



AN BILLE UM RIALÚ FOIRGNÍOCHTA 2005
BUILDING CONTROL BILL 2005

*Mar a tionscnaíodh
As initiated*

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Provisions for Fire Safety Certificates

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Topics

- Context of provisions of Bill
- 7 Day Notices
- 7 Day Notice Statutory Declarations
- Revised FSC's
- Regularisation Certificates
- Stay on Opening / Operating / Occupation in absence of FSC
- Increased Penalties
- Extended powers of enforcement

Context

- Shortcomings in operation of BCA '90 and BCR '97
- Uncertainty of status of works started / completed without Fire Safety Certificate
- Status of design variations
- Limitations on enforcement by BCA
- Bill provisions are enabling measures – Regulations to follow

7 Day Notice

- May be served on BCA re works requiring Fire Safety Certificate where Fire Safety Certificate has not been granted
- To be accompanied by
 - Fire Safety Certificate Application
 - Statutory Declaration (see next slide)

Statutory Declarations

- To accompany 7 Day Notice
- To warrant completeness of Fire Safety Certificate
- To warrant compliance of works done pre-grant of Fire Safety Certificate

Revised Fire Safety Certificates

To regularise compliance of

- Design revisions arising on foot of Planning Permission
- Significant design revisions made for any other reason

Regularisation Certificates

- To certify works commenced / completed without Fire Safety Certificate
- Application to include “Certificate of Compliance”
- BCA may impose conditions on grant of RC, to be met within 4 months
- BCA may inspect works when assessing RC applications

Stay on Opening / Operating / Occupation

- Building not to be opened / operated / occupied in absence of FSC or revised FSC
- Significant provision if embodied in revised regulations

Enforcement

- Increased penalties
- Significant extension of BCA powers of prosecution

Summary 1

New forms of Fire Safety Certificate on foot of

- 7 Day Notice and associated Statutory Declaration
- Application for revised Fire Safety Certificate
- Application for Regularisation Certificate

Summary 2

- Increased penalties and legal powers for BCA's
- Introduction of provisions subject to
 - enactment of Bill
 - making of relevant Regulations