



STATUTORY INSTRUMENTS.

S.I. No. 214 of 2021

BUILDING CONTROL (COMMENCEMENT NOTICES)
(CONSTRUCTION RESUMPTION) REGULATIONS 2021

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I, PETER BURKE, Minister of State at the Department of Housing, Local Government and Heritage, in exercise of the powers conferred on me by section 6 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)) and the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2020 (S. I. No. 559 of 2020), hereby make the following regulations:

1. These Regulations may be cited as the Building Control (Commencement Notices) (Construction Resumption) Regulations 2021.

2. In these Regulations –

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

“valid” in relation to a commencement notice given under article 8 of the Principal Regulations, means where the notice having been received by the building control authority concerned, the authority considers in accordance with article 10 of the Principal Regulations that it complies with the requirements of article 9 of those Regulations.

3. Subject to these Regulations, where a person has given to a building control authority a commencement notice under article 8 of the Principal Regulations during the period from 3 December 2020 to 19 April 2021 and the notice is valid, the period of time referred to in that article within which to give the notice does not apply, but the works or the material change of use to which the commencement notice relates may, subject to any restrictions or prohibitions in regulations made under section 31A of the Health Act 1947 (No. 28 of 1947), commence not later than 14 days after 4 May 2021.

4. Regulation 3 does not apply to a notice under article 8 of the Principal Regulations given in respect of a residential construction project or construction activity relating to early learning and childcare or school aged childcare services.

5. Regulation 3 applies to works or a material change of use referred to in that Regulation which have commenced on or after 4 May 2021 but before the making of these Regulations.

GIVEN under my hand,
5 May 2021

PETER BURKE,

Minister of State at the Department of Housing, Local Government and
Heritage

EXPLANATORY NOTE

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

The purpose of these Regulations is to facilitate the prompt commencement, as a result of the further lifting of Covid restrictions, of the remainder of construction projects (i.e. all construction projects other than residential construction projects or construction activity relating to early learning and childcare or school aged childcare services) for which a valid commencement notice, submitted between 3 December 2020 and 19 April 2021, relates. The Regulations allow a person commence these without submitting a new commencement notice, provided that they commence not later than 18 May 2021.

Similar measures were provided for residential construction projects and construction activity relating to early learning and childcare or school aged childcare services in the Building Control (Commencement Notices) (Residential and Childcare Services Construction) Regulations 2021 (S. I. No. 156 of 2021).

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