

Template for comments / observations returned during the consultation		Document: Building Control (Amendment) Regulations 2014, S.I. 9 of 2014	
Name of Organisation / Respondent	Article / Part / Schedule of the Building Control Regulations	Brief Overview of area of concern	Proposed change (if any)
Engineers Ireland.	Q.1 Do you agree with the proposed amendment to Building Control Regulations to provide that the requirements for statutory certification in line with S.I. No. 9 of 2014 be eased in the case of a new single dwelling and an extension to an existing dwelling by becoming advisory rather than mandatory and by allowing for alternative means of demonstrating compliance?	Engineers Ireland does not support the proposal to allow the requirements of SI No.9 to become advisory rather than mandatory for single dwellings or extensions to single dwellings. We believe that such a proposal would a) lead to a two tier system of residential building compliance and b) would result in pressure from other stakeholders in the sector to have a similar dispensation. We are also of the view that the implications of this relaxation have not been fully explored. We consider that the absence of mandatory compliance for single dwellings could result in liability issues for the parties involved in the building process and have an even greater impact on the possible sale/conveyancing of the property in the future. The question of how project funding, in the form of taking out a mortgage, would be impacted by an unwillingness to commit to the mandatory system of building regulation compliance has not been properly investigated.	Engineers Ireland does not advocate any changes to the mandatory requirement to demonstrate compliance with the Building Regulations for single dwellings or extensions to existing dwellings.
Engineers Ireland.	Q.2 Do you have any views in relation to the proposals for broadening the pool of professionals who may sign certificates of compliance, in particular proposals (c) and (d) at Option B above ?	Currently the legislation requires the roles of Assigned and Design Certifiers to be filled by individuals drawn from one of three categories; (a) Chartered Engineers (CEng) (b) Registered Architects and (c) Registered Building Surveyors. From an Engineers Ireland perspective only, just over 8,000 members are Fellows or Chartered Engineers, with Fellows required to be Chartered Engineers in order to apply for the title. As a conservative estimate, if only 50% of this number had the prerequisite competencies to fill these roles (in addition to being C.Engs.), that would mean that the ratio of available professionals from within Engineers Ireland alone to the number of Commencement Notices on the BCMS at present would be 1:2 (in very approximate terms). This ratio does not take into consideration the numbers of architects or building surveyors who can fulfill these roles as well. The argument that broadening the pool of professionals would generate a more competitive scale of costs for building owners/developers is not assured. It also raises the prospect of a disproportionate reduction in the scale of fees in a supply exceeding demand scenario. Finally, Engineers Ireland believes that reserving these roles for Chartered Engineers is a better way of protecting the quality of service provided by the professional engineering community. Where non-Chartered Engineers want to access these roles and carry the responsibility that they impose on the individual there are existing routes to Chartership that are administered by the Institute. Our preference would be to see the standard of service offered to building owners enhanced by retaining the requirement that these roles be reserved exclusively for Chartered Engineers with the option for non-qualified members of the institute to upgrade their qualifications through the mechanisms available internally. For this reason we are also opposed to the establishment of a Minister's Register of alternatively qualified individuals who can take on these roles.	Engineers Ireland does not support the proposal to broaden the pool of professionals who can undertake the roles of Assigned and Design Certifier.
Engineers Ireland.	Q.3 Do you have any further suggestions which would assist in broadening the pool of persons who may give statutory certificates of compliance for building control purposes?	We do not see this as being a critical issue. We are of the view that there is already a proportionate supply of Chartered Engineers who can undertake the roles of Assigned and Design Certifier. We believe that if more engineers want to become eligible to take on these roles, there are mechanisms in place for such individuals to qualify themselves to take on these roles. As the vested authority in the award of the C.Eng. title, Engineers Ireland are best placed to measure the suitability of candidates to be awarded the C.Eng. title, opening the door to taking on these responsible roles.	Engineers Ireland does not advocate any change in this regard.

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Engineers Ireland.	Q.4 Do you agree that there should be no change in the regulatory requirements for single dwellings and extensions to existing dwellings but that the Sample Preliminary Inspection Plan for single Dwellings should be incorporated into the existing Code of Practice for inspecting and certifying buildings and works thus becoming a statutory guidance document?	We concur with the view that the regulatory requirements for single dwellings and extensions to existing dwellings should not be altered. Neither do we support the view that a sample Preliminary Inspection Plan be incorporated into the Code of Practice and affording such a document statutory status. Our view is that this proposal would reduce confirmation of compliance by an inspection regime to a "tick-box" exercise rather than an individual risk based, construction complexity assessed exercise on a project by project basis. The merit of having C.Eng.s. take on the roles of Assigned and Design Certifier is that they can bring their expertise, competence and accumulated experience of building projects to individual projects. Replacing this with a schedule of inspections may not reflect the complexity of the projects. Removing that judgement call from suitably experienced practitioners rather undoes the merit in having such individuals taking on the roles.	Engineers Ireland does not advocate any changes to the proposed regime of inspection, i.e. by individual project assessment.
Engineers Ireland.	Q.5 Do you have any views on the proposal that exemptions for extensions to existing dwellings should be determined having regard to a building to plot ratio?	We believe that such a ratio has no place in the context of the Building Control Regulations. There may be a Planning implication which is more pertinent. However, as advised in an earlier answer, we do not share the view that single dwellings or extensions to existing dwellings should enjoy any exemptions from BC(A)R.	
Engineers Ireland.	"The Ministers are open to the view that broadening the pool of persons who can design, inspect and certify buildings could also help the one-off housing sector of the market. This is one of the options being put forward for consultation as part of the review. The Department continues to work with Royal Institute of Architects of Ireland, as the statutory registration body for architects and with representatives groups such as the Architects Alliance of Ireland to secure greater representation of practically trained practitioners on the register of architects.	The existing regulations do not place any limitations on who can undertake design or inspection in a building context. The suite of Ancillary Certificates provides for design and inspection by qualified individuals (in terms of competence) who are chartered or not - the latter category of designer being considered a "Specialist". It is only those individuals who aspire to take on the roles of Assigned or Design Certifier who are required to be C.Eng.s. Increasing the pool of "qualified individuals" is already accommodated by routes to Chartered status administered by Engineers Ireland. We assume that similar routes are also available within RIAI and SCSI.	

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Engineers Ireland.	Plans are also advancing for the statutory registration of architectural technologists and both Ministers welcome the decision by Quality Qualifications Ireland to set up a working group to identify a common standard for architectural technology in line with the National Qualifications Framework. Noting that this is a critical step in the development of a statutory register, Minister Kelly added:- We will do everything in our power, consistent with domestic legal arrangements and at EU level, to fast-track the new register and to ensure that the routes to registration more generally are fair, open and broadly-based.”	Engineers Ireland is not against the development of a new Register for Architectural Technicians. However, we are opposed to Architectural Technicians being allowed to take on the role of Assigned Certifier and Design Certifier. However, if such a register was to be put in place, Engineers Ireland requests that a parallel statutory register be set up for Engineers, and restricted functions be defined in legislation for Engineers holding the professional titles of Associate Engineer and Engineering Technician. Engineers Ireland operates an open, fair, transparent and rigorous system of awarding design or construction practitioners the title of Chartered Engineer, Associate Engineer and Engineering Technician. The system requires individuals to be able to show, not only academic achievement at Level 9 (Chartered Engineers) on the QQI 's NAF framework, but critically: <ul style="list-style-type: none"> • Their accumulated experience and application of engineering principals • Evidence of a structured approach to Continuing Professional Development (CPD) • Evidence of taking on increased levels of responsibility and leadership as their careers evolve • Evidence of commercial awareness and ethical reasoning skills We believe that developing these skills is commensurate with the attainment of the title of Chartered Engineer and this status is only awarded after a successful written application/submission and peer interview process.	Engineers Ireland considers that proposals to develop a Register of Architectural Technicians should also include the registration of Engineers. However the role of Assigned Certifier and Design Certifier should remain restricted to Chartered Engineers, Registered Architects and Chartered Surveyors.