

# Overview of Regulations for an Average Dwelling under SI9 2014

This is an RIAI architect's view of what is needed for a typical dwellings construction under SI9 2014, as advice for a Client (Building Owner). Now more than ever the building of a dwelling is a team effort where various professionals must work together to achieve compliance.

The Safety, Health and Welfare at work (Construction) Regulations 2013 came into effect on the 1st of August 2013 (in Magenta).  
The Building Control (Amendment) Regulations 2014 came into effect from 1st March 2014m (in Blue).  
all building types, except for extensions to domestic dwellings of less than 40m<sup>2</sup>, are included in the BC(A)R 2014, and may only be certified by a Registered Architect, Chartered Engineer and Chartered Building Surveyor. SI 365 2015 is another option.

Building Owners Responsibility highlighted in GREEN BOX dashed line means OPTIONAL

General notes in black



V3.5 12th of Sept 2015

## Sequence of Build

<b>Design stage</b>	<p><b>Nominate the building designer</b> Anybody can lodge a planning application. I would advise to get a registered architect.</p>	<p><b>Nominate a Project Supervisor Design Process (PSDP)</b> A PSDP is a person who coordinates the design safety aspect of your project. This can be the client, the lead designer or another person where competent to do so. (This can be an architect)</p>	<p><b>Nominate the Design Certifier</b> a competent professional, Architect, Engineer or Building Surveyor, who will compile particulars to be lodged at commencement and to which the Design Certificate relates. (Ideally this should be an architect)</p>	<p><b>Client to submit Approved Form (AF 1)</b> Particulars to be notified by the Client to the Health and Safety Authority before the design process begins. (The PSDP can help with this)</p>	<p><b>Nominate BER professional</b> to do Preliminary BER calculations and after build the BER Certificate.</p>	<p><b>Nominate a Quantity surveyor</b> to prepare preliminary costing. QS to keep an eye on costing. (optional, but advised)</p>	<p><b>Nominate any other specialists</b> to do specialist work as required. e.g. soil tester if new waste disposal is needed. Etc...</p>
<b>Permission Stage</b>	<p><b>Building Designer</b> collate information for the planning application submit planning application to the local authority.</p>	<p><b>PSDP</b> to help collate information for the planning application.</p>	<p><b>Design Certifier</b> to help collate information for the planning application.</p>				
<b>Tender stage</b>	<p><b>Building Designer</b> Tender for build, tender documents to be prepared to allow for a competitive tender to be asked for. With the help of the QS, design certifier &amp; engineer.</p>	<p><b>Design Certifier</b> to do working drawings to show compliance with the Building regulations and show how the dwelling will be constructed.</p>	<p><b>Nominate a Structural Engineer</b> to do structural calculations of various construction elements an architect can advise who to get. The engineer would be an ancillary certifier. (optional, but advised)</p>				
<b>Pre Commencement Notice stage</b>	<p>After negotiation of tender costs. <b>Nominate the Building Contractor</b> a competent professional. Builders included on the Construction Industry Register Ireland (CIRI) or equivalent may be regarded as competent for projects consistent with their registration profile. CIRI registration is a must from March 2015.</p>	<p><b>Nominate the Assigned Certifier</b> a competent professional, Registered Architect, Chartered Engineer or Chartered Building Surveyor, who will inspect the building works during Construction and provide a certificate of compliance on completion. (This can be the architect as well)</p>	<p><b>Nominate a Project Supervisor Construction Stage (PSCS)</b> A PSCS is a person who coordinates the construction safety aspect of your project. This can be the client, the main contractor or another contractor where competent to do so. (This is usually the General Contractor)</p>				
<b>Commencement Notice stage</b>	<p><b>Client to see that</b> Lodgment of Notices of assignment with Details of who the 1 design certifier, 2 assigned certifier and 3 builder is, is carried out by AC.</p>	<p><b>The Design Certifier</b> provides the Assigned Certifier with the necessary plans, specifications and documentation that is required for lodgment at commencement stage. Lodge Design Certificate, Form of Certificate of Compliance (Design).</p>	<p><b>The Assigned Certifier</b> Lodges "Undertaking by Assigned Certifier form of Certificate Of Compliance" and before the commencement of work on site, agrees with the Building Owner and Builder an Inspection Notification Framework (INF), taking account of the building works involved and other factors.</p>	<p><b>The Building Contractor</b> Signs "Undertaking by Builder form of Certificate of Compliance" AC to lodge.  <b>Note:</b> RIAI Architect/AC can help with all form filling that needs to be done.</p>	<p><b>Comply with Planning clarifications and conditions where possible.</b> Pay planning contributions.</p>	<p><b>PSCS to submit Approved Form (AF2)</b> Particulars to be notified to the Health and Safety Authority before the construction work begins.</p>	
<b>Construction stages</b>	<p><b>Design Certifier</b> arrange to provide sufficient information to the Assigned Certifier to enable them to fulfil their role. As agreed with the Assigned Certifier, carry out work inspections which are pertinent to their elements of the Design, and liaise with the Assigned Certifier in terms of this and the required ancillary certification.</p>	<p><b>Assigned Certifier</b> to oversee build in accordance with documents lodged keep track of ancillary certifiers as part of the Inspection plan and follow the lodged INF plan.</p>	<p><b>Building Contractor</b> to build in accordance with commencement documents lodged keep track of ancillary certifiers.</p>	<p><b>Various Ancillary Certifiers</b> to do their work in line with the Building regulations. Furnish Ancillary Certificates as works are finished.</p>	<p><b>Building Control Authority</b> It is expected that Building Control Authorities will undertake an appropriate level of assessment and inspection informed by the risk analysis of commencement notices submitted via the Building Control Management System, thereby ensuring that available inspection resources are targeted towards projects carrying the greatest risks. Inspections by Building Control Authorities are undertaken in the interests of public safety and law enforcement. This does not relieve building owners, builders, designers or assigned certifiers of their statutory obligations to build and construct in compliance with the requirements of the Building Regulations and to demonstrate through inspection, certification and lodgement of documentation how compliance has been achieved in practice.</p>		
<b>Completion stage</b>	<p><b>Assigned Certifier</b> At completion stage, the Assigned Certifier is required to submit the following to the Building Control Authority: A Certificate of Compliance on Completion signed by the Builder (at Part A) and by the Assigned Certifier (at Part B). Note: These documents can be sent in 3 to 5 weeks in advance of completion and I would advise to do so.</p>	<p><b>Building Contractor</b> A Certificate of Compliance on Completion signed by the Builder (at Part A). <b>The PSDP</b> prepare and handover Safety File to clients.</p>	<p><b>Various Ancillary Certifiers</b> to submit their certification in line with the Building regulations for their work done.</p>	<p><b>Building Control Authority</b> The Certificate of Compliance on Completion must be validated and registered by the Building Control Authority before the building it relates to may be opened, used or occupied. If rejected by Building Control Authority within 21 days, the certificate is not valid.</p>			
<b>After Completion stage</b>	<p><b>Assigned Certifier &amp; Builder</b> Arrangements should be put in place by the Assigned Certifier and the Builder to ensure that records relating to the full service they provided to individual projects are retained for a minimum period of 6 years after completion. This should include ancillary certificates, plans, calculations, specifications, documents and records of inspection. A significant amount of these records may form part of the Safety File provided for under the Safety, Health and Welfare at Work (Construction) Regulations 2013, in which case these records do not need to be retained separately. Arrangements should be made by all relevant parties for their transfer into safe keeping in the event of the holder of any relevant records ceasing to trade.</p>	<p><b>Building Owner</b> must obtain a BER before a new building is occupied for the first time regardless of whether it is offered for sale or rent.</p>	<p><b>Building Control Authority</b> Where the Building Control Authority is satisfied that all requirements in relation to the submission of documentation have been met and where a valid Certificate of Compliance on Completion (that is consistent with the project described in the relevant commencement notice and the documentation submitted 3 to 5 weeks earlier and signed by appropriate persons notified as having been assigned to act as Builder and Assigned Certifier) is presented no later than one working day prior to the nominated date, the Certificate of Compliance on Completion will be included on the statutory register on the nominated date.</p>				

### Building Owner's Role

The Building Owner is ultimately responsible for ensuring that buildings or works are carried out in accordance with the requirements of the Building Regulations under both SI9 2014 and SI365 2015. In relation to the Design and Construction of buildings, the Building Owner should ensure that they appoint a competent Builder and competent registered professionals to act as Designer and as Assigned Certifier.  
Ensure that adequate resources and competent persons are made available to design, construct, inspect and certify the building works and maintain records.

- Based on > Many years of practical experience designing and supervising Home building.
- > The Code of Practice for Inspecting and Certifying Buildings and Works Building Control Regulations 2014 February
- > Statutory Instruments S.I. No. 9 of 2014
- > Building Control Regulations 1997 to 2014
- > Guide for Homeowners New responsibilities for homeowners under Safety, Health and Welfare at Work (Construction) Regulations 2013



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Winkens Architecture are delighted to provide the services of the Dwelling designer. We would be happy to provide the services of PSDP, 'Design Certifier' and 'Assigned Certifier' for projects on which we are involved from the beginning.

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