

Statutory Instruments

S.I. No. 115 of 2006

Building Regulations (Amendment) Regulations 2006

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The Minister for the Environment, Heritage 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) Regulations 2006.
 - (2) These Regulations and the Building Regulations 1997 (S.I. No. 497 of 1997) shall be construed as one and cited together as the Building Regulations 1997 to 2006.
- Commencement**
2. These Regulations shall come into operation on 1 June 2006
- Application**
3. These Regulations shall apply to works, or buildings in which a material alteration or change of use takes place, where the works, material alteration or change of use commence or take place, as the case may be, on or after 1 June 2006 except where—
 - (i) a planning application is made on or before 31 May 2006 for planning permission or approval pursuant to the Planning and Development Act 2000 (No. 30 of 2000) and where substantial work has been completed on or before 31 May 2009; or
 - (ii) a notice pursuant to the provisions of Part 8 of the Planning & Development Regulations 2001 (S.I. No. 600 of 2001) is published on or before 31 May 2006 and where substantial work has been completed on or before 31 May 2009; or
 - (iii) a Fire Safety Certificate under the Building Control Regulations, in respect of the works or buildings, has been granted on or before 31 May 2006 and where substantial work has been completed on or before 31 May 2009.

Definition

4. (i) For the purposes of these Regulations, “substantial work has been completed” means that the structure of the external walls of the building has been erected.
- (ii) In these Regulations-
- “the Principal Regulations” means the Building Regulations, 1997 (S.I. No. 497 of 1997)

Amendment of Principal Regulations

5. The Second Schedule to the Principal Regulations is hereby amended by the insertion of the following for Part B

“

Part B

Fire Safety

- | | | |
|----------------------------------|----|---|
| Means of escape in case of fire | B1 | A building shall be so designed and constructed that there are adequate means of escape in case of fire from the building to a place of safety outside the building, capable of being safely and effectively used. |
| Internal fire spread (linings) | B2 | For the purpose of inhibiting the spread of fire within a building, the internal linings- <ul style="list-style-type: none"> (a) shall have, either a rate of heat release or a rate of fire growth and a resistance to ignition which is reasonable in the circumstances; and (b) shall offer adequate resistance to the spread of flame over their surfaces |
| Internal fire spread (structure) | B3 | (1) A building shall be so designed and constructed that, in the event of fire, its stability will be maintained for a reasonable period. <ul style="list-style-type: none"> (2) (a) A wall common to two or more buildings shall be so designed and constructed that it offers adequate resistance to the spread of fire between those buildings. |

(b) A building shall be sub-divided with fire resisting construction where this is necessary to inhibit the spread of fire within the building.

(3) A building shall be so designed and constructed that the unseen spread of fire and smoke within concealed spaces in its structure or fabric is inhibited where necessary.

(4) For the purposes of sub-paragraph 2 (a), a house in a terrace and a semi-detached house are each to be treated as being a separate building.

External fire spread

B4 The external walls and roof of a building shall be so designed and constructed that they afford adequate resistance to the spread of fire to and from neighbouring buildings.

Access and facilities for the fire service

B5 A building shall be so designed and constructed that there is adequate provision for access for fire appliances and such other facilities as may be reasonably required to assist the fire service in the protection of life and property. ”

6. The Principal Regulations are hereby amended by the deletion of buildings listed under Class 9, Column 1, of the Third Schedule (Exempted Buildings) where the works commence on or after 1 September, 2006.

Given under the Official Seal
of the Minister for the Environment,
Heritage and Local Government
this 8th day of March 2006.

Dick Roche
Minister for the Environment,
Heritage and Local Government.

Explanatory Note

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

These Regulations amend Part B (Fire Safety) of the Second Schedule to the Building Regulations 1997, primarily to implement European fire performance standards under the EU Construction Products Directive –CPD (89/106/EEC).

The operative date of the amending regulations (relating to Part B) is 1 June, 2006, subject to the transitional exemption of building works for which-

- (a) planning permission or approval is applied for on or before 31 May 2006
or
- (b) a Part 8 notice is published, on or before 31 May 2006, or
- (c) a Fire Safety Certificate is granted on or before 31 May 2006,

provided substantial work has been completed on or before 31 May 2009.

The Regulations also terminate, with effect from 1 September 2006, the exemption from Building Regulations of construction works on electricity generation, transmission and distribution stations.

