



ARCHITECTS' CERTIFICATES

(Contd.)

The Committee recognised that a person may be well justified in calling himself an Architect on the basis of experience alone but take the view that such experience must be lengthy and in most cases be gained while self employed in the field of architecture. The Committee recommends that sympathetic consideration be given to the acceptance of certificates from persons operating in those parts of the country where there is a shortage of qualified personnel. They feel, however, that such sympathetic consideration is not appropriate in cases of building estates. They recommend that in such cases Certificates of Compliance should only be accepted from persons who are properly qualified as Engineers or Architects or have many years' practical experience as such on their own account.

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UPDATE: See also "Who Should Certify Compliance?" at page 7.53 hereof.

HOUSES HELD UNDER TRANSFER ORDERS

CONSENT TO EXTENSIONS

Difficulties have arisen in cases where extensions were carried out to houses held under a Local Authority Transfer Order where Planning Permission and Building Bye-law approval were not obtained for the extension.

While permission could be obtained for retention of the structure under the Planning Act it is not possible for the Local Authority to grant Building Bye-Law Approval retrospectively. The form of Transfer Order prohibits the person holding the property from the Local Authority from carrying out any extension or alteration to the structure without consent and the Local Authorities were reluctant to give a letter of consent in case it could be argued that this was a waiver of the breach of the Building Bye-Laws.

Following a meeting between Law Society Representatives and Officials of Dublin Corporation and Dublin County Council it has been agreed that the following will be included in any letter of consent issued in such circumstances:

"This letter of consent is given by the Corporation in its capacity as the Housing Authority under Transfer Order dated the day of 19 The extension the subject of this consent was erected in breach of the requirement to obtain Building Bye-Laws Approval under the Public Health Acts. It is not possible for the Corporation to give Building Bye-Laws Approval retrospectively under the Health Acts. The consent must not therefore be construed as a waiver of the breach of Building Bye Laws.

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