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Ref

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Members  
Engineers Ireland  
Cork Region

**Building Control (Amendment) Regulations 2009 (S.I. No. 351 of 2009)**

**Disability Access Certificates**

A Chara,

I wish to draw your attention to recent important changes to the Building Control Regulations.

The Disability Access Certificate (DAC) was introduced through SI 351 of 2009 dated 4 September 2009, in order to improve compliance of buildings with Part M of the Building Regulations, currently Part M 2000.

**Application**

A DAC is required for new buildings other than dwellings (including apartment buildings) and certain works (as set out in Article 20 D (1) of SI 351) to which the Requirements of Part M apply, which commence or take place on or after 1 January 2010.

It should be noted in this context, that the Requirements of Part M

- apply to all works in connection with a material alteration or an extension, without requiring any further work to the existing building<sup>1,2</sup>.
- do not apply to a material change of use, except where a material alteration or extension is associated with the material change of use, in which case refer to the previous point.

It is expected that a Disability Access Certificate will normally be applied for at the same time as a Fire Safety Certificate and project programs should schedule Disability Access Certificates accordingly. A period of two months is allowed for the consideration of a Disability Access Certificate application but this period may be extended by agreement between the Authority and the Applicant.

### **Form of Application**

The form of application for a DAC is specified in Article 20D (3) of SI 351. A copy specific to Cork City Council is attached and is also available on the Building Control Section of Cork City Council's website.

The application should be accompanied by -

1. Such drawings (including a site or layout plan )(in duplicate), suitably marked, noted, highlighted (e.g. coloured, toned or other) and such other particulars (e.g. a technical report) as are necessary,
  - a. to identify and describe the works or building to which the application relates, and
  - b. to demonstrate how the Building or works comply with the Requirements of Part M 2000, in particular in relation to the following<sup>3</sup>, where applicable;
    - Approach to a Building
    - Access to a Building
    - Circulation within a Building
    - Use of facilities within a Building
    - Bedrooms in hotels and other guest accommodations
    - Sanitary conveniences
    - Audience or spectator facilities
    - Apartments in a building.

Sufficient information should be provided to enable the building control authority to assess whether the works or building would, if constructed in accordance with the said plans and other particulars, comply with the requirements of Part M 2000.

  - c. to identify the nature and extent of the proposed use and, where appropriate, of the existing use of the building concerned, and
2. A fee of €800 per building (as per Part V of the Building Control Regulations 1997-2009).

### **Early applications.**

In order to facilitate the efficient and effective implementation of the Disability Access Certificates and thus greater compliance with Part M it is recommended that applications be made in good time and that allowance is made in your construction schedules for adequate consideration of such applications by the Building Control Authority.

Where required a valid Disability Access Certificate Number must be quoted for all works commencing after the 1<sup>st</sup> January, 2009. A revised form of Commencement Notice is attached.

Any advice or clarification in relation to the above and related matters may in the first instance be e-mailed to [building@corkcity.ie](mailto:building@corkcity.ie) or by telephone to 021 492 4332.

Mise le meas,



Patrick Nestor  
Executive Building Surveyor

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- <sup>1</sup> Article 11 of the Building Regulations 1997-2008 also stipulates the Regulations apply to every part of a building affected by the material alteration or extension but only to the extent of prohibiting any works which would cause a new or greater contravention, in such building.
- <sup>2</sup> Part M does not apply to works in connection with extensions to and the material alterations of existing dwellings, provided that such works do not create a new dwelling
- <sup>3</sup> It should be noted that additional information may be required in relation to the list in item 2 (a) above when future revisions of Part M come into effect.