply with the requirements of Part B of the Second Schedule to the Building Regulations, subject to compliance (within a period of 4 months there mentioned) with any conditions attached to the certificate, including conditions as to the carrying out of additional works.

(7) Where a building control authority decide to grant a regularisation certificate, with or without conditions, the form specified for that purpose in the Fourth Schedule or a form substantially to the like effect, shall be the form of every such certificate and where the regularisation certificate is granted subject to conditions, they shall inform the applicant of the reasons therefor.

(8) Where a building control authority decide to refuse to grant a regularisation certificate, they shall notify the applicant in writing of their decision and the reasons therefor.

(9) Where a building control authority grant a regularisation certificate with conditions, or refuse to grant a regularisation certificate, they shall notify the applicant that he may appeal to the Board against the decision of the building control authority within the period prescribed in Part VI.]
20D] (1) Subject to sub-article (2) and articles 3 and 6, a certificate of compliance with respect to requirements under Part M of the Second Schedule of the Building Regulations (hereinafter referred to as a ‘disability access certificate’) shall be required in respect of—

(a) works in connection with the design and construction of a new building,

(b) works in connection with the material alteration of—

(i) a day centre,

(ii) a hotel, hostel or guest building, or

(iii) an institutional building, or

(iv) a place of assembly, or

(v) a shopping centre,

but excluding works to such buildings, consisting solely of minor works,

(c) works in connection with the material alteration of a shop, office or industrial building where—

(i) additional floor area is being provided within the existing building, or

(ii) the building is being subdivided into a number of units for separate occupancy,

(d) works in connection with the extension of a building by more than 25 square metres,

(e) a building as regards which a material change of use takes place, where a building which was not being used as—

(i) a day centre, becomes so used, or

(ii) a hotel, hostel or guest building, becomes so used, or

(iii) an institutional building, becomes so used, or

(iv) a place of assembly, becomes so used, or

(v) a shop (which is not ancillary to the primary use of the building), becomes so used, or

(vi) a shopping centre, becomes so used,

to which the requirements of Part M of the Second Schedule to the Building Regulations apply.

(2) For the purposes of this Part, the following buildings are exempted—

(a) a building which—

(i) is used exclusively for the storage of materials or products, for the accommodation of plant or machinery or in connection with the housing, care or management of livestock,

(ii) is used solely for the purpose of agriculture, and

(iii) is a building in which the only persons habitually employed are engaged solely in the care, supervision, regulation, maintenance, storage or removal of the materials, products, plant, machinery or livestock in the building,
and which is either attached to another such building or detached from any other building,

(b) a building used as a dwelling other than a flat,

(c) a building used as a domestic garage,

(d) a building (other than one described in (c)) ancillary to a dwelling (such as a summer house, poultry-house, aviary, conservatory, coal shed, garden tool shed or bicycle shed) which is used exclusively for recreational or storage purposes or the keeping of plants, birds or animal for domestic purposes and is not used for the purposes of any trade or business or for human habitation,

(e) a building used solely to enable inspection, repair or maintenance of fixed plant, building services, or machinery,

or to works in connection with such a building provided that, after the works are carried out, the building is or continues to be a building referred to in paragraphs (a) to (e).

(3) Where a disability access certificate is required in respect of all works or buildings to which this Part applies, a person shall make an application to the building control authority for such certificate and not carry out such works or make a material change of use as regards such a building in contravention of Part M of the Building Regulations or any conditions subject to which the certificate is granted.

(4)(a) An application for a disability access certificate shall be in the form specified for that purpose in the Third Schedule.

(b) An application for a disability access certificate shall be accompanied by—

(i) such plans, (including a site or layout plan) (in duplicate) and such other particulars as are necessary to—

(I) identify and describe the works or building to which the application relates,

(II) enable the building control authority to assess, whether the said works or building would, if constructed in accordance with the said plans and other particulars, comply with the requirements of Part M of the Second Schedule to the Building Regulations,

(III) identify the nature and extent of the proposed use and, where appropriate, of the existing use of the building concerned, and

(ii) such fee as may from time to time be prescribed for that purpose in Part V.

(5)(a) On receipt of an application for a disability access certificate, a building control authority shall—

(i) stamp the documents with the date of receipt, and

(ii) consider whether the application complies with the requirements of paragraph (4).

(b) Where a building control authority consider that an application for a disability access certificate complies with the requirements of paragraph (4), they shall send to the applicant an acknowledgement stating the date of receipt of the application.

(c) Where a building control authority consider that an application for a disability access certificate does not comply with paragraph (4), they may, as they consider appropriate, having regard to the extent of the failure to comply with the said paragraph, by notice in writing—
(i) inform the applicant that the application is invalid and cannot be considered by the authority, or

(ii) require the applicant to furnish such further plans, calculations, specifications or particulars, or such additional fee, as may be necessary to comply with the said article.

(d) Where a building control authority serve a notice in accordance with subparagraph (c)(i), they shall return to the applicant all the documents and the fee which accompanied the application.

(6) Where an application is made to a building control authority for a disability access certificate, the authority, in considering such application, shall—

(a) be restricted to considering only the extent to which the design or works complies with the requirements of Part M of the Second Schedule to the Building Regulations, and

(b) have due regard to any dispensation or relaxation in respect of, or which is relevant to, the works or building to which the application relates.

(7) Where a building control authority, having considered an application for a disability access certificate, are disposed to granting such certificate subject to any modification of the plans, calculations, specifications or particulars to which the application relates, they may require the applicant to submit to them revised plans, specifications, or other particulars providing for such modification and may decide to grant a disability access certificate in respect of such revised plans, specifications or particulars so submitted.

(8)(a) A building control authority shall, having considered an application for a disability access certificate, grant such certificate, with or without conditions or refuse to grant the certificate, as the case may be.

(b) A disability access certificate granted under this Part shall only be construed as certifying that the building or works, if constructed in accordance with the plans, documents and information submitted, would comply with the requirements of Part M of the Second Schedule to the Building Regulations.

(9) Where a building control authority decide to grant a disability access certificate, with or without conditions, the form specified for that purpose in the Fourth Schedule or a form substantially to the like effect, shall be the form of every such certificate and where the disability access certificate is granted subject to conditions, they shall inform the applicant of the reasons therefor.

(10) Where a building control authority decide to refuse to grant a disability access certificate, they shall notify the applicant in writing of their decision and the reasons therefor.

(11) Where a building control authority grant a disability access certificate with conditions, or refuse to grant a disability access certificate, they shall notify the applicant that he may appeal to the Board against the decision of the building control authority within the period prescribed in Part VI.

[Revised Disability Access Certificate.

20E (1) A revised disability access certificate shall be required where significant revision is made to the design or works of a building or an extension of, a material alteration to or a material change of use of a building in respect of which a disability access certificate has been granted by a building control authority.

(2) (a) An application for a revised disability access certificate shall be in the form specified for that purpose in the Third Schedule.

(b) An application for a revised disability access certificate shall be accompanied by—
(i) such revised plans, (including a site or layout plan)(in duplicate) and such other revised particulars as are necessary to—

(I) identify and describe the works or building to which the application relates,

(II) enable the building control authority to assess, whether the said works or building would, if constructed in accordance with the said plans and other particulars, comply with the requirements of Part M of the Second Schedule to the Building Regulations,

(III) identify the nature and extent of the proposed use and, where appropriate, of the existing use of the building concerned, and

(ii) such fee as may from time to time be prescribed for that purpose in Part V of these Regulations.

(3) (a) On receipt of an application for a revised disability access certificate, a building control authority shall—

(i) stamp the documents with the date of receipt, and

(ii) consider whether the application complies with the requirements of paragraph (2).

(b) Where a building control authority consider that an application for a revised disability access certificate complies with the requirements of paragraph (2), they shall send to the applicant an acknowledgement stating the date of receipt of the application.

(c) Where a building control authority consider that an application for a revised disability access certificate does not comply with paragraph (2), they may, as they consider appropriate, having regard to the extent of the failure to comply with the said paragraph, by notice in writing—

(i) inform the applicant that the application is invalid and cannot be considered by the authority, or

(ii) require the applicant to furnish such further plans, calculations, specifications or particulars, or such additional fee, as may be necessary to comply with the said article.

(d) Where a building control authority serve a notice in accordance with subparagraph (c)(i), they shall return to the applicant all the documents and the fee which accompanied the application.

(4) Articles [20D(6), 20D(7) and 20D(8)] shall apply mutatis mutandis as if any reference therein to an application or an application for a disability access certificate were a reference to an application for a revised disability access certificate and any reference to a certificate or a disability access certificate shall be construed accordingly.

(5) Where a building control authority decide to grant a revised disability access certificate with or without conditions, the form specified for that purpose in the Fourth Schedule to the Principal Regulations or a form substantially to the like effect, shall be the form of every such certificate and where the revised disability access certificate is granted subject to conditions, they shall inform the applicant of the reasons therefor.

(6) Where a building control authority decide to refuse to grant a revised disability access certificate, they shall notify the applicant in writing of their decision and the reasons therefor.
Where a building control authority grant a revised disability access certificate with conditions, or refuse to grant a revised disability access certificate, they shall notify the applicant that he may appeal to the Board against the decision of the building control authority within the period prescribed in Part VI.

(PART IIIC —

CERTIFICATE OF COMPLIANCE ON COMPLETION]

20F(1) Subject to paragraph (2), a Certificate of Compliance on Completion shall be submitted to a building control authority and relevant particulars thereof shall be included on the register maintained under Part IV before works or a building to which Part II or Part IIIA applies may be opened, occupied or used.

[(2) Subject to paragraph (10), the requirement for a Certificate of Compliance on Completion shall apply to the following works and buildings—

(a) the design and construction of a new dwelling,

(b) an extension to a dwelling involving a total floor area greater than 40 square metres,

(c) works to which Part III applies.]

(3) A Certificate of Compliance on Completion shall be—

(a) in the form specified for that purpose in the Sixth Schedule, and

(b) accompanied by such plans, calculations, specifications and particulars as are necessary to outline how the works or building as completed—

(i) differs from the plans, calculations, specifications and particulars submitted for the purposes of Article 9(1)(b)(i) or Article 20A(2)(a)(ii) as appropriate (to be listed and included at the Annex to the Certificate of Compliance on Completion), and

(ii) complies with the requirements of the Second Schedule to the Building Regulations, and

(c) accompanied by the Inspection Plan as implemented by the Assigned Certifier in accordance with the Code of Practice referred to under Article 20G(1) or a suitable equivalent.

(4) On receipt of a Certificate of Compliance on Completion, a building control authority shall—

(a) record the date of receipt of the Certificate, and

(b) consider within 21 days of the date of its receipt whether the Certificate of Compliance on Completion is valid having regard to—

(i) the requirements of paragraph (3) above, and

(ii) the building control authority’s own satisfaction that all enforcement notices, information requests and statutory processes, including any applications for certificates under Part III, Part IIIA or Part IIIB, relevant to the building concerned have been satisfactorily concluded.

(5) Where the building control authority considers that a Certificate of Compliance on Completion may not be valid having regard to paragraphs (3) and (4), the building control authority may within 21 days of receipt of the certificate, write to the person who submitted the certificate and
(i) inform them, giving reasons, that the certificate does not comply with paragraphs (3) and (4) and cannot be accepted by the authority, or

(ii) require the person submitting the certificate to submit such revised certificate or such additional documentation as may be deemed necessary by the building control authority to accompany the certificate for the purposes of paragraphs (3) and (4).

(6)(i) Where the building control authority considers the Certificate of Compliance on Completion to be valid having regard to paragraphs (3) and (4), the building control authority shall, no later than 21 days of receipt of said certificate, enter particulars relating to the relevant certificate on the register maintained under Part IV and shall notify the person who submitted the certificate that particulars have been included on the register.

(ii) Notwithstanding paragraph (6)(i), where a revised certificate or additional documentation has been required in accordance with paragraph (5)(ii), the building control authority, on full receipt of such revised certificate or additional documentation as appropriate, may avail of a further period of 7 days within which to consider the validity of the certificate. On or before the expiry of said 7 day period the building control authority, if it considers that no further action is warranted pursuant to paragraph (5), shall enter the relevant particulars on the register and notify the person who submitted the certificate as appropriate.

(7) A building control authority serving a notice in accordance with paragraph (5)(i) shall return to the person giving the certificate, the certificate and any documentation that accompanied the certificate.

(8) Where the plans, calculations, specifications and particulars comprehended under paragraph (3)(b) and the Inspection Plan comprehended under paragraph (3)(c) have been submitted to a building control authority on a date falling not more than 5 weeks and not less than 3 weeks prior to a nominated date on which a valid Certificate of Compliance on Completion is intended to be entered on the register, the building control authority shall at that point begin to consider the validity of a prospective Certificate of Compliance on Completion in accordance with paragraphs (3) and (4) so that the authority is in a position to include the details of the relevant Certificate of Compliance on Completion on the register on the nominated date provided that a valid Certificate of Compliance on Completion is received by the building control authority on a date not later than the date preceding the nominated date.

(9) A Certificate of Compliance on Completion may refer to works, buildings, including areas within a building, or developments, including phases thereof, and relevant details shall be clearly identified on the Certificate of Compliance on Completion itself and, subject to validation in line with the requirements at paragraphs (3) and (4), on the register.

(10) Notwithstanding the provisions of subparagraphs (2)(a) and (2)(b), where a valid Declaration of Intention to Opt Out of Statutory Certification has been included on the public register in respect of a new single dwelling, on a single unit development, or an extension to a dwelling, then the provisions of Article 20F shall not apply.
Inspecting and Certifying Buildings and Works this shall, prima facie, indicate compliance with the relevant requirements of these Regulations.

(3) The provisions of any guidance contained in the Code of Practice for Inspecting and Certifying Buildings and Works concerning the use of a particular inspection framework or approach shall not be construed as prohibiting the use of other suitable frameworks or approaches.

PART IV

THE REGISTER

21. (1) A building control authority shall keep a register and shall enter in the register particulars of—

(a) any valid application for a dispensation or relaxation, including the name and address of the applicant, the date of receipt of the application, and brief details of a building or works forming the subject of the application,

(b) any valid commencement notice or 7 day notice or certificate of compliance given to them under Part II, Part IIIA or Part IIIC, as appropriate, including the name and address of the owner of the building, the date of receipt of the notice, the person or persons carrying out the works, the person who certified the design, the person assigned to inspect and certify the works (the assigned certifier), the builder assigned to undertake the works, any changes to previously recorded detail notified in accordance with Articles 9(3), 9(4), 20A(2)(c), or 20A(2)(d) and brief particulars of a building or works forming the subject of the notice,

(c) any valid application for a fire safety certificate, a revised fire safety certificate, a regularisation certificate, a disability access certificate, or a revised disability access certificate made to them under Part III, Part IIIA or Part IIIB, as appropriate, including the name and address of the applicant, the date of receipt of the application, and brief particulars of a building or works forming the subject of the application,

(d) their decision in respect of any application referred to in paragraphs (a) and (c) and the date of the decision,

(e) any determination or direction by the Board in respect of an appeal relating to a decision referred to in paragraphs (a) or (c) and the date of the determination or direction,

(f) any enforcement notices served by them, including the name and address of the person on whom the notice was served, the date of the notice and brief particulars of the contents of the notice,

(g) the date and effect of any decision by the District Court in respect of a notice referred to in paragraph (f), including the date and effect of the decision,

(h) any valid Certificate of Compliance on Completion accepted by the building control authority,

[(i) any Declaration of Intention to Opt Out of Statutory Certification submitted in accordance with Article 9(5).]

(2) The register, where it is not available on the website of the local authority concerned, shall be available for inspection at the offices of the local authority during office hours.

(3) In the interest of clarity, records relating to particulars included on the register may be accessed in accordance with the Freedom of Information Acts 1997 and 2003.
For the avoidance of doubt, the register may be maintained electronically subject to the Data Protection Acts 1998 and 2003.

PART V

FEES

Exemptions.

22. (1) Subject to sub-article (2), a fee shall not be payable to a building control authority under these Regulations where the authority is of the opinion that the works or the building which are or is the subject of the commencement notice, application for a fire safety certificate, revised fire safety certificate, regularisation certificate, disability access certificate, revised disability access certificate or application for a dispensation or relaxation, as the case may be, are being carried out, or, in the case of a material change of use, is being made, by or on behalf of a voluntary organisation or a body standing approved of for the purposes of section 6 of the Housing (Miscellaneous Provisions) Act, 1992 (No. 18 of 1992).

(2) Subsection (1) applies where a building control authority is of the opinion that—

(a) in the case of a voluntary organisation, the building concerned is—

(i) intended to be used for social, recreational, educational or religious purposes by inhabitants of a locality generally or by people of a particular group or religious denomination and is not to be used mainly for profit or gain,

(ii) intended to be used as a hostel, work-shop or other accommodation for disabled, poor or homeless persons and is not to be used mainly for profit or gain, or

(iii) is ancillary to (i) or (ii),

(b) in the case of a body standing approved of for the purposes of section 6 of the Housing (Miscellaneous Provisions) Act, 1992 (No. 18 of 1992), the building control authority is of the opinion that the building concerned is—

(i) designed or intended to be used for the accommodation of poor or homeless persons or persons who would otherwise be likely to require housing accommodation provided by a housing authority, and is not to be used mainly for profit or gain, or

(ii) is ancillary to (i).

(3) A fee shall not be payable to a building control authority under these Regulations where the works or the building which are or is the subject of an application for a disability access certificate or a revised disability access certificate are being carried out, or, in the case of a material change of use, is being made, by or on behalf of a primary school, where the maximum number of mainstream teachers employed is or will be 4 or less.

Requirement to pay fee.

23. (1) Subject to articles 3, 6 and 22, a fee shall be paid to a building control authority by a person—

(a) giving a commencement notice,

(b) making an application for a fire safety certificate, a revised fire safety certificate, a regularisation certificate, a disability access certificate, a revised disability access certificate or the submission of a 7 day notice,

(c) making an application for a dispensation or a relaxation.
(2) A fee shall be paid to the Board by a person making an appeal against a decision of a building control authority in relation to an application for—

(a) a fire safety certificate, [a revised fire safety certificate, a regularisation certificate, a disability access certificate, a revised disability access certificate,]
or

(b) a dispensation or a relaxation.

(3) A fee shall be paid to a building control authority for a copy of—

(a) an entry in the register,

(b) a fire safety certificate, [a revised fire safety certificate, a regularisation certificate, a disability access certificate, a revised disability access certificate or a 7 day notice,]

(c) a document which indicates that a dispensation or a relaxation has been granted.

(4) An additional administrative charge limited solely to the direct costs incurred by a building control authority in respect of scanning and uploading documentation on the Building Control Management System may be levied by the building control authority on the building owner, or a person assigned in accordance with these Regulations to act on the owner’s behalf, who seeks to submit plans, calculations, specifications, ancillary certificates and particulars relevant to a procedure for which a fee is required under sub-article (1) notwithstanding the availability of the Building Control Management System to receive such documentation in electronic form.

24. (1) The amount of fee payable in respect of—

(a) the giving of a commencement notice,

(b) an application for a fire safety certificate, [a revised fire safety certificate, a regularisation certificate, a disability access certificate, a revised disability access certificate or the submission of a 7 day notice,]

(c) an application for a dispensation or a relaxation,

shall, subject to Part B of the Fifth Schedule, be the amount indicated in column 2 of Part A of that Schedule opposite the mention of the relevant application or notice in column 1 of Part A of that Schedule.

(2) The amount of fee payable in respect of an appeal shall be the amount indicated in column 2 of Part A of the Fifth Schedule opposite the mention of such appeal in column 1 of Part A of that Schedule.

(3) The amount of fee payable for a copy of a document specified in article 23(3) shall be the amount indicated in column 2 of Part A of the Fifth Schedule opposite the mention of such a copy in column 1 of Part A of that Schedule.

25. (1) For the purposes of this article and the Fifth Schedule,—

(a) “relevant floor area” means the floor area of the works or the building to which the application relates which is affected by the works or the material change of use, as the case may be;

“floor area” means the sum of the areas on each floor bounded by the inner finished surfaces of the enclosing walls, or, on any side where there is no enclosing wall, by the outermost edge of the floor on that side, and, in calculating the floor area of a building, there shall be included in such area the space occupied by any walls, shafts, ducts or structure within the area being measured.
(b) in determining the fee payable in respect of a commencement notice, a house in a terrace and a semi-detached house are each to be treated as being a separate building.

(2) Where the floor area or the relevant floor area referred to in sub-article (1) is not an exact multiple of that unit, the fraction of a unit remaining after the division of the total area by the unit measurement shall be treated, for the purposes of calculating the fee payable in respect of the application, as a complete unit.

[(3) Where an application for a fire safety certificate, a revised fire safety certificate, a regularisation certificate, a disability access certificate, a revised disability access certificate or the submission of a 7 day notice includes alternative proposals for works or a building of materially different designs, the fee payable in respect of the application shall be calculated as if each alternative proposal were a separate application or a separate 7 day notice.]

26. (1) Subject to sub-articles (3) and (4), where a commencement notice is given to a building control authority and a subsequent commencement notice is submitted by or on behalf of the same person, the authority shall, subject to the provisions of Part B of the Fifth Schedule, refund three quarters of the fee paid to it in respect of the subsequent commencement notice.

(2) Subject to sub-articles (3) and (4), where—

(a) a decision has been made by a building control authority on an application for a fire safety certificate, [a revised fire safety certificate, a regularisation certificate, a disability access certificate, a revised disability access certificate or the submission of a 7 day notice,] or

(b) an appeal against a decision of a building control authority on an application for a fire safety certificate [a revised fire safety certificate, a regularisation certificate, a disability access certificate or a revised disability access certificate] has been determined by the Board,

and a subsequent such application is made by or on behalf of the same applicant, the building control authority shall, subject to the provision: of Part B of the Fifth Schedule, refund three quarters of the fee paid to it in respect of the subsequent application.

(3) Sub-articles (1) or (2) shall apply if the building control authority is of the opinion that—

(a) the works forming the subject of the first commencement notice or application for a fire safety certificate [a revised fire safety certificate, regularisation certificate, disability access certificate, revised disability access certificate or the submission of a 7 day notice] and the subsequent such notice or application, as the case may be, are substantially—

(i) of the same design and construction, and

(ii) on land consisting of the same site or part of the site, and

(b) a fee under these Regulations or Building Control Act (Fees) Regulations, 1992 (as amended), in respect of the first commencement notice or application for a fire safety certificate, [a revised fire safety certificate, regularisation certificate, disability access certificate, revised disability access certificate or submission of a 7 day notice] as the case may be, has been paid, and

(c) the period between the giving or making, as the case may be, of the first commencement notice or application for a fire safety certificate, [revised fire safety certificate, regularisation certificate, disability access certificate, revised disability access certificate or submission of a 7 day notice,] and the
subsequent such notice or application, as the case may be, does not exceed twelve months, and

(d) in the case of sub-article (1), no previous refund under these Regulations has at any time been made to the person giving the commencement notice, in respect of a commencement notice which related substantially to the same land and to works or a building of the same character or description as those to which the subsequent notice relates, and

(e) in the case of sub-article (2), no previous refund under these Regulations or the Building Control Act (Fees) Regulations, 1992 (as amended), has at any time been made to the same applicant in respect of an application for a fire safety certificate [a revised fire safety certificate, a regularisation certificate, a disability access certificate, a revised disability access certificate or the submission of a 7 day notice] which related substantially to the same land and to works or a building of the same character or description as those to which the subsequent application relates.

(4) A refund under this article shall be made on a claim in that behalf made in writing to the building control authority and received by it within (but not after) the period of two months beginning on the day of giving or making of the subsequent commencement notice or application for a fire safety certificate [a revised fire safety certificate, a regularisation certificate, disability access certificate, revised disability access certificate or submission of a 7 day notice] (as the case may be).

PART VI
APPEALS

27. (1) An appeal shall—

(a) be made in writing,

(b) state the name and address of the appellant,

(c) state the subject matter of the appeal,

(d) state in full the grounds of appeal and the reasons, considerations and arguments on which they are based, and

(e) be accompanied by such fee (if any) as may be payable in respect of such appeal in accordance Part V.

(2) An appeal which does not comply with the requirements of sub-article (1) shall be invalid.

(3) Without prejudice to article 31, an appellant shall not be entitled to elaborate upon, or make further submissions in relation to, the grounds of appeal stated in the appeal or to submit further grounds of appeal and any such elaboration, submissions or further grounds of appeal that is or are received by the Board shall not be considered by it.

(4) (a) An appeal shall be accompanied by such documents, particulars or other information relating to the appeal as the appellant considers necessary or appropriate.

(b) Without prejudice to article 32, the Board shall not consider any documents, particulars or other information submitted by an appellant other than the documents, particulars or other information which accompanied the appeal.

[27 (5) An appeal shall be made by—]
(a) sending the appeal by prepaid post to the Board, or

(b) leaving the appeal with an employee of the Board at the offices of the Board during office hours.]  

Time for appeal etc.

28. (1) An appeal may be made within a period of one month beginning on the day of the decision of the building control authority on an application.

(2) An appeal received by the Board after the expiration of the period mentioned in sub-article (1) shall be invalid.

(3) Where the last day of the period specified in sub-article (1) is a Saturday, a Sunday, a public holiday [(within the meaning of the Organisation of Working Time, Act 1997)] or any other day on which the offices of the Board are closed, an appeal shall, notwithstanding sub-article (2), be valid as having been made in time if received by the Board on the next following day on which the offices of the Board are open.

Observations on appeal.

29. (1) On receipt of an appeal the Board shall send a copy thereof to the building control authority against whose decision the appeal is made.

(2) A building control authority to whom a copy of an appeal has been sent under sub-article (1) may, within a period of one month beginning on the day on which a copy of the appeal is sent to it by the Board, make in writing to the Board such submissions or observations on the appeal as the authority thinks fit.

(3) Without prejudice to article 31 a building control authority shall not be entitled to elaborate upon any submissions or observations made in accordance with sub-article (2), or make further submissions or observations in relation to, the appeal and any such elaboration or submission that is or are received by the Board shall not be considered by it.

Documents, information, etc. in relation to appeal.

30. (1) Where an appeal is made to the Board the building control authority concerned shall, within a period of fourteen days beginning on the day on which a copy of the appeal is sent to it by the Board, submit to the Board—

(a) a copy of the application concerned and any plans, documents, particulars, evidence or further information received or obtained by it from the applicant,

(b) a copy of any report prepared by or for the building control authority in relation to the applicant,

(c) a copy of the decision of the building control authority on the application and a copy of the notification of the decision given to the applicant, and

(d) in the case of an appeal under section 7(1)(b) [, section 7(1)(d) or section 7(1)(e)] of the Act, a copy of the grant of any dispensation or relaxation of a requirement of Part B [or Part M] of the Second Schedule to the Building Regulations given under section 4 of the Act in respect of the building or works to which the appeal relates.

Power of Board to request submissions or observations.

31. Where the Board is of opinion that, in the particular circumstances of an appeal, it is appropriate in the interests of justice to request any party who has made submissions or observations in relation to any matter which has arisen in relation to the appeal, the Board may, in its discretion, notwithstanding article 27(3) or 29(3), serve on any such party a notice under this article—

(a) requesting that party, within a period specified in the notice (not being less than fourteen or more than twenty eight days beginning on the date of service of the notice) to submit to the Board submissions or observations in relation to the matter in question, and
(b) stating that, if submissions or observations are not received before the expiration of the period specified in the notice, the Board will, after the expiration of that period and without further notice to the party, pursuant to article 33 determine the appeal.

[32. Where the Board is of the opinion that any document, particulars (including revised plans, documents, specifications, etc.) or other information is or are necessary for the purpose of enabling it to determine an appeal, the Board may serve on any party a notice under this section—

(a) requiring that party, within a period specified in the notice (being a period of not less than fourteen days beginning on the date of service of the notice) to submit to the Board, in duplicate, such revised plans or other drawings modifying, or other particulars providing for the modification of, the application to which the appeal relates, and

(b) stating that in default of compliance with the requirements of the notice, the Board will, after the expiration of the period so specified and without further notice to the party, pursuant to article 33 dismiss or otherwise determine the appeal.]

[33. Where a notice has been served under article 31 or 32, the Board, at any time after the expiration of the period specified in the notice, may, having considered any submissions or observations or plan, document, particulars or other information (as the case may be) submitted by the party on whom the notice has been served, without further notice to that party determine or, in the case of a notice served under article 32, dismiss the appeal.

34. Where it appears to the Board expedient or convenient for the purposes of assisting the determination of an appeal the Board may, in its absolute discretion, convene a meeting of the parties.

35. (1) It shall be the objective of the Board to ensure that every appeal is determined within four months beginning on the date of receipt by the Board of the appeal.

(2) Where it appears to the Board that it would not be possible or appropriate, because of the particular circumstances of an appeal, to determine the appeal within the period referred to in sub-article (1) the Board shall, by notice in writing served on the parties, inform those parties of the reasons why it would not be possible or appropriate, as the case may be, to determine the appeal within that period and shall specify the date before which the Board intends to determine the appeal.

(3) Where a notice has been served under sub-article (2), the Board shall take all such steps as are open to it to determine the appeal before the date specified in the notice.

36. (1) Where the Board is of opinion that an appeal has been abandoned, the Board may serve on the appellant a notice stating that fact and requiring that person, within a period specified in the notice (being a period of not less than fourteen or more than twenty eight days beginning on the date of service of the notice) to make to the Board a submission in writing as to why the appeal should not be regarded as having been withdrawn.

(2) Where a notice has been served under sub-article (1) the Board may, at any time after the expiration of the period specified in the notice and after considering the submission (if any) made to the Board pursuant to the notice, declare that the appeal shall be regarded as having been withdrawn.
37. The Board shall in the following circumstances have an absolute discretion to dismiss an appeal—

(a) where, having considered the grounds of appeal, the Board is of opinion that the appeal is vexatious, frivolous or without substance or foundation, or

(b) where, having regard to—

(i) the nature of the appeal (including any question which in the Board's opinion is raised by the appeal), and

(ii) any previous decision of a building control authority or the Board which in its opinion is relevant,

the Board is satisfied that in the particular circumstances the appeal should not be further considered by it.

38. (1) The Board may arrange for the carrying out of inspections in relation to appeals by persons authorised for that purpose by the Board either generally or for a particular appeal.

(2) Where in relation to an appeal an inspection is carried out on behalf of the Board, by a person authorised for that purpose by the Board, the person so authorised shall make to the Board a written report on the inspection and shall include in his report a recommendation relating to the matter with which the inspection was concerned, and the Board shall, before determining the appeal in relation to which the inspection was carried out, consider the report, including any recommendation contained therein.

39. When an appeal is made to the Board under section 7(1)(b) [section 7(1)(d) or section 7(1)(e)] of the Act, the Board in considering such appeal shall—

(a) be restricted to considering the extent to which the design of the building complies with the requirements of Part B [or Part M] of the Second Schedule to the Building Regulations, and

(b) have due regard to any dispensation from, or relaxation of, a requirement of Building Regulations granted under Section 4 or 5 of the Act in respect of, or which is relevant to, such building.

40. (1) Save as is provided in sub-article (2), where an appeal is brought to the Board it shall determine the appeal as if the application to the building control authority to which the appeal relates had been made to the Board in the first instance and the decision of the Board shall operate to annul the decision of the building control authority from the date of such decision.

(2) Where—

(a) an appeal relates only to a condition or conditions attached to a decision of a building control authority, and

(b) the Board is satisfied, having regard to the nature of the condition or conditions, that the determination by the Board of the relevant application at if it had been made to it in the first instance would not be warranted,

the Board may, in its absolute discretion, give to the relevant building control authority such directions as it considers appropriate relating to the attachment, amendment or removal by that authority either of the condition or conditions to which the appeal relates or of other conditions.
41. (1) The Board shall notify each party to an appeal of its decision on the appeal.

(2) Every notification given by the Board of a decision on an appeal shall specify—

(a) where appropriate, the reference number relating to the relevant application in the register of the building control authority,

(b) the nature of the decision,

(c) the building or works to which the decision relates, and

(d) the date of the decision.

42. Where a building control authority is notified by the Board of its decision to allow an appeal under section 7(1)(b), section 7(1)(d) or section 7(1)(e) of the Act, the authority shall, as soon as may be, issue a fire safety certificate, a revised fire safety certificate, a regularisation certificate, a disability access certificate or a revised disability access certificate, as appropriate, to the appellant in accordance with the decision of the Board.

43. (1) A new building or an existing building in respect of which an extension or a material alteration has been made, shall not be opened, operated or occupied or permitted to be opened, operated or occupied,

(i) unless a fire safety certificate, a disability access certificate (or, as the case may be a revised certificate of either kind) or a regularisation certificate required by these Regulations has been granted by the building control authority in relation to the building, or

(ii) if such appeal is made to it, pending the determination by An Bord Pleanala of an appeal relating to a refusal to grant any of the certificates or revised certificates referred to in clause (i) or the attachment of conditions to any of them.”

43 (2) It is declared that an offence contrary to article 43(1) of these Regulations is an offence to which section 17(2) of the Act applies.
FIRST SCHEDULE

REGULATIONS REVOLED

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<th>Number</th>
<th>Title</th>
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[SECOND SCHEDULE]

FORM OF COMMENCEMENT NOTICE FOR DEVELOPMENT AND FORMS OF CERTIFICATES OF COMPLIANCE REQUIRED BEFORE CONSTRUCTION COMMENCES

(Article 9)
FORM OF COMMENCEMENT NOTICE FOR DEVELOPMENT

(Notice to a Building Control Authority pursuant to Part II of the Building Control Regulations 1997 to 2014)

Building Control Authority: ____________________________

Unique Identifier: ____________________________ (for official use only)

1. I hereby give notice in accordance with Part II of the Building Control Regulations 1997 to 2014 that it is intended to carry out the development as described below commencing on the date of ____________

Name of Building Owner(s): ____________________________

Address: ____________________________

Tel: ____________ Fax: ____________ Email: ____________

2. I enclose the fee payable for making this Notice of € ____________

3a. PROJECT PARTICULARS: (In addition, for Residential Developments, please complete Section 3b below)

Description of proposed development: ____________________________

Planning Permission No.: ____________________________ Date Granted: ____________________________

Date of expiry: ____________________________

Fire Safety Certificate No. (if applicable): ____________________________

Disability Access Certificate No. (if applicable): ____________________________

Location of development: ____________________________

Number of buildings: ____________________________ Number of new buildings: ____________________________

Use of buildings: ____________________________
Declaration of Intention to Opt Out of Statutory Certification

Unique Identifier: ____________
(for official use only)

Building Control Authority: ________________ Planning Permission No.: ________________

3b. Residential Development Information:
Total number of dwelling units (all phases*): ____________
Total no. of phases* ____________ of which ____________ are multiple unit dwellings.
Phase for this commencement notice: ________________
No. of units for this phase/commencement notice**: ____________
Commencement date for this phase: ________________
(Proposed) End-date for this phase: ________________

* Where applicable, i.e. phasing not relevant for single houses.
** Include single house figure here also.

4. Builder:
Name: ____________________________
Address: ____________________________
Tel: ____________ Fax: ____________ Email: ____________
Construction Industry Register Ireland registration number (where applicable): ____________

5. Building Designer Details:
Name: ____________________________
Address: ____________________________
Tel: ____________ Fax: ____________ Email: ____________
Practice registration number (where relevant): ____________

Where required under Part III of the Building Control Regulations 1997 to 2014, the mandatory Certificate of Compliance (Design) signed by the above Building Designer accompanies this Notice.

6. Submission of Documents (where applicable): A Schedule of Documents accompanying this Commencement Notice is attached in the following format:

Schedule of Documents (Plans, Calculations, Specifications, Ancillary Certificates and Particulars)

<table>
<thead>
<tr>
<th>Document</th>
<th>Reference</th>
<th>Description/Remarks</th>
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7. Signature by Building Owner:
Signature: ____________________________ Date: ____________________________
(Building Owner)

[[(Article 9)]

Declaration of Intention to Opt Out of Statutory Certification

Building Control Authority: ________________ Unique Identifier: ____________
(for official use only)

1. This declaration relates to the following dwelling or extension: ________________
Planning Permission No.: ________________
2. As the owner of the dwelling or extension, I hereby declare that, having regard to the provisions of Article 9(5) of the Building Control Regulations 1997 to 2015, I have decided to opt out of the requirement to subject the above building works to statutory certification as comprehended by Part II and Part IIIC of the Building Control Regulations 1997 to 2015.

3. I understand my statutory obligation as owner to ensure that the dwelling or extension is designed and constructed in accordance with the relevant requirements of the Second Schedule to the Building Regulations 1997 (as amended).

Dwelling Owner’s Signature: __________________________ Date: ______________

Name of Dwelling Owner(s): ________________________________________________

Address: __________________________________________________________________

Tel: ______________ Fax: ______________ Email: ____________________________
DESIGN CERTIFICATE
Form of Certificate of Compliance (Design)

Building Control Authority: ____________________________
Unique Identifier: ____________________________________
(for official use only)

1. This certificate relates to the following building or works:
________________________________________________________________________

2. This certificate has been prepared in accordance with the Code of Practice for Inspecting and Certifying Buildings and Works [as published by the Minister under section 3(7) of the Building Control Act 1990] or equivalent.

3. I confirm that I have been commissioned by the building owner to design, in conjunction with others, the building or works described above and to certify such design. I further confirm that I am a person named on a register maintained pursuant to Part 3 or Part 5 of the Building Control Act 2007 or Section 7 of the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969 and that I am competent to carry out my design and to coordinate the design of others for the building or works concerned.

4. I confirm that the plans, calculations, specifications, ancillary certificates and particulars included in the schedule to the Commencement Notice to which this certificate is relevant, and which have been prepared exercising reasonable skill, care and diligence by me, and by other members of the design team and specialist designers whose design activities I have coordinated, have been prepared to demonstrate compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

5. I certify, having exercised reasonable skill, care and diligence, that, having regard to the plans, calculations, specifications and particulars which have been prepared by me and others and having relied on ancillary certificates and particulars referred to at 4 above, the proposed design for the building or works is in compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

Signature: ____________________________________________ Date: ______________________

Person’s Name: ____________________________ Registration No.: ______________________

On behalf of: _____________________________________________ (company name where relevant)

Address: ____________________________________________________________
________________________________________________________________________

Tel: __________________ Fax: __________________ Email: __________________

Practice registration number (where relevant): __________________

(Article 9)
NOTICE OF ASSIGNMENT OF ASSIGNED CERTIFIER
(Notice of Assignment of Person to Inspect and Certify Works)

Building Control Authority:  
Unique Identifier:  
(for official use only)

1. This notice of assignment relates to the following building or works:

________________________________________________________

2. As the building owner, I have assigned the following person as Assigned Certifier, being a person named on a register maintained pursuant to Part 3 or Part 5 of the Building Control Act 2007 or Section 7 of the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969. I am satisfied having regard to the Code of Practice for Inspecting and Certifying Buildings and Works that the person so assigned is competent to inspect the building or works and to coordinate the inspection work undertaken by others, and to certify the works for compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

Name:  
Qualification(s):  
Registration No.:  
On behalf of:  
(Company/Practice name where relevant)
Address:  
________________________________________________________

Tel:  
Fax:  
Email:  
Practice registration number (where relevant):  

3. Any requests under the Building Control Act 1990 for plans, documents, specifications and other information, as may be necessary to show that the works or building, if built in accordance with the design proposed, will comply with the requirements of the Building Regulations, may be directed to the person so assigned.

4. I undertake to notify the Building Control Authority in writing of any change in the person assigned to inspect and certify the building or works as notified herein.

Building Owner’s Signature:  
Date:  

(Article 9)
UNDERTAKING BY ASSIGNED CERTIFIER
Form of Certificate of Compliance

Building Control Authority: ________________________________

Unique Identifier: ________________________________
(for official use only)

1. This certificate relates to the following building or works:

______________________________________________________________________________________________

2. In accordance with the Code of Practice for Inspecting and Certifying Buildings and Works, or equivalent, I undertake to use reasonable skill, care and diligence, to inspect the building or works and to coordinate the inspection work of others and to certify, following the implementation of the inspection plan by myself and others, for compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works to which the accompanying Commencement Notice together with the plans, calculations, specifications, ancillary certificates and particulars listed in the schedule thereto refer.

Signature: ________________________________ Date: ________________________________

Person’s Name: ________________________________ Registration No.: ________________________________

On behalf of: ________________________________ (company name where relevant)

Address: ______________________________________________

______________________________________________________________________________________________

Tel: __________________ Fax: __________________ Email: __________________

Practice registration number (where relevant): __________________

(Article 9)
NOTICE OF ASSIGNMENT OF BUILDER

Building Control Authority: ____________________________

Unique Identifier: ____________________________
(for official use only)

1. This notice of assignment relates to the following building or works:

__________________________________________________________________________

2. As the building owner, I have assigned the following person as Builder of the building or works and I am satisfied that they are competent to undertake the works so assigned on my behalf.

Builder’s Name: ____________________________
Address: ______________________________________
__________________________________________________________________________

Tel.: __________________ Fax: __________________ Email: __________________
Construction Industry Register Ireland registration number (where applicable): __________

3. I undertake to notify the Building Control Authority in writing of any change in the person assigned as Builder of the building or works as notified herein.

Building Owner’s Signature: ____________________________ Date: __________________

(Article 9)
UNDEARTAKING BY BUILDER
FORM OF CERTIFICATE OF COMPLIANCE

Building Control Authority: ___________________________
Unique Identifier: ____________________________
(for official use only)

1. This certificate relates to the following building or works:
________________________________________________________________________

2. I confirm that I have been commissioned by the building owner to undertake the works
described above and that I am competent to undertake the works concerned. I further under-
take to ensure that any persons employed or engaged by me to undertake any of the works
involved will be competent to undertake such works.

3. I undertake to construct the building or works in accordance with the plans, calculations,
specifications, ancillary certificates and particulars listed in the schedule to the Commence-
ment Notice to which this undertaking refers and certified under the Form of Certificate of
Compliance (Design), or as subsequently issued to me and certified and submitted to the
Building Control Authority, and such other documents relevant to compliance with the
requirements of the Second Schedule to the Building Regulations as shall be retained by me
as outlined in the Code of Practice for Inspecting and Certifying Buildings and Works.

4. Having regard to the Code of Practice for Inspecting and Certifying Buildings and Works,
or equivalent, I further undertake to cooperate with the inspections set out in the inspection
plan prepared by the Assigned Certifier and to take all reasonable steps so as to ensure that
I shall certify that the building or works is in compliance with the requirements of the Second
Schedule to the Building Regulations insofar as they apply to the building or works
concerned.

Signature: ____________________________ Date: ____________________________
(to be signed by a Principal or Director of a building company only)
Name: ____________________________
Address: ____________________________
Tel: ____________________________ Fax: ____________________________ Email: ____________________________
Construction Industry Register Ireland registration number (where applicable): ____________________________

[THIRD SCHEDULE
FORM OF APPLICATION FOR A FIRE SAFETY CERTIFICATE

Article 13

BUILDING CONTROL ACT, 1990
APPLICATION FOR A FIRE SAFETY CERTIFICATE

45
To ______________________________________
(insert name of building control authority)

Application is hereby made under Part III of the
Building Control Regulations, 1997, for a Fire Safety
Certificate in respect of the works or building to which
the accompanying plans, calculations and specifi-
cations apply.

Received on: __________
Ref. No.: __________
Entered in Register on: __________

1. APPLICANT:
Owner/Leaseholder (delete as appropriate)
FULL NAME _______________________________________________________
ADDRESS _______________________________________________________
SIGNATURE _______________________________________________________
TELEPHONE NO ___________________________________________________
DATE __________

Owner of works or building (if different to above)
___________________________________________________________

2. Name and address of person/s or firm/s to whom notifications should be for-
warded (Owner/Leaseholder or Designer/Developer/Builder)
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

3. Name and address of person/s or firm/s responsible for preparation of accom-
panying plans, calculations and specifications.
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

4. Address (or other necessary identification) of the proposed works or building to which the
application relates.
_____________________________________________________________________
_____________________________________________________________________

5. Nature of proposed works or building
(a) Classification (please tick as appropriate)

- Construction of new building ☐
- Material alteration ☐
- Material change of use ☐
- Extension to a building ☐

(b) Brief description
_____________________________________________________________________
_____________________________________________________________________

6. Use of proposed works or building
(a) Existing use (where a change is proposed) _________________
(b) New use _________________

7. In the case
(a) Works involving the construction of a building, or a building the material use of which is being changed—

<table>
<thead>
<tr>
<th>Site area</th>
<th>___________ (sq. metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of basement storeys</td>
<td>___________</td>
</tr>
<tr>
<td>Number of storeys above ground level</td>
<td>___________</td>
</tr>
<tr>
<td>Height of top floor above ground level</td>
<td>___________ (metres)</td>
</tr>
<tr>
<td>Floor area of building</td>
<td>___________ (sq. metres)</td>
</tr>
<tr>
<td>Total area of ground floor</td>
<td>___________ (sq. metres)</td>
</tr>
</tbody>
</table>

(b) Works involving an extension or the material alteration of a building—

| Floor area of extension | ___________ (sq. metres) |
| Floor area of material alteration | ___________ (sq. metres) |

8. Amount of Fee (accompanying this application) £ ___________
FORM OF 7 DAY NOTICE

Building Control Authority: ________________________________

Unique Identifier: ________________________________________
(for official use only)

1. I hereby give 7 days notice in accordance with Part IIIA of the Building Control Regulations 1997 to 2014 that it is intended to carry out the development as described below.

Name of Building Owner(s): ________________________________

Address: ________________________________________________

__________________________________________________________________________________________________________

Tel: __________ Fax: __________ Email: ______________________

Proposed Commencement Date: ______________________________

2. I enclose the fee payable for making this Notice of € __________

3a. PROJECT PARTICULARS: (In addition, for Residential Developments, please complete Section 3b below)

Description of proposed development: _______________________

Planning Permission No.: ___________________________ Date Granted: _______________________

Date of expiry: ________________________________

Valid Fire Safety Certificate Applied for (date): ______________________

Fire Safety Certificate No.: __________________

Location of development: ____________________________

Number of buildings: __________________ Number of new buildings: __________________

Use of buildings: ___________________________________
3b. Residential Development Information:
Total number of dwelling units (all phases*): _____________________
Total no. of phases* ———— of which ———— are multiple unit dwellings.
Phase being commenced under this 7 Day Notice: _____________________
No. of units covered by this phase/7 Day Notice**: _____________________
Commencement date for this phase: _____________________
(Proposed) End-date for this phase: _____________________
* Where applicable, i.e. phasing not relevant for single houses.
** Include single house figure here also.

4. Builder:
Name: _____________________
Address: _____________________

Construction Industry Register Ireland registration number (where applicable): ___________

5. Building Designer Details:
Name: _____________________
Address: _____________________
Tel: _____________________ Fax: _____________________ Email: _____________________

Practice registration number (where relevant): _____________________

Where required under Part IIIA of the Building Control Regulations 1997 to 2014, the mandatory certificate of design compliance signed by the above Designer accompanies this 7 Day Notice.

6. Submission of Documents (where applicable): A Schedule of Documents accompanying this 7 Day Notice is attached in the following format:

Schedule of Documents (Plans, Calculations, Specifications, Ancillary Certificates & Particulars)

<table>
<thead>
<tr>
<th>Document</th>
<th>Reference</th>
<th>Description/Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

7. Signature by Building Owner:
Signature: _____________________ Date: _____________________

(Building Owner)

(Article 20A)
DESIGN CERTIFICATE
Form of Certificate of Compliance (Design)

Building Control Authority: 

Unique Identifier: 
(for official use only)

1. This certificate relates to the following building or works:

2. This certificate has been prepared in accordance with the Code of Practice for Inspecting and Certifying Buildings and Works [as published by the Minister under section 3(7) of the Building Control Act 1990] or equivalent.

3. I confirm that I have been commissioned by the building owner to design, in conjunction with others, the building or works described above and to certify such design. I further confirm that I am a person named on a register maintained pursuant to Part 5 or Part 5 of the Building Control Act 2007 or Section 7 of the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969 and that I am competent to carry out my design and to coordinate the design of others for the building or works concerned.

4. I confirm that the plans, calculations, specifications, ancillary certificates and particulars included in the schedule to the 7 Day Notice to which this certificate is relevant, and which have been prepared exercising reasonable skill, care and diligence by me, and by other members of the design team and specialist designers whose design activities I have coordinated, have been prepared to demonstrate compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

5. I certify, having exercised reasonable skill, care and diligence, that, having regard to the plans, calculations, specifications and particulars which have been prepared by me and others and having relied on ancillary certificates and particulars referred to at 4 above, the proposed design for the works or building is in compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

Signature: __________________________ Date: ______________________

Person’s Name: __________________________ Registration No.: _______________

On behalf of: __________________________ (company name where relevant)

Address: __________________________

Tel: __________________________ Fax: __________________________ Email: __________________________

Practice registration number (where relevant): _______________

(Article 20A)
NOTICE OF ASSIGNMENT OF ASSIGNED CERTIFIER
(Notice of Assignment of Person Assigned to Inspect and Certify Works)

Building Control Authority: ________________________________

Unique Identifier: __________________________________________

(for official use only)

1. This notice of assignment relates to the following building or works:
_____________________________________________________________________________________

2. As the building owner, I have assigned the following person as Assigned Certifier, being a person named on a register maintained pursuant to Part 3 or Part 5 of the Building Control Act 2007 or Section 7 of the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969. I am satisfied having regard to the Code of Practice for Inspecting and Certifying Buildings and Works that the person so assigned is competent to inspect the building or works and to coordinate the inspection work undertaken by others, and to certify the building or works for compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

Name: ____________________________________________________

Qualification(s): __________________________________________

Registration No.: _________________________________________

On behalf of: ______________________________ (Company/Practice name where relevant)

Address: __________________________________________________

Tel: ___________ Fax: ___________ Email: ______________________

Practice registration number (where relevant): _________________

3. Any requests under the Building Control Act 1990 for plans, documents, specifications and other information, as may be necessary to show that the building or works, if built in accordance with the design proposed, will comply with the requirements of the Building Regulations, may be directed to the person so assigned.

4. I undertake to notify the Building Control Authority in writing of any change in the person assigned to inspect and certify the building or works as notified herein.

Building Owner’s Signature: ___________________________ Date: _____________

(Article 20A)
UNDERTAKING BY ASSIGNED CERTIFIER
Form of Certificate of Compliance

Building Control Authority: ________________________________ Unique Identifier: ________________________________
(for official use only)

1. This certificate relates to the following building or works:

2. In accordance with the Code of Practice for Inspecting and Certifying Buildings and Works, or equivalent, I undertake to use reasonable skill, care and diligence, to inspect the building or works and to coordinate the inspection work of others and to certify, following the implementation of the inspection plan by myself and others, for compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works to which the accompanying 7 Day Notice together with the plans, calculations, specifications, ancillary certificates and particulars listed in the schedule thereto refer.

Signature: __________________________ Date: __________________________
Person’s Name: _______________________ Registration No.: ______________________
On behalf of: ___________________________ (company name where relevant)
Address: ________________________________
______________________________
Tel: __________ Fax: __________ Email: __________________________
Practice registration number (where relevant): ________________

(Article 20A)
NOTICE OF ASSIGNMENT OF BUILDER

Building Control Authority: Unique Identifier: (for official use only)

1. This notice of assignment relates to the following building or works:

2. As the building owner, I have assigned the following person as Builder of the building or works and I am satisfied that they are competent to undertake the works so assigned on my behalf.

   Builder’s Name: 
   Address: 

   Tel.: Fax: Email:

   Construction Industry Register Ireland registration number (where applicable): 

3. I undertake to notify the Building Control Authority in writing of any change in the person assigned as Builder of the building or works as notified herein.

Building Owner’s Signature: __________________________ Date: ______________

(Article 20A)
UNDEARTAKING BY BUILDER
FORM OF CERTIFICATE OF COMPLIANCE

Building Control Authority: Unique Identifier: (for official use only)

1. This certificate relates to the following building or works:

2. I confirm that I have been commissioned by the building owner to undertake the works described above and that I am competent to undertake the works concerned. I further undertake to ensure that any persons employed or engaged by me to undertake any of the works involved will be competent to undertake such works.

3. I undertake to construct the building or works in accordance with the plans, calculations, specifications, ancillary certificates and particulars listed in the schedule to the 7 Day Notice to which this undertaking refers and certified under the Form of Certificate of Compliance (Design), or as subsequently issued to me and certified and submitted to the Building Control Authority, and such other documents relevant to compliance with the requirements of the Second Schedule to the Building Regulations as shall be retained by me as outlined in the Code of Practice for Inspecting and Certifying Buildings and Works.

4. Having regard to the Code of Practice for Inspecting and Certifying Buildings and Works, or equivalent, I further undertake to cooperate with the inspections set out in the inspection plan prepared by the Assigned Certifier and to take all reasonable steps so as to ensure that I shall certify that the works or building is in compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

Signature: __________________________ Date: ________________

(where the signatory is an employee) On behalf of: __________________________

Name: __________________________

Address: __________________________

Tel: __________________ Fax: ___________ Email: ___________

Construction Industry Register Ireland registration number (where applicable): ___________

---

**Article 20A(2)**

FORM OF 7 DAY NOTICE STATUTORY DECLARATION


7 Day Notice Statutory Declaration

OFFICIAL USE

Building Control Authority:
I / We
of

do solemnly and sincerely declare that I / we have made an application to the above
Building Control Authority for a Fire Safety Certificate in respect of works commencing
not less than 7 days from this date.

Description of works:

located at

pursuant to Article 12 of the Building Control Regulations 1997 to 2009 and I / we
solemnly declare that the application has been completed in full and complies in all
respects with the relevant provisions of the Building Control Regulations.

I / We further solemnly declare that any works that have commenced before the grant
of the Fire Safety Certificate will comply fully with the Building Regulations and I / we
will, within such period as may be specified by the Building Control Authority,
carry out any modification of such works that is required by or under the Fire Safety
Certificate, including any condition(s) attached to the Fire Safety Certificate when
granted by the Building Control Authority.

Signed:

Date:

Signed in the presence of Commissioner of Oaths:—

Name:

Address:

Signature:

Commissioner of Oaths

Warning: It is an offence for a person to knowingly or recklessly make a Statutory
Declaration that is false or misleading in a material respect.

Article 20A(2)
Application is hereby made under Part IIIA of the Building Control Regulations 1997 to 2009 for a Revised Fire Safety Certificate in respect of proposed works or building to which the accompanying plans, calculations and specifications apply.

Reason for Revised Fire Safety Certificate application:

Planning Permission Reference No.:

1. APPLICANT: Owner / Leaseholder (delete as appropriate)

FULL NAME:

ADDRESS:

SIGNATURE:

TELEPHONE No.: DATE:

Owner of works or building (if different to above):

NAME:

ADDRESS:

2. Name and address of person/s or firm/s to whom notifications should be forwarded (Owner/Leaseholder or Designer/Developer/Builder):

3. Name and address of person/s or firm/s responsible for preparation of accompanying plans, calculations and specifications.

4. Address (or other necessary identification) of the proposed works or building to which the application relates.

5. Description of changes to the proposed works or building from original application (i) arising from the granting of planning permission or (ii) from the Fire Safety Certificate granted.

<table>
<thead>
<tr>
<th>6. Site area</th>
<th>Original Application</th>
<th>Revised Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of basement storeys</td>
<td>1234 (sq. metres)</td>
<td>5678 (sq. metres)</td>
</tr>
<tr>
<td>Number of storeys above ground level</td>
<td>1234 (metres)</td>
<td>5678 (metres)</td>
</tr>
<tr>
<td>Height of top floor above ground level</td>
<td>1234 (metres)</td>
<td>5678 (metres)</td>
</tr>
<tr>
<td>Floor area of building</td>
<td>1234 (sq. metres)</td>
<td>5678 (sq. metres)</td>
</tr>
<tr>
<td>Total area of ground floor</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
7. Amount of Fee (accompanying this application) €

Revised set of working drawings must accompany this application.

Article 20C(2)

FORM OF APPLICATION FOR A REGULARISATION CERTIFICATE

Application for a Regularisation Certificate

OFFICIAL USE

Building Control Authority: ____________________________

Date Received ____________________________

Register Ref. ____________________________

Entered on ____________________________

Entered by ____________________________

Fee Received ____________________________

Application is hereby made under Part IIIA of the Building Control Regulations 1997 to 2009 for a Regularisation Certificate in respect of the works or building to which the accompanying drawings apply.

1. APPLICANT: Owner / Leaseholder (delete as appropriate)

FULL NAME: ____________________________

ADDRESS: ____________________________

SIGNATURE: ____________________________

TELEPHONE No.: ____________________________ DATE: ____________________________

Owner of works or building (if different to above): ____________________________

2. Location of works or building: ____________________________

3. Classification of works or building

<table>
<thead>
<tr>
<th>Construction of new building</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Material alteration</td>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>Material change of use</td>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>Extension to a building</td>
<td>YES</td>
<td>NO</td>
</tr>
</tbody>
</table>

4. Description of works or building:

5. Where a change of use applies:

(a) Existing use

(b) New use

6. Works involving the construction of a new building, or a building the material use of which is being changed—

(a) Number of basement storeys ____________________________

(b) Number of storeys above ground level ____________________________
<table>
<thead>
<tr>
<th><strong>7. Works involving an extension or the material alteration of a building:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Floor area of extension</td>
</tr>
<tr>
<td>Floor area of material alteration</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>8. Planning Permission for the works or building in question:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Planning Permission was granted:</td>
</tr>
<tr>
<td>Planning Reference No.:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>9. Date construction started:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of completion:</td>
</tr>
<tr>
<td>Is construction of the building completed?:</td>
</tr>
<tr>
<td>Is the building occupied or operational?:</td>
</tr>
<tr>
<td>Is the building still under construction?: 25% 50% 75%</td>
</tr>
<tr>
<td>Have any modifications to the original design been made during construction?:</td>
</tr>
<tr>
<td>If yes, was planning permission sought (if necessary) for the modifications?:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>10. Amount of Fee (accompanying this application) €</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Note:**

1. This Application Form for a Regularisation Certificate must be accompanied by a Statutory Declaration.

2. This Application Form must be accompanied by a complete and certified set of drawings for the works or building as commenced or constructed.

**FORM OF STATUTORY DECLARATION FOR A REGULARISATION CERTIFICATE**

**Building Control Acts 1990 and 2007**

**Regularisation Certificate Statutory Declaration**

<table>
<thead>
<tr>
<th>OFFICIAL USE</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Building Control Authority:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Register Ref.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>I/We</th>
</tr>
</thead>
</table>

| of |
do solemnly and sincerely declare that the drawings, documents and information supplied in relation to the attached application for a Regularisation Certificate for the building as constructed or in respect of works already carried out to date:

pursuant to article 20C of the Building Control Regulations 1997 to 2009 are true and accurate and that the works comply fully with Part B (Fire Safety) of the Second Schedule to the Building Regulations.

I/We solemnly declare to agree to inspection of the works/building by the Building Control Authority in carrying out its functions under the Act.

I/We solemnly declare to abide by any conditions, including conditions to carry out additional work considered appropriate by the Building Control Authority necessary to enable the Authority to issue a Regularisation Certificate.

I/We accept that where the conditions attached to the Regularisation Certificate are not fully complied with to the satisfaction of the Building Control Authority within a period of 4 months from the date of issue of the Regularisation Certificate, the Certificate shall not have effect.

Signed:

Date:

Signed in the presence of Commissioner of Oaths:--

Name:

Address:

Signature:

Commissioner of Oaths

Warning: It is an offence for a person to knowingly or recklessly make a Statutory Declaration that is false or misleading in a material respect.

[Article 20D(4)]

FORM OF APPLICATION FOR A DISABILITY ACCESS CERTIFICATE

Application for a Disability Access Certificate

OFFICIAL USE

Building Control Authority: ____________________________

Date Received: ____________
Register Ref.: ____________
Entered on: ____________
Entered by: ____________
Fee Received: ____________

Application is hereby made under Part IIIB of the Building Control Regulations 1997 to 2009 for a Disability Access Certificate in respect of the works or building to which the accompanying plans, calculations and specifications apply.
1. APPLICANT: Owner / Leaseholder (delete as appropriate)

FULL NAME:
ADDRESS:
SIGNATURE:
TELEPHONE NO.: DATE:

Owner of works or building (if different to above):
FULL NAME:
ADDRESS:

2. Name and address of person/s or firm/s to whom notifications should be forwarded (Owner/Leaseholder or Designer/Developer/Builder):

3. Name and address of person/s or firm/s responsible for preparation of accompanying plans, calculations and specifications:

4. Address (or other necessary identification) of the proposed works or building to which the application relates:

5. Classification of works or building:

<table>
<thead>
<tr>
<th>Description</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction of new building</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Material alteration</td>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>Material change of use</td>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>Extension to a building</td>
<td>YES</td>
<td>NO</td>
</tr>
</tbody>
</table>

Brief description of building:

6. Use of proposed works or building:
(a) Existing use (where a change is proposed)
(b) New use

7. Has planning permission been applied for and granted for works or building?:
(a) Date permission was granted
(b) Planning Permission No.

8. In the case of
(a) Works involving the construction of a building, or a building the material use of which is being changed —

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site area</td>
<td>(sq. metres)</td>
</tr>
<tr>
<td>Number of basement storeys</td>
<td></td>
</tr>
<tr>
<td>Number of storeys above ground level</td>
<td></td>
</tr>
<tr>
<td>Height of top floor above ground level</td>
<td>(metres)</td>
</tr>
<tr>
<td>Floor area of building</td>
<td>(sq. metres)</td>
</tr>
<tr>
<td>Total area of ground floor</td>
<td>(sq. metres)</td>
</tr>
</tbody>
</table>

(b) Works involving an extension or the material alteration of a building:
Floor area of building extension __________ (sq. metres)

Floor area of material alteration __________ (sq. metres)

9. Amount of Fee (accompanying this application) € __________

This Application Form must be accompanied by a complete and certified set of drawings for the works or building.

Article 20E(2)

FORM OF APPLICATION FOR A REVISED DISABILITY ACCESS CERTIFICATE


Application for a Revised Disability Access Certificate

OFFICIAL USE

Building Control Authority:

Date Received __________

Register Ref. __________

Entered on __________

Entered by __________

Fee Received __________

Application is hereby made under Part IIIB of the Building Control Regulations 1997 to 2009 for a Revised Disability Access Certificate in respect of proposed works or building to which the accompanying plans, calculations and specifications apply.

Original Disability Access Certificate application Reference No.:

Reason for Revised Disability Access Certificate application:

Planning Permission Reference No.:

1. APPLICANT: Owner / Leaseholder (delete as appropriate)

FULL NAME:

ADDRESS:

SIGNATURE:

TELEPHONE No.: DATE:

Owner of works or building (if different to above):

NAME:

ADDRESS:

2. Name and address of person/s or firm/s to whom notifications should be forwarded (Owner/Leaseholder or Designer/Developer/Builder):

3. Name and address of person/s or firm/s responsible for preparation of accompanying plans, calculations and specifications:

4. Address (or other necessary identification) of the proposed works or building to which the application relates:

5. Description of changes to the proposed works or building from original application:
6. Site area

<table>
<thead>
<tr>
<th>Original Application</th>
<th>Revised Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of basement storeys (sq. metres)</td>
<td>(sq. metres)</td>
</tr>
<tr>
<td>Number of storeys above ground level (metres)</td>
<td>(metres)</td>
</tr>
<tr>
<td>Height of top floor above ground level (metres)</td>
<td>(metres)</td>
</tr>
<tr>
<td>Floor area of building (sq. metres)</td>
<td>(sq. metres)</td>
</tr>
<tr>
<td>Total area of ground floor (sq. metres)</td>
<td>(sq. metres)</td>
</tr>
</tbody>
</table>

7. Amount of Fee (accompanying this application) € __________

Revised set of working drawings must accompany this application.

FOURTH SCHEDULE

FORM OF FIRE SAFETY CERTIFICATE

BUILDING CONTROL ACT, 1990

FIRE SAFETY CERTIFICATE

Reference No. in Register ____________________________

Name of Building Control Authority ________________________________

To

Address __________________________________________________________

Applications for a fire safety certificate (Ref No.) for _________________

at __________________________________________________________

_____________ hereby certify that the works or building to which the application relates, will, if constructed in accordance with the plans, calculations specifications and particulars submitted, comply with the requirements of Part B of the Second Schedule to the Building Regulations, 1997. In considering the application, no assessment has been made as to whether the works or building will comply with the other requirements of the Second Schedule to the Buildings Regulation, 1997. This certificate is granted subject to the following conditions—

_____________________________________________________________________________

_____________________________________________________________________________

Dated this __________ day of __________ 19 ______

Signed _____________________

County Secretary/Town Clerk 4
Directions for completing this form

1. Indicate nature of works or building to which application applies
2. Indicate address of works or building.
3. Insert name of building control authority.
4. Delete words which do not apply.

Article 208(6)

FORM OF REVISED FIRE SAFETY CERTIFICATE

Revised Fire Safety Certificate

OFFICIAL USE

Building Control Authority: __________________________

To. ____________________________________________ (Applicant)

Address ____________________________________________

____________________________________________________________________________

Application for a Revised Fire Safety Certificate (Ref. No. __________) for:
*(1) ____________________________________________
*(2) ____________________________________________
*(3) ____________________________________________

hereby certify that the works or building to which the application relates, will, if constructed
in accordance with the plans, calculations, specifications and particulars submitted, comply
with the requirements of Part B of the Second Schedule to the Building Regulations 1997 to
2008. In considering this application no assessment has been made to whether the works or
building will comply with the other requirements of the Second Schedule to the Building Regu-
lations 1997 to 2008. This certificate is granted subject to the following conditions—

____________________________________________________________________________

____________________________________________________________________________

____________________________________________________________________________

Dated this ___ day of __________ 20____

Signed _______________________________________

Senior Executive Officer / Town Clerk *(4)

Directions for completing this form:—
(1) Indicate nature of works or building to which the application applies.

(2) Indicate address of works or building.

(3) Indicate name of Building Control Authority.

(4) Delete words which do not apply.

Article 20C(7)

FORM OF REGULARISATION CERTIFICATE


Regularisation Certificate

OFFICIAL USE

Building Control Authority:

Register Ref. __________

To. _______________________________________________ (Applicant)

Address _____________________________________________________________

_____________________________________________________________

Application for a Regularisation Certificate (Ref. No. __________) for:

*(1) ________________________________________________________________

*(2) ________________________________________________________________

*(3) ________________________________________________________________

hereby certify that in its opinion, the works as constructed in accordance with plans, documents and information submitted, comply with the requirements of Part B of the Second Schedule to the Building Regulations 1997 to 2008. In considering the application, no assessment has been made as to whether the works or building will comply or is in compliance, as appropriate, with the other requirements of the Second Schedule to the Building Regulations 1997 to 2008. This certificate is granted subject to compliance with the following conditions: (if appropriate)

Dated this ___ day of __________ 20____

Signed _____________________________________

Senior Executive Officer / Town Clerk *(4)

_____________________________________________________________________________

Directions for completing this form:—

(1) Indicate nature of works or building to which the application applies.

(2) Indicate address of works or building.

(3) Indicate name of Building Control Authority.

(4) Delete words which do not apply.
FORM OF DISABILITY ACCESS CERTIFICATE

Disability Access Certificate

OFFICIAL USE

Building Control Authority:

Register Ref. __________

To. _______________________________________________ (Applicant)

Address _____________________________________________________________

_________________________________________________________________

Application for a Disability Access Certificate (Ref. No. __________) for:

*(1) ________________________________________________________________

*(2) ________________________________________________________________

*(3) ________________________________________________________________

hereby certify that the works or building to which the application relates, if constructed in accordance with the plans, calculations, specifications and particulars submitted, would comply with the requirements of Part M of the Second Schedule to the Building Regulations 1997 to 2008. In considering this application no assessment has been made as to whether the works or building would comply with the other requirements of the Second Schedule to the Building Regulations 1997 to 2008. This certificate is granted subject to the following conditions –

Dated this ___ day of __________ 20____

Signed _____________________________________

Senior Executive Officer / Town Clerk *(4)

_________________________________________________________________

Directions for completing this form:—

(1) Indicate nature of works or building to which the application applies.

(2) Indicate address of works or building.

(3) Indicate name of Building Control Authority.

(4) Delete words which do not apply.

Article 20E(5)
Revised Disability Access Certificate

OFFICIAL USE

Building Control Authority:

Register Ref. __________

To. _______________________________________________ (Applicant)

Address _____________________________________________________________

_____________________________________________________________

_____________________________________________________________

Application for a Revised Disability Access Certificate (Ref. No. __________) for:

*(1) ________________________________________________________________

*(2) ________________________________________________________________

*(3) ________________________________________________________________

hereby certify that the works or building to which the application relates, if constructed in accordance with the plans, calculations, specifications and particulars submitted, would comply with the requirements of Part M of the Second Schedule to the Building Regulations 1997 to 2008. In considering this application no assessment has been made as to whether the works or building would comply with the other requirements of the Second Schedule to the Building Regulations 1997 to 2008. This certificate is granted subject to the following conditions—

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

Dated this ___ day of __________ 20____

Signed _____________________________________

Senior Executive Officer / Town Clerk *(4)

Directions for completing this form:—

(1) Indicate nature of works or building to which the application applies.

(2) Indicate address of works or building.

(3) Indicate name of Building Control Authority.

(4) Delete words which do not apply. ]
Fees

Part A

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application for a relaxation or dispensation</td>
<td>Dwelling €125</td>
</tr>
<tr>
<td></td>
<td>Other Buildings €250</td>
</tr>
<tr>
<td>Commencement Notice</td>
<td>€30 or, where—</td>
</tr>
<tr>
<td></td>
<td>(a) the proposed works or the material change of use (as the case may be) relate to more than one building, and</td>
</tr>
<tr>
<td></td>
<td>(b) neither Part III, nor Part III of the Building Control Regulations 1991 and 1994, apply to such works or buildings,</td>
</tr>
<tr>
<td></td>
<td>€30 in respect of each building.</td>
</tr>
<tr>
<td>Application for Fire Safety Certificate or a revised Fire Safety Certificate in respect of</td>
<td></td>
</tr>
<tr>
<td>(a) work in connection with the construction or extension of a building</td>
<td>€125, or €2.90 for each square metre of floor area being provided, whichever is the greater.</td>
</tr>
<tr>
<td>(b) work in connection with—</td>
<td></td>
</tr>
<tr>
<td>(i) the material alteration of the interior of a building</td>
<td>€125, or €2.90 for each square metre of relevant floor area, whichever is the greater.</td>
</tr>
<tr>
<td>(ii) the material alteration of the external surfaces of a building</td>
<td>€125</td>
</tr>
<tr>
<td>(iii) a combination of (i) and (ii) above</td>
<td>€125, or €2.90 for each square metre of relevant floor area, whichever is the greater.</td>
</tr>
<tr>
<td>(c) a building in which a material change of use takes place</td>
<td>€125, or €2.90 for each square metre of relevant floor area, whichever is the greater.</td>
</tr>
<tr>
<td>(d) works or a building, where the building concerned will be used as an agricultural building</td>
<td>€65, or 80c for each square metre in excess of 300 square metres of—</td>
</tr>
<tr>
<td></td>
<td>(i) gross floor area being provided, or</td>
</tr>
<tr>
<td></td>
<td>(ii) relevant floor area</td>
</tr>
<tr>
<td></td>
<td>as the case may be, whichever is the greater.</td>
</tr>
<tr>
<td>Submission of a 7 Day Notice in respect of</td>
<td></td>
</tr>
<tr>
<td>(a) work in connection with the construction or extension of a building</td>
<td>€250, or €5.80 for each square metre of floor area being provided, whichever is the greater.</td>
</tr>
<tr>
<td>(b) work in connection with—</td>
<td></td>
</tr>
<tr>
<td>(i) the material alteration of the interior of a building</td>
<td>€250, or €5.80 for each square metre of relevant floor area, whichever is the greater.</td>
</tr>
<tr>
<td>(ii) the material alteration of the external surfaces of a building</td>
<td>€250</td>
</tr>
<tr>
<td>(iii) a combination of (i) and (ii) above</td>
<td>€250, or €5.80 for each square metre of relevant floor area, whichever is the greater.</td>
</tr>
<tr>
<td>(c) a building in which a material change of use takes place</td>
<td>€250, or €5.80 for each square metre of relevant floor area, whichever is the greater.</td>
</tr>
<tr>
<td>(d) works or a building, where the building concerned will be used as an agricultural building</td>
<td>€130, or €1.60 for each square metre in excess of 300 square metres of—</td>
</tr>
<tr>
<td></td>
<td>(i) gross floor area being provided, or</td>
</tr>
</tbody>
</table>
Application for a Regularisation Certificate in respect of

(a) work in connection with the construction or extension of a building
(b) work in connection with—
   (i) the material alteration of the interior of a building
   (ii) the material alteration of the external surfaces of a building
   (iii) a combination of (i) and (ii) above
(c) a building in which a material change of use takes place
(d) works or a building, where the building concerned will be used as an agricultural building

€500, or €11.60 for each square metre of relevant floor area, whichever is the greater.

Disability Access Certificate or Revised Disability Access Certificate

[€800 per building, or €500 per building where the application is made prior to commencement and coincides with an application for a fire safety certificate, where relevant]

Appeal

€250

Copy of a document specified in article 23(3)(a), (b) or (c)

€12.50

PART B

Maximum and Minimum Fees

1. The maximum fee payable to a building control authority shall be—

(a) €3,800 in respect of the submission of a commencement notice,

(b) €12,500 in respect of an application for a fire safety certificate or a revised fire safety certificate,

(c) €25,000 in respect of the submission of a 7 day notice,

(d) €50,000 in respect of an application for a regularisation certificate, and

(e) €800 in respect of an application for a disability access certificate or a revised disability access certificate.

2. Where a building control authority makes a refund in respect of the submission of a commencement notice or an application for a fire safety certificate or a revised fire safety certificate, the submission of a 7 day notice, a regularisation certificate, a disability access certificate or a revised disability access certificate, the refund shall not be such as to reduce the balance of the fee to less than—

(a) €30 in the case of a commencement notice, or
(b) €125 in respect of an application for a fire safety certificate or revised fire safety certificate,

(c) €250 in respect of the submission of a 7 day notice,

(d) €500 in respect of a regularisation certificate,

(e) [€500] in respect of a disability access certificate or a revised disability access certificate.

[SIXTH SCHEDULE

CERTIFICATE OF COMPLIANCE ON COMPLETION

(Article 20F)
ANNEX

Table of Plans, Calculations, Specifications, Ancillary Certificates and Particulars used for the purpose of construction and demonstrating compliance with the requirements of the Second Schedule to the Building Regulations and showing, in particular how the completed building or works differ from the design submitted to the Building Control Authority prior to construction.
(Details of relevant plans, etc. may be listed below and attached hereto)