

**CIF**

**Western & Midland Region**



# Overview of Building Control Regulations

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# Building Control Acts

## Building Regulations

## Building Control Regulations

### Technical Guidance Documents

- Commencement Notices
- Fire Safety Certificates
- Disability Access Certs
- 7-day notices
- **Lodgement of Plans**
- **Design Certificate**
- **Notices of Assignment**
- **Undertaking Certificates**
- **Completion Certificate**
- **Validation by BCA**
- **Inspection Plan**
- **Public Register**



## Code of Practice

# Building Control Regulations

Section 6 of the Act:

*Provides for matters of procedure, administration and control, in order to secure the implementation of and compliance with the requirements of the building regulations.*

# Building Control (Amendment) Regulations 2014



STATUTORY INSTRUMENTS.

**S.I. No. 9 of 2014**

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BUILDING CONTROL (AMENDMENT) REGULATIONS 2014

# Building Control Regulations

## - Key Elements



- a) Commencement Notices
- b) Fire Safety Certificates
- c) Disability Access Certificates
- d) Design Certificates
- e) Notices of Assignment by owner of Assigned Certifier and Builder
- f) Certificates of Undertaking by Assigned Certifier and Builder
- g) Completion Certificates
- h) Inspection Plans
- i) Public Register of Notices and Certificates

# Owner Responsibilities

- 1) Sign the commencement notice
- 2) Must appoint a competent builder to undertake the works and certify on completion
- 3) Must appoint a competent registered professional (assigned certifier) to inspect and certify on completion

# Building Control (Amendment) Regulations



**1. Statutory  
Certification**

**3. Mandatory  
Inspection**

**2. Lodgement  
of Plans**

**4. Validation**

# Certification





# 1. Statutory Certification

## Statutory Certificates of Compliance:

- a) **Design Certificate** at Commencement
- b) Certificate of **Undertaking to inspect and certify the work** – assigned certifier
- c) Certificate of **Undertaking by builder**
- d) **Completion Certificate**



# Who can sign the Design Certificate or as Assigned Certifier



- (1) **Architects** on register pursuant to Part 3 of the Building Control Act 2007 or
- (2) **Building Surveyors** on register pursuant to Part 3 of the Building Control Act 2007 or
- (3) **Chartered Engineers** on register pursuant to Section 7 of the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969. and

**Competent:** The regulations specifically require the Assigned Certifier to be competent to inspect and certify the works

# Code of Practice for Inspecting & Certifying

Code of Practice

for

Inspecting and Certifying  
Buildings and Works

**Building Control  
Regulations 2014**

February, 2014



**Comhshaol, Pobal agus Rialtas Áitiúil**  
Environment, Community and Local Government



# Status and Purpose of Code

- 1) It is a statutory Code published by the Minister under Article 20 of the Building Control Regulations.
- 2) The purpose of the code is to provide guidance with respect to inspecting and certifying building works for compliance with the requirements of the Building Regulations.**
- 3) Compliance with the Code shall, prima facie, indicate compliance with the relevant requirements of the Building Control (Amendment) Regulations 2014.
- 4) The use of alternative suitable frameworks or approaches to the Code is permitted.

# Stages:

1. Commencement
2. During Construction
3. Completion

# Commencement Stage



# Commencement Notice with:

- a) **General Arrangement Plans**, schedule of other plans, online assessment etc.
- b) **Preliminary Inspection Plan**
- c) **Certificate of Compliance (Design)**
- d) **Notice of Assignment of person to inspect and certify works** - signed by building owner
- e) **Certificate of Undertaking** from the “assigned certifier” to inspect and certify works
- f) **Notice of Assignment of builder**
- g) **Certificate of Undertaking from the builder**
- h) **Fee**

# Lodgement of Plans

- a) General Arrangement Drawings** – plans, sections and elevations;
- b) Schedule of Plans**, calculations, specifications and particulars as are currently designed or as are to be prepared,
- c) Completion an Online Assessment** regarding compliance with the Building Regulations,
- d) Preliminary Inspection Plan**



# Building Control Management System

- Commencement notices and plans are submitted on a national online application

## Building Control Management System

BCMS home	My BCMS Account	My Forms	New Applications		
Project Details <input checked="" type="checkbox"/>	-	Nominate Roles <input type="checkbox"/>	Project Particulars <input type="checkbox"/>	Documentation <input type="checkbox"/>	Payment <input type="checkbox"/>
<p><a href="#">Edit Details</a></p> <p>Form ID: 12345 Form Type: Commencement Notice Form Status: In Progress Project Details Description of proposed development: Details here Planning permission number: 12334 .... More details</p>					

# Design Certificate



- a) The Design Certifier signs the Certificate of Compliance (Design) that is lodged with the Commencement Notice and ensures that any necessary Ancillary Certificates are provided.
  
- b) The Design Certifier is responsible for co-ordinating and compiling of the plans, specifications and documents that are lodged to which the certificate relates.

# Design Certificate



4. *“I confirm that the plans ... and ancillary certificates ... have been **prepared with reasonable skill, care and diligence** by me, and other members of the owner’s design team ... to demonstrate compliance with requirements of the ... Building Regulations ...”*
5. *“**I certify**, having exercised reasonable skill, care and diligence, that, having regard to the plans, specifications ... which have been prepared by me and others and **having relied on ancillary certificates ... the proposed design** for the works or building **is in compliance with the requirements of ... the Building Regulations** insofar as they apply to the building or works concerned.”*

# Undertaking by Assigned Certifier



## Undertaking to Inspect and Certify

*“In accordance with the Code of Practice for Inspecting and Certifying Building or Works, or equivalent, **I undertake to use reasonable skill, care and diligence, to inspect the 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 Building Regulations insofar as they apply to the building or works ...**”*

# Undertaking by Builder



## Undertaking by Builder

3. *“ I undertake to construct the building or works in accordance with the plans, specifications and particulars as certified under ... Certificate of Compliance (Design)..*
4. *Having regard to the Code of Practice ... I further undertake to cooperate with the inspections set out in the inspection plan .. and to take all reasonable steps to ensure that I shall certify that the building or works is in compliance ...”*

# What buildings or works require certification etc.



- 1) Buildings and works that require a fire safety certificate
- 2) New Dwellings – houses and apartments\*
- 3) Extensions to dwellings with a floor area greater than 40 square metre\*

**\* NB: There is an opt out option for single one off houses and for house extensions.**

# Opt out for one off houses and house extensions



- a) Under S.I. No. 365 of 2015 a home owner may opt out of statutory certification
- b) Declaration of Intention to Opt out of Statutory Certification must be signed by home owner
- c) Statutory Certificates, appointment of assigned certifier, and inspection plan – are **not** required
- d) Commencement notice, lodgement of plans, and notice of appointment of builder etc. are required.

# Construction Stage





# During Construction

## Builder

- a) Constructs in accordance with the plans and specifications
- b) Reliant on the plans and specifications constructs in accordance with the building regulations
- c) Co-operates with the Assigned Certifier for the implementation of the site inspection plan
- d) Ensures that any design carried by them or their sub-contractors is certified and made available

# During Construction

## Assigned Certifier;

- a) Prepares and implements **Inspection Plan**
  - includes **Inspection Notification Framework**
- b) Inspects and co-ordinates the inspection by others
- c) Follows up on non-compliance issues
- d) Keeps and maintains site inspection records
- e) Duty to respond to building control authority in relation to information requests

# Inspection

1. The Assigned Certifier inspects and co-ordinates the inspections by others.
2. Inspection Approach
  - Inspection Plan
    - Inspection Notification Framework
  - Records of site inspection

# Inspection plan



- a) The Assigned Certifiers should adopt an appropriate Inspection Plan which takes full account of relevant factors for the building work concerned.
- b) Relevant factors should be assessed at the outset and regularly reviewed so that effective control is maintained for the duration of each project.
- c) Adequate site inspections should be carried out and records kept to demonstrate the application of reasonable skill and care.

# Inspection Notification Framework



# Inspection Notification Framework (INF)



- a) The Assigned Certifier should agree with the Building Owner and Builder an INF,
- b) The INF should take account of the building works involved and other factors.
- c) The INF should identify generally the stages or items of work the individual certifiers wish to be notified of, as and when they are ready for inspection.

# Completion Stage



# Completion Stage – to be submitted



- 1) Certificate of Compliance on Completion**
- 2) Plans**, calculations, specifications and particulars for any amendments from those submitted at commencement
- 3) Inspection Plan** that was implemented



# Completion Certificate

- a) The Builder and the Assigned Certifier sign the Certificate of Compliance on Completion;
- b) Supported by Ancillary Certificates from other members of the design team and certificates from specialist sub-contractors.



# Completion Certificate

## Part A



### Part A – Certificate signed by Builder

3. ***“I certify, having exercised reasonable skill, care and diligence, that the building or works as completed has been constructed in accordance with the plans, specifications, ... and such other documents relevant to compliance with the requirements of ... the Building Regulations ...”***
4. ***“Reliant on the foregoing, I certify that the works are in compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.”***

# Completion Certificate Part B



## Part B – Certificate signed by Assigned Certifier

7. *“I now confirm that the inspection plan, drawn up having regard to the Code of Practice for Inspecting and Certifying Buildings and Works, or equivalent, **has been undertaken** by the undersigned having exercised reasonable skill, care and diligence, and by others nominated therein, as appropriate, on the basis that all have exercised reasonable skill, care and diligence in certifying their work in the ancillary certificates scheduled.*
  
8. *“Based on the above, and relying on the ancillary certificates scheduled, **I now certify**, having exercised reasonable skill, care and diligence, that the building or works is in compliance with the requirements of the Second Schedule of the Building Regulations, insofar as they apply to the building or works concerned.”*

# Completion Stage – Validation by Building Control Authority



- 1) Checking that the Certificate is properly completed and signed by the appropriate persons i.e. the Assigned Certifier & the Builder.
- 2) Checking that there are no unresolved, requests for information, enforcement notices or other statutory notices.

## **Note:**

It is not appropriate for the building control authority to commence a technical assessment at this stage.

# Completion Stage – Validation by Building Control Authority (cont.)



- a) Accepts the completion certificate as valid and places on public register, and/or
- b) Requests additional information/documentation, or
- c) Rejects and returns the certificate and documentation if invalid

Period for information requests/rejecting is 21 days

## Occupation of Building

The certificate must be submitted, validated and placed on register before a building may be opened, used or occupied.

# Building Control Management System Public Register



The Public Register will be maintained on the Building Control Management System

- Commencement notices
- Certificates, in particular the Design Certificate and the Completion Certificate
- Plans lodged
- Fire Safety Certificates
- Disability Access Certificates
- Etc.

# Building Control (Amendment) Regulations 2014 - Summary



**1. Statutory Certification**

**3. Mandatory Inspection**

**2. Lodgement of Plans**

**4. Validation**



# Thank You

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