



STATUTORY INSTRUMENTS.

**S.I. No. 224 of 2013**



BUILDING REGULATIONS (PART D AMENDMENT) REGULATIONS  
2013

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2013

I, PHIL HOGAN, Minister for the Environment, Community and Local Government, in exercise of the powers conferred on me by sections 3 and 18 of the Building Control Act 1990 (No. 3 of 1990), hereby make the following regulations:

*Citation*

1. (1) These Regulations may be cited as the Building Regulations (Part D Amendment) Regulations 2013.

(2) The Building Regulations 1997 to 2012 and these Regulations may be cited together as the Building Regulations 1997 to 2013 and shall be construed together as one.

*Commencement*

2. Subject to Regulation 3, these Regulations shall come into operation on 1 July 2013.

*Application*

3. These Regulations shall apply to works, or a building as regards which a material alteration or material change of use takes place, where the relevant works, material alteration or the material change of use commence or take place, as the case may be, on or after 1 July 2013.

*Amendments to the Building Regulations 1997 to 2012*

4. The Building Regulations 1997 to 2012 are amended by substituting for Part D of the Second Schedule the following:—

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 2nd July, 2013.*

## “PART D

## MATERIALS AND WORKMANSHIP

Materials and workmanship	D1	All works to which these Regulations apply shall be carried out with proper materials and in a workmanlike manner.
Letterplates	D2	A letter plate aperture shall be so positioned at a reasonable height above ground level so as not to endanger the health and safety of persons using such apertures.
Definitions for this Part	D3	<p>In this Part:</p> <p>“proper materials” means materials which are fit for the use for which they are intended and for the conditions in which they are to be used, and includes materials which:</p> <ul style="list-style-type: none"> <li>(a) bear a CE Marking in accordance with the provisions of the Construction Products Regulation;</li> <li>(b) comply with an appropriate harmonised standard or European Technical Assessment in accordance with the provisions of the Construction Products Regulation; or</li> <li>(c) comply with an appropriate Irish Standard or Irish Agrément Certificate or with an alternative national technical specification of any State which is a contracting party to the Agreement on the European Economic Area, which provides in use an equivalent level of safety and suitability;</li> </ul>

“Agreement on the European Economic Area” means the Agreement on the European Economic Area between the European Union, its Member States and the Republic of Iceland, the Principality of Liechtenstein and the Kingdom of Norway as published in the Official Journal of the European Communities (O.J. No. L1, 03.01.1994, page 3);

“Construction Products Regulation” means Regulation (EU) No. 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC.”



GIVEN under my Official Seal,  
27 June 2013.

PHIL HOGAN,  
Minister for the Environment, Community and  
Local Government.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations amend Part D (Materials and Workmanship) of the Second Schedule to the Building Regulations 1997 to 2012 by revising the definition of “proper materials” to have regard to the relevant provisions of Regulation (EU) No. 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC.

The Regulations apply to works and buildings commencing on or after 1 July 2013.

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nó trí aon díoltóir leabhar.

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