Number 20 *of* 2025

Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Act 2025

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REMEDIATION OF DWELLINGS DAMAGED BY THE USE OF DEFECTIVE CONCRETE BLOCKS (AMENDMENT) ACT 2025

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Number 20 *of* 2025

REMEDIATION OF DWELLINGS DAMAGED BY THE USE OF DEFECTIVE CONCRETE BLOCKS (AMENDMENT) ACT 2025

An Act to amend the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022; to amend the eligibility criteria for applications for grants in respect of alternative accommodation, storage and immediate repairs; to provide for a further mechanism for the assessment of certain attached dwellings damaged by the use of defective concrete blocks; to provide for an application for an increase in the amount of a grant for remediation of certain dwellings damaged by the use of defective concrete blocks; to amend the time limit for the payment of a grant for remediation; to provide for the construction of a new dwelling in exceptional circumstances; to provide for the review of certain approved remediation options and a procedure for the approval of a new remediation option and grant; to enable certain joint owners to become relevant owners; to provide for charging orders for additional payments and their release; to provide for information sharing between specified public bodies; to amend and extend the Building Control Act 1990 to provide for regularisation certificates of compliance on completion in certain circumstances; to change the names of certain certificates issued under that Act; to confer on the Minister for Housing, Local Government and Heritage the power to make regulations relating to enforcement notices; to extend the powers of authorised persons; to provide for the opening up of works in certain limited circumstances; and to provide for related matters. [23*rd December*, 2025]

Be it enacted by the Oireachtas as follows:

PART 1

Preliminary and General

Short title, commencement and collective citation

1. (1) This Act may be cited as the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Act 2025.

(2) This Act shall come into operation on such day or days as the Minister for Housing, Local Government and Heritage may by order or orders appoint, either generally or with reference to any particular purpose or provision, and different days may be so appointed for different purposes or provisions.

(3) The Building Control Acts 1990 to 2020 and *Part 3* may be cited together as the Building Control Acts 1990 to 2025.

PART 2

Amendment of Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022

Interpretation (*Part 2*)

2. In this Part, "Principal Act" means the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022.

Amendment of section 2 of Principal Act

3. Section 2(1) of the Principal Act is amended by the insertion of the following definition:

" 'increased grant' has the meaning given to it by section 17A(6)(a);".

Amendment of section 7 of Principal Act

4. Section 7 of the Principal Act is amended—

(a) by the substitution, in the definition of "post works remedial works plan", of "section 18 or 18A, as the case may be" for "section 18",

(b) by the substitution, in the definition of "unauthorised structure" of "2000;" for "2000.", and

(c) by the insertion of the following definitions:

" 'qualifying expenditure' has the meaning given to it by section 17A;

'revised I.S. 465:2018' has the meaning given to it by section 23A(1);

'updated remediation option' has the meaning given to it by section 23A(1)(b);

'updated remediation option grant' has the meaning given to it by section 23A(1)(b).".

Amendment of section 10 of Principal Act

5. Section 10 of the Principal Act is amended—

(a) by the deletion, in subsection (3), of "or, where applicable, the total amount of a remediation option grant and an ancillary grant referred to in subsection (1) and (2),", and

(b) by the insertion of the following subsections after subsection (4):

"(4A) The total amount which may be paid to a relevant owner under sections 18, 18A and 22 shall not exceed the amount referred to in subsection (3).

(4B) The designated local authority shall, before making a payment to a relevant owner under section 18, 18A or 22, as the case may be, review the total amount of payments made to the relevant owner under sections 18, 18A and 22 and the designated local authority shall, where necessary to comply with subsection (4A), reduce the amount of the remediation option grant, the increased grant or the ancillary grant, as the case may be.".

Amendment of section 13 of Principal Act

6. Section 13(11) of the Principal Act is amended by the substitution, in paragraph (b), of "90 days" for "28 days".

Damage threshold for attached dwellings

7. The Principal Act is amended by the insertion of the following section after section 15:

"15A.(1) Where a determination is made under section 15(1)(b) that a relevant dwelling does not meet the damage threshold, the relevant owner may make a notification under subsection (2) where—

(a) the relevant dwelling is—

(i) terraced or semi-detached, and

(ii) connected to another relevant dwelling,

(in this section the first-mentioned relevant dwelling is referred to as an 'attached dwelling'), and

(b) the Housing Agency has approved a remediation option and remediation option grant under section 16(4)(a) in relation to the relevant dwelling referred to in paragraph (a)(ii).

(2) The relevant owner referred to in subsection (1) may notify the designated local authority that he or she is seeking a determination under section 15(1)(a) that the attached dwelling meets the damage threshold.

(3) A notification under subsection (2) shall—

(a) be made in such form and manner as may be prescribed, and

(b) be accompanied by—

(i) such evidence as may be prescribed of the matters referred to in paragraphs (a) and (b) of subsection (1), and

(ii) such other documents or information as may be prescribed for the purposes of the notification.

(4) The designated local authority shall, having regard to any matters prescribed under subsection (8), consider the notification under subsection (2) and decide—

(a) where it is satisfied that the notification is made in accordance with subsection (3), that the Housing Agency shall be deemed to have made a determination under section 15(1)(a) that the attached dwelling meets the damage threshold, or

(b) where it is not satisfied that the notification is made in accordance with subsection (3), that the determination of the Housing Agency under section 15(1)(b) in relation to the attached dwelling remains valid.

(5) The designated local authority shall, as soon as practicable, notify the relevant owner of the attached dwelling and the Housing Agency of its decision under subsection (4).

(6) Where a decision is made under subsection (4)(b), a notification under subsection (5) shall state that the relevant owner of the attached dwelling may appeal the decision in accordance with Part 5 within 90 days of the date of the notification.

(7) Where a decision is made under subsection (4)(a), the Housing Agency shall, notwithstanding the criteria prescribed under section 16(10)(c), in so far as is possible, prioritise the assessment and consideration of the application under section 16.

(8) The Minister may prescribe the matters to which a designated local authority is to have regard in considering the notification under subsection (2).

(9) In this section, 'damage threshold' has the meaning given to it by section 15.".

Amendment of section 17 of Principal Act

8. Section 17 of the Principal Act is amended—

(a) by the substitution, in subsection (3), of "section 18 or 18A, as the case may be," for "section 18", and

(b) by the substitution, in subsection (8)(a), of "with section 18 or 18A, as the case may be, and section 19" for "sections 18 and 19".

Application for increase to remediation option grant

9. The Principal Act is amended by the insertion of the following section after section 17:

"17A. (1) A relevant owner may apply to the designated local authority for an increase to the remediation option grant where the relevant owner—

(a) received, before the coming into operation of the section 11 Order on 23 October 2024, a notification under section 16(9) which relates to a decision under section 16(4)(a), and

(b) has evidence of qualifying expenditure.

(2) A relevant owner who, before the date of the coming into operation of *section 9* of the *Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Act 2025*, has received the final part payment of a remediation option grant or the payment of the whole of the remediation option grant under section 18, may not make an application under subsection (1) unless the relevant owner did not receive payment under section 18 for the total amount of qualifying expenditure.

(3) An application under subsection (1) shall be accompanied by—

(a) evidence of qualifying expenditure, and

(b) details of any payment which the applicant, or any other person who has a legal or beneficial interest in the dwelling, has received other than under this Act, in respect of damage to the dwelling caused by the use of defective concrete blocks in its construction.

(4) For the purposes of considering the application under subsection (1), the designated local authority may require the applicant to provide further information or documents within a specified period.

(5) Where an applicant does not comply with a requirement under subsection (4), the application shall be considered to have been withdrawn.

(6) The designated local authority shall consider an application under subsection (1) and decide—

(a) where it is satisfied that the application is made in accordance with subsections (1) and (3) and any regulations made under subsection (12), to approve an increase to the remediation option grant (in this Act referred to as the 'increased grant') which, subject to subsection (11), may be paid to the relevant owner under section 18A for the purpose of qualifying expenditure, or

(b) where it is not satisfied that the application is made in accordance with subsections (1) and (3) and any regulations made under subsection (12), to refuse the application.

(7) The increased grant shall be calculated by the designated local authority—

(a) in accordance with section 10—

(i) as amended by the section 11 Order, and

(ii) subject to the modification that each reference in subsection (5) to 'prescribed under section 12' shall be construed as a reference to 'in accordance with the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Regulations 2023 (S.I. No. 347 of 2023), as amended by the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Regulations 2024 (S.I. No. 621 of 2024)',

and

(b) using the same measurements of the relevant dwelling that were used by the Housing Agency in calculating the remediation option grant.

(8) Where a relevant owner states in the application under subsection (1) that he or she, or any other person who has a legal or beneficial interest in the relevant dwelling, received a payment from another person, other than under this Act, in respect of damage to the relevant dwelling caused by the use of defective concrete blocks in its construction, the designated local authority shall reduce the increased grant by the amount of the payment.

(9) Where the remediation option grant approved under section 16(4) was reduced under section 17(5), the designated local authority shall reduce the amount of the increased grant on the same basis.

(10) The designated local authority shall, as soon as practicable, notify the applicant of its decision under subsection (6) and, where applicable, of a reduction under subsection (8) or (9), as the case may be, and the notification shall—

(a) include the reasons for the decision, and

(b) state that the relevant owner may appeal the decision in accordance with Part 5 within 90 days of the date of the notification.

(11) A relevant owner shall make an application for payment of a remediation option grant in respect of all expenditure incurred, other than qualifying expenditure, under section 18 before he or she makes an application for payment of an increased grant under section 18A.

(12) The Minister may prescribe:

(a) the form and manner in which an application under this section shall be made;

(b) the form and manner in which a requirement may be made under subsection (4);

(c) the matters to which a designated local authority is to have regard in approving the increased grant;

(d) the method and procedure by which an increased grant may be reduced under subsection (8) or (9);

(e) the form and manner in which a notification may be given under subsection (10).

(13) In this section—

'section 11 Order' means the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022 (Section 11) Order 2024 (S.I. 577 of 2024);

'qualifying expenditure' means expenditure, in carrying out works to satisfy the approved remediation option, incurred by the relevant owner after the date of the notification referred to in subsection (1)(a), but not earlier than 29 March 2024.".

Amendment of section 18 of Principal Act

10. Section 18 of the Principal Act is amended—

(a) by the substitution, in subsection (1), of "section 10(4B), 16(8), 17(5) or 23B(9)" for "section 16(8) or 17(5)", and

(b) by the substitution, in subsection (4)(a), of "section 10(4B), 16(8), 17(5) or 23B(9)" for "section 16(8) or 17(5)".

Payment of increased grant

11. The Principal Act is amended by the insertion of the following section after section 18:

"18A. (1) Subject to subsection (5), a relevant owner may apply to the designated local authority for payment of an increased grant for qualifying expenditure, in whole or in parts, subject to any reduction made under subsection (8), section 10(4B) or subsection (8) or (9) of section 17A.

(2) An application under subsection (1) shall only be made in respect of qualifying expenditure that has not been paid in whole or in part under section 18.

(3) An application for part payment (other than the final part payment) of an increased grant shall be accompanied by—

(a) an interim valuation certificate completed in accordance with subsection (9), and

(b) evidence of the expenditure incurred by the relevant owner on or after 29 March 2024 in carrying out the works described in the interim valuation certificate.

(4) An application for the final part payment of the increased grant or for payment of the whole of the grant shall be accompanied by—

(a) a post works remedial works plan completed in accordance with subsection (10),

(b) a certificate of remediation completed in accordance with section 20, and

(c) evidence of the expenditure incurred by the relevant owner on or after 29 March 2024 in completing the works described in the post works remedial works plan.

(5) Where a relevant owner referred to in section 17A(2) receives a notification under section 17A(10) which relates to a decision under section 17A(6)(a), the relevant owner may make one application for payment of an increased grant under subsection (1).

(6) An application for payment of the increased grant by a relevant owner referred to in subsection (5) shall be accompanied by—

(a) a final valuation certificate completed in accordance with subsection (11), and

(b) evidence of the expenditure incurred by the relevant owner on or after 29 March 2024 in completing the works described in the final valuation certificate.

(7) The total amount of payments which may be made to a relevant owner under this section shall not exceed the lesser of—

(a) the amount of the increased grant, subject to any reduction made under subsection (8), section 10(4B) or subsection (8) or (9) of section 17A, or

(b) the expenditure incurred and evidenced by the relevant owner in an application under this section in completing the approved remediation option (including the value added tax paid by the relevant owner for that purpose).

(8) Where a relevant owner has received payment of a remediation option grant under section 18, the designated local authority shall reduce the amount of the increased grant by the total amount of payments to the relevant owner under section 18.

(9) An interim valuation certificate shall—

(a) describe the works completed since the date of commencement of the works notified to the designated local authority under section

19, or where a previous interim valuation certificate has been provided to the designated local authority under this section or section 18, since the date of that previous interim valuation certificate, and

(b) be prepared by the competent engineer, or where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling, the competent building professional, who designed and inspected the works referred to in paragraph (a).

(10) A post works remedial works plan shall—

(a) describe the works completed since the date of commencement of the works notified to the designated local authority under section 19, and

(b) be prepared by the competent engineer, or where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling, the competent building professional, who designed and inspected the works referred to in paragraph (a).

(11) A final valuation certificate shall—

(a) describe the works completed for which evidence referred to in subsection (6)(b) has been provided, and

(b) be prepared by the competent engineer, or where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling, the competent building professional, who designed and inspected the works referred to in paragraph (a).

(12) The designated local authority shall refuse to make a payment applied for under subsection (1)—

(a) where the conditions referred to in section 17(8) have not been complied with,

(b) in respect of any additional works, or

(c) where an authorised officer is refused entry to the relevant dwelling for the purposes of subsection (16).

(13) Without prejudice to subsection (12), the designated local authority shall refuse to make a part payment where—

(a) the relevant owner fails to comply with subsection (3), or

(b) the works carried out are not in accordance with the remedial works plan.

(14) Without prejudice to subsection (12), the designated local authority shall refuse to make the final part payment of the increased grant or the payment of the whole of the increased grant where—

(a) the relevant owner fails to comply with subsection (4), or

(b) the works carried out are not sufficient to satisfy the approved remediation option.

(15) Without prejudice to subsection (12), the designated local authority shall refuse to make a payment to a relevant owner referred to in subsection (5) where—

(a) the relevant owner fails to comply with subsections (5) and (6), or

(b) the works carried out are not in accordance with the remedial works plan.

(16) For the purposes of determining whether or not to make a payment, or part payment, of an increased grant under this section, an authorised officer of the designated local authority may—

(a) inspect the works carried out, or being carried out, to the relevant dwelling, and

(b) make enquiries of such persons as he or she considers necessary.

(17) Where the designated local authority refuses to make a payment of the increased grant under this section, it shall notify the relevant owner of the refusal and the reasons for the refusal.

(18) A notification under subsection (17) shall state that the relevant owner may appeal the refusal in accordance with Part 5 within 90 days of the date of the notification.

(19) The Minister may, for the purposes of this section, prescribe:

(a) the form and manner in which an application under this section shall be made;

(b) the evidence to be provided in an application under this section relating to prior payments for qualifying expenditure under section 18;

(c) the form and content of interim valuation certificates;

(d) the form and content of post works remedial works plans;

(e) the form and content of final valuation certificates;

(f) such other documents or information as the Minister may consider necessary to accompany an application for the purposes of this section.”.

Amendment of section 19 of Principal Act

12. Section 19 of the Principal Act is amended—

(a) in subsection (1)—

(i) by the substitution of "Subject to subsections (1A) to (1C), (3) and (13), a payment may only be made to a relevant owner under section 18 or 18A, as the case may be" for "Subject to subsection (3), a payment may only be made to a relevant owner under section 18", and

(ii) by the substitution, in paragraph (b), of "under section 18 or 18A, as the case may be, within 130 weeks" for "under section 18 within 65 weeks",

(b) by the insertion of the following subsections after subsection (1):

"(1A) The period referred to in subsection (1)(b) shall not apply to an application for a payment under section 18A by a relevant owner referred to in subsection (5) of that section.

(1B) The periods referred to in paragraphs (a) and (b) of subsection (1) shall be suspended from the date an application is made under section 23A(1) until—

(a) in the case of a refusal under section 23A(5)(b), the later of—

(i) the date of a notification under section 23A(7), or

(ii) where the relevant owner has made an appeal under Part 5 in respect of that refusal, the date of the decision of the Appeal Board under section 39 to affirm that decision,

or

(b) in the case of a refusal under section 23B(4)(b), the later of—

(i) the date of a notification under section 23B(10), or

(ii) where the relevant owner has made an appeal under Part 5 in respect of that refusal, the date of the decision of the Appeal Board under section 39 to affirm that decision.

(1C) Subject to section 23B(10)(a)(ii), the periods referred to in paragraphs (a) and (b) of subsection (1) shall not apply to an application for payment referred to in clause (I) or (II) of section 23B(10)(a)(ii), following a notification under section 23B(10) that relates to an approval under section 23B(4)(a).",

(c) by the substitution, in subsection (3)(b), of "section 18 or 18A, as the case may be," for "section 18",

(d) by the substitution, in subsection (4)(a), of "2 weeks" for "12 weeks", and

(e) by the insertion of the following subsection after subsection (12):

"(13) Where, before the date of the coming into operation of *section 12(a)(ii)* of the *Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Act 2025*, the designated local authority refused a request to extend the period referred to in subsection (1)(b), the relevant owner may, notwithstanding subsection (1)(b), make an application for a payment under section 18 or 18A, as the case may be, not later than 65 weeks after the date of the coming into operation of the said *section 12(a)(ii)*.".

Amendment of section 21 of Principal Act

13. Section 21 of the Principal Act is amended—

(a) by the substitution, in subsection (1), of "section 18 or 18A, as the case may be" for "section 18", and

(b) by the substitution, in subsection (4)(a), of "section 18(3) or 18A(4), as the case may be" for "section 18(3)".

Amendment of section 22 of Principal Act

14. Section 22 of the Principal Act is amended—

(a) by the substitution of the following subsection for subsection (1):

"(1) Where a remediation option grant is approved under section 16(4)(a), the relevant owner concerned may apply to the designated local authority for an ancillary grant.",

(b) by the substitution, in subsection (2), of "Subject to subsection (2A), an ancillary grant" for "An ancillary grant",

(c) by the insertion of the following subsection after subsection (2):

"(2A) Where an adjacent remediation option has been approved under section 22A(6)(a), an ancillary grant shall only be approved in respect of costs incurred by the relevant owner for the purposes referred to in section 10(2)(c).",

and

(d) in subsection (7)—

(i) by the substitution, in paragraph (a), of "or" for "and", and

(ii) by the insertion, in paragraph (b), of ", subject to any reduction made under section 10(4B)" after "(6)".

Application for an adjacent remediation option

15. The Principal Act is amended by the insertion of the following section after section 22:

"22A. (1) Where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling, the relevant owner may apply to the designated local authority for approval to construct a new dwelling in the curtilage of the relevant dwelling (in this section referred to as an 'adjacent remediation option') to replace the approved remediation option.

(2) A relevant owner may only make an application under subsection (1) where—

(a) the relevant dwelling was adapted for the accommodation of a person who has a disability, and

(b) the works necessary to carry out the approved remediation option have not commenced.

(3) An application under subsection (1) shall—

(a) be made in such form and manner as may be prescribed, and

(b) be accompanied by—

(i) such evidence as may be prescribed of the matters referred to in paragraphs (a) and (b) of subsection (2), and

(ii) such other documents or information as may be prescribed for the purposes of the application.

(4) The designated local authority may require the relevant owner—

(a) to provide, in writing, within 90 days of the date of the requirement, such further information or documents relating to the application as the designated local authority may consider necessary, and

(b) to facilitate, within 90 days of the date of the requirement, an inspection of the dwelling by an authorised officer of the designated local authority.

(5) Where an applicant does not comply with a requirement under subsection (4), the application under subsection (1) shall be considered to have been withdrawn.

(6) The designated local authority shall consider the application under subsection (1) and shall—

(a) approve an adjacent remediation option where it is satisfied that—

(i) the relevant dwelling was adapted for the accommodation of a person who has a disability, and

(ii) the eligibility requirements, prescribed under subsection (11)(a), have been met,

or

(b) where it is not satisfied that the requirements pursuant to paragraph (a) have been met, refuse to approve the adjacent remediation option.

(7) Where an adjacent remediation option is approved under subsection (6)(a), the remediation option grant calculated in accordance with section 10 and approved under section 16(4)(a)(ii) may be paid to the relevant owner under section 18 for the purpose of completing the adjacent remediation option.

(8) The designated local authority shall, as soon as practicable, notify the relevant owner of the decision under subsection (6), and the reasons for the decision, and the notification shall—

(a) where it relates to a decision under subsection (6)(a), state that the relevant owner shall—

(i) obtain permission prior to commencing works to satisfy the adjacent remediation option,

(ii) comply with section 17, subject to the modifications referred to in subsection (10), and

(iii) provide a certificate of demolition in respect of the relevant dwelling to the designated local authority within 12 months of the date of the final payment of the remediation option grant under section 18,

and

(b) state that the relevant owner may appeal the decision in accordance with Part 5 within 90 days of the date of the notification.

(9) Subject to the modifications referred to in subsection (10) and any other necessary modifications, an adjacent remediation option shall for the purposes of this Act, be deemed to be an approved remediation option under section 16(4)(a)(i) and this Act shall apply accordingly.

(10) The modifications are:

(a) in section 17:

(i) the reference in subsection (1) to 'a notification under section 16(9) which relates to a decision under section 16(4)(a)' shall be construed as a reference to 'a notification under section 22A(8) which relates to a decision under section 22A(6)(a)';

(ii) subsection (5) shall be construed as if the following subsection were substituted for that subsection:

'(5) Where an adjacent remediation option is approved under section 22A(6)(a) and the remedial works plan provided under subsection (1) indicates that the internal

floor area of the new dwelling which the relevant owner proposes to construct is a reduction of the internal floor area of the relevant dwelling, the designated local authority shall reduce the amount of the remediation option grant approved by the Housing Agency under section 16(4) proportionately.';

(iii) subsection (8) shall be construed as if the following paragraphs were substituted for paragraphs (b) and (c):

'(b) satisfy the designated local authority that he or she has obtained permission for the adjacent remediation option and the demolition of the relevant dwelling and any additional works, if required,

(c) complete the adjacent remediation option, and';

(b) in section 18:

(i) the reference in subsection (5)(b) to 'where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling' shall be construed as a reference to 'where an adjacent remediation option has been approved under section 22A(6)(a)';

(ii) the reference in subsection (6)(b) to 'where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling' shall be construed as a reference to 'where an adjacent remediation option has been approved under section 22A(6)(a)';

(c) in section 19(1)(a):

(i) the reference in subparagraph (i) to 'the notification under section 16(9)' shall be construed as a reference to 'the notification under section 22A(8)';

(ii) the reference in subparagraph (ii) to 'a decision under section 16(4)' shall be construed as a reference to 'a decision under section 22A(6)';

(d) in section 20:

(i) the reference in subsection (1)(b) to 'any additional works are completed' shall be construed as a reference to 'any additional works, other than the demolition of the relevant dwelling, are completed';

(ii) the reference in subsection (2)(a)(ii) to 'where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling' shall be construed as a

reference to 'where the approved remediation option is the construction of a new dwelling, approved under section 22A(6)(a)';

(e) section 21(2) shall be construed as if the following paragraph were substituted for paragraph (a):

'(a) the approved remediation option, or any additional works completed by the relevant owner, did not result in the construction of a new dwelling, and'.

(11) The Minister may prescribe—

(a) the eligibility requirements for an adjacent remediation option, including—

(i) the class of person who qualifies under subsection (2)(a),

(ii) the residence of that person in the relevant dwelling and in the new dwelling to be constructed, and

(iii) the nature of the adaptations to the relevant dwelling,

(b) the form and manner in which a requirement may be made under subsection (4),

(c) the standards by reference to which inspections by authorised officers for the purposes of this section are to be carried out,

(d) matters to which a designated local authority is to have regard in making a decision under subsection (6),

(e) the form and manner in which a notification may be given under subsection (8),

(f) the content of a demolition certificate,

(g) the inspection of the demolition of the relevant dwelling by a competent building professional, and

(h) the form and manner in which a demolition certificate shall be provided to the designated local authority.

(12) In this section—

'curtilage' means the area immediately surrounding or adjacent to the relevant dwelling and used in conjunction with the dwelling;

'disability' has the same meaning as it has in the Disability Act 2005;

'permission' has the meaning given to it by section 28.".

Amendment of section 23 of Principal Act

16. Section 23 of the Principal Act is amended—

(a) by the substitution, in subsection (8), of "modifications" for "modification" in each place where it occurs, and

(b) by the substitution of the following subsection for subsection (9):

"(9) The modifications are:

(a) the reference in section 17A(1)(a) to 'a notification under section 16(9) which relates to a decision under section 16(4)(a)' shall be construed as a reference to 'a revised approval';

(b) the period referred to in section 19(1)(b) shall continue to apply as if the revised approval was made on the date of the first approval.".

Insertion of new sections 23A and 23B in Principal Act

17. The Principal Act is amended by the insertion of the following sections after section 23:

"Application for review of approved remediation option

23A. (1) Where an approved remediation option is not the demolition of the relevant dwelling and the reconstruction of the dwelling, the relevant owner may, after the first amendment or replacement of I.S. 465:2018 by the National Standards Authority of Ireland (in this Part referred to as the 'revised I.S. 465:2018'), apply to the designated local authority for—

(a) a review of the approved remediation option having regard to the revised I.S. 465:2018, and

(b) approval of a new remediation option (in this Part referred to as the 'updated remediation option') and a new remediation option grant (in this Part referred to as the 'updated remediation option grant') to replace the approved remediation option and remediation option grant.

(2) A relevant owner may only make an application under subsection (1) where—

(a) the works necessary to carry out the approved remediation option have not commenced, or

(b) (i) no works have been carried out to satisfy the approved remediation option since 6 November 2024, and

(ii) a certificate of remediation has not been completed under section 20.

(3) An application under subsection (1) shall—

(a) be made within 6 months of the coming into operation of *section 17* of the *Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Act 2025*,

(b) be made in such form and manner as may be prescribed, and

(c) be accompanied by—

(i) such evidence as may be prescribed of the matters referred to in paragraph (a) or (b) of subsection (2), as the case may be,

(ii) details of any payment which the applicant, or any other person who has a legal or beneficial interest in the dwelling, has received other than under this Act, in respect of damage to the dwelling caused by the use of defective concrete blocks in its construction, and

(iii) such other documents or information as may be prescribed for the purposes of the application.

(4) The designated local authority may—

(a) require the relevant owner to provide in writing, within 90 days of the date of the requirement, such further information or documents relating to the application as the designated local authority may consider necessary, and

(b) require the relevant owner to facilitate, within 90 days of the date of the requirement, an inspection of the dwelling by an authorised officer of the designated local authority.

(5) The designated local authority shall consider whether an application is valid and shall—

(a) where it decides that the application is valid, refer the application to the Housing Agency as soon as practicable after making that decision, or

(b) where it considers that the application is not valid, refuse to refer the application to the Housing Agency.

(6) In considering whether an application is valid, the designated local authority shall have regard to—

(a) the application, and

(b) any further information or documents provided to it or the results of any inspections made by it, under subsection (4).

(7) The designated local authority shall notify the applicant of the referral or refusal under subsection (5) as soon as practicable after it is made.

(8) A notification under subsection (7) shall—

(a) where a notification relates to a referral, state that the applicant shall not carry out work to satisfy the approved remediation option unless a decision is made under section 23B(4)(b), and

(b) where a notification relates to a refusal, include the reasons for the refusal and state that the applicant may appeal the refusal under Part 5 within 90 days of the date of the notification.

Consideration by Housing Agency of application for updated remediation option and grant

23B. (1) Following receipt of an application pursuant to section 23A(5)(a), the Housing Agency shall arrange for an authorised officer who is a competent engineer to assess the relevant dwelling having regard to the revised I.S. 465:2018 and submit a report of the assessment to the Housing Agency in accordance with this section.

(2) For the purposes of preparing a report under subsection (1), the authorised officer may—

(a) exercise such powers referred to in section 43 as he or she considers necessary, and

(b) review such information or documents as he or she considers appropriate.

(3) The authorised officer shall submit a report to the Housing Agency which shall state whether, in his or her opinion, the approved remediation option should be replaced having regard to the revised I.S. 465:2018.

(4) The Housing Agency shall consider the application under section 23A(1) and the report of the authorised officer and shall—

(a) where it is satisfied that the approved remediation option is no longer appropriate having regard to the revised I.S. 465:2018 approve—

(i) in accordance with any regulations made under section 12, an updated remediation option to remedy the damage to the dwelling caused by the use of defective concrete blocks in its construction, and

(ii) subject to subsection (7) and in accordance with section 10, or any order made under section 11, an updated remediation option grant which may be paid to the relevant owner under section 18 for the purpose of completing the updated remediation option,

or

(b) where it is not satisfied that an updated remediation option is required having regard to the revised I.S. 465:2018, refuse to

approve the updated remediation option and updated remediation option grant.

(5) For the purposes of subsection (4), the Housing Agency may—

(a) require the relevant owner to provide further information or documents within a specified period, or

(b) require further information from the designated local authority.

(6) Where a relevant owner does not comply with a requirement under subsection (5)(a), the application shall be considered to have been withdrawn.

(7) The amount of an updated remediation option grant approved under subsection (4)(a)(ii) shall not be less than the amount of the remediation option grant approved under section 16(4)(a)(ii).

(8) The Housing Agency shall notify the designated local authority of its decision under subsection (4), and of the reasons for its decision, as soon as practicable after the decision is made.

(9) Where a relevant owner states in the application under section 23A(1) that he or she, or any other person who has a legal or beneficial interest in the relevant dwelling, received a payment from another person, other than under this Act, in respect of damage to the relevant dwelling caused by the use of defective concrete blocks in its construction, the designated local authority shall reduce the updated remediation option grant by the amount of the payment.

(10) The designated local authority shall, as soon as practicable after being notified by the Housing Agency under subsection (8), notify the relevant owner of the decision under subsection (4) and, where applicable, of a reduction under subsection (9), and the reasons for the decision and, where applicable, reduction, and the notification shall—

(a) where it relates to a decision under subsection (4)(a), state that the relevant owner—

(i) is required to comply with section 17, subject to the modifications referred to in subsection (12), and

(ii) shall not, after the specified date, make an application for payment under—

(I) section 18, in respect of the remediation option grant which was approved under section 16(4)(a),

(II) section 18A, or

(III) section 22, in respect of an ancillary grant which was approved before the date of the notification,

and

(b) state that the relevant owner may appeal the decision in accordance with Part 5 within 90 days of the date of the notification under this subsection.

(11) Subject to the modifications referred to in subsection (12) and any other necessary modifications, an updated remediation option and an updated remediation option grant approved under subsection (4)(a) shall, from the specified date and for the purposes of this Act, be deemed to be an approved remediation option and remediation option grant under section 16(4)(a) and this Act shall apply accordingly.

(12) The modifications are:

(a) for the purposes of section 10(4A), all payments before the specified date shall be disregarded;

(b) sections 13 to 16 shall not apply;

(c) in section 17(1), the reference to 'a notification under section 16(9) which relates to a decision under section 16(4)(a)' shall be construed as a reference to 'a notification under section 23B(10) which relates to a decision under section 23B(4)(a)';

(d) in section 19(1)(a):

(i) the reference in subparagraph (i) to 'the notification under section 16(9)' shall be construed as a reference to 'the notification under section 23B(10)';

(ii) the reference in subparagraph (ii) to 'a decision under section 16(4)' shall be construed as a reference to 'a decision under section 23B(4)';

(e) in section 22(2), the reference to 'before or after the making of an application under section 13' shall be construed as a reference to 'on or after the specified date (within the meaning of section 23B)'.

(13) The Minister may prescribe—

(a) the standards by reference to which inspections and tests by authorised officers for the purposes of section 23A and this section are to be carried out,

(b) the procedures for the selection by the Housing Agency of competent engineers to be authorised officers for the purposes of this section and the form and manner in which reports of authorised officers are to be provided,

(c) the matters to which the Housing Agency is to have regard in approving the updated remediation option and updated remediation option grant under subsection (4)(a),

(d) the form and manner in which a requirement may be made under section 23A(4) or subsection (5),

(e) the method and procedure by which the updated remediation option grant may be reduced under subsection (9), and

(f) the form and manner in which a notification may be given under section 23A(7) or subsection (10).

(14) In making regulations under paragraph (a), (b) or (c) of subsection (13) the Minister shall have regard to the revised I.S. 465:2018.

(15) In this section, 'specified date' means the earlier of—

(a) the date on which the period of 60 days after the date of the notification under subsection (10) expires, or

(b) the date that the relevant owner notifies the designated local authority that he or she has submitted the last application for payment referred to in clause (I), (II) or (III), as the case may be, of subsection (10)(a)(ii).".

Amendment of section 24 of Principal Act

18. Section 24 of the Principal Act is amended—

(a) by the insertion of the following subsection after subsection (4):

"(4A) Notwithstanding section 9(2)(a), an individual shall be regarded as a relevant owner for the purposes of a notification under subsection (4) if he or she—

(a) is an individual who is—

(i) married to a relevant owner of a relevant dwelling,

(ii) a civil partner of a relevant owner of a relevant dwelling, or

(iii) a cohabitant of a relevant owner of a relevant dwelling,

and

(b) became a joint owner of the relevant dwelling on or after 31 January 2020.",

(b) by the insertion, in subsection (6), of the following paragraph after paragraph (b):

"(ba) the documents or information which may be considered evidence of the matters referred to in paragraphs (a) and (b) of subsection (4A);",

and

(c) by the insertion of the following subsection after subsection (6):

"(7) In this section—

'Act of 2010' means the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010;

'civil partner' shall be construed in accordance with section 3 of the Act of 2010;

'cohabitant' shall be construed in accordance with section 172(1) of the Act of 2010.".

Amendment of section 26 of Principal Act

19. Section 26 of the Principal Act is amended—

(a) by the substitution, in subsection (1), of "Where a remediation option grant, an increased grant or an updated remediation option grant is not reduced under section 16(8), 17A(8) or 23B(9), as the case may be," for "Where a remediation option grant is not reduced under section 16(8)",

(b) by the substitution, in subsection (2), of "section 18 or 18A, as the case may be" for "section 18",

(c) by the substitution, in subsection (3)(a), of "sections 18 and 18A" for "section 18", and

(d) by the substitution, in subsection (4), of "section 18 or 18A" for "section 18".

Amendment of section 27 of Principal Act

20. Section 27 of the Principal Act is amended—

(a) by the substitution, in subsection (1), of "section 18 or 18A, as the case may be" for "section 18", and

(b) in subsection (2)—

(i) by the substitution, in paragraph (a), of "section 18 or 18A, as the case may be" for "section 18", and

(ii) by the insertion of the following paragraph after paragraph (c):

"(ca) the relevant owner fails to demolish the relevant dwelling and to provide a certificate of demolition pursuant to section 22A(8)(a)(iii);".

Amendment of section 28 of Principal Act

21. Section 28 of the Principal Act is amended—

(a) by the substitution, in subsection (1), of "Subject to subsections (2), (3) and (3A)" for "Subject to subsections (2) and (3)", and

(b) by the insertion of the following subsection after subsection (3):

"(3A) Subsection (1) shall not apply to development consisting of the completion of an adjacent remediation option that has been approved under section 22A(6)(a).".

Amendment of section 29 of Principal Act

22. Section 29(1) of the Principal Act is amended by the substitution of "section 18, 18A or 22, as the case may be," for "section 18 or 22".

Amendment of section 30 of Principal Act

23. Section 30 of the Principal Act is amended—

(a) by the substitution of the following definition for the definition of "charged amount":

" 'charged amount' means the first charged amount or, if applicable, the second charged amount;",

(b) by the substitution of the following definition for the definition of "charging order":

" 'charging order' means the first charge or, if applicable, the second charge,",

(c) by the substitution of the following definition for the definition of "relevant date":

" 'relevant date' means 1 January in the year immediately following the year in which the designated local authority made the later of—

(a) the final part payment of a remediation option grant, or the payment of the whole of the remediation option grant, to the relevant owner under section 18,

(b) the final part payment of an increased grant, or the payment of the whole of the increased grant, to the relevant owner under section 18A, or

(c) the final payment of an ancillary grant under section 22;",

(d) by the substitution, in the definition of "relevant owner", of "section 31(1);" for "section 31(1).", and

(e) by the insertion of the following definitions:

" 'first charge' means an order made under section 31(1);

'first charged amount' means the amount referred to in section 31(2);

'retrospective payment' has the meaning given to it by section 31(1A);

'second charge' means an order made under section 31(1A);

'second charged amount' means the amount referred to in section 31(2A).".

Amendment of section 31 of Principal Act

24. Section 31 of the Principal Act is amended—

(a) by the substitution of the following subsection for subsection (1):

"(1) The designated local authority shall make an order charging a relevant dwelling in the terms specified in this section as soon as practicable after the designated local authority makes the later of—

(a) the final part payment of a remediation option grant, or a payment of the whole of a remediation option grant under section 18,

(b) the final part payment of an increased grant, or the payment of the whole of the increased grant under section 18A, or

(c) the final payment of an ancillary grant under section 22,

to a person who is a relevant owner by virtue of section 9(3)(b) (in this Chapter referred to as a 'relevant owner').",

(b) by the insertion of the following subsection after subsection (1):

"(1A) Where the designated local authority makes a payment under section 18A to a relevant owner who is a person referred to in section 18A(5) (in this Chapter referred to as a 'retrospective payment'), after the date that the first charge is deemed to have been executed under section 34(2), the designated local authority shall make a second order charging the relevant dwelling in the terms specified in this section as soon as practicable after it makes the retrospective payment.",

(c) by the substitution of the following subsection for subsection (2):

"(2) Subject to subsections (2A) and (3), a first charge shall create a charge over the relevant dwelling in favour of the designated local authority in the amount of the aggregate of all the payments made to the relevant owner in respect of the relevant dwelling under sections 18, 18A and 22.",

and

(d) by the insertion of the following subsections after subsection (2):

"(2A) A second charge shall create a charge over the relevant dwelling in favour of the designated local authority in the amount of the retrospective payment made to the relevant owner in respect of the relevant dwelling under section 18A.

(2B) For the purposes of this Chapter—

(a) subject to paragraph (b), the making of a second charge under subsection (1A) shall not alter the relevant date,

(b) if a deed of discharge is issued under section 35(1) in respect of the first charge, the relevant date shall be 1 January in the year

immediately following the year in which the designated local authority made the retrospective payment,

(c) subject to paragraph (d), on and after the date the second charge is deemed to have been executed under section 34(2)(b), the incremental release shall be applied in accordance with this Chapter, and

(d) the incremental release shall be applied separately to the first charged amount and to the second charged amount.".

Amendment of section 32 of Principal Act

25. Section 32(1) of the Principal Act is amended by the substitution of "the first charged amount and the second charged amount, as reduced by section 31(3), if applicable,", for "the charged amount or reduced charged amount".

Amendment of section 33 of Principal Act

26. Section 33(4) of the Principal Act is amended, in paragraph (b), by the substitution of "the first charged amount and the second charged amount, as reduced by section 31(3), if applicable,", for "the charged amount or reduced charged amount, as the case may be,".

Amendment of section 34 of Principal Act

27. Section 34 of the Principal Act is amended—

(a) by the substitution of the following subsection for subsection (2):

"(2) A charging order shall be deemed to be a legal mortgage under Part 10 of the Land and Conveyancing Law Reform Act 2009 and—

(a) the first charge shall be deemed to have been executed on the later of—

(i) the date of the final part payment of a remediation option grant, or the payment of the whole of the remediation option grant, to the relevant owner under section 18,

(ii) the date of the final part payment of an increased grant, or the payment of the whole of the increased grant, to the relevant owner under section 18A, or

(iii) the date of the final payment of an ancillary grant to the relevant owner under section 22,

and

(b) the second charge shall be deemed to have been executed on the date of the retrospective payment.",

and

(b) by the substitution, in subsection (4), of "section 31(2) or section 31(2A), as the case may be" for "section 31(2)".

Amendment of section 39 of Principal Act

28. Section 39(1) of the Principal Act is amended—

(a) by the substitution of "15A(4)(b), 16(4) and 17A(6), subsections (7), (8) and (9) of section 18, subsections (12), (13), (14) and (15) of section 18A and section 22A(6), 23A(5)(b) and 23B(4)" for "16(4), and subsections (7), (8) and (9) of section 18", and

(b) by the substitution, in paragraph (a), of "within 90 days of" for "not later than 28 days after".

Amendment of section 43 of Principal Act

29. Section 43(7) of the Principal Act is amended by the substitution of "section 13 or 23A, as the case may be" for "section 13".

Amendment of section 47 of Principal Act

30. Section 47 of the Principal Act is amended—

(a) by the insertion of the following subsections after subsection (3):

"(3A) The SEAI may share information with a designated local authority where it is necessary and proportionate to establish the funding which has been provided or is to be provided by the SEAI to a person who has made an application under section 13, 17A or 23A, as the case may be.

(3B) The information referred to in subsection (3A) may include:

(a) a relevant owner's name and address;

(b) the address and Eircode of a relevant dwelling;

(c) the meter point reference number assigned to an electricity account in the relevant dwelling;

(d) an application for funding made by a relevant owner to the SEAI;

(e) the amount of funding provided or to be provided by the SEAI to a relevant owner;

(f) the purpose of funding provided or to be provided by the SEAI to a relevant owner.",

and

(b) by the substitution of the following subsection for subsection (4):

"(4) In this section—

'public body' has the same meaning as it has in section 10 of the Data Sharing and Governance Act 2019 and shall also include—

(a) the SEAI,

(b) the Geological Survey of Ireland, and

(c) the National Standards Authority of Ireland;

'SEAI' means the Sustainable Energy Ireland - The Sustainable Energy Authority of Ireland.".

Amendment of section 53 of Principal Act

31. Section 53(1) of the Principal Act is amended—

(a) by the substitution of "section 13 or 23A, as the case may be," for "section 13", and

(b) by the substitution, in paragraph (a), of "section 13(7) or 23A(5), as the case may be," for "section 13(7)".

PART 3

Amendment of Building Control Act 1990

Interpretation (*Part 3*)

32. In this Part, "Act of 1990" means the Building Control Act 1990.

Amendment of section 3 of Act of 1990

33. Section 3 of the Act of 1990 is amended, in subsection (2), by the insertion of the following paragraph after paragraph (d):

"(da) making provision for certain specified information to be provided in relation to products, materials or systems used or installed in, or in connection with, buildings or works;".

Amendment of section 6 of Act of 1990

34. Section 6 of the Act of 1990 is amended—

(a) in subsection (2)—

(i) in paragraph (a)—

(I) in subparagraph (ii), by the substitution of "fire safety design certificate" for "fire safety certificate",

(II) in subparagraph (iv), by the substitution of "fire safety design certificate" for "fire safety certificate" in both places where it occurs,

(III) in subparagraph (v), by the substitution of "fire safety design certificate" for "fire safety certificate" in both places where it occurs,

(IV) in subparagraph (vi)—

(A) by the substitution of "fire safety design certificate" for "fire safety certificate" in both places where it occurs, and

(B) by the substitution of "revised fire safety design certificate" for "revised fire safety certificate",

(V) in subparagraph (ix), by the substitution of "access to, and use of, a building for persons with disabilities (an 'access and use design certificate')" for "access to a building for persons with disabilities (a 'disability access certificate')",

(VI) in subparagraph (x)—

(A) by the substitution of "fire safety design certificate" for "fire safety certificate" in both places where it occurs,

(B) by the substitution of "revised fire safety design certificate" for "revised fire safety certificate",

(C) by the substitution of "an access and use design certificate" for "a disability access certificate" in both places where it occurs,

(D) by the substitution of "revised access and use design certificate" for "revised disability access certificate", and

(E) by the substitution of "building control authority," for "building control authority, and",

(VII) in subparagraph (xi)—

(A) in clause (I), by the substitution of "fire safety design certificate, an access and use design certificate, a revised fire safety design certificate, a revised access and use design certificate, a regularisation certificate or a regularisation fire safety design certificate" for "fire safety certificate or disability access certificate (or, as the case may require, a revised certificate of either kind) or a regularisation certificate", and

(B) in clause (II), by the substitution of "attachment of conditions to any of them, and" for "attachment of conditions to any of them;",

and

(VIII) by the insertion of the following subparagraphs after subparagraph (xi):

"(xii) where work has been commenced or completed in respect of the construction of a building or an extension of or material alteration to a building and such notice as may be specified in regulations made under paragraph (k) has not been given in

accordance with those regulations, the submission to a building control authority of a notice in writing (in this section referred to as a 'regularisation notice') by a person who has commenced or completed such work,

(xiii) the submission to a building control authority, by a person who submits a regularisation notice, of a statutory declaration (in this Act referred to as a 'regularisation notice statutory declaration') made by that person stating that any works that have been commenced before the submission of the regularisation notice concerned comply with the building regulations,

(xiv) the submission to a building control authority of certificates on completion of works (in this Act referred to as 'certificates of compliance on completion') being certificates relating to compliance with the building regulations (subject to any relevant dispensation or relaxation already granted under section 4 or 5 or to any appeal under section 7 which has been allowed) after the completion of the construction of any buildings, classes of buildings, works or classes of works, to which such building regulations apply,

(xv) where work has been commenced or completed in respect of the construction of a building or an extension of or a material alteration to a building, and no application has been made for a fire safety design certificate that is required under building control regulations for such construction, extension of, or material alteration to, a building, the submission to a building control authority of an application for a certificate (in this Act referred to as a 'regularisation fire safety design certificate') which shall be accompanied by drawings of the relevant works and a statutory declaration from the applicant stating that such works would comply (subject to any relevant dispensation or relaxation already granted under section 4 or 5, any conditions attached to the certificate or to any appeal under section 7 which has been allowed) with such provisions of the building regulations relating to fire safety as may be prescribed,

(xvi) that a new building, or an existing building in respect of which an extension or a material alteration has been made, shall not be opened, operated or occupied or permitted to be opened, operated or occupied—

(I) unless a regularisation fire safety design certificate required by regulations under this Act has been granted by the building control authority in relation to the building, or

(II) if such an appeal is made to it, pending the determination of an appeal under section 7 relating to a refusal to grant a

regularisation fire safety design certificate or the attachment of conditions to such a certificate,

(xvii) the submission to a building control authority, in relation to work the subject of a regularisation notice, of regularisation certificates on completion of works (in this Act referred to as 'regularisation certificates of compliance on completion') being certificates relating to compliance with the building regulations (subject to any relevant dispensation or relaxation already granted under section 4 or 5 or to any appeal under section 7 which has been allowed) after the completion of the construction of any buildings, classes of buildings, works or classes of works, to which such building regulations apply, and

(xviii) that a new building, or an existing building in respect of which an extension or a material alteration has been made shall not be opened, operated or occupied or permitted to be opened, operated or occupied unless a certificate of compliance on completion, or a regularisation certificate of compliance on completion, required by regulations under this Act has been submitted to the building control authority in relation to the buildings, works or classes of works, to which such building regulations apply, and registered in accordance with paragraph (f).",

and

(ii) in paragraph (b)—

(I) in subparagraph (i)—

(A) in clause (II), by the substitution of "fire safety design certificates, revised fire safety design certificates, regularisation certificates, regularisation fire safety design certificates, access and use design certificates and revised access and use design certificates" for "fire safety certificates, revised fire safety certificates, regularisation certificates, disability access certificates and revised disability access certificates", and

(B) by the insertion of the following clause after clause (V):

"(VI) regularisation notices and regularisation notice statutory declarations,",

and

(II) in subparagraph (ii), by the substitution of "fire safety design certificates, 7 day notices, 7 day notice statutory declarations, revised fire safety design certificates, regularisation certificates, regularisation fire safety design certificate, access and use design certificates, building energy rating certificates, revised access and use design certificates" for

"fire safety certificates, 7 day notices, 7 day notice statutory declarations, revised fire safety certificates, regularisation certificates, disability access certificates, building energy rating certificates, revised disability access certificates",

(iii) in paragraph (d), by the substitution of "fire safety design certificates, revised fire safety design certificates, regularisation certificates, regularisation fire safety design certificates, access and use design certificates and revised access and use design certificates" for "fire safety certificates",

(iv) in paragraph (e), by the substitution of "fire safety design certificate, revised fire safety design certificate, regularisation certificate, regularisation fire safety design certificate, access and use design certificate, revised access and use design certificate" for "fire safety certificate",

(v) by the substitution of the following paragraph for paragraph (f):

"(f) the registration of certificates of compliance and regularisation certificates of compliance and of such information as may be prescribed in relation to applications for fire safety design certificates, fire safety design certificates, applications for revised fire safety design certificates, revised fire safety design certificates, applications for regularisation certificates, regularisation certificates, applications for regularisation fire safety design certificates, regularisation fire safety design certificates, applications for access and use design certificates, access and use design certificates, applications for revised access and use design certificates, revised access and use design certificates, notice given under paragraph (k), 7 day notices, applications for certificates of approval and certificates of approval and the making available of such information to such persons as may be prescribed;",

(vi) in paragraph (h)—

(I) by the substitution of the following subparagraph for subparagraph (i)—

"(i) the registration of certificates of compliance, certificates of compliance on completion, regularisation certificates of compliance on completion, notices given under paragraph (k) and regularisation notices,",

and

(II) by the substitution of the following subparagraph for subparagraph (ii)—

"(ii) the submission of applications for fire safety design certificates, 7 day notices, 7 day notice statutory declarations, revised fire safety design certificates, regularisation certificates, regularisation fire safety design certificate, access and use

design certificates, revised access and use design certificates, or certificates of approval,",

and

(vii) in paragraph (j), by the substitution of "fire safety design certificates, revised fire safety design certificates, regularisation certificates, regularisation fire safety design certificate, access and use design certificates, revised access and use design certificates, certificates of compliance on completion, regularisation certificates of compliance on completion, regularisation notices" for "fire safety certificates",

(b) in subsection (2A), by the substitution of "References in subsection (2)(a)(iv) to (xviii)" for "References in subsection (2)(a)(iv) to (xi)",

(c) by the substitution of the following subsection for subsection (5)—

"(5) Where, within a period of 2 months beginning on the date of an application for a fire safety design certificate, 7 day notice, revised fire safety design certificate, regularisation certificate, regularisation fire safety design certificate, access and use design certificate, revised access and use design certificate or a certificate of approval, or within such extended period as may at any time be agreed in writing between the applicant and the building control authority, the building control authority does not notify the applicant of the decision on the application, then a decision by the building control authority to grant the fire safety design certificate, 7 day notice, revised fire safety design certificate, regularisation certificate, regularisation fire safety design certificate, access and use design certificate, revised access and use design certificate or the certificate of approval, as the case may be, shall be regarded as having been made on the last day of the period or such extended period, as the case may be.",

and

(d) in subsection (6), by the substitution of "fire safety design certificate, 7 day notice, revised fire safety design certificate, regularisation certificate, regularisation fire safety design certificate, access and use design certificate, revised access and use design certificate" for "fire safety certificate, 7 day notice, revised fire safety certificate, regularisation certificate, disability access certificate, revised disability access certificate".

Transitional provisions in relation to change of names of certificates

35. The Act of 1990 is amended by the insertion of the following section after section 7B:

"7C. Where, before the coming into operation of *Part 3* of the *Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Act 2025*, an application has been made for, or an appeal is pending in relation to—

(a) a fire safety certificate, that application or appeal, as the case may be, shall be deemed to be an application for, or an appeal in relation to, a fire safety design certificate,

(b) a revised fire safety certificate, that application or appeal, as the case may be, shall be deemed to be an application for, or an appeal in relation to, a revised fire safety design certificate,

(c) a disability access certificate, that application or appeal, as the case may be, shall be deemed to be an application for, or an appeal in relation to, an access and use design certificate, or

(d) a revised disability access certificate, that application or appeal, as the case may be, shall be deemed to be an application for, or an appeal in relation to, a revised access and use design certificate.".

Amendment of section 7 of Act of 1990

36. Section 7 of the Act of 1990 is amended, in subsection (1)—

(a) in paragraph (b), by the substitution of "fire safety design certificate" for "fire safety certificate",

(b) in paragraph (e), by the substitution of "an access and use design certificate, or" for "a disability access certificate,", and

(c) by the insertion of the following paragraph after paragraph (e):

"(f) section 6(2)(a)(xv), for a regularisation fire safety design certificate,".

Amendment of section 8 of Act of 1990

37. Section 8 of the Act of 1990 is amended—

(a) in subsection (4), by the insertion of the following paragraph after paragraph (b):

"(ba) require a person on whom the notice is served to cut into or lay open any such building or works insofar only as may be necessary to allow the building control authority to ascertain that the building regulations have been complied with in relation to the building or works the subject of the notice,",

and

(b) by the insertion of the following subsections after subsection (4)—

"(4A) A building control authority may include, in an enforcement notice, a requirement pursuant to subsection (4)(ba) only where it is satisfied that it is necessary following—

(a) an inspection by an authorised person, in accordance with section 11, of the building or works in relation to which the enforcement notice is to be issued, and

(b) the issue, by an authorised person, of a warning under section 11(3A) stating that the building control authority concerned intends to issue an enforcement notice which includes a requirement under paragraph (ba).

(4B) Where an enforcement notice includes a requirement pursuant to subsection (4)(ba)—

(a) an authorised person shall be present during the works carried out pursuant to that notice, and

(b) the notice shall identify—

(i) the building, or part thereof, or works to be cut into or laid open,

(ii) the provision of the building regulations that are alleged to be contravened, and

(iii) the timeframe within which the cutting into or laying open of works is to be carried out.".

Insertion of sections 10A and 10B in Act of 1990

38. The Act of 1990 is amended by the insertion of the following sections after section 10:

"Withdrawal of enforcement notice

10A. (1) Where an enforcement notice has taken effect under section 8(5) or been confirmed under section 9, the person on whom the notice was served may apply in writing to the building control authority concerned for the withdrawal of the enforcement notice on the grounds that the notice has been complied with.

(2) An application under subsection (1) shall be accompanied by such plans, documents, or information concerning compliance that may be relevant to demonstrate to the building control authority compliance with the enforcement notice.

(3) The building control authority concerned shall, within a period of 2 months beginning on the date of receipt of an application under subsection (1), or within such extended period as may at any time be agreed in writing between the applicant and the building control authority—

(a) withdraw the enforcement notice where it is satisfied that it has been complied with, or

(b) refuse to withdraw the enforcement notice, and, where the application is refused, state the reasons in writing for the refusal.

(4) Where an application has been made under subsection (1) and the building control authority refuses to withdraw the enforcement notice, the person on whom the notice was served may, within 4 weeks of the date of the refusal, or such later date as may be permitted by the District Court, apply to the District Court for an order directing the building control authority to withdraw the enforcement notice.

(5) An application under subsection (4) shall be on notice to the building control authority concerned.

(6) On the hearing of an application under subsection (4), the District Court may—

(a) dismiss the application and affirm the refusal of the building control authority to withdraw the enforcement notice, or

(b) direct the building control authority to withdraw the enforcement notice.

(7) Where an enforcement notice has been withdrawn by a building control authority under subsection (3), or in accordance with an order of the District Court under subsection (6)(b), the building control authority concerned shall notify, in writing, the person on whom the notice was served and note the decision to withdraw the notice and the date of the withdrawal of the notice.

(8) The jurisdiction conferred on the District Court under this section shall be exercised by a judge of that court for the time being assigned to the district court district in which the building or works is situated.

Enforcement notice regulations

10B. (1) The Minister may make regulations providing for matters of procedure and administration for the service, and withdrawal, of enforcement notices and regulations under this section may make such incidental, consequential or supplementary provisions as may appear to the Minister to be necessary or expedient.

(2) Without prejudice to the generality of subsection (1), regulations under this section may make provision for all or any of the following matters—

(a) prescribing—

(i) the form and content of—

(I) enforcement notices, and

(II) applications for the withdrawal of enforcement notices under section 10A,

(ii) the plans, documents and information to be submitted with applications for the withdrawal of enforcement notices, and

(iii) the procedures to apply in respect of the service of an enforcement notice, or the receipt of applications for the withdrawal of enforcement notices,

(b) the registration of enforcement notices, applications for the withdrawal of enforcement notices and withdrawal of enforcement notices, and the making available of such information to such persons as may be prescribed, and

(c) records to be kept, and the information to be provided to the Minister, by a building control authority for the purposes of this Act.".

Amendment of section 11 of Act of 1990

39. Section 11 of the Act of 1990 is amended, in subsection (3), by the insertion of the following subsection after subsection (3):

"(3A) (a) An authorised person may, where he or she deems it necessary, issue a warning, in writing, to the owner or occupier of the building, or any person responsible for the construction of the building, in relation to any requirement of building regulations or building control regulations.

(b) A warning under paragraph (a) shall—

(i) specify the provision of the regulations in relation to which the warning relates, and

(ii) state that the person to whom the warning has been issued may, not later than 4 weeks from the date of the warning, make observations in writing to the authorised person regarding the matters to which the warning relates.".

Amendment of section 12 of Act of 1990

40. Section 12 of the Act of 1990 is amended—

(a) in subsection (1A)—

(i) in paragraph (a)—

(I) by the substitution of "fire safety design certificate, an access and use design certificate, a regularisation certificate or a regularisation fire safety design certificate" for "fire safety certificate, a disability access certificate or a regularisation certificate",

(II) in subparagraph (i), by the substitution of "fire safety design certificate, access and use design certificate, regularisation certificate or

regularisation fire safety design certificate" for "fire safety certificate, disability access certificate or regularisation certificate", and

(III) in subparagraph (ii), by the substitution of "fire safety design certificate, access and use design certificate, regularisation certificate or regularisation fire safety design certificate" for "fire safety certificate, disability access certificate or regularisation certificate",

and

(ii) in paragraph (b), by the substitution of "fire safety design certificate, access and use design certificate, regularisation certificate or regularisation fire safety design certificate" for "fire safety certificate, disability access certificate or regularisation certificate",

and

(b) by the insertion of the following subsection after subsection (1A):

"(1B) Where the building regulations apply in respect of the construction of any building or works and such building or works have been completed and opened, operated, or occupied without the required certificate of compliance on completion or regularisation certificate of compliance on completion having been registered by the building control authority for the functional area in which the building or works is situated may apply to the High Court or the Circuit Court for an order restricting or prohibiting the use of the building or works until either a certificate of compliance on completion or a regularisation certificate of compliance on completion have been submitted to the building control authority and registered in accordance with regulations made under section 6(2)(f).".

PART 4

Amendment of other Acts

Amendment of Taxes Consolidation Act 1997

41. The Taxes Consolidation Act 1997 is amended, in section 268(3A)(b)(ii), by the substitution of "fire safety design certificate" for "fire safety certificate".

Amendment of section 3 of Multi-Unit Developments Act 2011

42. Section 3(1) of the Multi-Unit Developments Act 2011 is amended, in paragraph (c), by the substitution of "fire safety design certificate" for "fire safety certificate".