



Rialtas na hÉireann  
Government of Ireland

# Amendments to the Building Control Act

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IBCI Conference 2026

# Building Control Acts



- Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Act 2025
- Signed 23 December 2025
- Part 3 amends the Building Control Act 1990
- Collective citation: Building Control Acts 1990 - 2025

# Building Control Acts Amendments



The amendments provide:

- a legal remedy for the situation whereby works have commenced or been completed on a building without submitting, by either act or omission, an appropriate valid notice to the building control authorities.
- Strengthening of building control enforcement powers
- Other amendments

# Building Control Acts Amendments

## Section 33 – DCB (Amendment Act)



- Amendment to Section 3(2) (Building Regulations) of the Act of 1990
- Provision of information in relation to products, materials or systems used or installed in, or in connection with, buildings or works.

# Building Control Acts Amendments

## Section 34 – DCB (Amendment Act)



- Amendment to Section 6(2) of the Act of 1990
- Re-naming of documents
- Fire Safety Certificate ► Fire Safety Design Certificate
- Revised Fire Safety Certificate ► Revised Fire Safety Design Certificate
- Disability Access Certificate ► Access and Use Design Certificate
- Revised Disability Access Certificate ► Revised Access and Use Design Certificate

# Building Control Acts Amendments

## Section 34 – DCB (Amendment Act)



- Amendment to Section 6(2) of the Act of 1990
- Introduction of new application
- Regularisation Fire Safety Design Certificate
  - Wind-down & replacement of Regularisation Certificate
  - Applies where works commence in the absence of a granted FSDC
  - Accompanied by a Statutory Declaration
  - No specific inspection provision
  - Application of grant with conditions per a FSDC
  - Works will comply if....

# Building Control Acts Amendments

## Section 34 – DCB (Amendment Act)



- Amendment to Section 6(2) of the Act of 1990
- Introduction of new Notification
- Regularisation Notice
  - Applies where works commence in the absence of a Commencement Notice, where required under Regulation
  - Accompanied by a Statutory Declaration

# Building Control Acts Amendments

## Section 34 – DCB (Amendment Act)



- Amendment to Section 6(2) of the Act of 1990
- Introduction of new Certification of Compliance on Completion
- Regularisation Certificate of Compliance on Completion
- Applies where works are the subject of a Regularisation Notice

# Building Control Acts Amendments

## Section 34 – DCB (Amendment Act)



- Amendment to Section 6(2) of the Act of 1990
- Prohibition on the operation, occupation or use of a building in the absence of a CCC or RCCC, where required.

# Building Control Acts Amendments

## Section 34 – DCB (Amendment Act)



- Amendment to Section 6(2) of the Act of 1990
- Consequential amendments to Section 6 owing to the changes of names of documents.
- Also Section 36 of the DCB (Amendment Act), modifying Section 7 of the Act of 1990

# Building Control Acts Amendments

## Section 37 – DCB (Amendment Act)



- Amendment of Section 8 (Enforcement Notices) of the Act of 1990
- New power to direct the opening up of works
  - Preceded by an inspection and Warning Letter
- Notice must specify
  - Works to be cut into or laid open
  - Regulations alleged to be contravened
  - Timeframe for opening up
- Person authorised under Section 11 must be present

# Building Control Acts Amendments

## Section 38 – DCB (Amendment Act)



- Introduction of new Section 10A (Withdrawal of Enforcement Notices) and 10B (Enforcement Notice Regulations) of the Act of 1990
- Process to request the withdrawal of an EN served
- Power to make new Regulations providing for matters of procedure and administration for the service, and withdrawal, of enforcement notices

# Building Control Acts Amendments

## Section 39 – DCB (Amendment Act)



- Amendment of Section 11 (Powers of Inspection) of the Act of 1990
- Service of a warning letter
  - any requirement of building regulations or building control regulations
- Warning letter must:
  - specify the provision of regulations to which the warning relates
  - recipient may make observations in writing with 4 weeks

# Building Control Acts Amendments

## Section 40 – DCB (Amendment Act)



- Amendment of Section 12 (Order of High Court) of the Act of 1990
- Power to seek a restriction or prohibition of use of a building, operating in the absence of a CCC or RCCC where required
- Consequential amendments to owing to the changes of names of documents.

# **Building Control Acts Amendments**

## **Section 41 & 42 – DCB (Amendment Act)**



- Consequential amendments to the Taxes Consolidation Act 1997 and the Multi-Unit Developments Act 2011 owing to the changes of names of documents.

# Building Control Acts Amendments

## Sections Commenced



- Section 33 - Amendment to Section 3(2) (Building Regulations) of
- Section 37 - Amendment of Section 8 (Enforcement Notices)
- Section 39 - Amendment of Section 11 (Powers of Inspection)

# Building Control Acts Amendments

## Next Steps



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

# Building Control Acts Amendments

## In summary



- Amendments to the BCA signed in 2025
- Introduction of a 'Regularisation process'
- Strengthening of building control enforcement powers
- Additional ministerial regulation making powers
- Changes of names of documents
- Development of BCR's ongoing
- Sections 33, 37 and 39 already commenced
- Other sections do not take effect until commenced

# Building Control Acts Amendments



Questions?