

**APPENDIX 3**

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

**LAW SOCIETY CONVEYANCING HANDBOOK**



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

**(FORM FOR BUILDINGS OR WORKS IN CONNECTION WITH WHICH  
A DESIGN ONLY SERVICE HAS BEEN PROVIDED AND WHERE A FIRE SAFETY  
CERTIFICATE IS NOT REQUIRED)**

**FORM 2**

**SPECIMEN**

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**MARCH 1993 ISSUE  
Reprinted June 2003**

*Published by the Royal Institute of the Architects of Ireland in agreement with the Law Society  
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**ARCHITECT'S OPINION  
ON COMPLIANCE WITH BUILDING REGULATIONS**

**March 1993 Issue**

Printed December 2002

*[Form for use for Buildings or Works in connection with which a design-only service has been provided  
and where a Fire Safety Certificate is not required]*

1. 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 <sup>a</sup>

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

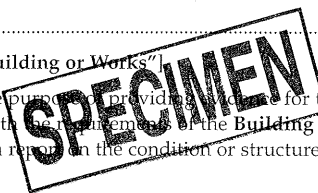
of <sup>b</sup> .....

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

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

[hereinafter called "the Relevant Building or Works"]

This Opinion is issued solely for the purpose of providing a certificate for the 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.



- 2 I have provided architectural services in the matter of the architectural design of the **Relevant Building or Works**.

3 **DESIGN**

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

4 **FIRE SAFETY**

I am of the opinion that <sup>d</sup> .....

.....  
.....

5 **COMMENCEMENT** <sup>e</sup>

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

6 **INSPECTION**

On <sup>f</sup> ..... ("the Inspection Date") I carried out a **Visual 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 did not provide professional services in connection with the construction of the **Relevant Building or Works**.

In the absence of evidence of independent professional inspection of the Relevant Building or Works in the course of construction, I am 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 that such construction of the **Relevant Building or Works** as is evident by **Visual Inspection** is in Substantial Compliance with **the Building Regulations**.

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 aforesaid.

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

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

**"Design"** has the meaning assigned by the **Building Control Act**, but excepting such design as could, in my opinion, reasonably be outstanding pending the construction stage.

**"Substantial Compliance"** when applied to Design means that in my opinion 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 Relevant Building or Works as existed on the Inspection Date. 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.

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

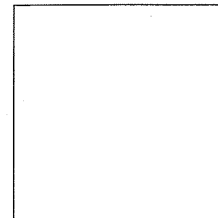
Construction carried out or changes made to the **Relevant Building or Works** after the Inspection Date.

Date of issue g .....

Signed h .....

Registered Member of The Royal Institute of the Architects of Ireland

RIAI  
MEMBERSHIP STAMP



The RIAI advises that matters not evident from Visual Inspection may be material to the matter of Substantial Compliance.

*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.*



**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.*

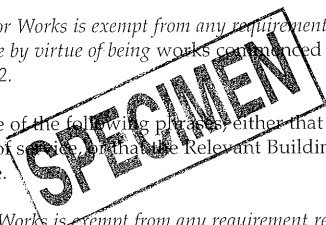
- a            Insert the full name of your employer [not his agent].
- b            Insert the full address of your employer.
- c            Insert a precise description of the building, part of a building, or works to which this opinion relates. Your description should be sufficiently precise as to ensure exclusion of other works attached to or associated with or otherwise connected to the Relevant Building or Works.
- d            Before issuing an Opinion using this Form, satisfy yourself that the Relevant Building or Works qualifies for exemption from the requirement to obtain a Fire Safety Certificate.
  - [i] ... the Relevant Building or Works is exempt from any requirement for the making of an application for a Fire Safety Certificate by virtue of its being a building which is proposed to be used as a dwelling (other than a flat).

OR

  - [ii] ... 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.
- e            Confirm by insertion of one of the following phrases, either that a Commencement Notice was served and insert the date of service, or that the Relevant Building or Works is exempt from the requirement for such notice.
  - [i] The Relevant Building or Works is exempt from any requirement requiring the service of a Commencement Notice by virtue of being exempted development for the purposes of the Local Government (Planning and Development) Acts, 1963 to 1992 or the Planning & Development Acts 2002 (delete as appropriate) and being a class of Building or Works to which part III of S.I 305 of 1991 does not apply.

OR

  - [ii] I am advised by the Employer that a Commencement Notice relating to the Relevant Building or Works was served as required under the terms of the Building Control Act on  
..... (date)
- f            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.
- g            Enter date of issue which should be as close as is practically possible to the Inspection Date.
- h            Sign your name in full, state your RIAI membership number, and use your membership stamp in the space provided.



## APPENDIX 3

### SPECIMEN RIAI ARCHITECT'S OPINIONS ON COMPLIANCE

# LAW SOCIETY CONVEYANCING HANDBOOK



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