



**ARCHITECT'S OPINION  
ON COMPLIANCE OF AN APARTMENT DWELLING  
WITH BUILDING REGULATIONS**

**FORM FOR USE FOR APARTMENTS WHERE A  
PROFESSIONAL ARCHITECTURAL SERVICE HAS BEEN PROVIDED  
IN THE DESIGN  
AND  
A SITE INSPECTION SERVICE HAS NOT BEEN PROVIDED IN THE  
CONSTRUCTION OF THE RELEVANT BUILDING OR WORKS  
AND  
WHERE THE ARCHITECT HAS NOT ADMINISTERED THE BUILDING CONTRACT**

**FORM 1A  
(APARTMENTS)**

*This opinion is based on a visual inspection of the completed apartment and is issued in the matter of licences and consents only. It is not a report on the quality of the apartment nor does it relate to elements of the construction which are covered up, inaccessible or otherwise obscured from view. The RIAI advises that matters not evident by visual inspection may be material to the matter of substantial compliance.*

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for use in appropriate circumstances.*



**ARCHITECT'S OPINION  
ON COMPLIANCE WITH BUILDING REGULATIONS  
February 2000**

*(Form for use for apartments where a professional Architectural service has been provided at the design stage and a site inspection service has not been provided and the Architect has not administered a building contract)*

- 1. I am a Registered Member of the RIAI, this being a qualification listed in Directive 384/85/EEC of the European Community, retained by<sup>a</sup>

.....  
.....(hereinafter called "the Employer")

of <sup>b</sup> .....

to furnish an Opinion on the compliance with **Building Regulations** of <sup>c</sup>

Apartment .....

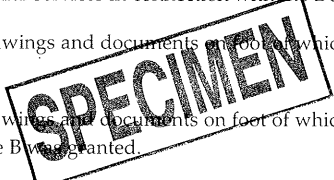
including such parts of the common and amenity areas, supporting, serving or leading to that Apartment to which the Building Regulations apply and those elements of the development of which it forms part, which materially affect the substantial compliance of such Apartment with the Building Regulations (the said Apartment, areas and elements being hereunder together referred to as "the Relevant Building or Works").

Forming part of the development ..... ("the Development")

This opinion is issued solely for the purpose of providing evidence, for title purposes, of the compliance of the **Relevant Building or Works** with the requirements of the **Building Control Act**. Except insofar as it relates to such compliance, it does not include any opinion on the condition or structure of the **Relevant Building or Works**. It should be noted that a site inspection service was not provided.

- 2. I have provided the following architectural services in connection with the Development.

- (i) Preparation and lodgement of drawings and documents in respect of which planning permission for the Development was granted.
- (ii) Preparation and lodgement of drawings and documents on foot of which the Fire Safety Certificate for the Development detailed at Schedule B was granted.
- (iii) Interpretation of information for the contractor.
- (iv) Visual Inspection of the Relevant Building or Works.



PERIODIC INSPECTION OF THE WORK UNDER CONSTRUCTION DID NOT FORM PART OF THIS SERVICE NOR HAVE I ADMINISTERED THE BUILDING CONTRACT.



3 DESIGN

I am of the opinion that the Design of the Relevant Building or Works is in substantial compliance with the Building Regulations. I have received confirmations from those detailed at Schedule A hereto stating that elements of the Relevant Building or Works which they have designed are in Substantial Compliance with the Building Regulations. This opinion relies solely on those confirmations in respect of such elements.

4 FIRE SAFETY

I am of the opinion that the Fire Safety Certificate detailed at Schedule "B" hereto relates to the Relevant Buildings or Works and was obtained in accordance with the provisions of the Building Control Act and the Building Regulations.

5 COMMENCEMENT <sup>d</sup>

.....  
.....  
.....  
.....

6 INSPECTION <sup>e</sup>

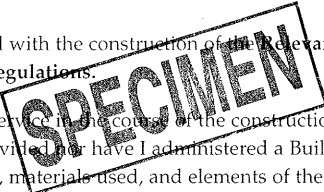
On ..... ("the Inspection Date") I carried out a Visual Inspection of the completed Relevant Building or Works for the purposes of (a) comparing such with its Design and (b) establishing its substantial compliance with the Building Regulations.

This opinion does not in any way warrant, represent or take into account construction carried out or changes made to the Relevant Building or Works and/or the Development after the Inspection Date.

CONSTRUCTION

It is the responsibility of those concerned with the construction of the Relevant Building or Works to ensure the compliance of such with the Building Regulations.

I have not provided a full architectural service in the course of the construction of the Relevant Building or Works and a site inspection service was not provided nor have I administered a Building Contract. I am therefore unable to comment on, methods of construction, materials used, and elements of the Relevant Building or Works not evident by Visual Inspection. I am of the opinion, based solely on the service described at 2 above, that such construction of the Relevant Building or Works as is evident by Visual Inspection is in substantial compliance with the Building Regulations and in preparing this Opinion on Compliance I have relied on such Visual Inspection and confirmations from the contractor, the structural engineer, specialist sub-contractors and suppliers as detailed in Schedule A.



**APPENDIX 3**

**LAW SOCIETY CONVEYANCING HANDBOOK**

**SPECIMEN RIAI  
ARCHITECT'S OPINIONS  
ON COMPLIANCE**



**SCHEDULE A: CONFIRMATIONS <sup>f</sup>**

**BUILDING CONTRACTOR**

Contractor: .....  
Of: .....  
Element: Construction of the Relevant Building  
or Works

**STRUCTURAL ENGINEER <sup>f</sup>**

Consultant: .....  
Of: .....  
Qualification/profession .....  
Element: Design of Structural Elements

**MECHANICAL VENTILATION <sup>f</sup>**

Consultant/Specialist: .....  
Of: .....  
Qualification/profession .....  
Element: Design and Installation of Mechanical  
Ventilation

**LIFT <sup>f</sup>**

Consultant/Specialist: .....  
Of: .....  
Qualification/profession .....  
Element: Design and installation of lift

**FIRE ALARM <sup>f</sup>**

Consultant/Specialist: .....  
Of: .....  
Qualification/profession .....  
Element: Design and Installation of Fire Alarm

**SMOKE ALARM <sup>f</sup>**

Consultant/Specialist: .....  
Of: .....  
Qualification/profession .....  
Element: Design and Installation of Smoke Alarm

**FIRE DETECTION SYSTEM <sup>f</sup>**

Consultant/Specialist: .....  
Of: .....  
Qualification/profession .....  
Element Design and Installation of Fire Detection  
System

**EMERGENCY LIGHTING <sup>f</sup>**

Consultant/Specialist: .....  
Of: .....  
Qualification/profession .....  
Element Design and Installation of Emergency  
Lighting

**FIRE DOORS <sup>f</sup>**

Consultant/Specialist: .....  
Of: .....  
Qualification/profession .....  
Element Design and Installation of Fire Doors

**FIRE STOPPING/FIRE BARRIERS <sup>f</sup>**

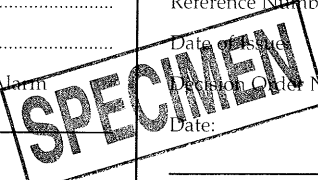
Consultant/Specialist: .....  
Of: .....  
Qualification/profession .....  
Element Design and Installation of Fire Stopping

**SCHEDULE B: FIRE SAFETY CERTIFICATES <sup>f</sup>**

Building Control Authority: .....  
Reference Number: .....  
Date of Issue: .....  
Decision Code Number: .....  
Date: .....

**SCHEDULE C: COMMENCEMENT NOTICES <sup>g</sup>**

Building Control Authority: .....  
Date of Lodgement: .....  
Reference Number, if available: .....





**DEFINITIONS**

**"Building Control Act"**

means the Building Control Act, 1990 and any statutory modification or re-enactment thereof current at the date of the Commencement Notice referred to at Schedule C hereto, or (if the Relevant Building or Works is exempt from the requirements for such Notice) at the date of the commencement thereof.

**"Building", "Works", "Construction"**

have the meanings respectively assigned by the Building Control Act 1990.

**"Design"**

has the meaning assigned by the Building Control Act 1990.

**"Building Regulations"**

means regulations made under the Building Control Act.

**"Confirmations"**

means statements, copies of which are annexed hereto received from the persons detailed at Schedule A hereto, confirming substantial compliance of elements of the Relevant Building or Works which they have designed or constructed/installed with Building Regulations.

**"Substantial Compliance" when applied to Design**

means that the Design of the Relevant Building or Works, is in accordance with the Building Regulations, saving and excepting such deviations as would not in my opinion warrant the issue of enforcement proceedings as provided for in the Building Control Act.

**"Substantial Compliance" when applied to Construction**

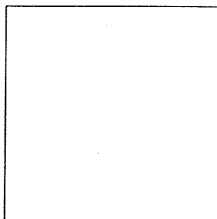
means that such Construction of the Relevant Building or Works, as is evident by Visual Inspection, is in accordance with the Building Regulations, saving and excepting such deviations as would not in my opinion warrant the issue of enforcement proceedings as provided for in the Building Control Act.

**"Visual Inspection"**

means the Inspection of the completed Relevant Building or Works as existed on the Inspection Date, which inspection was limited to:

- Visual Inspection of Apartment
- Visual Inspection from the exterior of the common and amenity areas supporting, serving or leading to the Apartment.
- Visual Inspection of the service ducts servicing the Apartment where accessible.
- Visual Inspection of external areas.
- For the purposes of the Inspection no opening up was carried out. The inspection was therefore superficial only and took no account of works covered up, inaccessible or otherwise obscured from view.

RIAI  
MEMBERSHIP STAMP



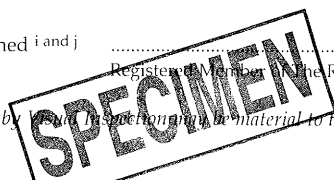
Date of Issue <sup>h</sup> .....

Signed <sup>i</sup> and <sup>j</sup> .....

Registered Architect of the Royal Institute of The Architects of Ireland

*The RIAI advises that matters not evident by visual inspection may be material to the matter of substantial compliance.*

*The RIAI is aware that persons are using the affix "MR/RIAI" who are not members and who are not eligible to be members. Verification of membership can be obtained from the RIAI or by means of a current RIAI Membership stamp.*



THE ROYAL INSTITUTE OF THE ARCHITECTS OF IRELAND  
RIAI, 8 Merrion Square, Dublin 2. Phone: +353 1 6761703. Fax: +353 1 6610948.

The RIAI is the representative body for professionally qualified architects in Ireland and is a member of the Architects Council of Europe and the International Union of Architects.



## ADVICE NOTES

*This Opinion should be completed only by the Architect involved in the project at Design Stage and when the Architect is satisfied that the Relevant Building or Works is in compliance with the requirements of the Building Control Act. Members should exercise care and caution when considering issuing an Opinion and should verify whether homebond, premier or similar registration is available.*

- a Insert the full name of your employer [not his agent]
- b Insert the full address of your employer.
- c Insert a precise description of the apartment to which this Opinion relates and of the development of which the apartment forms part.
- d Confirm by insertion of one of the following phrases, either that a Commencement Notice to be detailed at Schedule C was served and insert the date of service, or that the Relevant Building or Works is exempt from the requirements of such notice.

*[a] The commencement Notice, detailed at Schedule "C" hereto relates to the Relevant Building or Works and was served as required under the terms of the Building Control Act on ..... (date).*

OR

*[b] I am advised by the Employer that the Commencement Notice detailed at Schedule C hereto and relating to the Relevant Building or Works was served as required under the terms of the Building Control Act on ..... (date).*

- e Insert the date of your inspection on site. The date should not be earlier than the date of practical completion but as soon as possible thereafter.
- f Enter the Contractor/Specialist/Consultants details and also the element(s) to which the Confirmation relates.
- g Enter relevant details.
- h Enter date of issue which should be as proximate as possible to the inspection date.
- i Sign your name in full, state your RIAI membership number and use your membership stamp in the space provided.
- j Members are advised that an Opinion On Compliance can be issued using this form only where confirmations are received from:
  - The structural engineer responsible for the design of the structure.
  - The contractor
  - Specialist sub-contractors and suppliers including those responsible for the following:
    - Smoke Alarms
    - Fire Alarms
    - Fire Detection Systems
    - Emergency Lighting
    - Fire Doors
    - Lifts
    - Fire Stopping and Fire Barriers
    - Mechanical Ventilation





A large, empty rectangular box with a thin black border, intended for the specimen RIAI Architect's Opinions on Compliance.

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8 Merrion Square, Dublin 2. Phone 01-676 1703. Fax 01-661 0948 e-mail: info@riai.ie

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