

Regularisation Cert FAQ

Q: What is a regularisation certificate?

A: A certificate granted by a building control authority in respect of works on non don-domestic buildings and apartments blocks which were commenced or completed without the necessary Fire Safety Certificate (FSC). The certificate may be granted with or without conditions or refused.

Q: What options has the building owner where the application is refused or granted subject to conditions?

A: There is provision for an appeal to An Bord Pleanála in such cases. The appeal must be lodged within 1 month of the date of the decision on the application –see Part VI of the Building Control Regulations.

Q: Is there a fee for a regularisation certificate?

A: The fee is €500 which is four times the fee for a FSC, or €11.60 per square metre of floor area, whichever is greater. This may vary depending on the works - please see the Fifth Schedule of the Building Control Regulations.

Q: A period of 4 months is set down to comply with conditions which may be inserted by the building control authority in a regularisation cert. This is not sufficient time and is there a mechanism to extend it?

A: There is no mechanism to extend. It is an offence to commence work on a building without a FSC (where required) and the regularisation cert is a chance to be in compliance with the fire safety certification regime. If the works are not carried out within the 4-month period the certificate will not have effect.

Q: Note 2 requires a “certified” set of drawings. Who can ‘certify’ drawings?

A: It is expected that drawings will be certified by a person qualified to do so as a building professional- this would be expected to be the professional who completed the drawings.

Q: Will the building owner or a person so authorised sign the statutory declaration in respect of works for which a regularisation cert is sought?

A: This is a matter between the building owner and the builder/professional engaged by the building owner.

Q: Can a solicitor sign a statutory declaration as a Commissioner of Oaths?

A: Yes, when s/he is also a Commissioner of Oaths. However, a solicitor shall not exercise these powers in any proceedings in which he is solicitor to any of the parties or in which he has an interest.