



STATUTORY INSTRUMENTS.

S.I. No. 56 of 2025



BUILDING CONTROL (AMENDMENT) REGULATIONS 2025

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I, JAMES BROWNE, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by sections 6 and 18 of the Building Control Act 1990 (No. 3 of 1990) (as adapted by the Housing, Planning and Local Government (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 408 of 2020)), hereby make the following regulations:

Citation

1. (1) These Regulations may be cited as the Building Control (Amendment) Regulations 2025.

(2) The Principal Regulations and these Regulations may be cited together as the Building Control Regulations 1997 to 2025 and shall be construed together as one.

Commencement

2. These Regulations come into operation on 1 May 2025.

Interpretation generally

3. In these Regulations:

“Principal Regulations” means the Building Control Regulations 1997 (S.I. No. 496 of 1997).

Amendment of Article 5 of the Principal Regulations

4. (1) The Principal Regulations are amended in article 5(4) –

(a) by inserting after the definition for “Building Regulations”,

““care facility building” includes a hospital, nursing home, home for older people or for children, school, or other similar establishment used as living accommodation, or for the treatment, care or support of people with illness, mental health difficulties, or disabilities, where such people sleep on the premises;”.

(b) by inserting after the definition for “industrial building”,

“ “industrial building – high hazard” means an industrial building—

(a) the contents of which, when ignited, are likely to cause the rapid spread of fire, smoke or fumes and which contents may be solid, liquid, or gaseous and may also be present as dust, spray, mist or vapour,

(b) that contains highly flammable or explosive materials,

- (c) that contains areas which, due to their function, may present a greater risk of fire occurring and developing than elsewhere such as manufacturing processes handling highly flammable liquids, or
- (d) used for manufacturing, processing, repairing, cleaning, washing, breaking up or otherwise treating any hazardous substance;

“industrial building – normal hazard” means an industrial building other than an industrial building – high hazard;”.

- (c) by substituting for the definition of “material change of use” the following:

“ “material change of use” means—

- (a) a change of use, deemed by section 3(3) of the Act to be a material change of use, takes place, or
- (b) a building which was not being used as—
 - (i) a day centre, becomes so used, or
 - (ii) a hotel, hostel or guest building, becomes so used, or
 - (iii) an industrial building – normal hazard, becomes so used, or
 - (iv) a care facility building, becomes so used, or
 - (v) an office (which is not ancillary to the primary use of the building), becomes so used, or
 - (vi) a place of assembly, becomes so used, or
 - (vii) a shop (which is not ancillary to the primary use of the building), becomes so used, or
 - (viii) a shopping centre, becomes so used, or
 - (ix) an industrial building – high hazard, becomes so used, or
 - (x) a storage building – high hazard, becomes so used, or
 - (xi) a storage building – normal hazard, becomes so used;”.

- (d) by substituting for the definition of “place of assembly” the following:

“ “place of assembly” includes—

- (a) a theatre, public library, hall or other building of public resort used for social or recreational purposes,
- (b) a non-residential school or other educational establishment,
- (c) a place of public worship,

- (d) a public house, restaurant or similar premises used for the sale to members of the public of food or drink for consumption on the premises,
- (e) a sports pavilion, stadium, grandstand, or other audience or spectator facilities, and
- (f) a terminus, station or other facility for air, rail, road or sea travel,

but no building shall be treated as a place of assembly solely because it is a building to which members of the public are occasionally admitted;”.

- (e) by inserting after the definition for “statutory declaration”,
“ “storage building – high hazard” means a building—
 - (a) used for the storage of goods that, when ignited, are likely to cause the rapid spread of fire, smoke or fumes and which goods may be solid, liquid, or gaseous and may also be present as dust, spray, mist or vapour,
 - (b) used for the storage of highly flammable or explosive materials,
 - (c) used for the storage of hazardous goods or materials,
 - (d) used for the storage of vehicles containing hazardous goods or materials, or
 - (e) that contains high-rack storage of significant height;“storage building – normal hazard” means any storage building other than a storage building – high hazard, and includes a building used for parking vehicles, designed to admit or accommodate only passenger vehicles or other light goods vehicles, not more than 2,500 kilograms vehicle weight;”.
- (f) by deleting the definition of “institutional building”.

Amendment of Article 7 of the Principal Regulations

5. The Principal Regulations are amended in article 7(2), by substituting for paragraph (b) the following:

“(b) This Part applies to works in connection with the material alteration (excluding a material alteration consisting solely of minor works) of a shop, office, industrial building – normal hazard, industrial building – high hazard, storage building – normal hazard, or storage building – high hazard to which Part III, or Part III of the Building Control Regulations, 1991 and 1994, do not apply.”.

Amendment of Article 11 of the Principal Regulations

6. The Principal Regulations are amended –

(1) in article 11(1)(b)(iv) by substituting “a care facility building, or” for “an institutional building, or”.

(2) in article 11(1)(c) by substituting “, industrial building – normal hazard, industrial building – high hazard, storage building – normal hazard or storage building – high hazard” for “or industrial building”.

Amendment of Article 20D of the Principal Regulations

7. The Principal Regulations are amended –

(1) in article 20D(1)(b)(iii) by substituting “a care facility building, or” for “an institutional building, or”.

(2) in article 20D(1)(c) by substituting “, industrial building – normal hazard, industrial building – high hazard, storage building – normal hazard or storage building – high hazard” for “or industrial building”.

(3) in article 20D(1)(e)(iii) by substituting “a care facility building, becomes so used, or” for “an institutional building, becomes so used, or”.



GIVEN under my Official Seal,
4 March, 2025.

JAMES BROWNE,
Minister for Housing, Local Government and Heritage.

EXPLANATORY NOTE

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

These Regulations amend the Building Control Regulations (S.I. No. 496/1997) to align with the Building Regulations (S.I. No. 497/1997) as amended by the Building Regulations (Part B Amendment) Regulations 2024 (S.I. No. 108/2024) by:

- updating certain definitions;
- introducing new definitions;
- expanding the requirement to lodge a commencement notice to include a material alteration to a storage building, where a Fire Safety Certificate is not required;
- expanding the requirement to obtain a fire safety certificate to include a material alteration to a storage building, where the building is being subdivided, or additional floor area is being provided within the building;
- expanding the requirement to obtain a fire safety certificate to include the material change of use, where an industrial building – normal hazard, industrial building – high hazard, storage building – normal hazard, or storage building – high hazard becomes so used;
- expanding the requirement to obtain a disability access certificate to include storage buildings, where the building is being subdivided, or additional floor area is being provided within the building.

The operative date of these Regulations is 1 May 2025, to coincide with the coming into effect of the Building Regulations (Part B Amendment) Regulations 2024 (S.I. No. 108/2024).

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