

APPENDIX 3

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

LAW SOCIETY CONVEYANCING HANDBOOK



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

**(FORM FOR USE WHERE A PROFESSIONAL ARCHITECTURAL SERVICE
HAS BEEN PROVIDED AT THE DESIGN AND CONSTRUCTION STAGE OF THE
RELEVANT BUILDING OR WORKS)**

**FORM 1B
(APARTMENTS)**

SPECIMEN

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**ARCHITECT'S OPINION
ON COMPLIANCE OF AN APARTMENT DWELLING WITH BUILDING REGULATIONS
FORM 1B (Apartments)
June 2001 Print
Revision 1 (December 2003)**

[Form for use where a professional architectural service has been provided at the design and construction stages of the Relevant Building or Works]

- I am a Registered Member of The Royal Institute of the Architects of Ireland, this being a qualification listed in Directive 384/85/EEC of the European Community, retained by^a
.....
.....(hereinafter called "the Employer")
of ^b
to furnish an Opinion on the compliance with **Building Regulations** of '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").

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 is not a report on the condition or structure of the **Relevant Building or Works**.

- I have provided the following architectural services in connection with the **Relevant Building or Works**^d
.....
.....
- DESIGN^e
.....
.....
.....
- FIRE SAFETY^f
.....
.....
.....
- COMMENCEMENT^g
.....
.....
.....





6. INSPECTION^h

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

7. 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 am of the opinion that ⁱ

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

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.

"Building", "Works", "Construction" and "Design" have the meanings respectively assigned by the **Building Control Act**.

"Building Regulations"

means regulations made under the **Building Control Act**.

"Confirmations"

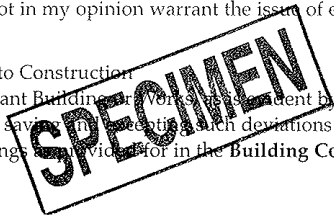
means statements received from the persons detailed at Schedule A hereto, confirming substantial compliance of elements of the **Relevant Building or Works** with **Building Regulations**.

"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 ascertained 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

[a]
.....
.....

and

[b] the Inspection of the **Relevant Building or Works** as existed on the Inspection Date. 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.



SCHEDULE A: CONFIRMATIONS ³

Contractor:

Of:

Element:

.....

Consultant/Specialist:

Of:

Qualification/profession.....

Element:

.....

Consultant/Specialist:

Of:

Qualification/profession.....

Element:

.....

Consultant/Specialist:

Of:

Qualification/profession.....

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Of:

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Element:

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Consultant/Specialist:

Of:

Qualification/profession.....

Element:





SCHEDULE B: FIRE SAFETY CERTIFICATES ¹

Building Control

Authority:

Reference number:

Date of issue:

Decision Order number

Date:

SCHEDULE C: COMMENCEMENT NOTICES ¹

Building Control

Authority:

Date of lodgement:

Reference number, if available:

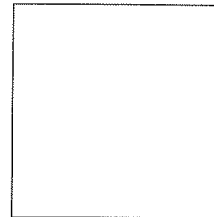
THIS OPINION DOES NOT IN ANY WAY WARRANT REPRESENT OR TAKE INTO ACCOUNT:

Construction carried out or changes made to the **Relevant Building** or Works after the Inspection Date.

Date of Issue ^m

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RIAI
MEMBERSHIP STAMP



Signedⁿ

Registered Member of The Royal Institute of the Architects of Ireland

The RIAI is aware that persons are using the affix "MRIAI" 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.

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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 only be completed when the architect is satisfied that the Relevant Building or Works is in compliance with the requirements of the Building Control Act. Members are advised that this opinion should be issued only where Home Bond confirmation of registration is available. Where such confirmation is not available Members should exercise the greatest care and caution if considering issuing an opinion.

- 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 Insert a precise description of the services you provided as described in your terms of appointment, for example, "Services set out in RIAI document "Agreement between Client and Architect for (insert type of work) Work" signed on (insert date of agreement)". Make particular reference to any variation from standard services.
- e Confirm by insertion of one of the following phrases, that the Design of the Relevant Building or Works is in substantial compliance with the Building Regulations.

[a] I am of the opinion that the Design of the Relevant Building or Works is in Substantial Compliance with the Building Regulations.

OR

[b] 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 designed have been designed in Substantial Compliance with the Building Regulations. This Opinion relies solely on those Confirmations in respect of such elements.

- f Confirm by insertion of one of the following phrases, either that a Fire Safety Certificate to be detailed at Schedule B relates to the Relevant Building or Works, or that the Relevant Building or Works qualifies for exemption from the requirements to obtain a Fire Safety Certificate.

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

OR

[c] I am of the opinion that the Relevant Building or Works is exempt from any requirement for the making of an application for a Fire Safety Certificate by virtue of being works commenced or a material change of use made before 1 August 1992.

- g Confirm by insertion of one of the following, 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 requirement for such notice.

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

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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)

OR

[c] The Relevant Building or Works is exempt from any requirement for the service of a Commencement Notice by virtue of its being exempted development for the purposes of the Planning and Development Act, 2000 (or, as the case may be, any other Acts which it superceded) and being a class of building or works not necessitating the procurement of a Fire Safety Certificate.

h Insert the date of your inspection on site. The date should not be earlier than the date of practical completion but as soon as practicable thereafter.

i Confirm by insertion of one of the following phrases, that the Construction of the Relevant Building or Works is in Substantial Compliance with the Building Regulations.

[a] ... the Construction of the Relevant Building or Works is in Substantial Compliance with the Building Regulations.

OR

[b] ... the Construction 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, that the Relevant Building or Works has been constructed in Substantial Compliance with the Building Regulations. This Opinion relies on Visual Inspection and on those Confirmations.

j Insert at [a] one of the following, describing the inspections carried out during Construction.

[i] Inspections carried out by the architect resident on site during the construction stage, being part of the services described at 2 above.

OR

[ii] Periodic inspections carried out by the architect during the construction stage, being part of the services described at 2 above.

[note: frequent or constant inspection is not part of Standard Services]

k Enter the Contractor/specialist/consultants' details and also the element(s) to which the Confirmation relates.

L Enter the relevant details.

m enter date of issue which should be as close as is practically possible to the inspection date.

n Sign your name in full, state your RIAI membership number, and use your membership stamp in the space provided.

SPECIMEN



A large, empty rectangular box with a thin black border, intended for the specimen RIAI Architect's Opinions on Compliance. The box is mostly blank, with a small copyright notice at the bottom left.

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