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Legislative Developments in Building Control

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Construction Products

Construction Products Regulation (EU) 2024/3110



- Published in December 2024

(Circular Letter BC06-2024 - 18 December 2024 - New EU Construction Products Regulation (EU 2024/3110))

- Applies from 8 January 2026
- Repeals CPR 2011 over the period from 2026 to 2040
- Objectives
 - ❖ Well-functioning Single Market for construction products
 - ❖ Contribute to the Green & Digital Transition - modern, resource-efficient & competitive economy

Main Elements of CPR 2024



- Fixing the problems in the standardisation system
 - Digital passport for construction products
 - Mandatory declaration of environmental characteristics
 - Possibility of specific performance levels/classes
 - Includes 3D printed products and extends scope to used products
 - Possibility of specific product requirements
 - Obligations on economic operators, fulfilment service providers and online marketplaces
 - Strengthening of Market Surveillance & enforcement powers
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- Green public procurement

Implementation of CPR 2024 @ EU Level

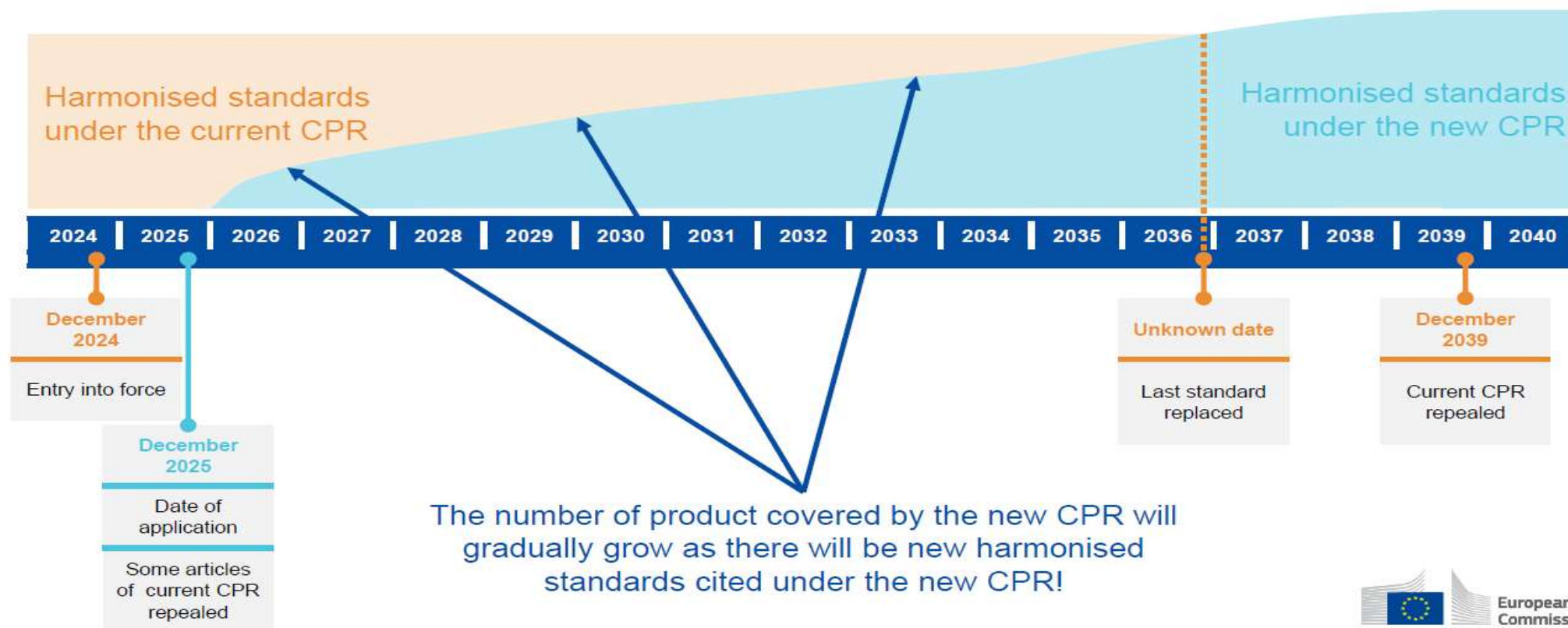


(First) CPR Working Plan for 2026-2029 on 16 December 2025

- EU Ambitions -
 - *Smooth functioning Single Market - Harmonised technical specification,*
 - *European Strategy for Housing Construction, Competiveness Compass, Innovation,*
 - *Sustainable and circular products,*
 - *Digitalisation*
- CPR Acquis Process
 - *Collect technical & regulatory needs*
 - *Standardisation requests, delegated acts, product requirements, product information*
 - *Expert Group & Subgroups - Department of Housing, Local Government and Heritage & NSAI*
 - *Milestones of the CPR Acquis process*
 - *CPR Acquis work on Product Families - progress*
- Methodology & Priority for the CPR Working Plan
- Horizontal Measures
 - *Product families, Horizontal Subgroups(Fire,Environmental Sustainability and Dangerous substances), Digital Product Passport, product information, Green Public Procurment*

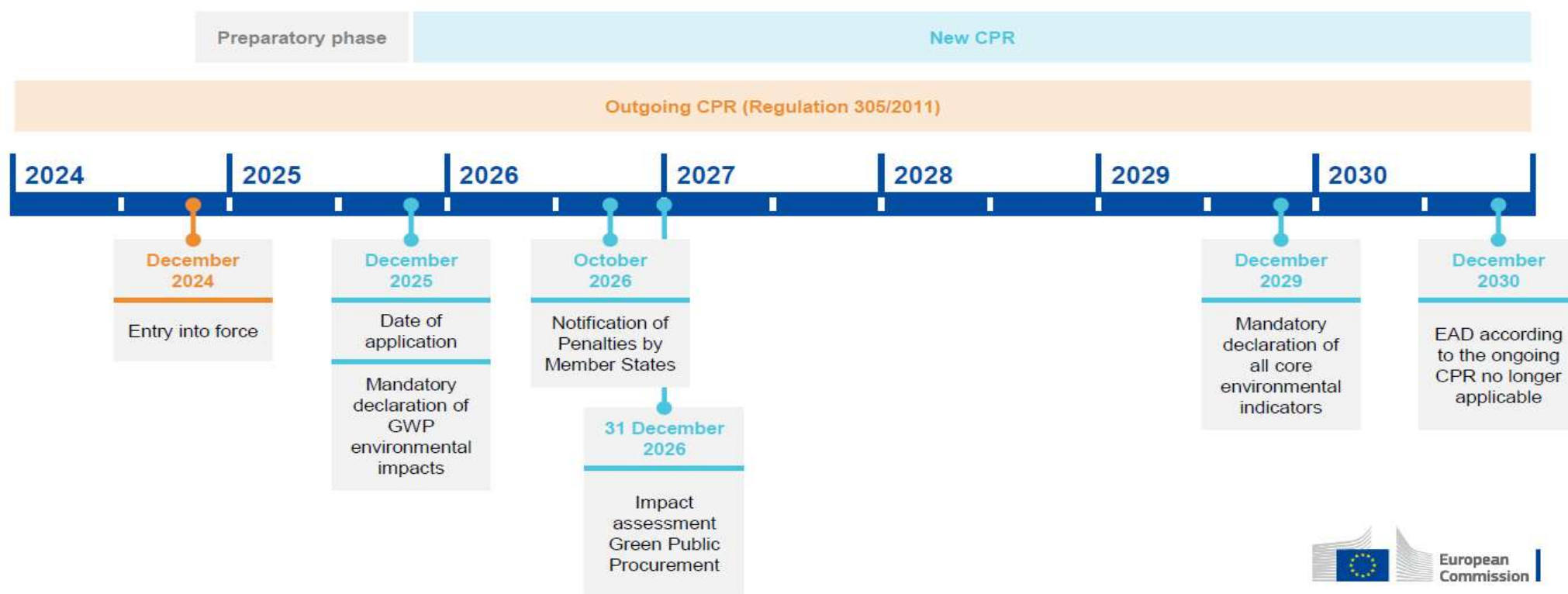
Transition to the 2024 CPR

CPR transition – harmonised standards



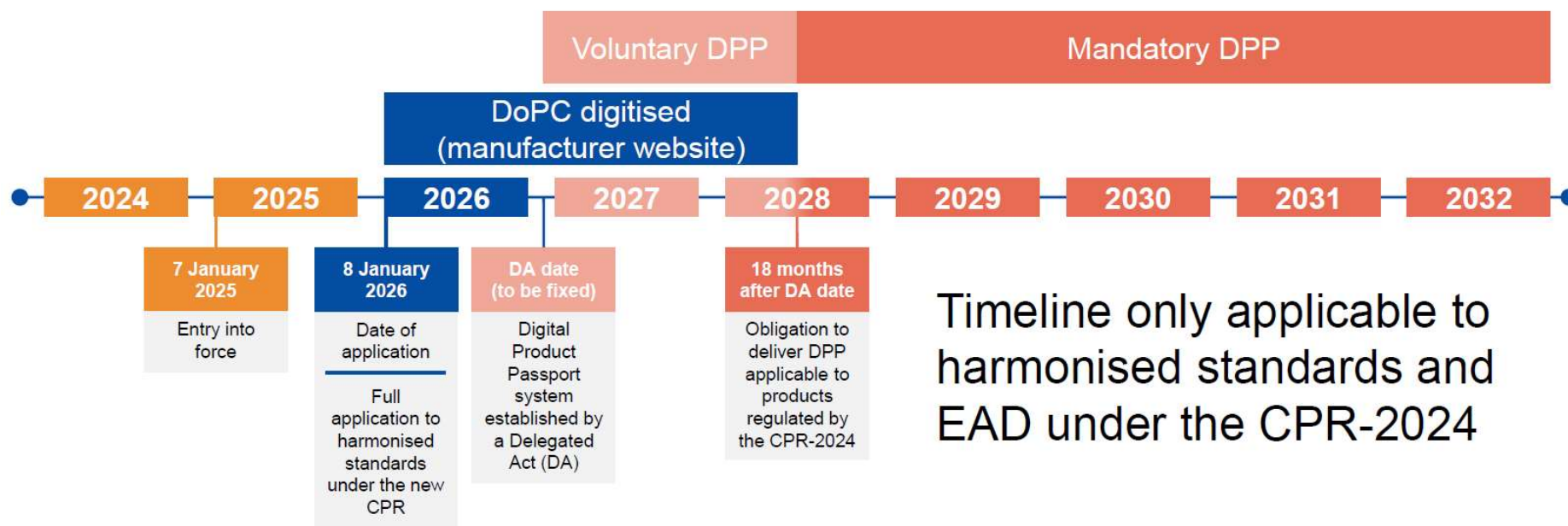
Transition to the 2024 CPR

Overview of the new CPR timeframe





Digitalisation timeline



Timeline only applicable to harmonised standards and EAD under the CPR-2024





For further information

European Commission

https://single-market-economy.ec.europa.eu/sectors/construction/construction-products-regulation-cpr_en

Implementation of CPR 2024 @ National Level



- S.I. No. 669 of 2025 and S.I. No. 670 of 2025 (Circular Letter BC01-2026 - 7 January 2026 - Implementation of the Construction Products Regulation 2024 (Regulation (EU) 2024/3110))
- Department of Housing Local Government and Heritage
 - Single Liaison Point for construction products (Focal point for contact with EC & MSs)
 - Product Contact Point for construction products (pcp@housing.gov.ie)
 - Notifying Authority – Notified Bodies
 - Designating Authority - Technical Assessment Bodies
 - National Procedures for NA & DA
- National Information System registration
 - <https://www.gov.ie/en/department-of-housing-local-government-and-heritage/publications/construction-products-regulation-2024/>
 - Fill in your details at this link.
 - Contact us re CPR cpr@housing.gov.ie
- Workshop on CPR 2024

Domestic Regulations – Enforcement



S.I. No.669 of 2025 European Union (Construction Products) Regulations 2025

- Gives full effect to CPR 2024, CPR 2011, Market Surveillance Regulations (Regulation (EU) 2019/1020) in respect of construction products covered by CPR.
- Effective from 8 January 2026 & revokes S.I. 225 of 2013 &
- Identifies Market Surveillance Authorities - Local Authorities & NBCMSO (S.I. No. 670 of 2025)
- Identifies Competent National Authorities – All Market Surveillance Authorities, GSI and TII
- Information sharing & co-operation – (Note – GDPR)
- Appointment of and powers of Authorised Officers (warrants, corrective actions etc)
- Offences, penalties, defences and prosecutions
- Transitional provisions

Investigations / Enforcement



NOTE:

- Market surveillance investigations commenced prior to 8 January 2026 continue to be dealt with and determined iaw S.I.225 of 2013 (as amended).
- Similarly, any notice or direction given under S.I. No. 225 of 2013 (as amended) shall remain valid and in full effect.
- In this context, building control authorities should maintain the appointment of authorised officers under S.I. No. 225 of 2013 until matters are concluded.

Key Actions for Market Surveillance Authorities



- Appoint an adequate number of competent authorised officers under S.I. No.669 of 2025
- Advise the NBCMSO (by email to support@nbco.gov.ie) of the name/contact details for each authorised officer appointed
- Register with the national information system
- Ensure material on the CPR 2011 and CPR 2024 on your organisation's website is up to date, including contact details for authorised officers and contact details for NBCMSO (support@nbco.gov.ie).
- Raise awareness of the CPR 2024 with relevant economic operators within your functional area.
- Continue to ensure adequate resources are made available for market surveillance activities.
- Continue to undertake risk based, proactive and reactive market surveillance of construction products.
- Continue to liaise and co-operate with NBCMSO on the implementation of the National Market Surveillance Strategy, training, enforcement actions and collection of activity data.
- Continue to work closely with NBCMSO and Revenue's Customs Service for the control of imported products from third countries.
- Continue to use the European Commission system for information exchange known as the Information and Communication System for Market Surveillance or 'ICSMS'



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Market Surveillance of CPR Construction Products

Market Surveillance



Memo of Understanding – Department of Housing, Local Government & Heritage and the Department of Climate, Energy and the Environment (GSI)

- to provide geological services and expertise
- to further enhance the State's oversight of the marketing and use of construction products emanating from the extractive industries sector in Ireland, and
- advance research and standards development for relevant aggregate and concrete products
- was signed in December, 2024 and will be implemented over a 5 year period.

MOU - 2026 work priorities will include the following:



- Production and maintenance of a National Quarry database,
- Provide technical support to NBCMSO/ local market surveillance authorities, upon request,
- Support DHLGH in addressing issues raised in the context of EU scrutiny particularly in relation to the revision of European Standards under the new CPR (EU Reg. 2024/3110),
- Ongoing support to be provided for interaction with DG GROW and CPR Acquis representation from GSI on issues related to aggregates,
- Provide technical expertise to support the work of NSAI Technical Committees - Defective Concrete Blocks Steering Group - Technical Matters , the Aggregates Panel and the Concrete Blocks Committee.



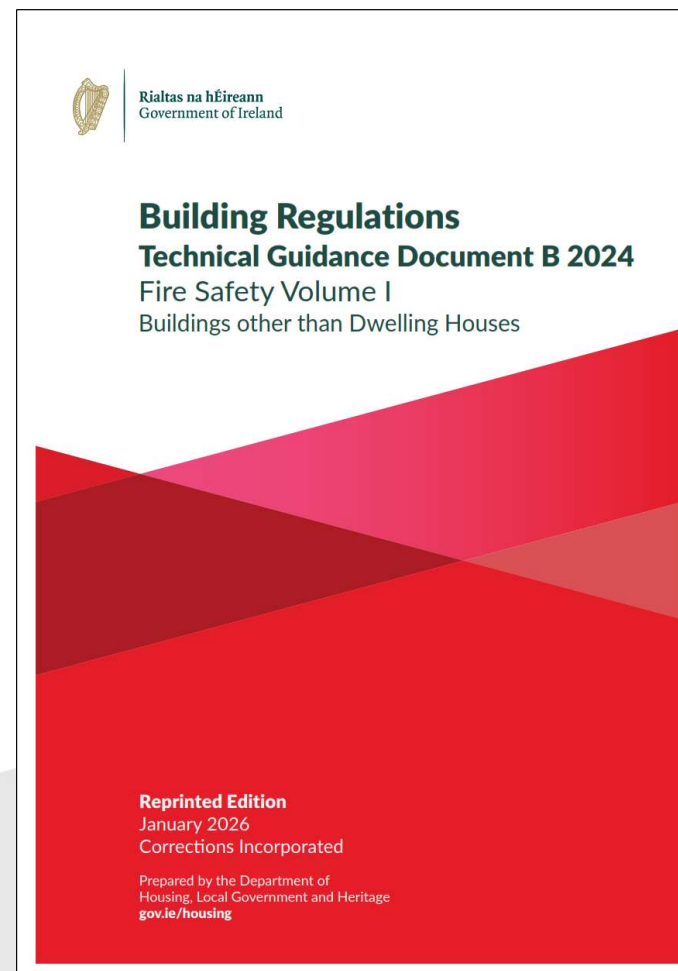
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Building Regulations

Technical Guidance Document B 2024 (2026 edition)



- Updated document
- Editorial review - corrections incorporated
- 30 January 2026
- The changes made do not amend any of the technical provisions contained in the 2024 version, and can therefore be applied with immediate effect.
- Circular BC04 - 2026



Building Regulations - Part D

- Proper materials & workmanlike manner
- Durability - 60 year requirement for dwellings
- Irish or European Standards
- Non-standardised/innovative materials or systems:
Certification to demonstrate compliance with Irish Building Regulations e.g. NSAI Agrément
- Construction Products Regulation 2024 – Public consultation March 2026



Inspections – Yearly Comparison



Figure P1: Percentage of buildings inspected as a percentage of new buildings notified 2023

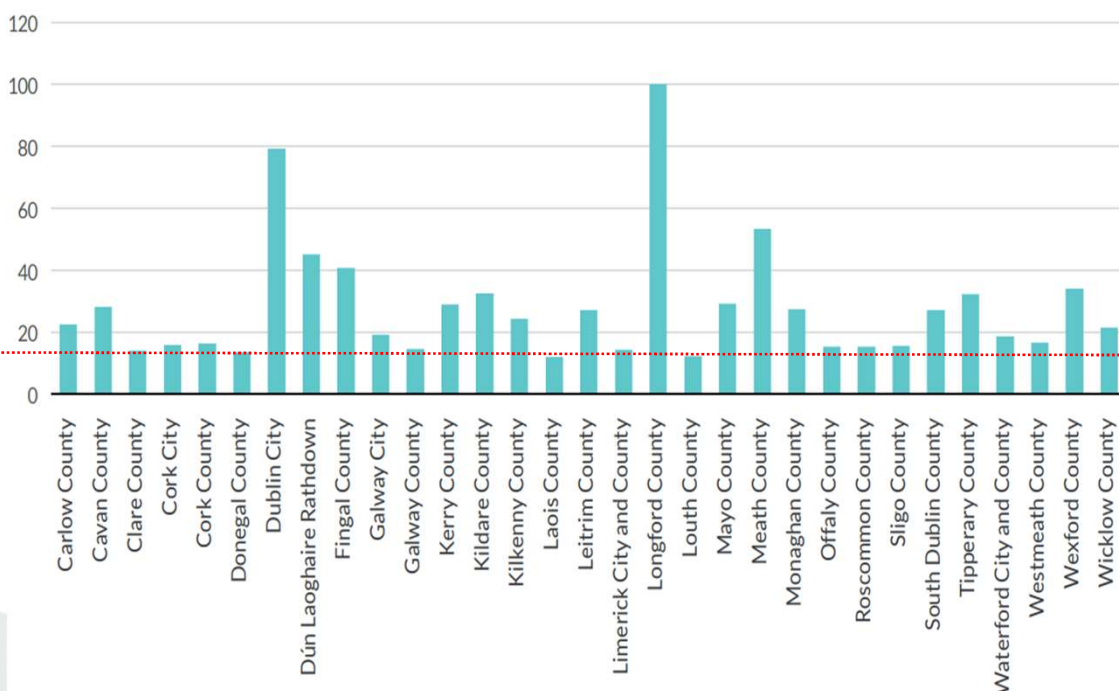
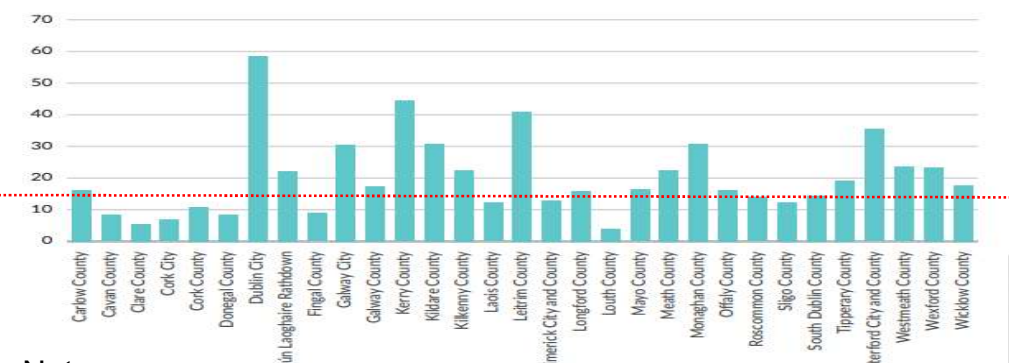


Figure P1: Percentage of buildings inspected as a percentage of new buildings notified 2024



Note:

Total number of new buildings notified 49,791(2024) - 23,283(2023)

Temporary development contribution waiver

Local Authority Performance Indicator Report 2023 & 2024 Source: NOAC



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Building Control Reform

Building Control Reform Agenda



- Regulation of Providers of Building Works and Miscellaneous Provisions Act 2022 ~ CIRI
- Building Standard Regulatory Authority
- Building Control Act 1990 - 2025



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Register of Builders

Regulation of Providers of Building Works Act 2022



- Objective
 - To establish a robust, mandatory, statutory register
 - To develop and promote a culture of competence, good practice and compliance with the Building Regulations in the construction sector which will benefit consumers and the general public
- Construction Industry Federation - Registration Body (2023)
- Board & Chair (2023)
- Registrar (2024)
- Appeals Board - Being established
- Register for first round of applicants (builders of housing schemes and apartments): 2026



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Building Standards Regulatory Authority

Background

Government Decision (January 2023)

- To develop proposals for the establishment of independent Building Standards Regulator

An Overview of Building Control Systems (April 2023)

Building Standards Regulator Steering Group (February 2024)

Report of the Building Standards Regulator Steering Group (June 2024)

Government Decision (July 2024)

- To implement the recommendations of the Report of the Building Standards Regulator Steering Group
- To draft a general scheme to establish a Building Standards Regulatory Authority
- To establish a Building Standards Agency under the Local Government Services (Corporate Bodies) Act 1971

Programme for Government (2025)

Delivering Homes, Building Communities (Action 8.2)

Establish a Building Standards Agency pending the establishment of a Building Standards Regulatory Authority which will strengthen the oversight role of the State in respect of the design and construction of buildings (H2 2026)



Agency & Regulatory Authority



Further to the **recommendation 3** of the Report of the Building Standards Regulator Steering Group

In order to achieve these objectives in a timely manner and to ensure a smooth implementation process, a two stage approach, building on existing systems and resources, is recommended:

Stage 1: a corporate body should be established by Order under the Local Government Services (Corporate Bodies) Act, 1971 (working title “Building Standards Agency”).

Stage 2: an independent central competent authority should be established under primary legislation. (working title “Building Standards Regulatory Authority”).

Building Standards Agency (BSA)



Recommendation 5 of the Report of the Building Standards Regulator Steering Group

The role of the Building Standards Agency should be to:

- a) Develop the governance and corporate structures, policies and procedures necessary for the future Building Standards Regulatory Authority;*
- b) Increase inspection capacity and capability within the system in the short term to support Local Authorities, by recruiting competent technical staff;*
- c) Develop appropriate performance indicators for building control activity and oversee their implementation; and*
- d) Provide support services in relation to training, compliance support, IT – Building Control Management System (BCMS) and market surveillance.*

Building Standards Regulatory Authority (BSRA)



Recommendation 6 of the Report of the Building Standards Regulator Steering Group

The Building Standards Regulatory Authority should be:

- a) An independent central competent authority, with the powers of a national Building Control Authority, and national Market Surveillance Authority for construction products, to implement relevant building control and construction product legislation to:*
 - i. Ensure the adequate and consistent delivery of building control services, inspection and enforcement to ensure compliance with legislation, either through agreed funded service contracts with local authorities acting on its behalf, or directly itself.*
 - ii. Co-ordinate and provide support services to local authorities, for example education & training, compliance support, competency building, operational guidance, risk analysis & management and information exchange.*
 - iii. Ensure adequate inspection and enforcement of market surveillance of construction products directly and in collaboration with others e.g. local authorities, competent national authorities and other market surveillance authorities.*

Building Standards Regulatory Authority (BSRA)



....Cont'd

b) A centre of best practice driving, promoting and fostering compliance, competency and consistency in building control and market surveillance systems and throughout the construction industry. This activity should include;

- i. Provision, operation and development of the Building Control Management System (BCMS)*
- ii. Acting as a single voice for building control and market surveillance of construction products*
- iii. External engagement and communication*
- iv. Referrals and appeals services*
- v. Management of data and reporting*
- vi. Oversight, audit and investigation*

Building Standards Agency Update



- An Order to establish the Building Standards Agency is currently being finalised.
- Implementation group with the CCMA and Dublin City Council has been established to ensure a smooth transition from current structures to new structures
- Action 8.2 of Housing Plan timeline of H2 2026

Next Steps



- Building Standards Agency (Establishment) Order - H1 2026
- Board, CEO and staff recruitment
- Implementation group with the CCMA and Dublin City Council has been established to ensure a smooth transition from current structures to new structures
- Action 8.2 of Housing Plan timeline of H2 2026
- Development of primary legislation to establish the Building Standards Regulatory Authority



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Building Control Act Amendments

Building Control Act Amendments



- Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Act 2025 (Act of 2025)
- Signed 23 December 2025
- Part 3 of the Act of 2025 amends the Building Control Act 1990
- Collective citation: Building Control Acts 1990 – 2025
- Circular Letter: BC03-2026 - 16th January 2026

Main Provisions of Part 3 of the Act of 2025



1. Explicit powers to prevent a building being opened, operated or occupied until such a time as the particulars of the relevant certificate of compliance on completion have been entered on the register where required.
2. A legal remedy for the uncommon situation, whereby works have commenced or been completed on a building without the submission of, by either act or omission, an appropriate valid notice to the building control authority, by means of a regularisation process including a regularisation certificate of compliance on completion.
3. Extended powers to make building regulations and additional powers to make regulations relating to enforcement notices.
4. Additional powers for building control authorities / authorised officers to issue a warning letter, withdraw an enforcement notice upon request, and direct the opening up of works.
5. Change the names of certain documents (e.g. fire safety certificates and disability access certificates) to better reflect their purpose.

Commencement of the Act



- Commencement orders will be required to give effect to the provisions of the Act
- Some sections require preparatory work before commencement
- Sections 32, 33, 37 and 39 commenced 25th February 2026
- Circular Letter: BC05-2026 – 2nd March 2026

Commenced provisions of Part 3 of the Act of 2025



1. Explicit powers to prevent a building being opened, operated or occupied until such a time as the particulars of the relevant certificate of compliance on completion have been entered on the register where required.
2. A legal remedy for the uncommon situation, whereby works have commenced or been completed on a building without the submission of, by either act or omission, an appropriate valid notice to the building control authority, by means of a regularisation process including a regularisation certificate of compliance on completion.
3. Extended powers to make building regulations and additional powers to make regulations relating to enforcement notices.
4. Additional powers for building control authorities / authorised officers to issue a warning letter, withdraw an enforcement notice upon request, and direct the opening up of works.
5. Change the names of certain documents (e.g. fire safety certificates and disability access certificates) to better reflect their purpose.

Building Control Act Amendment



Next steps

- Development of amendments to the Building Control Regulations
- Development of new Enforcement Notice Regulations
- Stakeholder engagement
- Commencement of relevant sections, publication of Regulations
- Appropriate lead-in time for implementation.



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Thank you

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