



**NOTE ON EXTENSION OF MEASURES INTRODUCED
DURING THE COVID 19 EMERGENCY TO 9 JUNE 2021**

1. General

Having regard to these exceptional and unprecedented times of crisis as a result of the Covid-19 pandemic, the Minister for Housing, Local Government and Heritage made the following regulations and order;

- Building Control Regulations 2020, S.I. No. 113 of 2020; and
- Building Control Act 1990 (Section 5) Order 2020, S.I. No. 112 of 2020.

They are intended to support the timely delivery of certain classes of buildings (Schedule 1 buildings) related to Covid-19 by reducing the administrative processes and requirements that could create potential time delays, while maintaining appropriate and reasonable building standards to secure the health, safety and welfare of people in and around buildings.

2. Building Control Regulations 2020, (S.I. No. 113 of 2020)

The Building Control Regulations 2020, (S.I. No. 113 of 2020) temporarily dis-apply certain provisions of the Building Control Regulations 1997 (S.I. No. 496 of 1997) in relation to works or a material change of use to a Schedule 1 building that are being carried out in response to Covid-19 and replace them with a streamlined notification process.



3. Building Control Act 1990 (Section 5) Order 2020, (S.I. No. 112 of 2020)

The Building Control Act 1990 (Section 5) Order 2020, (S.I. No. 112 of 2020) provides, for a limited period, a temporary dispensation, for State authorities, from the requirements of Part L 'Conservation of Fuel and Energy' of the Second Schedule to the Building Regulations, for a Schedule 1 building.

4. Duration and Operation 'relevant period'

The duration of the operation of both the regulations and order, was linked to the operation of Part 3 of *the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020*. This had been due to expire on 9th day of November 2020, unless extended by resolution of both Houses of the Oireachtas, pursuant to Section 2(3) (b) of that Act.

Please note that, on the 22 October 2020, a resolution was passed by both Houses of the Oireachtas, resolving that Part 3 of *the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020* shall continue in operation, for the period beginning on the 9th day of November, 2020 and ending on the 9th day of June, 2021.

On this basis, the two above-mentioned Building Control regulations and order shall also not expire on the 9th of November 2020, but rather 'relevant period' shall continue in operation for the period beginning on the 9th day of November, 2020 and ending on the 9th day of June, 2021, for works or a material change of use relating to a Schedule 1 building.



5. Key points to note

- Proposed works, or a material change of use, pursuant to Article 3(1) (a) and (b) of S.I. 113 of 2020 may continue to apply the '*works (Covid-19 crisis) notice*', provided that the works are carried out and completed during the relevant period,
- The application of Article 20C (Regularisation Certificates) of the Building Control Regulations 1997 – 2020, to relevant works, i.e. the requirement to obtain a Regularisation Certificate, have now been extended to 12 months from 9th June 2021,
- Similarly, the requirement to comply with the provisions of Part L of the Second Schedule to the Building Regulations have now been extended to 24 months from 9th June 2021,
- Works which cannot be carried out and completed during the relevant period, or works which do not relate to a building of a class specified in Schedule 1 should apply the 'normal' processes as required under the Building Control Regulations.
- A date of commencement of the works should be included in the development description on the '*works (Covid-19 crisis) notice*'.

It is important to note that irrespective of the application of the '*works (Covid-19 crisis) notice*', the Building Regulations (Parts A – M, excluding Part L as referred to above) relevant to the works, must still be complied with.

22 December 2020