
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 192

The Building Regulations (Northern Ireland) 2012

PART A

Interpretation and general

Regularisation certificates

13.—(1) In this regulation—

- (a) “Building regulations” means these regulations and any of the statutory provisions referred to in regulation 3 and Schedule 1 and in relation to any unauthorised work “relevant building regulations” means those building regulations in force at the time when such work was completed; and
- (b) “Unauthorised work” means any work (within the meaning of regulation 3(1)), any building work or any material change of use, notification of which was required by building regulations to be given to a district council but was not so given.

(2) Where it appears to a district council that—

- (a) a person carried out unauthorised work; and
- (b) in relation to such work, all or any of the substantive requirements of the relevant building regulations have been satisfied,

it may on application made to it issue a certificate (in this regulation referred to as a ‘regularisation certificate’) to the person who carried out the work or any person appearing to the district council to have control over the work or building as appropriate.

(3) A district council shall not issue a regularisation certificate in relation to any unauthorised work unless it has taken such steps (if any) or required such steps to be taken, by the person who carried out the work or any person appearing to the district council to have control over the work or building as appropriate, as it thinks reasonable (including the carrying out of inspections, testing of drains and private sewers and sampling of materials) to ascertain whether that work complies with the substantive requirements of the relevant building regulations.

(4) Where in the opinion of a district council further work is required in relation to any work to which an application under paragraph (2) relates, it shall notify the person who made the application of the fact and give him an opportunity to carry out such work before deciding whether to grant or refuse the certificate.

(5) A regularisation certificate relating to any unauthorised work shall be evidence (but not conclusive evidence) that that work complies with such of the substantive requirements of the relevant building regulations as are specified in the certificate.

(6) An application under paragraph (2) shall be made in writing and shall be accompanied by—

- (a) a statement that it is made in accordance with this regulation;
- (b) a description of the unauthorised work to which it relates;
- (c) a statement of the date on which the work was completed; and

- (d) so far as is reasonably practicable, a plan of that work including, where appropriate, any further building work intended to ensure that the unauthorised work complies with the relevant building regulations.