



Fire Safety Certificates - Frequently Asked Questions

1. What is a Fire Safety Certificate?

A Fire Safety Certificate is an official document that verifies if a building design submitted as part of an application will, if constructed in accordance with the plans and specifications approved by the Building Control Authority, comply with the requirements of Part B [Fire] of the Second Schedule to the Building Regulations 1997.

Fire Safety Certificates are issued by a Building Control Authority, and applications are processed and assessed in practice in Waterford Fire Service.

2. Which developments require a Fire Safety Certificate?

The Building Control Act (1990 & 2007) specifies the development types that require Fire Safety Certificates:

- Works in connection with the design and construction of a **new building**.
- Works in connection with the **material alteration** of a day centre, a building containing a flat, a hotel, hostel or guest building, an institutional building, a place of assembly, a shopping centre.
- Works in connection with the **material alteration** of a shop, office or industrial building where **additional floor area** is being provided within the existing building or where the building is being **sub divided** into a number of units for separate occupancy.
- Works in connection with the **extension** of a building by more than 25 square metres.
- A building as regards which a **material change of use** takes place.

3. Which developments are exempted from requiring a Fire Safety Certificate?

The Building Control Act (1990 & 2007) specifies the development types are exempt from the requirement of having a Fire Safety Certificate:

- Certain single storey agricultural buildings.
- A building used as a dwelling (other than a flat).
- A single storey domestic garage.

- A single storey building ancillary to a dwelling which is used exclusively for recreational or storage purposes or the keeping of plants, birds or animals for domestic purposes and is not used for any trade or business or for human habitation.
- Works in connection with a Garda station, a courthouse, a barracks and certain government buildings.

4. What is involved in submitting a Fire Safety Certificate application?

A Fire Safety Certificate application should include:

1. An application form
2. The appropriate fee
3. Relevant drawings (in duplicate)
4. A fire safety compliance report (in duplicate)

Fire Safety Certificate applications are almost always made by fire safety consultants, architects, building surveyors or engineers on behalf of an applicant.

Fire Safety Certificate applications may now be made via the online *Building Control Management System*.

5. What are the fees for a Fire Safety Certificate application?

The fee is €2.90 per square metre relevant floor area. The minimum fee is €125 and the maximum fee is €12,500 regardless of floor area.

The relevant floor area is:

- The entire floor area of a proposed new building
- The floor area of proposed works
- The floor area of a proposed material change of use

Note that floor area is measured to the finished internal surfaces of the walls.

Note also that certain voluntary community organisations and approved housing bodies may be exempted from paying the application fee. See fee exemption form.

6. What drawings are required for a Fire Safety Certificate application?

Typically applications should include the proposed site location, site layout, elevations, appropriate sections, floor plans and appropriate detail drawings. It is also often appropriate to include existing plan and elevation drawings. All drawings should be provided in duplicate.

“...plans (including a site or layout plan and drawings of floor plans, elevations and sections) (in duplicate), calculations, specifications and such other particulars as are necessary to —

(i) identify and describe the works or building to which the application relates, and

(ii) enable the building control authority to assess, whether the said works or building would, if constructed in accordance with the said plans, calculations, specifications and other particulars, comply with requirements of Part B of the Second Schedule to the Building Regulations.”

7. What should the fire safety compliance report contain?

The fire safety report is required to demonstrate compliance with the relevant standard (generally, but not always, Technical Guidance Document B). Accordingly it is usual to systematically address each relevant clause of the guidance document.

8. Can I prepare & submit my own Fire Safety Certificate application?

Typically a Fire Safety Certificate application is made by Fire Safety Consultant, Engineer, Building Surveyor or Architect on behalf of an applicant. The person who submits the application needs to demonstrate that the proposed design complies with Technical Guidance Document B or an approved equivalent standard.

9. How does the Fire Safety Certificate process work in Waterford Fire Service?

A complete application is first submitted. Valid applications are date stamped and an acknowledgement stating date of receipt is sent back to the applicant.

The application is examined for technical compliance with Technical Guidance Document B (or an approved equivalent technical standard). Where it is considered that additional information or modifications are required, the officer examining the application may request additional information/modification from the applicants' agent (fire safety consultant, engineer, building surveyor or architect).

After the application is deemed complete the Building Control Authority may grant or refuse the certificate application.

10. When will I receive notice of a decision on my Fire Safety Certificate application?

The Building Control Authority must notify the applicant of the decision on the application within two months of the date of receipt of a valid application, or within an extended period of time as may be agreed between the applicant and the authority.

11. When can work on my development start?

Where a Fire Safety Certificate is required no works shall be carried until a Fire Safety Certificate has been issued.

There is however a facility for commencing work before a Fire Safety Certificate has been granted (7 Day Notice).

12. What is a 7 Day Notice?

Where it is proposed to commence work before a Fire Safety Certificate has been granted a 7 Day Notice should be submitted to the Building Control Authority. A 7 Day Notice should be submitted at least 7 days before commencement of work.

All 7 Day Notices should be processed online (BCMS system) and a valid application consists of:

1. A 7 Day Notice application form
2. A valid Fire Safety Certificate application
3. A 7 Day Notice statutory declaration
4. The appropriate fee

13. Can I apply for a 7 Day Notice if I have already applied for a Fire Safety Certificate?

Yes, if a valid application for a Fire Safety Certificate has been submitted a 7 Day Notice application may be submitted provided the following is included:

1. The reference number of the original application
2. The revised fee
3. The required documentation

You should liaise with Waterford Fire Service before submitting a 7 Day Notice in respect of a Fire Safety Certificate application that has already been submitted.

14. What are the fees for a 7 Day Notice application?

The fee is €5.80 per square metre relevant floor area. The minimum fee is €250 and the maximum fee is €25,000 regardless of floor area. Note that this is double the amount for a standard Fire Safety Certificate application.

The relevant floor area is:

- The entire floor area of a proposed new building
- The floor area of proposed works
- The floor area of a proposed material change of use

Note that floor area is measured to the finished internal surfaces of the walls.

Note also that certain voluntary community organisations and approved housing bodies may be exempted from paying the application fee. See fee exemption form.

15. Do I have to wait for planning permission to be granted before I can apply for a Fire Safety Certificate?

No. You can apply for both at the same time. However it is usual to wait until planning permission is granted before applying for a Fire Safety Certificate as alterations to the building design may result from the planning application process.

16. What work can I do with my site while my Fire Safety Certificate application is being assessed?

Demolition, clearance and site preparation works may be carried out. No actual construction works must take place.

17. Can I change the approved design after a Fire Safety Certificate has been granted?

A Fire Safety Certificate is granted based on the final building design approved by the Building Control Authority. Deviations at construction stage from the approved design may call into question the validity of the Fire Safety Certificate. Clarification should be sought from the Building Control Authority.

Where significant revision is made to the buildings' design or proposed use a Revised Fire Safety Certificate will be required.

18. What is a Revised Fire Safety Certificate?

A Revised Fire Safety Certificate is an official document that is required where an applicant wishes to make changes to the approved design or building use associated with a previously issued Fire Safety Certificate.

A Revised Fire Safety Certificate application will consist of:

1. A completed [Revised Fire Safety Certificate application form](#)
2. Relevant revised drawings (in duplicate)
3. A fire safety compliance report
4. The appropriate fee

Revised Fire Safety Certificate applications may now be made via the online *Building Control Management System*.

19. What are the fees for a Revised Fire Safety Certificate application?

The fee is €2.90 per square metre relevant floor area. The minimum fee is €125 and the maximum fee is €12,697.38 regardless of floor area.

The relevant floor area is:

- The entire floor area of a proposed new building
- The floor area of proposed works
- The floor area of a proposed material change of use

Note that floor area is measured to the finished internal surfaces of the walls.

Note also that certain voluntary community organisations and approved housing bodies may be exempted from paying the application fee. See fee exemption form.

20. What is a Regularisation Certificate?

Where works have been commenced or been completed in the absence of a Fire Safety Certificate (or without a valid 7 Day Notice application being made) a Regularisation Certificate must be applied for.

A Regularisation Certificate application should consist of:

1. A completed [Regularisation Certificate application form](#)
2. Relevant drawings (in duplicate)
3. A fire safety compliance report
4. A [statutory declaration](#)
5. The appropriate fee

Regularisation Certificate applications may now be made via the online *Building Control Management System*.

21. What are the fees for a Regularisation Certificate application?

The fee is €11.60 per square metre relevant floor area and the minimum fee is €500. Note that this is four times the amount for a standard Fire Safety Certificate application.

The relevant floor area is:

- The entire floor area of a proposed new building
- The floor area of proposed works
- The floor area of a proposed material change of use

Note that floor area is measured to the finished internal surfaces of the walls.

Note also that certain voluntary community organisations and approved housing bodies may be exempted from paying the application fee. See fee exemption form.

22. Will Waterford Fire Service inspect the development when it is completed?

Waterford Fire Service may inspect for compliance with Part B of the Building Regulations, and with the approved design or building use associated with the Fire Safety Certificate or Revised Fire Safety Certificate issued.

Note that a Regularisation Certificate application will necessitate an inspection of the development on completion before a certificate is issued.

23. Will Waterford Fire Service certify the development when it is completed?

No. Any certification required for the building, including for assigned and associated ancillary certification, should be provided in accordance with Article 20 of the Building Control Regulations (Code of Practice for Inspecting & Certifying Building Works).

24. What happens when a development is carried out without a Fire Safety Certificate?

A building owner or occupier who carries out works without a Fire Safety Certificate would be liable to enforcement action under the Building Control Act (1990 & 2007).

Where works have been commenced or completed in the absence of a Fire Safety Certificate or the submission of a 7 Day Notice then an application must be submitted for a Regularisation Certificate.

Note also that it is an offence to occupy a building which requires a Fire Safety Certificate in the absence of a valid certificate (see article 43 of the Building Control Regulations (1992 to 2020)).

25. I want to build a number of separate buildings on my site. Can one Fire Safety Certificate application cover all buildings?

No. A Fire Safety Certificate should be obtained for each building. Note also that this applies in the case of identical buildings built on the same site in the same way.

26. Do I need a Fire Safety Certificate for my private dwelling?

No, unless it is a flat or a duplex. However note that while individual dwellings do not require a Fire Safety Certificate all new dwellings are required to fully comply with the Building Regulations.

27. What is a Building Control Authority?

A Building Control Authority, as defined in the Building Control Act (1990 & 2007), is generally the local authority within that local authority's functional area. Waterford City & County Council is the Building Control Authority for its own functional area.

Within Waterford City & County Council the Building Control section is responsible for building standards and Building Control generally.

Also within Waterford City & County Council, Waterford Fire Service has responsibility for fire safety generally, and for building control items relating to fire safety in buildings (Part B of the Building Regulations).

28. From what date did the requirement for certain new developments to have a Fire Safety Certificate commence?

The Fire Safety Certificate process came into force in June 1992. Only buildings built after that date are required to have a Fire Safety Certificate.

29. I want to carry out minor works to my premises. Do I need a Fire Safety Certificate?

Minor works such as repairs and renewals are exempted from the requirement. Care should be taken though when deciding on what constitutes minor works.

30. I don't need planning permission for the works I am planning. Does that also mean I don't have to apply for a Fire Safety Certificate?

No. There are many situations where a Fire Safety Certificate is required and planning permission is not.

31. Can I appeal if my Fire Safety Certificate, Revised Fire Safety Certificate or Regularisation Certificate application is refused?

Yes. You can appeal the refusal of a certificate application to An Bórd Pleanála within one month of the decision. Details of the appeal fee are available from Waterford Fire Service or from An Bórd Pleanála.