

Commencement Notice
&
7 day Notice

Commencement Notice & 7 day Notice

- Commencement notice with out documentation
- Commencement Notice with documentation
- Comemencement notice Opt out
- 7 Day Notice

- Article 7 Application of Part II of the Building Control Regulations
 - 7. (1) Subject to sub-article (2) and articles 3 and 6, this Part applies to—
 - (a) the erection of a building,
 - (b) the material alteration or extension of a building, and
 - (c) a material change of use of a building,
to which the Building Regulations apply.
- 2(a) A commencement notice is not required where the works or building is exempted from the Planning and Development act subject to those works or building not requiring a FSC

Article 8-Obligation to give notice.

A person who intends to carry out any works shall give, to the building control authority notice in writing of such intention (in these Regulations referred to as a “commencement notice”) not less than fourteen days and not more than twenty-eight days before the commencement of the works

Article 8A-Exception to obligation to give notice

A commencement notice under article 8 shall not be required in respect of works or a building in respect of which a 7 day notice is required under article 20A(1)

Commencement Notice & 7 day Notice

- Article 9 - Form of Commencement Notice

9. (1) A commencement notice shall be—

- (a) filed electronically on the Building Control Management System or set out in the form for that purpose included in the Second Schedule, and
- (b) subject to *paragraph (2)*, accompanied by—
 - (i) such plans, calculations, specifications and particulars....
 - (ii) certificates and notices in the appropriate forms set out in the Second Schedule

(2) Subject to *paragraph (5)*, the requirements of *paragraph (1)(b)* shall apply to the following works and buildings—

(a) the design and construction of a new dwelling,

(b) an extension to a dwelling involving a total floor area greater than 40 square metres,

(c) works to which *Part III* applies.

Documents which are required to be lodged with a Commencement notice, as per 1(b)

- General arrangement drawings including plans, sections and elevations
- A schedule of such plans, calculations, specifications and particulars as are currently designed or as are to be prepared at a later date
- The completion of an online assessment, via the BCMS, of the proposed approach to compliance with the requirements of the Second Schedule to the Building Regulations,
- The preliminary Inspection Plan prepared by the Assigned Certifier,

The Certificates and Notices which are required to be lodged with a commencement notice as per 1(b)

- (I) a Certificate of Compliance (Design),
- (II) a Notice of Assignment of Person to Inspect and Certify Works (Assigned Certifier),
- (III) a Certificate of Compliance (Undertaking by Assigned Certifier),
- (IV) a Notice of Assignment of Builder,
- (V) a Certificate of Compliance (Undertaking by Builder).

The forms are set out in the Second Schedule to the Building Control Regulations and can not be altered

Commencement Notice & 7 day Notice

A Commencement Notice Opt Out

Requires a Declaration of Intention to Opt Out of Statutory Certification.

Requires a Notice of Assignment of Builder

No requirement to lodge a preliminary inspection plan

No requirement for a Certificate of Compliance (Design),

No requirement for a Notice of Assignment of Person to Inspect and Certify Works (Assigned Certifier),

No requirement for a Certificate of Compliance (Undertaking by Assigned Certifier),

No requirement for a Certificate of Compliance (undertaking by Builder)

Commencement Notice & 7 day Notice

A Commencement Notice without documentation

Required where the Building Regulations are applicable and the works are other than a new dwelling, or a domestic extension over 40m² or where a FSC is required.

No requirement to complete an online assessment on the BCMS

Example,

- 1) Single storey Agricultural building over 300m²
- 2) Single storey domestic garage
- 3) Extension to a dwelling which is under 40m² but does require planning permission

Commencement Notice & 7 day Notice

Forms as set out in the Second Schedule
to the
Building Control Regulations

FORM OF COMMENCEMENT NOTICE FOR DEVELOPMENT

(Notice to a Building Control Authority pursuant to Part II of the Building Control Regulations 1997 to 2014)

Building Control Authority: _____

Unique Identifier: _____
(for official use only)

I, I, hereby give notice in accordance with Part II of the Building Control Regulations 1997 to 2014 that it is intended to carry out the development as described below commencing on the date of _____

Name of Building Owner(s): _____

Address: _____

Tel: _____ Fax: _____ Email: _____

2. I enclose the fee payable for making this Notice of €: _____

3a. PROJECT PARTICULARS: (In addition, for Residential Developments, please complete Section 3b below)

Description of proposed development: _____

Planning Permission No.: _____ Date Granted: _____

Date of expiry: _____

Fire Safety Certificate No. (if applicable): _____

Disability Access Certificate No. (if applicable): _____

Location of development: _____

Number of buildings: _____ Number of new buildings: _____

Use of buildings: _____

3b. Residential Development Information:

Total number of dwelling units (all phases*): _____

Total no. of phases* _____ of which _____ are multiple unit dwellings.

Phase for this commencement notice: _____

No. of units for this phase/commencement notice**:

Commencement date for this phase: _____

(Proposed) End-date for this phase: _____

* Where applicable, i.e. phasing not relevant for single houses.

** Include single house figure here also.

4. Builder:

Name: _____

Address: _____

Tel: _____ Fax: _____ Email: _____

Construction Industry Register Ireland registration number (where applicable): _____

5. Building Designer Details:

Name: _____

Address: _____

Tel: _____ Fax: _____ Email: _____

Practice registration number (where relevant): _____

Where required under Part III of the Building Control Regulations 1997 to 2014, the mandatory Certificate of Compliance (Design) signed by the above Building Designer accompanies this Notice.

6. Submission of Documents (where applicable): A Schedule of Documents accompanying this Commencement Notice is attached in the following format:

Schedule of Documents (Plans, Calculations, Specifications, Ancillary Certificates and Particulars)

| Document | Reference | Description/Remarks |
|----------|-----------|---------------------|
| | | |
| | | |

7. Signature by Building Owner:

Signature: _____ Date: _____
(Building Owner)

DESIGN CERTIFICATE

Form of Certificate of Compliance (Design)

Building Control Authority: _____

Unique Identifier: _____
(for official use only)

1. This certificate relates to the following building or works:

2. This certificate has been prepared in accordance with the Code of Practice for Inspecting and Certifying Buildings and Works [as published by the Minister under section 3(7) of the Building Control Act 1990] or equivalent.

3. I confirm that I have been commissioned by the building owner to design, in conjunction with others, the building or works described above and to certify such design. I further confirm that I am a person named on a register maintained pursuant to Part 3 or Part 5 of the Building Control Act 2007 or Section 7 of the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969 and that I am competent to carry out my design and to coordinate the design of others for the building or works concerned.

4. I confirm that the plans, calculations, specifications, ancillary certificates and particulars included in the schedule to the Commencement Notice to which this certificate is relevant, and which have been prepared exercising reasonable skill, care and diligence by me, and by other members of the design team and specialist designers whose design activities I have coordinated, have been prepared to demonstrate compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

5. I certify, having exercised reasonable skill, care and diligence, that, having regard to the plans, calculations, specifications and particulars which have been prepared by me and others and having relied on ancillary certificates and particulars referred to at 4 above, the proposed design for the building or works is in compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

Signature: _____ Date: _____

Person's Name: _____ Registration No.: _____

On behalf of: _____ (company name where relevant)

Address: _____

Tel: _____ Fax: _____ Email: _____

Practice registration number (where relevant): _____

NOTICE OF ASSIGNMENT OF ASSIGNED CERTIFIER

(Notice of Assignment of Person to Inspect and Certify Works)

Building Control Authority: _____

Unique Identifier: _____
(for official use only)

1. This notice of assignment relates to the following building or works:

2. As the building owner, I have assigned the following person as Assigned Certifier, being a person named on a register maintained pursuant to Part 3 or Part 5 of the Building Control Act 2007 or Section 7 of the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969. I am satisfied having regard to the Code of Practice for Inspecting and Certifying Buildings and Works that the person so assigned is competent to inspect the building or works and to coordinate the inspection work undertaken by others, and to certify the works for compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

Name: _____

Qualification(s): _____ Registration No.: _____

On behalf of: _____ (Company/Practice name where relevant)

Address: _____

Tel: _____ Fax: _____ Email: _____

Practice registration number (where relevant): _____

3. Any requests under the Building Control Act 1990 for plans, documents, specifications and other information, as may be necessary to show that the works or building, if built in accordance with the design proposed, will comply with the requirements of the Building Regulations, may be directed to the person so assigned.

4. I undertake to notify the Building Control Authority in writing of any change in the person assigned to inspect and certify the building or works as notified herein.

Building Owner's Signature: _____ **Date:** _____

UNDERTAKING BY ASSIGNED CERTIFIER

Form of Certificate of Compliance

Building Control Authority:

Unique Identifier: _____
(for official use only)

1. This certificate relates to the following building or works:

2. In accordance with the Code of Practice for Inspecting and Certifying Buildings and Works, or equivalent, I undertake to use reasonable skill, care and diligence, to inspect the building or 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 Second Schedule to the Building Regulations insofar as they apply to the building or works to which the accompanying Commencement Notice together with the plans, calculations, specifications, ancillary certificates and particulars listed in the schedule thereto refer.

Signature: _____ **Date:** _____

Person's Name: _____ **Registration No.:** _____

On behalf of: _____ (company name where relevant)

Address: _____

Tel: _____ **Fax:** _____ **Email:** _____

Practice registration number (where relevant): _____

NOTICE OF ASSIGNMENT OF BUILDER

Building Control Authority: _____

Unique Identifier: _____
(for official use only)

1. This notice of assignment relates to the following building or works:

2. As the building owner, I have assigned the following person as Builder of the building or works and I am satisfied that they are competent to undertake the works so assigned on my behalf.

Builder's Name: _____

Address: _____

Tel.: _____ Fax: _____ Email: _____

Construction Industry Register Ireland registration number (where applicable): _____

3. I undertake to notify the Building Control Authority in writing of any change in the person assigned as Builder of the building or works as notified herein.

Building Owner's Signature: _____ **Date:** _____

UNDERTAKING BY BUILDER
FORM OF CERTIFICATE OF COMPLIANCE

Building Control Authority: _____

Unique Identifier: _____
(for official use only)

1. This certificate relates to the following building or works:

2. I confirm that I have been commissioned by the building owner to undertake the works described above and that I am competent to undertake the works concerned. I further undertake to ensure that any persons employed or engaged by me to undertake any of the works involved will be competent to undertake such works.

3. I undertake to construct the building or works in accordance with the plans, calculations, specifications, ancillary certificates and particulars listed in the schedule to the Commencement Notice to which this undertaking refers and certified under the Form of Certificate of Compliance (Design), or as subsequently issued to me and certified and submitted to the Building Control Authority, and such other documents relevant to compliance with the requirements of the Second Schedule to the Building Regulations as shall be retained by me as outlined in the Code of Practice for Inspecting and Certifying Buildings and Works.

4. Having regard to the Code of Practice for Inspecting and Certifying Buildings and Works, or equivalent, I further undertake to cooperate with the inspections set out in the inspection plan prepared by the Assigned Certifier and to take all reasonable steps so as to ensure that I shall certify that the building or works is in compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

Signature: _____ **Date:** _____
(to be signed by a Principal or Director of a building company only)

Name: _____

Address: _____

Tel: _____ **Fax:** _____ **Email:** _____

Construction Industry Register Ireland registration number (where applicable): _____

DECLARATION OF INTENTION TO OPT OUT OF STATUTORY CERTIFICATION

Unique Identifier: _____ (for official use only)

Building Control Authority: _____

1. This declaration relates to the following dwelling or extension: _____
_____ Planning Permission No.: _____

2. As the owner of the dwelling or extension, I hereby declare that, having regard to the provisions of Article 9(5) of the Building Control Regulations 1997 to 2015, I have decided to opt out of the requirement to subject the above building works to statutory certification as comprehended by Part II and Part IIIC of the Building Control Regulations 1997 to 2015.

3. I understand my statutory obligation as owner to ensure that the dwelling or extension is designed and constructed in accordance with the relevant requirements of the Second Schedule to the Building Regulations 1997 (as amended).

Dwelling Owner's Signature: _____ Date: _____

Name of Dwelling Owner(s): _____

Address: _____

Tel: _____ Fax: _____ Email: _____

Article 10 Procedure on receipt of notice

(a) record the date of receipt of the notice, and

(b) consider whether the notice complies with the requirements of article 9

Where a building control authority consider that a commencement notice complies with the requirements of article 9, they shall send to the person giving the notice an acknowledgement stating the date of receipt of the notice.

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Article 10 Procedure on receipt of notice

Where a building control authority considers that a commencement notice does not comply with Article 9, respond,

within 7 days of receipt of a notice filed electronically or

within 12 days of receipt of a notice received in writing

notify the person giving the commencement

(a) the commencement notice is invalid and cannot be accepted by the authority,

or

(b) that such revised notice, or such additional information or fee, as may be necessary to comply with the said Article will be required to be submitted.

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- Article 20A 7 Day Notice

(i) all works or buildings to which Part III applies, pursuant to Article 11(1) of these Regulations, and

(ii) where it is propose to commence work before grant of the relevant fire safety certificate.

Shall be submitted not less than 7 days in advance of commencement of work.

There is no expiry date for a 7day notice once it has been validated

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- A 7 day notice shall be
- (i) filed electronically on the Building Control Management System or set out on the form for that purpose included in the Third Schedule,

Commencement Notice & 7 day Notice

What documents are required to be lodged with a 7day notice ?

- A valid application for a fire safety certificate
- A 7 day notice statutory declaration
- Such plans, calculations, specifications and particulars as are necessary to outline how the proposed works or building will comply with the Building Regulations
- General arrangement drawings including plans, sections and elevations,
- Schedule of such plans, calculations, specifications and particulars as are currently designed or as are to be prepared at a later date,
- The completion of an online assessment, via BCMS
- The preliminary Inspection Plan prepared by the Assigned Certifier,

Commencement Notice & 7 day Notice

What Certificates and Notices are required to be lodged with a 7Day notice?

(i) a Certificate of Compliance (Design),

(ii) a Notice of Assignment of Person to Inspect and Certify Works (Assigned Certifier),

(iii) a Certificate of Compliance (Undertaking by Assigned Certifier),

(iv) a Notice of Assignment of Builder, and

(v) a Certificate of Compliance (Undertaking by Builder)

The forms are set out in the third Schedule to the Building Control Regulations and can not be altered

FORM OF 7 DAY NOTICE

Building Control Acts 1990 and 2007

Building Control Authority: _____

Unique Identifier: _____
(for official use only)

1. I hereby give 7 days notice in accordance with Part IIIA of the Building Control Regulations 1997 to 2014 that it is intended to carry out the development as described below.

Name of Building Owner(s): _____

Address: _____

Tel: _____ Fax: _____ Email: _____

Proposed Commencement Date: _____

2. I enclose the fee payable for making this Notice of € _____

3a. PROJECT PARTICULARS: (In addition, for Residential Developments, please complete Section 3b below)

Description of proposed development: _____

Planning Permission No.: _____ Date Granted: _____

Date of expiry: _____

Valid Fire Safety Certificate Applied for (date): _____

Fire Safety Certificate No.: _____

Location of development: _____

Number of buildings: _____ Number of new buildings: _____

Use of buildings: _____

3b. Residential Development Information:

Total number of dwelling units (all phases*): _____

Total no. of phases* _____ of which _____ are multiple unit dwellings.

Phase being commenced under this 7 Day Notice: _____

No. of units covered by this phase/ 7 Day Notice**: _____

Commencement date for this phase: _____

(Proposed) End-date for this phase: _____

* Where applicable, i.e. phasing not relevant for single houses.

** Include single house figure here also.

4. Builder:

Name: _____

Address: _____

Construction Industry Register Ireland registration number (where applicable): _____

5. Building Designer Details:

Name: _____

Address: _____

Tel: _____ Fax: _____ Email: _____

Practice registration number (where relevant): _____

Where required under Part IIIA of the Building Control Regulations 1997 to 2014, the mandatory certificate of design compliance signed by the above Designer accompanies this 7 Day Notice.

6. Submission of Documents (where applicable): A Schedule of Documents accompanying this 7 Day Notice is attached in the following format:

Schedule of Documents (Plans, Calculations, Specifications, Ancillary Certificates & Particulars)

| Document | Reference | Description/Remarks |
|----------|-----------|---------------------|
| | | |
| | | |

7. Signature by Building Owner:

Signature: _____
(Building Owner)

Date: _____

DESIGN CERTIFICATE

Form of Certificate of Compliance (Design)

Building Control Authority: _____

Unique Identifier: _____
(for official use only)

1. This certificate relates to the following building or works:

2. This certificate has been prepared in accordance with the Code of Practice for Inspecting and Certifying Buildings and Works [as published by the Minister under section 3(7) of the Building Control Act 1990] or equivalent.

3. I confirm that I have been commissioned by the building owner to design, in conjunction with others, the building or works described above and to certify such design. I further confirm that I am a person named on a register maintained pursuant to Part 3 or Part 5 of the Building Control Act 2007 or Section 7 of the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969 and that I am competent to carry out my design and to coordinate the design of others for the building or works concerned.

4. I confirm that the plans, calculations, specifications, ancillary certificates and particulars included in the schedule to the 7 Day Notice to which this certificate is relevant, and which have been prepared exercising reasonable skill, care and diligence by me, and by other members of the design team and specialist designers whose design activities I have coordinated, have been prepared to demonstrate compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

5. I certify, having exercised reasonable skill, care and diligence, that, having regard to the plans, calculations, specifications and particulars which have been prepared by me and others and having relied on ancillary certificates and particulars referred to at 4 above, the proposed design for the works or building is in compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

Signature: _____ **Date:** _____

Person's Name: _____ **Registration No.:** _____

On behalf of: _____ (company name where relevant)

Address: _____

Tel: _____ **Fax:** _____ **Email:** _____

Practice registration number (where relevant): _____

NOTICE OF ASSIGNMENT OF ASSIGNED CERTIFIER

(Notice of Assignment of Person Assigned to Inspect and Certify Works)

Building Control Authority: _____

Unique Identifier: _____
(for official use only)

1. This notice of assignment relates to the following building or works:

2. As the building owner, I have assigned the following person as Assigned Certifier, being a person named on a register maintained pursuant to Part 3 or Part 5 of the Building Control Act 2007 or Section 7 of the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969. I am satisfied having regard to the Code of Practice for Inspecting and Certifying Buildings and Works that the person so assigned is competent to inspect the building or works and to coordinate the inspection work undertaken by others, and to certify the building or works for compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

Name: _____

Qualification(s): _____ Registration No.: _____

On behalf of: _____ (Company/Practice name where relevant)

Address: _____

Tel: _____ Fax: _____ Email: _____

Practice registration number (where relevant): _____

3. Any requests under the Building Control Act 1990 for plans, documents, specifications and other information, as may be necessary to show that the building or works, if built in accordance with the design proposed, will comply with the requirements of the Building Regulations, may be directed to the person so assigned.

4. I undertake to notify the Building Control Authority in writing of any change in the person assigned to inspect and certify the building or works as notified herein.

Building Owner's Signature: _____ **Date:** _____

UNDERTAKING BY ASSIGNED CERTIFIER

Form of Certificate of Compliance

Building Control Authority: _____

Unique Identifier: _____
(for official use only)

1. This certificate relates to the following building or works:

2. In accordance with the Code of Practice for Inspecting and Certifying Buildings and Works, or equivalent, I undertake to use reasonable skill, care and diligence, to inspect the building or 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 Second Schedule to the Building Regulations insofar as they apply to the building or works to which the accompanying 7 Day Notice together with the plans, calculations, specifications, ancillary certificates and particulars listed in the schedule thereto refer.

Signature: _____ Date: _____

Person's Name: _____ Registration No.: _____

On behalf of: _____ (company name where relevant)

Address: _____

Tel: _____ Fax: _____ Email: _____

Practice registration number (where relevant): _____

NOTICE OF ASSIGNMENT OF BUILDER

Building Control Authority: _____

Unique Identifier: _____
(for official use only)

1. This notice of assignment relates to the following building or works:

2. As the building owner, I have assigned the following person as Builder of the building or works and I am satisfied that they are competent to undertake the works so assigned on my behalf.

Builder's Name: _____

Address: _____

Tel.: _____ Fax: _____ Email: _____

Construction Industry Register Ireland registration number (where applicable): _____

3. I undertake to notify the Building Control Authority in writing of any change in the person assigned as Builder of the building or works as notified herein.

Building Owner's Signature: _____ **Date:** _____

UNDERTAKING BY BUILDER
FORM OF CERTIFICATE OF COMPLIANCE

Building Control Authority: _____

Unique Identifier: _____
(for official use only)

1. This certificate relates to the following building or works:

2. I confirm that I have been commissioned by the building owner to undertake the works described above and that I am competent to undertake the works concerned. I further undertake to ensure that any persons employed or engaged by me to undertake any of the works involved will be competent to undertake such works.

3. I undertake to construct the building or works in accordance with the plans, calculations, specifications, ancillary certificates and particulars listed in the schedule to the 7 Day Notice to which this undertaking refers and certified under the Form of Certificate of Compliance (Design), or as subsequently issued to me and certified and submitted to the Building Control Authority, and such other documents relevant to compliance with the requirements of the Second Schedule to the Building Regulations as shall be retained by me as outlined in the Code of Practice for Inspecting and Certifying Buildings and Works.

4. Having regard to the Code of Practice for Inspecting and Certifying Buildings and Works, or equivalent, I further undertake to cooperate with the inspections set out in the inspection plan prepared by the Assigned Certifier and to take all reasonable steps so as to ensure that I shall certify that the works or building is in compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the building or works concerned.

Signature: _____ **Date:** _____

(where the signatory is an employee) On behalf of: _____

Name: _____

Address: _____

Tel: _____ Fax: _____ Email: _____

Construction Industry Register Ireland registration number (where applicable): _____

FORM OF 7 DAY NOTICE STATUTORY DECLARATION

Building Control Acts 1990 and 2007

7 Day Notice Statutory Declaration

OFFICIAL USE

Building Control Authority: _____

Date Received _____

Register Ref. _____

Entered on _____

Entered by _____

Fee Received _____

I / We

of

do solemnly and sincerely declare that I / we have made an application to the above Building Control Authority for a Fire Safety Certificate in respect of works commencing not less than 7 days from this date. _____

Description of works: _____

located at _____

pursuant to Article 12 of the Building Control Regulations 1997 to 2009 and I / we solemnly declare that the application has been completed in full and complies in all respects with the relevant provisions of the Building Control Regulations.

I / We further solemnly declare that any works that have commenced before the grant of the Fire Safety Certificate will comply fully with the Building Regulations and I / we will, within such period as may be specified by the Building Control Authority, carry out any modification of such works that is required by or under the Fire Safety Certificate, including any condition(s) attached to the Fire Safety Certificate when granted by the Building Control Authority.

Signed:

Date:

Signed in the presence of Commissioner of Oaths:—

Name:

Address:

Signature:

Commissioner of Oaths

Warning: It is an offence for a person to knowingly or recklessly make a Statutory Declaration that is false or misleading in a material respect.

- Summary
- 4 types of Commencement Notices
- Only applicable where the compliance with the Building Regulations is required
- Exempted from planning permission exempted from Building Control Regulations (not building regulations)
- BCMS is not the Building control Regulations, online assessment only
- Importance of Design Cert, etc.,
- Building Control Authority considers to validate
- 7day notice requires a FSC application
- 7day certs different than CN certs
- 7day notice never expires or withers
- Can not get a 7day notice for completion of works
- Built and certified to the Design Cert, Schedule 6 form