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If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*¹ has adopted and
the President has proclaimed the following Law:

Construction Law

Section 1. Terms Used in this Law

The following terms are used in this Law:

1) **construction permit** – an administrative act with conditions for implementation of a construction conception on site – for designing and construction work – until accepting of a structure for service;

2) **construction work** – part of the construction process, work carried out at a construction site or in a structure, in order to create a structure, to place a pre-manufactured structure or part thereof, to rebuild, renew, restore, preserve, arrange or demolish a structure;

3) **structure** – a physical object which has resulted from human activities and is linked to a foundation (ground or bed);

4) **renewal of a structure** – construction work as a result of which the load-bearing elements or constructions of a structure have been changed or functional or technical improvements have been performed without changing the dimension of the structure or the load-bearing capacity of elements;

5) **arranging of a structure** – construction work which is performed for assembling, laying or placing of an engineering structure in the foundation or structure;

6) **preservation of a structure** – construction work which is performed for strengthening and protection of the structures of a building against unfavourable external exposure, as well as for disconnection of the engineering networks built, so that the structures of the building do not reach a condition dangerous to human life, health or the environment;

7) **demolition of a structure** – construction work as a result of which a structure or part thereof ceases to exist;

8) **placing of a structure** – construction work, which is performed for assembling of a pre-manufactured structure from ready-made elements in the intended place, without building a foundation or basis in depth of more than 30 centimetres;

9) **rebuilding of a structure** – construction work as a result of which the dimension of a structure or part thereof has been changed or the load-bearing elements or constructions have been strengthened, with or without changing the type of use;

10) **restoration of a structure** – construction work, which is performed for a scientifically justified renewal of a structure or part thereof, using materials, methods or technologies corresponding to the original;

11) **construction product** – any product or industrially produced construction that is intended to be incorporated into a structure;

12) **construction** – designing of all types of structures, and construction work;

¹ The Parliament of the Republic of Latvia

13) **building design** – an aggregate of graphic and text documents necessary for the implementation of a construction conception.
[3 July 2014]

Section 2. Purpose of this Law

The purpose of the Law is to create a living environment of good quality, determining efficient regulation of the construction process in order to ensure sustainable State economic and social development, preservation of cultural and historical and environmental values, as well as rational use of energy resources.

Section 3. Scope of Application of this Law

The Law shall be applied to construction of new structures, as well as to rebuilding, renewal, restoration, demolition, placing of existing structures, to changing of the type of use without rebuilding and to preservation.

Section 4. Construction Principles

Construction shall include designing and construction work, as a result of which existing structures are improved or demolished or new structures with a specific function are created. The following principles shall be conformed to in construction:

1) the principle of architectonic quality, according to which structures are designed balancing the functional, aesthetical, social, cultural and historical, technological and economic aspects of construction, as well as the interests of the commissioning party and the public, emphasising the individual identity of nature or urban landscape and organically integrating it into the cultural environment, thus enriching it and creating a living space of good quality;

2) the principle of engineering technical quality, according to which the engineering technical solution of the structure is safe for use, as well as economically and technologically efficient;

3) the principle of openness, according to which the construction process is open, the public is informed regarding the anticipated construction and the decisions taken in relation thereto;

4) the principle of public participation, according to which in the cases laid down in this Law public discussing of the construction conception is ensured;

5) the principle of sustainable construction, according to which a living environment of good quality for current and future generations is created during the construction process, increasing efficient use of renewable energy resources and promoting efficient use of other natural resources for such purpose;

6) the principle of environmental accessibility, according to which such environment is created during the construction process, in which any person may move with comfort and use the structure according to its purpose of use.

[3 July 2014]

Section 5. Competence of the Cabinet in the Field of Construction

(1) For enforcement of the Law the Cabinet shall:

1) issue general construction regulations determining:

a) the classification of structures into groups depending on the level of complexity of construction and the potential impact on human life, health and the environment,

- b) [3 July 2014],
 - c) cases when performance of engineering research work is necessary,
 - d) cases when expert-examination of a structure, as well as expert-examination of a building design is necessary, and the composition, procedures for performance and amount of expert-examination of a building design,
 - e) cases when author supervision and building supervision is necessary, as well as the procedures for author supervision and building supervision and the procedures for the drawing up and the content of a plan of construction supervision,
 - f) the procedures and conditions for building control, the rights and duties of building inspectors, as well as the procedures for co-operation of building inspectors employed in the Office, institutions carrying out the functions of the building authority, and local government,
 - g) the liability of building inspectors,
 - h) the principles and documents, on the basis of which a decision should be taken to put in order or demolish such structure which has completely or partially collapsed, is dangerous or spoils the landscape;
- 2) issue special construction regulations determining:
- a) the construction process procedures, the institutions involved in the construction process and the responsible construction specialists,
 - b) the documents necessary for the construction process and their content,
 - c) the conditions to be included in the construction permit, certification card and explanatory memorandum,
 - d) the cases when the public must be informed regarding the construction conception, and the procedures for such informing,
 - e) the procedures for co-ordinating deviations,
 - f) the scope of expert-examination of a building design,
 - g) the institution responsible for the control and rule of law of the construction process,
 - h) the procedures for the preservation of a structure,
 - i) the procedures for conducting a survey of the layout of a structure and the procedures by which a structure shall be accepted for service,
 - j) the time periods of guarantees for construction work after a structure has been accepted for service;
- 3) issue construction standards in which technical requirements in relation to structures and their elements and the requirements for environmental accessibility in relation to structures shall be determined;
- 4) issue regulations regarding competence evaluation of construction specialists and supervision of professional practice, determining:
- a) the conditions by which a certificate for an professional practice in the field of architecture and construction shall be issued to, registered and cancelled for natural persons, as well as the procedures for the issuance, registration and cancellation of a certificate, suspending and restoring the operation thereof,
 - b) the necessary length of practical work experience in the field of architecture and construction in order to apply for a certificate for an professional practice in the field of architecture and construction,
 - c) the conditions for organising a competence examination and the content of a competence examination,
 - d) the procedures for supervising an professional practice,
 - e) the amount of paid services, the payment procedures and the procedures for the use of the received resources,
 - f) the authorisation of the authority examining the competence,

- g) the extent of information to be included in the register of construction specialists and the procedures for examination thereof;
- 5) issue regulations determining:
- a) the requirements to be set for building inspectors, the procedures for registration of building inspectors and the procedures by which building inspectors shall be excluded from the register,
 - b) the content of the data of the register of building inspectors,
 - c) the procedures for supervising the professional activity of building inspectors;
- 6) determine the procedures for the creation and maintenance of a construction information system, the procedures for issuing documents, the content of the construction information system and the procedures for the circulation of information included therein;
- 7) determine the procedures and conditions for registration and re-registration of merchants in the register of construction merchants, exclusion from the register, as well as the content and the procedures for the use of data of the register, the amount and payment procedures of the State fee to be paid for registration activities;
- 8) determine the procedures for the establishment and operation of the Construction Council of Latvia, as well as the functions of the secretariat of the Council;
- 9) determine the procedures for insuring professional civil legal liability of construction specialists and for insuring civil legal liability of building contractors and the minimum limit of liability;
- 10) determine the procedures by which market supervision of construction products shall be performed, but for construction products, to which the requirements of Regulation (EU) No 305/2011 of the European Parliament and of the Council laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC do not apply, also the procedures by which samples of construction products shall be requested and received, laboratory expert-examinations or expert-examinations of another kind shall be performed and the cases when expenses for performing respective expert-examinations shall be covered by the manufacturer or distributor of construction materials;
- 11) determine the procedures by which the European technical assessment institution shall be selected, as well as the procedures by which a European technical assessment shall be issued;
- 12) issue regulations regarding classification of construction merchants, determining:
- a) the information to be submitted for receipt of a classification document,
 - b) the types of and criteria for classification of construction merchants,
 - c) the conditions for the receipt of a single and temporary classification document,
 - d) the conditions for amending or revocation of a decision to grant a classification document,
 - e) the authorisation of the classification authority,
 - f) the information regarding the procedures for placing, maintenance, updating and checking classifications of construction merchants;
- 13) determine the procedures for public discussing of a construction competition.
- (2) The regulations referred to in Paragraph one, Clause 2 of this Section shall be issued in relation to:
- 1) buildings;
 - 2) motorways and streets;
 - 3) railway structures (State, local government and private);
 - 4) electronic communications structures;
 - 5) energy production, storage, transmission and distribution structures;
 - 6) hydrotechnical and land amelioration structures;

- 7) port hydrotechnical structures;
 - 8) structures related to radiation safety;
 - 9) structures in the territorial waters and exclusive economic zone of the Republic of Latvia;
 - 10) others, particularly non-classified engineering structures.
- [3 July 2014]

Section 6. Competence of State Administration Institutions in the Field of Construction

(1) The ministry responsible for the construction sector shall perform general monitoring and co-ordination of construction, draw up a single State policy in the field of construction and ensure the implementation of such policy. In order to perform such tasks, the ministry shall:

- 1) draw up policy planning documents in the field of construction;
- 2) draw up proposals for improvement of the system of the laws and regulations governing construction;
- 3) draw up the regulations referred to in Section 5 of this Law;
- 4) ensure operation of the construction information system necessary for the monitoring and control of construction.

(2) The competence of the ministry responsible for the construction sector may also include other duties in the field of construction provided for in laws and regulations.

(3) Sectoral ministries, according to the competence laid down in their by-laws in relation to constructing the structures referred to in Section 5, Paragraph two, Clauses 2, 3, 4, 5, 6, 7, 8 and 9 of this Law, shall submit the following information to be included in the special construction regulations to the ministry responsible for the construction sector:

- 1) the construction process procedures and the institutions involved in the construction process;
- 2) the documents necessary for the construction process and their content;
- 3) the conditions to be included in the construction permit;
- 4) the institution responsible for the supervision and rule of law of the construction process.

(4) Sectoral ministries or the authorities subordinate thereto, according to the competence laid down in their by-laws in the cases provided for in laws and regulations, shall take decisions on construction conception in carrying out the functions of the building authority laid down in Section 12, Paragraph three, Clauses 1, 3, 4, 5, 5.¹, 5.², 6, 7, 9 and 10 of this Law, apply the time periods for decision-making and settlement of disputes laid down in the law, as well as ensure the procedures for notification and discussing of a construction conception laid down in Section 14 of this Law and access to information in the construction information system.

(5) An authority subordinate to the ministry responsible for the construction sector shall perform supervision and control of the market of construction products (manufacturing and trade locations, construction sites), checking the conformity of construction products with the performance attributes declared in the standards or technical provisions and the requirements laid down in laws and regulations, and shall take decisions binding to the participants of the market of construction products. The decisions taken by the authority may be appealed in accordance with the procedures laid down in the Administrative Procedure Law.

(6) In performing supervision and control of the market of construction products, the authority has the right:

- 1) to request and receive free of charge information and documents (including technical documentation, declaration of the performance attributes, type-examination certificate, testing reports);
- 2) to request and receive free of charge sample construction products, to perform sample checks on site (pre-testing), also opening the packaging for such purpose and performing sample testing, as well as to organise laboratory expert-examination or expert-

examination of another kind in order to determine the conformity of the construction product with the requirements laid down;

3) to prohibit or suspend placing on the market, offering or selling of construction products for a time period which is necessary in order to assess the conformity of the construction products with the requirements laid down or the performance attributes declared, in order to perform checks and expert-examinations, as well as until the final decision is taken;

4) after checks are performed to provide recommendations to market participants regarding the necessary improvements;

5) to inform the building authority, Office or institution carrying out the functions of the building authority, regarding non-conformity of a construction product at a construction site with the requirements of laws and regulations.

(7) The State Construction Control Office (hereinafter also - the Office) shall be under the supervision of the ministry responsible for the construction sector, which in the cases provided for in law and Cabinet regulations shall perform State control of construction work and supervision of service of structures, organise expert-examinations and grant the right to professional practice in the specialty laid down in Section 13, Paragraph three, Clause 5 of this Law, as well as perform supervision of professional practice.

[24 April 2014; 3 July 2014]

Section 6.¹ Competence of the State Construction Control Office

(1) For enforcement of the Law the Office shall:

1) ensure State control of construction work by performing control of construction work and acceptance for service of the following structures:

a) construction and reconstruction of such new public buildings, in which simultaneous presence of more than 100 people is intended (hereinafter - public building),

b) structures, for the construction of which the procedure of environmental impact assessment has been applied in accordance with Section 4, Paragraph one, Clause 1 of the Law On Environmental Impact Assessment,

c) new structures or reconstructions of existing structures, the intention submitter of which is a local government, if the public works contract price is 1.5 million euros or more;

2) ensure supervision of service of public buildings;

3) ensure access to the information included in the construction information system;

4) organise expert-examination of construction designs and structures:

a) in cases when the commissioning party of construction is a legal person governed by public law or its body,

b) in cases when there is a dispute between participants of the construction process and an opinion of an independent expert-examination of a building design or structure is necessary;

5) inform the competence examination authorities regarding violations of professional activity of construction specialists;

6) ensure methodological assistance on issues within its competence;

7) organise co-operation of the supervision and control authorities and non-governmental organisations involved in the construction process in order to promote raising the professional competence of construction specialists;

8) examine submissions and complaints regarding substantial violations of laws and regulations in the construction process or also in cases when a structure has caused or may cause danger or substantial harm to human life, health, property or the environment.

Administrative acts, which have been issued by State and local government institutions in accordance with this Law, may not be contested to the Office.

(2) In relation to the structures referred to in Paragraph one, Clause 1 of this Section the Office shall carry out the functions of the building authority laid down in Section 12, Paragraph three, Clauses 1, 5.¹ and 7 of this Law, as well as ensure the activities specified in Section 18 of this Law. The Office shall perform control of service of public buildings in accordance with the procedures laid down in Section 21 of this Law.

(3) In performing State control of construction, the Office has the right to request and receive free of charge information and documents (including projects developed on the basis of a construction permit).

(4) The procedures by which the Office shall grant the right to professional practice in the specialty laid down in Section 13, Paragraph three, Clause 5 of this Law, as well as perform supervision of the professional practice, shall be determined by Cabinet regulations regarding evaluating the competence of construction specialists and supervising the professional practice.

(5) The Office shall apply the time periods for decision-making and examining of disputes laid down in law. The decisions taken by the Office may be appealed in accordance with the procedures laid down in the Administrative Procedure Law. The appeal of the decision shall not suspend the operation thereof.

[24 April 2014; 3 July 2014]

Section 7. Competence of the Local Government

(1) For enforcement of the Law the local government shall:

1) ensure the rule of law of the construction process:

a) by establishing a building authority in its territory or by reaching an agreement with other local governments regarding establishment of a joint building authority and by ensuring the resources necessary for the operation of the building authority, as well as delegating the carrying out of individual tasks to another local government in accordance with the procedures laid down in the State Administration Structure Law,

b) by taking decisions on contested administrative acts, actual action and decisions of the building authority of the local government, to be contested in accordance with laws and regulations;

2) take decisions on further action involving the structures in its territory, which have completely or partially collapsed or are in such condition that their use is dangerous or they spoil the landscape;

3) in cities – employ an architect who monitors the conformity with the principle of architectonic quality;

4) ensure access to information in the construction information system;

5) in accordance with the procedures laid down in this Law inform the public regarding the construction conceptions received.

(2) The local government shall not fulfil the duties referred to in Paragraph one of this Section in relation to State control of construction work and service processes, which in accordance with that laid down in Section 6.¹ of this Law are within the competence of the Office. The procedures for co-operation of the building authority and the Office shall be determined by general construction regulations.

[3 July 2014]

Section 8. Construction Council of Latvia

(1) The Construction Council of Latvia shall consist of the representatives of State institutions, non-governmental organisations and professional organisations.

(2) The Construction Council of Latvia shall:

1) assess draft construction policy planning documents and draft laws and regulations in the field of construction and provide an opinion on them to the ministry responsible for the construction sector, as well as participate in improving the laws and regulations governing construction;

2) draw up proposals for the development of the construction sector, including for determination of priority fields, improvement of the vocational education system of construction specialists and improvement of their competence.

(3) The ministry responsible for the construction sector shall carry out the functions of the secretariat of the Construction Council of Latvia.

[3 July 2014]

Section 9. Essential Requirements to be Set for a Structure

(1) A structure shall be designed and built according to the type of use thereof.

(2) During the whole economically justified term of service the structure and its elements must conform to the following essential requirements:

- 1) mechanical strength and stability;
- 2) fire safety;
- 3) hygiene, harmlessness and environmental protection;
- 4) safety of use and accessibility of the environment;
- 5) acoustics (noise protection);
- 6) energy efficiency;
- 7) sustainable use of natural resources.

(3) Deviations from technical requirements of the laws and regulations governing construction in a building design after its co-ordination with the relevant State and local government authorities shall be permissible in the following cases:

1) conformity with the requirements of Paragraph two of this Section is ensured by alternative technical solutions;

2) in renewing, rebuilding or restoring buildings with cultural and historical value, conformity with the relevant requirements is technically impossible or the building would lose its cultural and historical value due to conformity therewith.

Section 10. Construction Products

(1) It shall be permitted to offer construction products on the market of Latvia, as well as to build them permanently in structures, if they are valid for the intended use, ensure the fulfilment of the essential requirements set for the structure and conform to the requirements of the laws and regulations governing construction.

(2) If it is detected that a construction product does not conform to the requirements laid down or the performance attributes declared, the authority performing supervision and control of the market of construction products may take the following decisions:

- 1) to assign the market participant to eliminate the detected non-conformities;
- 2) to assign the market participant to take measures for ensuring the conformity of the construction product;
- 3) to prohibit to integrate the construction product in the structure;
- 4) to assign the market participant to withdraw the construction product from trade, to revoke from consumers and users;
- 5) to prohibit or suspend placing on the market or selling of construction products.

(4) Appealing of the decisions referred to in Paragraph two of this Section shall not suspend their operation.

Section 11. Division of Structures

Structures shall be divided into buildings and engineering structures. The criteria for a more detailed grouping of structures shall be determined by general construction regulations.
[3 July 2014]

Section 12. Building Authority

(1) A building authority is a local government authority or unit or an authority established by several local governments. The functions of the building authority may also be implemented by several units of the local government, each of which has specific competence specified for it and arising from this Law.

(2) A building authority shall employ specialists of whom at least one is an architect and one – a building inspector.

(3) A building authority, according to the competence thereof, shall:

1) control the construction process and its conformity with the requirements of this Law and other laws and regulations governing construction;

2) provide information regarding the conditions for the use and building of a territory, as well as the engineering networks existing in the territory;

3) inform regarding legal background for the construction occurring and provide information regarding the structure;

4) examine submissions and take decisions on construction conception, as well as examine the fulfilment of the conditions included in decisions and the content of the submitted documents to the extent laid down in laws and regulations;

5) examine the plan of construction supervision;

5¹) appoint a building inspector for building control in the object and the mandatory schedule of visits to the construction site. In cases when a structure requires construction supervision, the abovementioned schedule shall be determined, evaluating the main stages of construction work specified in the plan of construction supervision;

5²) upon receipt of information regarding non-conformity of a construction product present in the construction site with the requirements of laws and regulations, decide on the necessity to assign the submitter of the construction conception to evaluate the impact of non-conformity on the significant requirements brought forward to the structure;

6) examine alternative technical solutions for ensuring the accessibility of the environment, if necessary, requesting an opinion of experts of non-governmental organisations of the relevant field if conformity with the technical requirements of the construction standards is not possible in the building design;

7) accept structures for service;

8) examine submissions and take decisions to change the type of use of a structure or its part without rebuilding;

9) provide consultations regarding the construction process procedures;

10) perform other activities related to the construction process and its conformity with the requirements of laws and regulations;

11) register the construction permits issued by other institutions;

12) provide consultations regarding construction possibilities in the relevant territory;

13) in accordance with the procedures provided for in the general construction regulations co-operate with the Office and the institutions carrying out the functions of the building authority.

(4) Depending on the construction conception the building authority shall take a decision within the following time periods:

1) within one month – on the issue referred to in Section 14, Paragraph three, Clause 1 of this Law;

2) within 14 days – on the issue referred to in Section 14, Paragraph three, Clause 2 of this Law;

2¹) within 14 days – on the issue referred to in Section 16, Paragraph 2.² and Section 17, Paragraph 2.¹ of this Law, as well as on changes in the construction permit in cases when the addressee of the construction permit, the construction work manager or author's supervision;

3) within seven days – on the issue referred to in Section 14, Paragraph three, Clause 3 of this Law.

(5) The building authority shall make a note in the construction permit regarding execution of the design conditions included therein within 15 working days from the day when documents certifying execution of all the relevant conditions were submitted to the building authority. The building authority shall make a note in the explanatory memorandum, certification card or construction permit regarding execution of the conditions for commencing construction work within five working days from the day when documents certifying execution of all the relevant conditions were submitted to the building authority.

(6) The building authority shall not perform the duty referred to in Paragraph three, Clauses 1, 5.¹ and 7 of this Section in relation to such State control processes of construction work, which are within the competence of the Office in accordance with that laid down in Section 6.¹ of this Law. The rights and the procedures by which the building authority is entitled to become involved in the processes referred to in Paragraph three, Clauses 1 and 7 of this Section in such cases when their performance is within the competence of other institutions referred to in this Law, shall be determined by the general constructions regulations.

[3 July 2014]

Section 13. Construction specialists

(1) Construction specialists are persons who have acquired the right to an professional practice in the field of architecture, construction or electric energy in regulated professions.

(2) The following persons may acquire the right to an professional practice in the field of architecture or construction:

1) who have acquired the second level vocational higher education in a study programme in architecture;

2) who have acquired the knowledge and skills necessary for an professional practice;

3) who have received a certificate of architect's practice in accordance with the procedures laid down in laws and regulations.

(3) The right to an professional practice in the field of construction in the profession of a construction engineer or a related profession of engineering science may be acquired in the following specialties:

1) engineering research;

2) design;

3) construction work management;

4) construction supervision;

5) construction expert-examination.

(4) The right to an professional practice in the profession of a construction engineer or a related profession of engineering science in the specialties referred to in Paragraph three, Clauses 3 and 4 of this Section may be acquired by a person who:

1) has acquired the first level vocational higher education in a study programme of a construction engineer;

2) who have acquired the knowledge and skills necessary for an professional practice;
3) has received a certificate of building practice in accordance with the procedures laid down in laws and regulations.

(5) The right to an professional practice in the profession of a construction engineer or a related profession of engineering science in the specialties referred to in Paragraph three, Clauses 1, 2, 3, 4 and 5 of this Section may be acquired by a person who:

1) has acquired the second level vocational higher education in a study programme of a construction engineer;

2) who have acquired the knowledge and skills necessary for an professional practice;

3) has received a certificate of building practice in accordance with the procedures laid down in laws and regulations.

(6) Construction specialists may perform a construction expert-examination only in such fields in which they have the right to an professional practice.

(7) Construction specialists shall regularly improve their professional qualification.

(8) Information regarding the certificate of an architect's practice and a certificate of construction practice shall be included in the register of construction specialists in accordance with the procedures laid down in laws and regulations

(9) A certificate necessary in the specialities laid down in this Law for persons for the acquisition of the right to an professional practice in the field of architecture in the profession of an architect or in the field of construction in the profession of a construction engineer shall be granted without time limitation. In the cases provided for in laws and regulations assessment of the competence of a construction specialists shall be repeated.

(9¹) The authorities examining the competence shall, within the scope of supervision of the professional practice in accordance with the procedures stipulated by the Cabinet, examine not less than once in five years:

1) the professional practice of the construction specialist;

2) the information submitted by the construction specialist regarding education and the acquired vocational in-service training programmes or other measures improving competence in the field indicated in the certificate;

3) the facts indicated in the complaints and submissions, as well as facts that have come at the disposal of the authority in any other way regarding the potential violations of the construction specialist.

(10) Construction specialists have a duty to insure their professional liability for the damage caused in the construction process as a result of their actions or failure to act to the life, health or property of other participants of construction and third parties, as well as to the environment.

(11) Construction specialists shall perform the activities laid down in this Law in the process of designing and construction on the basis of a written contract.

(12) The requirements of Paragraph four of this Section shall not apply to master craftsmen, if they perform or manage building trade works in accordance with the Law On Trade Activities. In the cases provided for in special construction regulations construction work in individual structures may be managed also by other persons not referred to in this Section.

(13) The assessment of the competence and the supervision of an professional practice of a construction specialist shall be delegated and payment for the performance of the abovementioned tasks shall be determined in accordance with the procedures laid down in the State Administrative Structure Law, except the case referred to in Section 6, Paragraph seven of this Law.

[3 July 2014]

Section 14. Construction Conception

(1) A person shall propose construction by submitting an application of a construction conception, as well as the documents provided for in general construction regulations and special construction regulations to the building authority.

(2) An institution or official determined by a local government shall notify the public regarding a construction conception within three working days from the day when the application of the relevant construction conception was received, publishing the relevant information on the website of the local government and in the construction information system. The following shall be indicated in the publication:

1) the location where the construction conception will be implemented;

2) the type of the intended structure.

(3) Upon examining an application of a construction conception, the building authority depending on the type of the construction conception shall take a decision:

1) to issue a construction permit, to refuse to issue a construction permit or to have public discussion of the construction conception;

2) to accept the construction conception, making a note in the certification card, or to refuse to accept the construction conception;

3) to accept the construction conception, making a note in the explanatory memorandum of the construction conception, or to refuse to accept the construction conception.

(4) In the cases provided for in the special construction regulations (installation of engineering network circuits, installation of engineering networks in a protection zone or within the limits of red lines) a person shall commence installation of engineering networks after he or she has notified the building authority regarding the construction conception and has received other permits, if such are necessary in accordance with laws and regulations.

(5) If construction of such object is proposed next to residential or public building, which may cause significant impact (smell, noise, vibration or pollution of another kind), but which has not been applied an environmental impact assessment, the building authority shall ensure public discussion of the construction conception and only afterwards take a decision on the construction conception of the proposed object. The local government may provide for in the binding regulations also other cases when public discussion of a construction conception must be organised. Public discussion need not be organised, if the territory in which the structure is intended has a valid detailed plan. If in accordance with the laws and regulations governing spatial development planning, upon detecting the specific impact referred to in this Paragraph, a decision to draw up a detailed plan may be taken, giving preference to the drawing up of a detailed plan. The results of public discussion may be used in order to include additional conditions in the construction permit, which apply to the abovementioned environmental impact of the structure. If the construction permit has been issued in violation of the provisions of this Paragraph, a higher authority or court, upon deciding the issue on the rule of law of the contested or appealed construction permit, shall evaluate whether the violation is so significant that the construction permit should be revoked, and shall particularly examine whether the right of public participation in decision-making have not been violated.

(6) An institution or official determined by a local government shall notify the public regarding a decision, which has been taken upon examining an application of a construction conception in the case referred to in Paragraph three, Clause 1 of this Section, publishing a notification on the website of the local government and in the construction information system within three working days from the day when the decision was taken. The following shall be indicated in the publication:

1) the location where the construction conception will be implemented;

2) the type of the intended structure;

3) the day when the construction permit or a refusal to issue a construction permit enters into effect;

4) the number and date of the decision to issue a construction permit or to refuse to issue a construction permit;

5) the day when a note has been made on fulfilling the design conditions, if the construction permit has been issued in the case referred to in Section 15, Paragraph two of this Law;

6) the day when amendments to the conditions of the construction permit made in the case referred to in Section 16, Paragraph 2.³ or Section 17, Paragraph 2.² of this Law enter into effect.

(6¹) Visual solution of the construction conception submitted to the building authority shall be added to the publication in the Construction Information System, if construction of a building is intended.

(6²) The public shall be notified regarding the decision referred to in Paragraph three, Clause 1 of this Section, which has been taken in relation to public discussion of a structure, in accordance with the procedures stipulated by the Cabinet.

(7) The commissioning party has a duty to inform the public regarding the received construction permit in the cases provided for by the Cabinet by placing a construction board on the plot of land on which construction is permitted. The construction board shall be placed within five days from the day of entering into effect of the construction permit. Such measure shall be informative in nature.

(8) The commissioning party may inform such owners of immovable properties individually in writing regarding the received construction permit whose immovable properties are adjacent to the plot of land on which construction is permitted. Such measure shall be informative in nature.

(9) A construction permit or a decision to refuse to issue a construction permit may be contested or appealed in accordance with the procedures laid down in the Administrative Procedure Law from the day referred to in Paragraph six, Clause 3 of this Section, but in the case referred to in Section 15, Paragraph two of this Law - from the day when a note is made on fulfilment of the design conditions.

(10) A decision that has been taken in the case referred to in Section 16, Paragraph 2.³ or Section 17, Paragraph 2.² of this Law may be contested or appealed within a month from the day of publishing the information referred to in Paragraph six, Clause 6 of this Section. The appeal of the decision shall not suspend the operation thereof.

(11) The total time, in which a submission for contesting an administrative act issued in construction process is examined by the authority, shall not exceed two months from the day of receiving the submission.

(12) A person has a duty to justify the unlawfulness of the administrative act in the submission regarding contesting an administrative act or an application regarding appealing an administrative act.

(13) A higher authority or court may renew the procedural time period for contesting and appeal of a construction permit, if it detects that informing of the public regarding the construction permit issued has been clearly insufficient.

[3 July 2014]

Section 15. Construction Permit

(1) A construction permit shall be issued if:

1) the construction conception conforms to the spatial plan, local plan (if such has been drawn up) and detailed plan (if such is necessary in accordance with laws and regulations) of a local government, except cases when a construction conception is related to an object of national interest;

2) the construction conception has been co-ordinated with the owner of the plot of land and the owner of the structure in case when construction is intended in an existing structure,

or the owner of the plot of land has been informed in case when it is requested by laws and regulations;

3) a building design in a minimum composition has been drawn up in accordance with the requirements of the laws and regulations governing construction, except cases when drawing up of a relevant design is not necessary.

(2) In the cases provided for in special construction regulations a construction permit for constructing an engineering structure shall be issued prior to fulfilment of the requirements referred to in Paragraph one, Clause 2 of this Section and the relevant requirements shall be included in the design conditions of the construction permit.

(3) A construction permit shall not be issued if:

1) the construction conception does not conform to any of the conditions of Paragraph one of this Section or other requirements of laws and regulations;

2) an initial assessment of the intended construction or an environmental impact assessment in case when it is determined by laws and regulations has not been performed.

(4) A decision on a construction permit shall enter into effect from the moment it has been notified to the addressee. If information regarding a decision on a construction permit has been published in conformity with the conditions of Section 14, Paragraph five of this Law, such decision in relation to other persons shall be deemed notified from the moment it entered into effect.

(5) Additional conditions in relation to the level of detail of a building design may be determined in the regulations of the local government for building of the territory, if they are necessary for a structure to blend with the landscape or the urban environment.

(6) In addition to the cases laid down in the Administrative Procedure Law a construction permit may be revoked in accordance with the procedures laid down in laws and regulations by the issuer thereof, if the commissioning party who is the owner or user of the relevant immovable property upon whose assignment construction is carried out on the basis of the contract entered into, does not conform to that laid down in this Law or other laws and regulations governing construction.

(7) Contesting or appeal of a construction permit issued for construction of an object of national interest shall not suspend the operation thereof.

[3 July 2014]

Section 16. Designing

(1) After receipt of a construction permit the fulfilment of the conditions of the construction permit is commenced, ensuring drawing up of a building design in the extent laid down in general and special construction regulations, as well as in conformity with the provisions for the use and building of a territory included in the spatial plan, local plan and detailed plan of a local government (if it is necessary in accordance with laws and regulations). Designing at the risk of the commissioning party may be continued also during the time period when the construction permit has been contested or appealed.

(2) The person drawing up the building design shall be responsible for the conformity of the building design or its documentation with the requirements of the laws and regulations governing construction, of construction norms, as well as contracts entered into by the designer and the commissioning party according to civil legal procedures.

(2¹) It is prohibited to make changes in the type of use of a structure during drawing up a building design, but changes in the solution for the façade of the building, layout of the structure and the building dimension are permissible in conformity with that laid down in Paragraph 2.² of this Section.

(2²) A person who has been issued a construction permit may request a permission to make changes in a building design in relation to:

1) the layout of a structure, if they are justified by technical or special regulations issued by institutions and do not concern the rights of third parties;

2) the building dimension of a building, if the rights of third parties are not concerned and changes are related to specification of construction products in the building design, the construction of the building, insulation and finishing materials or engineering solutions and do not cause smell, noise, vibration or pollution of another kind;

3) the solution for the façade of a building, if changes do not concern the rights of third parties.

(2³) A person who has been issued a construction permit shall, in the case referred to in Paragraph 2.² of this Section, submit the documents specified in laws and regulations to the building authority, but the building authority or another institution carrying out the functions of the building authority shall evaluate the necessity to amend the conditions of the construction permit.

(3) The person drawing up the building design has the right to perform author supervision. Parties shall reach an agreement regarding the conditions thereof by entering into a written contract. General construction regulations shall provide for cases when author supervision is mandatory.

[3 July 2014]

Section 17. Construction Work

(1) Construction work may be commenced after the building authority has made a note in the construction permit regarding the fulfilment of all the conditions included therein, the fulfilment of the conditions for commencing construction work and the construction permit has ceased to be subject to appeal. In the case referred to in Section 15, Paragraph seven of this Law construction work may be commenced after the building authority has made a note in the construction permit regarding fulfilment of the design conditions included therein and the fulfilment of the conditions for commencing construction work.

(2) Construction work shall be organised and carried out according to a building design and conditions of a construction permit, as well as in conformity with the restrictions and requirements laid down in laws and regulations in order to prevent causing harm to the environment or to make it as small as possible and the consumption of resources would be economically and socially justified.

(2¹) It is prohibited during construction work to make changes in the type of use of a structure, but changes in the solution for the façade of the building, layout of the structure and the building dimension are permissible in conformity with that laid down in Section 16, Paragraph 2.² of this Law.

(2²) A person who has been issued a construction permit shall, in the case referred to in Section 16, Paragraph 2.² of this Law, submit the documents specified in laws and regulations to the building authority, but the building authority or another institution carrying out the functions of the building authority shall evaluate the necessity to amend the conditions of the construction permit.

(3) If construction work is stopped or discontinued and, therefore, the structure becomes dangerous to human life, health or the environment or if dangerous damages may occur in constructions of the structure, the person who proposed the construction shall perform conservation in accordance with the procedures laid down in laws and regulations.

(4) Construction work, for the performance of which a certification card or an explanatory memorandum is necessary, may be commenced after the building authority has made a note in the abovementioned documents regarding fulfilment of the conditions and the documents necessary for commencing construction work have been registered with the building authority in the cases provided for in special regulations.

[3 July 2014]

Section 18. Construction Control

(1) Construction control shall be performed, in accordance with the competence specified in this Law, by the building authorities, institutions carrying out the functions of the building authority and building inspectors of the Office – persons employed at the relevant institutions who have acquired the right of professional practice in the field of architecture or construction and are registered with the register of building inspectors. Within the scope of co-operation the building inspector of the building authority has the right to visit also such structure and construction site during construction work, the supervision of which is within the competence of the Office or another institution carrying out the functions of the building authority, and to provide information thereof to the relevant institutions for further action.

(2) Construction work which has been commenced or is carried out without a construction permit or before a note has been made in the construction permit, certification card or explanatory memorandum regarding fulfilment of the relevant conditions, in cases when the relevant decisions are necessary in accordance with laws and regulations, as well as construction work which does not conform to the building design and the requirements of laws and regulations shall be qualified as unauthorised construction. Unauthorised construction is also service of the structure or its part not according to the designed type of use or construction work, which have been commenced without a relevant design documentation, if such is necessary in accordance with laws and regulations.

(3) In performing construction control, a building inspector has the right to visit and inspect the structure and construction site during construction work. If natural or legal persons do not ensure the building inspector with the right to visit and inspect structures and individual premises, such structures and individual premises may be accessed, applying substitute execution and physical force according to a decision of a district (city) court judge, which has been taken on the basis of an application of the building authority, Office or another institution carrying out the functions of the building authority and the materials appended thereto. Natural and legal persons who hinder the implementation of such rights of the building inspector shall be held liable in accordance with the law.

(4) In performing control of construction work, building inspectors according to the competence of the authorities, in which they are employed, shall:

1) examine the conformity of commencing the construction work with the requirements of laws and regulations;

2) examine the conformity of commencing the construction work with the building design and the requirements of laws and regulations;

3) ascertain the presence of documentation certifying the conformity of construction products at the construction site and inform the authority supervising the market of construction products regarding the deficiencies detected;

4) ascertain the conformity with the environmental protection requirements at the construction site and inform the authorities, which carry out State environmental control, regarding the deficiencies detected;

5) ascertain whether author supervision or construction supervision is carried out in cases when the need for the relevant supervision is determined by laws and regulations, and whether the plan of construction supervision is conformed to.

(5) If a building inspector in accordance with Paragraph four, Clause 1 of this Section detects unauthorised construction, the building inspector shall stop the construction work and write a relevant opinion, and the building authority shall take one of the following decisions:

1) to renew the previous condition, if construction of the particular object in the relevant territory is precluded by laws and regulations or if construction work were commenced prior to making a note in the construction permit regarding fulfilment of the

design conditions - regardless of the circumstances due to which the relevant activity was not performed;

2) on permission to perform construction after fulfilment of the requirements of the laws and regulations governing construction, but in cases when harm to the environment has been caused as a result of unauthorised construction – also after elimination thereof in accordance with the procedures laid down in the laws and regulations governing environmental and nature protection. If a decision on permission to perform construction is not carried out within the time period laid down by the building authority, the building authority may decide on renewing the previous condition.

(6) If in accordance with Paragraph four, Clause 2 of this Section a building inspector detects deviations from the building design submitted to the building authority, the building inspector shall stop the construction work and write a relevant opinion. The building authority may take a decision on permission to continue the construction work, if the circumstances referred to in Section 17, Paragraph 2.¹ of this Law are detected.

(6¹) If a building inspector detects the deficiencies indicated in Paragraph four, Clause 3 of this Section at the construction site, the building inspector is entitled to stop the construction work and write a relevant opinion. The building authority may take a decision on permission to continue the construction work after information regarding elimination of deficiencies has been received from the authority carrying out the supervision and control of the market of construction products, but in cases when the building authority has assigned to evaluate the impact of the non-conformity of a construction product with essential requirements put forward for a structure - also evaluation.

(7) If in accordance with Paragraph four, Clause 4 of this Section a building inspector detects deviations from the environmental requirements at a construction site, which have caused or may cause danger or significant harm, he or she is entitled to stop the construction work and write a relevant opinion. The building authority may take a decision on permission to continue the construction work after information regarding elimination of the detected deficiencies has been received from the authority carrying out the environmental State control.

(7¹) If the owner of a structure does not enforce the decision referred to in Paragraph five of this Section, the authority shall perform forced execution of the decision in accordance with the procedures laid down in the Administrative Procedure Law. Forced execution of decisions shall be applied, if not more than five years have passed since their entering into effect, counting this time period in accordance with that laid down in the Administrative Procedure Law.

(8) The building authority shall take a decision to revoke a construction permit, if changes concern the type of use, are intended in the dimension or layout of the structure and the circumstances referred to in Section 17, Paragraph 2.¹ of this Law are not detected.

(9) [3 July 2014]

(10) [3 July 2014]

(11) A decision to suspend the construction work, which is included in the opinion of a building inspector, a decision to discontinue the construction work or a decision to revoke a construction permit, its recognition as invalid shall be executed without delay. Contesting or appealing of such decision shall not suspend the operation thereof. If a decision to stop the construction work is not executed, the decision-maker may ensure execution of such decision by applying substitute execution (including determining prohibitions in relation to an object or territory in which the object is located) and other means of forced execution specified in the Administrative Procedure Law, as well as to decide on revocation of a construction permit and renewal of the previous condition. In addition to the cases specified in the Administrative Procedure Law when expenses related to executing a decision are covered by the addressee of the decision, expenses related to renewal of the previous condition shall be covered by the owner of the structure.

[3 July 2014]

Section 19. Responsibility in Construction

(1) Participants of a construction process (landowner, owner of the structure, person who drew up the building design, performer of construction work, building supervisor and construction expert) have a duty to conform to the requirements of laws and regulations in the construction process. Within the meaning of this Law a landowner is also the legal possessor of land of a public person, but an owner of the structure - the legal possessor of a structure belonging to a public person or another structure.

(2) If there is a structure on the plot of land or a structure belonging to the landowner is being built on the plot of land, the owner of the land shall be responsible for the commencement or performance of construction work without a construction permit or before a note has been made in the construction permit, certification card or explanatory memorandum regarding fulfilment of the relevant conditions, if the relevant decisions are necessary for commencement of construction. The landowner shall also be responsible for choosing a person who draws up the building design, building expert, performer of construction work and building supervisor conforming to laws and regulations.

(3) If there is a structure belonging to another person on the plot of land or a structure belong to another person is being built on the plot of land, the owner of the structure shall be responsible for the commencement or performance of construction work without a construction permit or before a note has been made in the construction permit, certification card or explanatory memorandum regarding fulfilment of the relevant conditions, if the relevant decisions are necessary for commencement of construction. The owner of the structure shall also be responsible for choosing a person who draws up the building design, building expert, performer of construction work and building supervisor conforming to laws and regulations.

(4) The person who draws up the building design shall be responsible for the conformity of the extent and content of the building design with the requirements of the commissioning party, this Law and other laws and regulations, as well for author supervision.

(5) The performer of construction work shall be responsible for the conformity of the requirements of laws and regulations at the construction site and for the conformity of the structure or its part created as a result of construction work with the building design and the requirements of the commissioning party, this Law and other laws and regulations, as well as for choosing construction products conforming to the requirements of laws and regulations and integration technologies thereof.

(6) A building supervisor shall be responsible for supervision of the whole construction work at large and control of every stage specified in the plan of construction supervision at the construction site within the time periods provided for in the relevant plan, as well as for conformity of the structure or its part, during construction of which the building supervisor carried out his or her duties, with the building design and the requirements of the commissioning party, this Law and other laws and regulations.

(7) A building supervisor shall be responsible for the content of an expert-examination opinion and the validity of the conclusions included therein.

(7¹) A landowner or the owner of a structure is not entitled to authorise other participants of the construction process to choose a building expert or building supervisor and to enter into a contract regarding provision of services of a building expert or building supervisors upon assignment of the landowner or owner of the structure.

(8) A person participating in construction process has a duty to compensate the losses caused by his or her action or failure to act to other participants of the construction process and third parties in accordance with the procedures laid down in this Law and The Civil Law.

(9) If a construction permit, explanatory memorandum or certification card is necessary for performance of construction work, written employment contracts or contracts for work performance shall be entered into between participants of construction, except relatives of the first, second and third degree and other family members who are able to prove their belonging to the family, regarding execution of work or provision of services.

(10) If a construction permit, explanatory memorandum or certification card is not necessary for the performance of construction work, the duties and rights of participants of construction in relation to the form of entering into contracts shall be determined by The Civil Law, Labour Law and other laws and regulations.

[3 July 2014]

Section 20. Insurance in Construction

(1) A performer of construction work has a duty to insure its civil legal liability for harm caused to the life or health of a third party or losses caused to the property as a result of its activity or failure to act. If a construction permit is necessary for the performance of construction work, the civil legal liability of the performer of construction work shall be insured for the whole term of performance of construction work.

(2) A contract regarding insuring civil legal liability shall be entered into either in relation to all construction objects and renewed each year, or anew, or also in relation to each individual construction object.

(3) Losses caused to the property of the third party are evaluated in conformity with the laws and regulations regarding insurance. The amount of the insurance compensation shall be determined by agreement of the parties.

(4) The issuer of the construction permit shall verify existence of the mandatory insurance of the civil legal liability of the performer of construction work.

Section 21. Service of a Structure

(1) After completion of construction work the person who proposed construction shall ensure that surveying of the layout of the structure is performed and the structure is accepted for service.

(2) It is prohibited to use a structure until it is accepted for service, except the cases referred to in Paragraph three of this Section. The structure accepted for service shall be used only according to the designed type of use.

(3) During reconstruction, renewal or restoration of a building accepted for service, as well as in the cases provided for in the engineering network and special construction regulations during construction, reconstruction or renewal of engineering structures their use prior to accepting for service shall be permitted, if an evaluation is included in the building design regarding the admissibility of use of the structure during construction work, the conditions for use, but in relation to buildings - also calculations regarding the admissible weight and construction load of construction materials on the load-carrying constructions, which are included in the work organisation project contained in the building design.

(4) The owner of a structure shall ensure the maintenance of the structure and its elements during service so that it would conform to the essential requirements laid down for a structure in Section 9, Paragraph two of this Law.

(5) A building inspector, upon presenting a service identification document and an authorisation of a higher official, has the right to visit the structures belonging to natural and legal persons or in their use and individual premises, in order to control the conformity of service with laws and regulations, including existence of unauthorised construction and safety of the structure. If natural or legal persons do not ensure the building inspector with the right to visit and inspect structures and individual premises, such structures and individual premises

may be accessed, applying substitute execution and physical force according to a decision of a district (city) court judge, which has been taken on the basis of an application of the building authority, Office or another institutions carrying out the functions of the building authority and the materials appended thereto. If it is necessary to access such structures and premises applying physical force, it shall be carried out in accordance with the procedures laid down in law. Natural and legal persons who hinder the implementation of the rights of a building inspector shall be held liable according to the law.

(6) A building inspector, upon controlling safety of a structure accepted for service, shall perform general visual survey, during which the visible damages shall be noted and evaluated and an opinion shall be prepared. Results of the survey may be the basis for a detailed technical research of the structure, its part or built-in construction products. Survey of a public building shall be performed and an opinion shall be prepared by a building inspector employed in the Office.

(7) Within the scope of supervising the service of structures, taking into account that detected in the opinion, the building authority or the Office may take the following decisions according to their competence:

1) to assign the performance of technical research of a structure, its part or built-in construction products;

2) to assign to eliminate the danger detected, informing the local government thereof;

3) if danger caused by the building is detected - to prohibit its service until eliminating the danger;

4) if a structure or individual room is used not in conformity with the designed type of use - to prohibit the service of the structure or individual room and to assign its renewal in the previous condition.

(8) In addition to the decisions referred to in Paragraph seven of this Section, on the basis of the opinion prepared by the building inspector, the competent authority shall take a decision on administrative fine in the cases laid down in law.

(9) If a structure has fully or partially collapsed or is in such technical condition that it is dangerous or spoils the landscape, its owner in accordance with a decision of the local government must put it in order or demolish it. Carrying out of this decision shall be ensured in accordance with the procedures laid down in the Administrative Procedure Law.

(10) The decisions referred to in Paragraphs seven and nine of this Section (except the decision in relation to the structure which spoils the landscape) shall be carried out without delay. Contesting and appeal of such decisions shall not suspend their operation. If any of the relevant decisions is not carried out, the authority may ensure its carrying out, applying substitute execution and other compulsory execution measures laid down in the Administrative Procedure Law. In addition to the cases specified in the Administrative Procedure Law when expenses related to executing a decision are covered by the addressee of the decision, expenses related to renewal of the previous condition shall be covered by the owner of the structure.

[3 July 2013]

Section 22. Register of Construction Merchants

(1) In order to perform commercial activity in one or several fields of construction, as well as in the field of architecture or electric energy, a merchant shall register with the register of construction merchants, submitting information regarding all construction specialists employed on the basis of an employment contract.

(2) A merchant is entitled to operate in such fields of construction in which it has the relevant construction specialists.

(3) Information regarding the merchant, its construction specialists, data characterising the merchant, information regarding the violations detected in construction and violations of the provisions of the register shall be included in the register of construction merchants.

(4) The register of construction merchants shall be accessible to the public, except data access to which is restricted in accordance with the laws and regulations regarding commercial secret and data protection.

[3 July 2014]

Section 23. Classification of Construction Merchants

(1) In order to apply for the performance of such construction work which are fully or partially financed from the resources of a legal person governed by public law, resources of policy instrument of the European Union or of other foreign financial assistance, if the commissioning party is a legal person governed by public law or its institution, a construction merchant must receive a classification document.

(2) Construction merchants shall be classified, assessing their financial and economic indicators (including the data included in the register of construction merchants characterising a merchant), technical criteria, as well as professional experience.

(3) A construction merchant is entitled to apply to a single or temporary classification document.

(4) Information regarding classification of construction merchants shall be included in the construction information system and shall be accessible to the public.

[3 July 2014]

Section 24. Construction Information System

(1) The construction information system is a State system, which includes the information and documents necessary for the construction process and its control and ensures circulation of information among public administration, control institutions and participants of construction, as well as involvement of the public in the construction process. The construction information system shall be created and maintained by the ministry responsible for the construction sector.

(2) The construction information system shall include:

1) information necessary for commencing construction;

2) information regarding the intended construction, decisions taken in relation thereto and entering into force thereof;

3) information regarding conditions of a construction permit and a list of the document certifying fulfilment thereof;

4) information regarding supervision of the construction process;

5) information necessary for accepting a structure for service;

6) information regarding participants of construction and violations of their professional activity;

7) the registers provided for in this Law and other laws regarding construction, energy performance of dwellings and buildings;

8) other information necessary for enforcement of this Law.

(3) The construction information system shall be accessible to the public free of charge, except data access to which is restricted in accordance with the laws and regulations regarding commercial secret and data protection.

Transitional Provisions

1. With the coming into force of this Law the Construction Law (Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs, 1995, No. 20; 1997, No. 7, 22; 2002, No. 7; 2003, No. 6, 8;

2004, No. 9; 2005, No. 8; 2006, No. 7, 13; 2008, No. 3; 2009, No. 14; Latvijas Vēstnesis, 2010, No. 205; 2012, No. 195; 2013, No. 87, 124) is repealed.

2. Until the day when the Cabinet regulations substituting the relevant Cabinet regulations come into force, but not longer than until 1 July 2015, the following Latvian construction standards shall be applicable insofar as they are not in contradiction with this Law:

- 1) LBN 002-01 "Thermotechnics of Building Envelopes";
- 2) LBN 003-01 "Construction Climatology";
- 3) LBN 005-99 "Rules on Engineering Research in Construction";
- 4) LBN 006-00 "Essential Requirements for Structures";
- 5) LBN 016-11 "Construction Acoustics";
- 6) LBN 201-10 "Fire Safety of Structures";
- 7) LBN 202-01 "Content and Drawing up of Construction Design";
- 8) LBN 203-97 "Design Standards of Concrete and Reinforced Concrete Structures";
- 9) LBN 205-97 "Design Standards of Masonry and Reinforced Masonry Structures";
- 10) LBN 206-99 "Design Standards of Timber Structures";
- 11) LBN 207-01 "Geotechnics. Foundations and Bases of Structures";
- 12) LBN 208-00 "Public Buildings and Structures";
- 13) LBN 209-09 "Low-rise Residential Houses";
- 14) LBN 211-08 "High-rise Multi-apartment Residential Buildings";
- 15) LBN 214-03 "Geotechnics. Foundations and Bases of Piles";
- 16) LBN 221-98 "Internal Water-main and Sewage of Buildings";
- 17) LBN 222-99 "External Networks and Structures of Water Supply";
- 18) LBN 223-99 "External Networks and Structures of Sewage";
- 19) LBN 224-05 "Land Amelioration Systems and Hydrotechnical Structures";
- 20) LBN 229-06 "Hydrotechnical Structures of Hydroelectric Power Plants";
- 21) LBN 231-03 "Heating and Ventilation of Residential and Public Buildings";
- 22) LBN 241-03 "Internal Systems of Gas-mains and Gas Installations";
- 23) LBN 242-02 "External Networks of Gas Distribution and Users";
- 24) LBN 261-07 "Building of Internal Electrical Installations of Buildings";
- 25) LBN 262-05 "Electronic Communications Networks";
- 26) LBN 501-06 "Procedures for Determination of Construction Costs";
- 27) LBN 305-01 "Geodetic Works in Construction";
- 28) LBN 310-05 "Work Performance Design";
- 29) LBN 405-01 "Technical Survey of Structures".

[24 April 2014; 3 July 2014]

3. Persons who until the day of coming into force of this Law have obtained the right to an professional practice in the field of construction in the profession of a building technician, however, have not acquired the education laid down in Section 13 of this Law are entitled to continue an professional practice in engineering research, design, managing of construction work, construction supervision or building expert-examination not later than until 31 December 2020. If on the day of coming into force of such legal norm six years or less have remained until the person reaches the retirement age laid down in law, he or she shall be allowed to continue an professional practice in the fields referred to in this Paragraph until reaching the retirement age, without conforming to the requirements for education laid down for construction specialists in Section 13 of this Law. If a person wishes to continue an professional practice in engineering research, design, managing of construction work, building supervision or building expert-examination after reaching the retirement age, he or she must conform to the requirements of Section 13 of this Law.

[3 July 2014]

4. Persons who until the day of coming into force of this Law have obtained the right to an professional practice in the field of construction in the profession of a building engineer and who have acquired the first level vocational higher education in the study programme of a building engineer are entitled to continue an professional practice in engineering research, design or building expert-examination not later than until 31 December 2020. If on the day of coming into force of such legal norm six years or less have remained until the person reaches the retirement age laid down in law, he or she shall be allowed to continue an professional practice in the fields referred to in this Paragraph until reaching the retirement age, without conforming to the requirements for education laid down for construction specialists in Section 13 of this Law. If a person wishes to continue an professional practice in engineering research, design or building expert-examination after reaching the retirement age, he or she must conform to the requirements of Section 13 of this Law.

[3 July 2014]

4.¹ The requirement arising from Section 18, Paragraph one of this Law that a building inspector employed in a local government must have at least first level higher education obtained in a study programme for architects or building engineer, and the requirement regarding the necessity of a certificate of a construction specialist shall not apply to building inspectors who have commenced employment legal relationship with the building authority until 1 November 2014.

[3 July 2013]

5. Construction processes, which have been commenced until the day of coming into force of this Law, shall be completed in accordance with the procedures laid down in general construction regulations.

[3 July 2013]

6. *[24 April 2014]*

7. Until making of amendments to laws and regulations the terms “rebuilding” and “change of the type of use” used in this Law shall conform to the term “reconstruction”, and the term “renewal” – to the term “renovation”.

8. Section 5, Paragraph one, Clause 12 and Section 23 of this Law shall come into force from 1 January 2016. The pre-condition included in Section 23, Paragraph one of this Law for applying to the performance of construction work shall be applicable from the day when the relevant amendments to the Public Procurement Law and the Law On Procurements in the Field of Defence and Security, but not sooner than from 1 January 2016.

[3 July 2014]

9. Construction specialists who have received a certificate of an architect’s practice or building practice until the day of coming into force of this Law are entitled to continue an professional practice after expiry of the term of validity indicated in the certificate, if they conform to the requirements of this Law and provide the information to be included in the register of construction specialists to the extent, within the time period and according to the procedures stipulated by the Cabinet.

10. Section 6.¹, Paragraph one, Clause 2 of this Law shall come into force from 1 January 2015, Clause 1 - from 1 July 2015, but Section 6.¹, Paragraph four - from 1 January 2016.

[3 July 2013]

11. Until 1 January 2015 natural persons have the right to perform expert-examination, if they have received a certificate for the relevant types of design or construction work, as well as legal persons registered in accordance with the procedures laid down in the laws and regulations governing construction, which employ a certified specialists in the relevant field.
[3 July 2013]

12. Section 14, Paragraph 6.¹ of this Law shall apply from the day when the construction information system ensures electronic handling of construction documents, but not earlier than on 1 October 2015.
[3 July 2013]

This Law shall come into force on 1 February 2014.
[24 April 2014]

This Law has been adopted by the Saeima on 9 July 2013.

President

A. Bērziņš

Rīga, 30 July 2013