

Building Control Amendment Regulations (BCAR) 2014

The Building Control (Amendment) Regulations (BC(A)R) applies to most building works (including new houses, housing and apartments, house extensions over 40m², schools, factories, offices, shops, hospitals and other government investment projects) from 1st March 2014.

While the building regulations themselves have not changed, the way in which compliance with the regulations is controlled will change. This new system extends the level of self-certification involved in the building process. Building owners must now engage a registered architect, a registered building surveyor or a chartered engineer to act as an assigned certifier on most building projects. The building owner is also obliged to appoint a competent builder.

A 'design certifier' for the plans and 'assigned certifier' for the build itself are elected from a small pool of qualified individuals. This individual must sign off on the building start to finish at pre-ordained stages on an inspection plan to ensure it complies with building regulations.

A competent builder must also be elected for the project and named on the paperwork. This does not mean that a suitable member of the public cannot act as their own contractor if they have the relevant experience. Individuals who can act as assigned certifiers include architects registered with the Royal Institute of Architects of Ireland (RIAI), a chartered building surveyor, or a chartered engineer.

The local Building Control Authority (BCA) must receive a pre-construction document outlining not just the commencement of the build or extension but a whole range of design and technical detail, including the name of the assigned certifier, and their undertaking to inspect the works and co-ordinate with others to do so in regular stages. The Certificate of Completion, signed off by the builder and assigned certifier must show that the work has been completed to regulation standards with 'reasonable skill and care'. Until the BCA office at the local authority receives this final document, the house or extension cannot be used or occupied.

What will it cost the client/home owner?

It has been claimed that the cost of the new building controls could add as much as 13%-15% to a typical 'self-build' budget.

Guide to the Building Control (Amendment) Regulations 2014

The Building Control (Amendment) Regulations 2014 take effect from 1st March 2014. Please see Guide to the Building Control (Amendment) Regulations 2014

(attached) which outlines the statutory and regulatory requirements and obligations relating to starting, certifying, completing and registering a building.

An online system (BCMS) for lodging commencement notices and 7 Day Notices and complying with the various new requirements is available at www.localgov.ie (View a PDF guide on how to use the BCMS) (attached).

The owner of a new build is strongly advised to use the online service to save time and money and avoid delays in the various stages of constructing and completing your development.

In the event however that he/she does not wish to use the online system please be advised that additional fees (attached) for document management and processing will apply.

The Department of the Environment, Community & Local Government has also published a Code of Practice (attached) in order to provide guidance to relevant professionals with respect to inspecting and certifying works on a building, for compliance with the Building Control Regulations 2014.

Applicants should ensure that their Design Certifier and Assigned Certifier is either one or a combination of the following;

- A Chartered Engineer
- A Registered Architect
- A Registered Building Surveyor

The related professional registers for the Engineers Ireland, the Royal Institute of Architects of Ireland and Society of Chartered Surveyors of Ireland are available online. The new regulations do not alter the fact that the primary responsibility for

compliance with the Building Regulations rests with designers, builders and building owners.