
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations revoke and replace the Building (Prescribed Fees) Regulations (Northern Ireland) 1982 as amended.

The fee levels provided for in the regulations represent increases over previous fee levels of 20 per cent in relation to work in Schedule 1 and work in relation to certain small buildings in Schedule 2, and of 67 per cent for domestic extensions falling within Schedule 2. The weighting of fees in Schedule 3 has been altered mainly to reduce the fees for work costing over £1 million.

New fees have been introduced for new work by district councils in considering applications under regulation A10 of the Building Regulations (Northern Ireland) 1994 (building notice) for work carried out without the deposit of plans, regulation A11A of the Building Regulations (Northern Ireland) 1994 (regularisation function) for a regularisation certificate in relation to unauthorised work, and for inspection, in certain circumstances, of the installation of unvented hot water storage systems.

Regulation 3 prescribes the functions in relation to which district councils are authorised to charge fees. Regulation 4 authorises district councils to charge fees in respect of those functions.

Regulation 5(a) and Schedule 1 has effect to determine the amount of fees payable in the case of the erection of one or more small domestic buildings. Regulation 5(b) and Schedule 2 determine the amount of fees payable in the case of the erection of certain garages, carports, installations, alterations and extensions. Regulation 5(c) and Schedule 3 determine the amount of fees in all other cases.

Regulation 6 provides for an exemption from a plan fee where such a fee has already been paid and not refunded in respect of plans subsequently deposited for substantially the same work. Regulation 7 provides for an exemption from fees in relation to certain work for disabled people. Regulation 8 provides an exemption from the plan fee for works in connection with the erection of a small domestic building in respect of which a plan fee has already been paid. Regulation 9 provides an exemption from the plan fee for the erection of certain garages, carports, extensions and alterations. Regulation 10 provides that only one inspection fee or building notice fee may be charged by a district council for all relevant work inspected on the same occasion. "Relevant work" is defined in the regulation.

Regulation 11 provides for the payment of fees. The regulation sets out the times when the fees are payable. Regulation 11(6) authorises a district council to agree that a fee may be paid by instalments.

Where a fee is to be determined in accordance with Schedule 3 to the regulations, Regulation 12 provides that the deposited plans or building notice are to be accompanied by a written estimate of the cost of the work (exclusive of value added tax).

Regulation 13 specifies the effect of failure to pay the plan fee or the building notice fee.

Regulation 14 contains revocations and Regulation 15 makes transitional provisions.