

Statutory Instruments

S.I. No. 581 of 2002

**Building Regulations (Amendment) (No.2) Regulations
2002**

Dublin

Published by the Stationery Office

Pn: 12530

Price: € 0.76

S.I. No. 581 of 2002

Building Regulations (Amendment) (No.2) Regulations 2002

The Minister for the Environment and Local Government, in exercise of the powers conferred on him by Sections 3 and 18 of the Building Control Act 1990 (No. 3 of 1990) hereby makes the following Regulations -

Citation

1. (1) These Regulations may be cited as the Building Regulations (Amendment) (No.2) Regulations 2002.
- (2) The Building Regulations 1997 – 2002 shall include these Regulations.

Commencement

2. These Regulations shall come into operation on the 1 January 2003.
3. (1) Subject to sub-article (2), these Regulations shall apply to works, or a building as regards which a material alteration or change of use takes place, where the relevant works or change of use commence or take place, as the case may be, on or after the 1 January 2003.
- (2) These Regulations shall not apply to works or a building as regards which a material alteration or change of use takes place, where the relevant works or the change of use commence or take place, as the case may be, on or after the 1 January, 2003 where-
 - (i) a planning application is made on or before the 31 December 2002 for planning permission or approval pursuant to the Planning and Development Act 2000 (No. 30 of 2000) and where substantial work has been completed by the 31 December 2005; or
 - (ii) a notice pursuant to the provisions of Part 8 of the Planning & Development Regulations 2001 (S.I. No. 600 of 2001) has been published on or before the 31 December 2002 and where substantial work has been completed by the 31 December 2005.

(2) For the purposes of these Regulations, “substantial work has been completed” means that the structure of the external walls of the house (or flat) have been erected.

4. The Second Schedule to the Building Regulations 1997 (S.I. No. 497 of 1997) is hereby amended by the substitution of the following for Part F -

“

Part F

VENTILATION

- | | | |
|-------------------------------|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Means of ventilation. | F1 | Adequate means of ventilation shall be provided for people in buildings, including adequate provision for the removal of water vapour from kitchens, bathrooms and other areas where water vapour is generated. |
| Condensation in roofs. | F2 | Adequate provision shall be made to prevent excessive condensation in roofs. |

”.

Given under the Official Seal
of the Minister for the Environment
and Local Government
this 12th day of December 2002.

L.S.

Martin Cullen
Minister for the Environment
and Local Government

Explanatory Note

(This note is not part of the instrument and does not purport to be a legal interpretation).

The Regulations amend Part F (Ventilation) of the Second Schedule to the Building Regulations 1997 to specifically provide for the removal of water vapour from kitchens, bathrooms and other areas (eg. utility rooms) where water vapour is generated.

The amending Regulations apply to new houses commencing on or after 1 January 2003, except new houses for which:-

- (a) planning permission or approval is applied for under the Planning and Development Act 2000 (No. 30 of 2000) on or before 31 December 2002; or
- (b) notice under Part 8 of the Planning and Development Regulations 2001 (No. 600 of 2001) is published on or before 31 December 2002,

provided substantial work has been completed by 31 December 2005.

