

RIAI EGM - ORDINARY RESOLUTION 1.

The undersigned Registered Members have requisitioned an Extraordinary General Meeting in accordance with Article 40 of the RIAI Articles of Association.

The EGM was requisitioned to address the following concerns in relation to the Building Control (Amendment) Regulation (S.I.9 of 2014) hereinafter called "the legislation".

- Inadequate protection for consumer and building owners in the legislation.
- Inadequate resources for Building Control Authorities to monitor the legislation.
- The Building Control Management System is not fully functioning, is not password protected and cannot guarantee security of data (copyright).
- There is no Building Control Authority (BCA) Code of Practice resulting in individual BCA interpretations of the legislation.
- The legislation places intolerable and potentially uninsurable levels of liability on the approved certifiers.
- The majority of legal opinions advise against approved professionals taking on the roles of certifiers as defined by the legislation.
- There is no Building Contract available that addresses the legislation.
- The legislation is ambiguous in terms of the status of self-builders, a major component of work for rural-based members.
- There is no Inspection Schedule or Appointment Agreement available that addresses the role of certifiers under the legislation.
- Restrictive aspects of public service appointments favour architects for lead certifier roles and may be subject to reversal.
- No provision for retrospective compliance.
- No provision for transition arrangements in regulations of conflicts in same.
- The regulations suggest additional exposure and/or delays to costs for owners and reduced protections for clients at completion stages.
- An adequate Regulatory Impact Assessment was not conducted prior to the legislation being introduced.
- The legislation is proving almost impossible to implement in practice.

The purpose of the EGM is that the Registered Members debate and vote on the following Special Resolution to be adopted or rejected:

Resolution 1.

For the reasons outlined above and in the interests of the Registered Members, the consumer and the wider construction industry, we the Registered Members, call for the RIAI Council to adopt as their first priority a policy to seek publicly the revocation of the Building Control (Amendment) Regulations: S.I.9 of 2014 and its replacement by a system which better protects the consumer and to actively reach out to other groups to seek support for that policy.

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