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- 14 February 2019 [shall come into force from 13 March 2019];
- 21 November 2019 [shall come into force from 24 December 2019].

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 intention 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 to create a structure, to place a pre-manufactured structure or part thereof, to rebuild, renew, restore, preserve, demolish a structure or install an engineering network;

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) **installation** – construction work performed for the assembly, insertion, or placement of an engineering network in the foundation (ground or bed) 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, and also 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 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 works as a result of which the dimension of a structure or part thereof are have been changed or the load-bearing elements or constructions have been strengthened, with or without changing the type of use;

¹ The Parliament of the Republic of Latvia

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;

13) **building design** – an aggregate of graphic and text documents necessary for the implementation of a construction intention.

[3 July 2014; 22 June 2017]

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, and also rational use of energy resources.

Section 3. Scope of Application of this Law

The Law shall be applied to the construction of new structures, and also 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 by balancing the functional, aesthetical, social, cultural and historical, technological and economic aspects of construction and also the interests of the initiator of the construction 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, and also economically and technologically efficient;

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

4) the principle of public participation according to which in the cases specified in this Law public discussing of the construction intention 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; 22 June 2017]

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

(1) For the 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 the performance of engineering research work is necessary;
 - d) cases when expert-examination of a structure, and also expert-examination of a building design is necessary, and the composition, procedures for the performance and amount of expert-examination of a building design;
 - e) cases when author supervision and building supervision is necessary, and also 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 obligations of building inspectors, and also the procedures for the co-operation between the building inspectors employed in the Bureau, 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 building 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 of the construction intention, 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 building specialists and supervision of independent practice, determining:
 - a) the conditions by which a certificate for an independent practice in the field of architecture, construction, and electric energy shall be issued to, registered, and cancelled for natural persons and also 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 independent 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 independent 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 building specialists and the procedures for the examination thereof;
- 5) issue regulations determining:
- a) the requirements to be set for building inspectors, the procedures for the 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 the registration and re-registration of merchants in the register of construction merchants, exclusion from the register, and also the content and the procedures for the use of data of the register, the amount, relief arrangements, 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, and also the functions of the secretariat of the Council;
- 9) determine the procedures for insuring professional civil legal liability of building 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, and also 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 the receipt of a classification document;
 - b) the types of and criteria for the classification of construction merchants;
 - c) the conditions for the receipt of a single and temporary classification document;
 - d) the conditions for the amendment or revocation of a decision to grant a classification document;
 - e) the authorisations of the classification authority;
 - f) the information on the procedures for the placement, maintenance, updating, and checking of the classifications of construction merchants;
- 13) determine the procedures for the public discussing of a construction intention;
- 14) determine the mandatory conditions to be included in the public works contract and public service contract on designing, expert-examination of a design and building supervision, and the content thereof.

(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; 23 November 2016; 22 June 2017]

Section 6. Competence of the 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 unified 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 the 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) [23 November 2016].

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

(3) In accordance with the competence specified in their by-laws in relation to the construction of the structures referred to in Section 5, Paragraph two, Clauses 2, 3, 4, 5, 6, 7, 8, and 9 of this Law, the sectoral ministries 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) Upon carrying out the functions of the building authority specified in Section 12, Paragraph three, Clauses 1, 3, 4, 5, 5.¹, 5.², 6, 7, 9, and 10 of this Law, sectoral ministries or institutions subordinate thereto, according to the competence specified in their by-laws, or other authorities, according to the competence specified in laws, in the cases provided for in laws and regulations, shall:

- 1) reflect the procedural actions necessary within the scope of the construction and service control and issue decisions in the Construction Information System in conformity with Section 24, Paragraph eight of this Law;
- 2) apply the time periods for taking decisions and examining disputes specified in the law;
- 3) ensure the procedures for notifying and discussing a construction intention laid down in Section 14 of this Law and the availability of information in the Construction Information System.

(5) An institution subordinate to the ministry responsible for the construction sector shall supervise and control the market of construction products (manufacturing and trade locations, construction sites) by inspecting the conformity of construction products with the requirements provided for and performance declared for the construction product in the laws and regulations

and technical provisions, and shall take decisions binding to the participants of the market of construction products. The decisions taken by the institution may be appealed in accordance with the procedures laid down in the Administrative Procedure Law.

(6) When performing the 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 performance, 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, and also to organise laboratory expert-examination or expert-examination of another kind in order to determine the conformity of the construction product with the requirements specified;

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 specified or the performance declared, in order to perform checks and expert-examinations, and also until the final decision is taken;

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

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

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

[24 April 2014; 3 July 2014; 23 November 2016; 22 June 2017; 14 February 2019]

Section 6.¹ Competence of the State Construction Control Bureau

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

1) provide the 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 which are designed for the simultaneous presence of more than 100 people (hereinafter – the 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;

1¹) carry out the functions of the building authority specified in this Law and other laws and regulations in the field of construction in respect of the construction of structures necessary for the needs of the Ministry of Defence, its subordinate institution or the National Armed Forces in the immovable property in the possession or holding of the Ministry of Defence;

2) ensure supervision of the service of the public buildings and the structures specified in Clause 1.¹ of this Paragraph;

3) provide access to the information included in the Construction Information System;

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

- a) in cases when the initiator of the construction is a legal person governed by public law or its body;
 - b) in cases when there is a dispute between the 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 of the violations of the professional activity of construction specialists;
- 6) provide methodological assistance on issues within its competence;
- 7) organise co-operation between the supervision and control authorities and non-governmental organisations involved in the construction process in order to promote the improvement of the professional competence of construction specialists;
- 8) examine applications and complaints on 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 the State and local government institutions in accordance with this Law may not be contested before the Bureau;
- 9) ensure the operation of the Construction Information System necessary for the monitoring and control of construction.
- (2) In relation to the structures referred to in Paragraph one, Clause 1 of this Section the Bureau shall carry out the functions of the building authority specified in Section 12, Paragraph three, Clauses 1, 5.¹, and 7 of this Law, and also ensure the activities specified in Section 18 of this Law. The Bureau shall control the service of public buildings in accordance with the procedures laid down in Section 21 of this Law.
- (3) When performing the State control of construction, the Bureau 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 Bureau shall grant the right to independent practice in the specialty specified in Section 13, Paragraph three, Clause 5 of this Law, and also perform supervision of the independent practice shall be determined by Cabinet regulations regarding evaluating the competence of building specialists and supervision of the independent practice.
- (5) The Bureau shall apply the time periods for decision-taking and examining of disputes specified in law. The decisions taken by the Bureau 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; 23 November 2016; 22 June 2017 / The new wording of Paragraph one, Clause 1.¹ and Clause 2 shall come into force on 1 October 2017. See Paragraphs 17 and 18 of Transitional Provisions]*

Section 7. Competence of the Local Government

- (1) For the 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 on the establishment of a joint building authority, and by ensuring the resources necessary for the operation of the building authority, and also 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 the 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) provide access to information in the Construction Information System;

5) in accordance with the procedures laid down in this Law, inform the public of the received construction intentions.

(2) The local government shall not fulfil the obligations referred to in Paragraph one of this Section in relation to the construction processes or parts thereof that in accordance with the provisions of Section 6.¹ of this Law are within the competence of the Bureau or another authority which carries out the functions of the building authority. The procedures for the co-operation between the building authority and the Bureau, and also another authority which carries out the functions of the building authority shall be determined by the general construction regulations.

[3 July 2014; 22 June 2017]

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, and also participate in improving the laws and regulations governing construction;

2) draw up proposals for the development of the construction sector, including for the determination of priority fields, improvement of the vocational education system of building 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

A structure shall be designed, constructed, and serviced according to its type of use; moreover, it shall be done in such a way as to ensure its conformity with the following essential requirements:

1) mechanical strength and stability;

2) fire safety;

3) environmental protection and hygiene, including harmlessness;

4) safety of use and accessibility of the environment;

5) acoustics (noise protection);

6) energy efficiency;

7) sustainable use of natural resources.

[22 June 2017]

Section 9.¹ Technical Requirements of Construction Standards and Derogations Therefrom

(1) Technical requirements specified in construction standards are achievable values expressed in qualitative or quantitative terms that ensure the compliance of a structure with the essential and other requirements for a structure.

(2) Technical requirements of construction standards shall be applied to the construction of a new structure, placing thereof, installation of engineering networks, rebuilding, renewal, preservation, and restoration of a structure. Upon partial renewal, rebuilding, restoration, or preservation of a structure, technical requirements of construction standards shall be applicable in respect of the part of the structure to be renewed, rebuilt, restored, or preserved.

(3) In case of new construction, derogations from the technical requirements of construction standards (except for derogations from mechanical strength and stability requirements) shall be permitted upon coordinating or justifying the intended alternative technical solutions in accordance with the procedures laid down in Paragraph seven or nine of this Section, if the conformity with the requirements laid down in Section 9 of this Law is ensured by such alternative technical solutions. In case of new construction, the coordination or justification of alternative solutions may be replaced with the coordination or justification of derogations (except for derogation from mechanical strength and stability, fire safety and hygiene, including harmlessness, requirements) by excluding alternative technical solutions, if the new construction is intended in the historic building area or historic centre of a city or a village, and the derogations are justified by the preservation of cultural and historical values or the technical requirements of construction standards cannot be either technically or functionally fulfilled.

(4) In case of renewal, rebuilding, or restoration, derogations from the technical requirements of construction standards (except for derogations from mechanical strength and stability requirements) shall be permitted upon coordinating or justifying the intended derogations in accordance with the procedures laid down in Paragraph seven or nine of this Section by excluding alternative technical solutions, insofar as they do not deteriorate the current state of the structure, if:

1) the respective requirements cannot be either technically or functionally fulfilled, or they impose an disproportionate or unjustified burden on the initiator of the construction;

2) a structure with cultural and historical value may lose its cultural and historical value due to fulfilment of the respective requirements.

(5) Paragraph four of this Section, insofar as it relates to hygiene, including harmlessness, requirements, shall not apply to the renewal or rebuilding of medical treatment institutions or structural units thereof, except for cases when the respective requirements cannot be technically fulfilled.

(6) Upon renewing or restoring a structure, derogations from the technical requirements of construction standards shall be permitted by excluding alternative technical solutions, if the deteriorated elements or constructions of the structure are replaced with construction products ensuring such properties that are at least equivalent to the performance or technical and physical properties to which the elements or constructions of a structure to be replaced initially conformed. It shall not be necessary to coordinate such derogations with the State and local government authorities specified in Paragraph seven of this Section.

(7) In the cases specified in special construction regulations, alternative technical solutions and derogations from the technical requirements of construction standards shall be co-ordinated with:

1) the State Fire and Rescue Service – in the field of fire safety;

2) the Health Inspectorate – in the field of hygiene, including harmlessness;

3) the State Environmental Service – in the field of environmental protection;

4) building authority or authority which carries out the functions of a building authority – in the field of environmental accessibility.

(8) In the cases referred to in Paragraph four of this Section, the State Fire and Rescue Service, having examined construction documents, shall co-ordinate the derogations from the technical requirements of construction standards by excluding alternative technical solutions or shall decide on the necessity to provide alternative technical solutions.

(9) Alternative technical solutions and derogations from the technical requirements of construction standards, from the technical requirements of construction standards in the field of acoustics (protection against noise), sustainable use of natural resources, safety and energy efficiency shall be justified by a construction specialist of appropriate field.

(10) In the cases referred to in Paragraph four of this Section, a construction specialist of appropriate field shall prepare an opinion on whether the proposed derogations from the technical requirements of construction standards do not deteriorate the current state of a structure, and also on whether the fulfilment of the technical requirements of construction standards does not impose a disproportionate or unjustified burden on the initiator of the construction. The opinion drawn up by the construction specialist shall be included in the construction documents or attached thereto. The opinion drawn up by the construction specialist shall be submitted to the State or local government institutions specified in Paragraph seven of this Section, if co-ordination therefrom is necessary.

(11) The co-ordination or justification of alternative technical solutions and derogations shall be included in the construction documents or attached thereto.

(12) In the case of construction of a new structure, placing thereof, installation of engineering networks, renewal or rebuilding of a structure in military sites, derogations from the technical requirements of construction standards (except for derogations from mechanical strength and stability and fire safety requirements) shall be permitted by excluding alternative technical solutions, upon coordinating or justifying the intended derogations in accordance with the procedures laid down in Paragraph seven or nine of this Section. A fence or wall delimiting a military site may not conform to the spatial plan, local plan, or detailed plan of a local government.

[22 June 2017; 14 February 2019]

Section 10. Construction Products

(1) It shall be permitted to offer construction products on the market of Latvia, and also 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 has been detected that a construction product does not conform with the specified requirements or declared performance, the authority performing the 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 institution or unit or an institution 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 on the conditions for the use and building of a territory, and also the engineering networks existing in the territory;

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

4) examine applications and take decisions on construction intention, and also examine the fulfilment of the conditions included in decisions and the content of the submitted documents to the extent specified 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 on 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 intention 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 the technical requirements of the construction standards cannot be fulfilled in the building design;

7) accept structures for service;

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

9) provide consultations on 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 on construction possibilities in the relevant territory;

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

(4) Depending on the construction intention 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, and also on changes in the construction permit in cases when the addressee of the construction permit, the construction work manager or author's supervision;

3) [14 February 2019].

(5) The building authority shall make a note in the construction information system on the fulfilment of the design conditions within 15 working days but a note on the fulfilment of the conditions for commencing construction work – within five working days from the day when data attesting to the fulfilment of the relevant conditions are submitted to the construction information system.

(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 Bureau 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 construction regulations.

(7) The building authority shall reflect the procedural actions necessary within the scope of the construction and service control and issue decisions in the Construction Information System in accordance with Paragraph eight of this Section.

(8) Without using the Construction Information System, the building authority or authority which carries out the functions of a building authority may:

1) perform the administrative offence proceedings;

2) examine submissions (except for submissions for a construction intention and submissions for submitting the information or documents specified in special construction regulations) and information requests, and also contestation submissions;

3) perform forced execution of an administrative act issued within the scope of the administrative proceedings related to the construction process (hereinafter – the administrative proceedings regarding construction).

[3 July 2014; 14 February 2019]

Section 13. Building Specialists

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

(2) The following persons may acquire the right to an independent 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 independent 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 independent 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 independent 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 has acquired the knowledge and skills necessary for an independent 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 independent 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 has acquired the knowledge and skills necessary for an independent practice;

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

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

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

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

(9) A certificate necessary in the specialties specified in this Law for persons for the acquisition of the right to an independent 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 building specialist shall be repeated.

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

1) the independent practice of the building specialist;

2) the information submitted by the building specialist on the 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 applications, and also facts that have come at the disposal of the authority in any other way on the potential violations of the building specialist.

(10) Building specialists have an obligation 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, and also to the environment.

(11) Building specialists shall perform the activities specified 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 independent practice of a building 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 for the case referred to in Section 6, Paragraph seven of this Law.

[3 July 2014]

Section 14. Construction Intention

(1) A person shall propose construction and submit the information and documents necessary for the implementation of a construction intention to the building authority or an authority which carries out the functions of a building authority, using the Construction Information System. State and local government authorities and owners or lawful possessors of external engineering networks shall issue in the Construction Information System the technical or special regulations necessary for the implementation of the construction intention, and also agreements or permits.

(1¹) State and local government authorities and owners or lawful possessors of external engineering networks shall issue the technical or special regulations in the form of structured data or upload them into the Construction Information System.

(1²) State and local government authorities and owners or lawful possessors of external engineering networks shall issue the permits or agreements necessary for the implementation of the construction intention in the form of structured data or upload them into the Construction Information System.

(2) An authority or official specified by a local government or an authority which carries out the functions of a building authority shall publish information on the construction intention in the Construction Information System within three working days from the day of receipt of a submission for the relevant construction intention. The following shall be indicated in the publication:

- 1) the location where the construction intention will be implemented;
- 2) the principal type of use of the intended structure.

(3) Upon examining the submission for the construction intention, the building authority depending on the type of the construction intention 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 intention;
- 2) to accept or to refuse to accept the construction intention (if a certification card and an explanatory memorandum are required for the performance of construction work);
- 3) [14 February 2019].

(4) In the cases provided for in 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 in the Construction Information System of the construction intention 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 intention and only afterwards take a decision on the construction intention of the proposed object. The local government may provide for in the binding regulations also other cases when public discussion of a construction intention 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) With regard to a decision which has been taken upon examination of the submission for the construction intention in the case referred to in Paragraph three, Clause 1 of this Section or with regard to making of a note regarding fulfilment of the design conditions if the construction permit has been issued in the case referred to in Section 15, Paragraph two of this Law, an authority or official specified by a local government or an authority which carries out the functions of a building authority shall publish information in the Construction Information System within three working days from the day of taking the decision or making the note. The following shall be indicated in the publication:

- 1) the location where the construction intention will be implemented;
- 2) the principal type of use 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.

(6¹) Visual solution of the construction intention 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 of 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.

(6³) With regard to a decision which has been taken upon examining a request to allow to make changes in the minimum composition of a building design or in a building design, an authority or official specified by a local government or an authority which carries out the functions of a building authority shall publish information in the Construction Information System within three working days from the day of taking the decision. The following shall be indicated in the publication:

- 1) the location where the construction intention will be implemented;
- 2) the principal type of use of the structure;
- 3) 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 2.¹ of this Law enter into effect.

(6⁴) A local government or the building authority shall include a reference on the homepage of its website to the publication of the information which has been specified in Paragraphs two, six, and 6.³ of this Section in the Construction Information System.

(7) The initiator of the construction has an obligation to inform the public of the received construction permit and changes in the conditions of the 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 initiator of the construction may individually provide in writing information on the received construction permit to such owners of immovable properties 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 2.¹ of this Law may be contested or appealed within a month from the day of publishing the information referred to in Paragraph 6.³, Clause 3 of this Section. A contestation submission or application shall be submitted with regard to the lawfulness of the decision taken by an authority in the case referred to in Section 16, Paragraph 2.³ or Section 17, Paragraph 2.¹. The appeal of the decision shall not suspend the operation thereof.

(11) The total time in which an application 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 application.

(12) A person has an obligation to justify the unlawfulness of the administrative act in the submission for contesting an administrative act or an application for 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 of the construction permit issued has been clearly insufficient.

[3 July 2014; 22 June 2017; 14 February 2019]

Section 15. Construction Permit

(1) A construction permit shall be issued if:

1) the construction intention 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 when a construction intention is related to an object of national interest;

2) the construction intention 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 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 intention 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 on 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 specified in the Administrative Procedure Law and in accordance with the procedures laid down in laws and regulations, a construction permit may be revoked

by the issuer thereof, if the initiator of the construction who is the owner or user of the relevant immovable property, upon whose assignment the 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; 22 June 2017]

Section 16. Designing

(1) After receipt of a construction permit the fulfilment of the conditions of the construction permit is commenced, providing the drawing up of a building design in the extent laid down in general and special construction regulations, and also 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 initiator of the construction 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, construction norms, and also contracts entered into by the designer and the initiator of the construction according to civil legal procedures.

(2¹) It is prohibited to make changes in the principle type of use of a structure during the drawing up of a building design. In the cases specified in this Section, changes in a building design during the drawing up of a building design shall be co-ordinated with the building authority or an authority which carries out the functions of a building authority.

(2²) Changes in the layout, construction volume and solution for the façade of a structure shall be permitted only after co-ordination thereof with a building authority or an authority which carries out the functions of a building authority. As a result of changes, it is possible to envisage unplanned construction work for engineering structures of the first or second group, auxiliary buildings of the first group or the second group in the minimum composition of a building design or a building design.

(2³) A person to whom a construction permit has been issued shall, in the case referred to in Paragraph 2.² of this Section, submit in the Construction Information System a corresponding request to the building authority or an authority which carries out the functions of a building authority. The building authority or an authority which carries the functions of a building authority shall take one of the following decisions:

- 1) to co-ordinate changes without amending conditions of the construction permit;
- 2) to co-ordinate changes and amend conditions of the construction permit;
- 3) to refuse to co-ordinate changes.

(2⁴) The building authority or an authority which carries out the functions of a building authority may refuse to co-ordinate changes or amend conditions of a construction permit if the intended changes significantly affect the architectural look of the structure or do not conform to the requirements of laws and regulations, insofar as the control of such requirements falls within the competence of the building authority or the authority which carries out the functions of a building authority.

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

[3 July 2014; 22 June 2017; 14 February 2019]

Section 17. Construction Work

(1) Construction work may be commenced after the building authority has made a note on the fulfilment of the conditions for commencing construction work if a certification card or an explanatory memorandum is required for the performance of construction work, or a note on the fulfilment of the design conditions and conditions for commencing construction work if a construction permit is required for the performance of construction work and it is no longer subject to contestation (except for the case referred to in Section 15, Paragraph seven of this Law).

(2) Construction work shall be organised and carried out according to a building design and conditions of a construction permit, and also 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 to make changes in the principle type of use of the structure during construction work. Other changes are permitted in conformity with Section 16, Paragraphs 2.¹, 2.², 2.³, and 2.⁴ of this Law.

(2²) [22 June 2017]

(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 initiator of construction shall perform the preservation of the structure in accordance with the procedures laid down in laws and regulations.

(4) [14 February 2019]

[3 July 2014; 22 June 2017; 14 February 2019]

Section 18. Construction Control

(1) According to the competence specified in this Law, construction control shall be performed by the building authorities, the authorities carrying out the functions of the building authority and building inspectors of the Bureau – persons employed at the relevant authorities who have acquired the right of independent 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 Bureau or another authority carrying out the functions of the building authority, and to provide information thereon to the relevant authorities for further action.

(2) Construction work which has been commenced or is performed without a construction intention documentation, an accepted certification card, or an accepted explanatory memorandum, without a construction permit or before a note has been made on the fulfilment of the relevant conditions, in cases where the relevant decisions are necessary in accordance with laws and regulations, and also 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) Upon 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, the Bureau or another authority 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) Upon 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 of 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 of 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 suspend the construction work and prepare an opinion, but the authority shall take one of the following decisions:

1) to restore the previous condition if construction of the particular object in the relevant territory is precluded by laws and regulations or if the construction work has been commenced prior to making a note on the fulfilment of the design conditions – regardless of the circumstances due to which the relevant activity has not been performed;

2) on the 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 the 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, he or she shall suspend the construction work and prepare an opinion. The building authority may take a decision on the 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 at the construction site the deficiencies indicated in Paragraph four, Clause 3 of this Section, he or she is entitled to suspend the construction work and shall prepare an opinion. The building authority may take a decision on the permission to continue the construction work after information on the 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 at the construction site deviations from the environmental requirements which have caused or may cause danger or significant damage, he or she is entitled to suspend the construction work and shall prepare an opinion. The building authority may take a decision on the permission to continue the construction work after information on the elimination of the detected deficiencies has been received from the authority carrying out the State environmental 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 principal 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 have not been 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 suspend the construction work is not executed, the decision-taker may ensure the execution of such decision by applying a substitute execution (including by 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, and also 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 the expenses related to executing a decision are covered by the addressee of the decision, the expenses related to the renewal of the previous condition shall be covered by the owner of the structure.

[3 July 2014; 22 June 2017; 14 February 2019]

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 an obligation 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 a structure belonging to a landowner is located or is being built on a plot of land, the landowner shall be responsible for unauthorised 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 a structure belonging to another person is located or is being built on a plot of land, the owner of the structure shall be responsible for unauthorised 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 initiator of the construction, this Law and other laws and regulations, and also 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 initiator of the construction, this Law and other laws and regulations, and also for choosing construction products conforming to the requirements of laws and regulations and integration technologies thereof.

(6) A building supervisor shall be responsible for the 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, and also as for the conformity of the structure or its part during construction of which the building supervisor

carried out his or her obligations with the building design and the requirements of the initiator of the construction, 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 an obligation 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 the performance of construction work, written employment contracts or contracts for work performance shall be entered into between participants of construction, except for the relatives of the first, second and third degree and other family members who are able to prove their belonging to the family, on the 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 rights and obligations of participants of construction in relation to the form of entering into contracts shall be determined by the Civil Law, the Labour Law, and other laws and regulations.

[3 July 2014; 22 June 2017; 14 February 2019]

Section 20. Insurance in Construction

(1) A performer of construction work has an obligation 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 on insuring civil legal liability shall be entered into either in relation to all objects and renewed each year, or anew, or also in relation to each individual object.

(3) Losses caused to the property of the third party are evaluated in accordance 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 the existence of the mandatory insurance of the civil legal liability of the performer of construction work.

[22 June 2017]

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 for the cases referred to in Paragraph three of this Section. The structure accepted for service shall be used only according the designed type of use.

(3) During reconstruction, renewal, or restoration of a building accepted for service, and also 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 of the admissibility of use of the structure during construction work, the conditions for use, but in relation to buildings – also calculations of 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 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, the Bureau, or another authority carrying out the functions of a 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 in accordance with 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 Bureau.

(7) Within the scope of supervising the service of structures, taking into account that detected in the opinion, the building authority or the Bureau 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 specified 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 according to a decision of the local government must put it in order or demolish it. Execution 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 for the decision in relation to the structure which spoils the landscape) shall be executed without delay. Contesting and appeal of such decisions shall not suspend their operation. If any of the relevant decisions is not executed, the authority may ensure its execution, applying substitute execution and other forced execution measures specified in the Administrative Procedure Law. In addition to the cases specified in the Administrative Procedure Law when the expenses related to executing a decision are covered by the addressee of the decision, the expenses related to renewal of the previous condition shall be covered by the owner of the structure.

[3 July 2014; 22 June 2017]

Section 22. Register of Construction Merchants

(1) In order to perform commercial activity in one or several fields of construction, and also in the field of architecture or electric energy, a merchant shall register with the Register of Construction Merchants, submitting information on all building 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 building specialists.

(3) Information on the merchant, its building specialists, data characterising the merchant, information on the violations found 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 for the 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 is fully or partially financed from the resources of a legal person governed by public law, resources of a policy instrument of the European Union or of other foreign financial assistance, if the initiator of the construction 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, and also professional experience.

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

(4) Information on the classification of construction merchants shall be included in the Construction Information System and shall be accessible to the public.

[3 July 2014; 22 June 2017]

Section 24. Construction Information System

(1) The Construction Information System is a State system which includes the data necessary for the construction process and control thereof, and its purpose is to ensure the storage and circulation of information among public administration authorities, control authorities, and persons participating in the construction, and also involvement of the public in the construction process. The Bureau shall be the manager and keeper of the Construction Information System.

(2) The Construction Information System shall include:

- 1) the data necessary for commencing construction;
- 2) the data on the intended construction, decisions taken in relation thereto and entry into effect thereof;
- 3) the data on the conditions of a construction permit and a list of the documents certifying the fulfilment thereof;
- 4) the data on the supervision of the construction process;
- 5) the data necessary for the acceptance of a structure for operation;
- 6) the data on persons participating in the 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) any other data necessary for the implementation of this Law.

(3) Data of the Construction Information System shall be accessible to the public free of charge, data structured therein shall be published in the form of open data, except for data the public access to which is restricted in accordance with laws and regulations or for which a charge is provided for in laws and regulations.

(3¹) The circulation of data in the Construction Information System shall be ensured in the form of electronic documents and structured data.

(4) [14 February 2019]

(5) Upon using a specific electronic service created for this purpose in the Construction Information System, the initiator of the construction may authorise another person to conduct a case of administrative proceedings regarding construction within the meaning of Section 39, Paragraph one of the Administrative Procedure Law, and revoke the authorisation issued in the Construction Information System. The initiator of the construction shall sign the power of attorney with a secure electronic signature or use the electronic means for identification and signature available in the electronic service.

(6) The initiator of the construction may issue a power of attorney to conduct a case of administrative proceedings regarding construction without using the Construction Information System (orally in the building authority or an authority which carries out the functions of a building authority, etc.). The building authority or an authority which carries out the functions of a building authority shall, upon request of the person, register the power of attorney in the Construction Information System and reflect the scope of the authorisation. Upon registering the power of attorney, the building authority or an authority which carries out the functions of a building authority shall upload it into the Construction Information System.

(6¹) The powers of attorney specified in Paragraph five of this Section shall be issued and the powers of attorney specified in Paragraph six of this Section shall be registered in the Construction Information System in the form of structured data.

(6²) The initiator of the construction or an authorised person thereof to whom a power of attorney has been issued or registered in the Construction Information System may propose in the Construction Information System the cadastral survey of a structure and group of premises, and the registration or updating of data in the Immovable Property State Cadastre Information System, using a specific electronic service created for this purpose in the Construction Information System and signing a submission with a secure electronic signature or signature tools available in the Construction Information System.

(7) The administrative acts, decisions, documents, and information issued in the Construction Information System shall be notified or sent to an addressee via the Construction Information System, concurrently sending a notification thereof to the official electronic mail address of the addressee if such has been activated. If a natural person as the initiator of the construction has indicated in the Construction Information System that he or she wishes to receive administrative acts, decisions, documents, and information of the building authority or an authority which carries out the functions of a building authority, using postal services, the relevant documents and information shall be notified to this person, using postal services.

(8) The building authority or an authority which carries out the functions of a building authority shall sign a decision unfavourable to the addressee (such as a refusal to issue a construction permit, to accept a construction intention, and to make a note in the Construction Information System regarding the fulfilment of the design conditions) with a secure electronic signature. With regard to other decisions, opinions, and notes, the building authority or an authority which carries out the functions of a building authority shall issue and make them in the Construction Information System in the form of structured data and sign with the electronic signature tool available in the electronic service in the Construction Information System.

(9) Unless it is laid down otherwise in this Law, a person shall sign, with the electronic signature tool available in the electronic service in the Construction Information System, the structured data and perform other activities in the Construction Information System, including approve the conformity of the data with the original document.

(10) The structured data signed and the activities performed by a person in the Construction Information System shall be binding upon the person who has performed them, and also other persons who are related to the construction process, and they may be used for the exercising of rights and the protection of lawful interests.

(11) The Bureau shall provide consultations on the use of the Construction Information System free of charge.

(12) The initiator of the construction may submit to the building authority or an authority which carries out the functions of a building authority the construction intention documents or files containing information for service needs or an official secret, and also information constituting information of the North Atlantic Treaty Organization or European Union which has been marked as “LIMITE,” “NATO UNCLASSIFIED”, “NATO RESTRICTED”, or “EU RESTRICTED” respectively, without using the Construction Information System.

[23 November 2016; 22 June 2017; 14 February 2019]

Section 25. Administrative Liability for Unauthorised Construction

(1) For construction work which has been commenced or is being performed on a plot of land, in a structure or part thereof:

1) unless a note has been made in the explanatory memorandum on the fulfilment of the conditions for commencing construction work, a warning or fine of up to fifteen fine units shall be imposed on a natural person, but a fine of up to twenty fine units – on a legal person;

2) unless a note has been made in the certification card on the fulfilment of the conditions for commencing construction work, a warning or fine of up to twenty-five fine units shall be imposed on a natural person, but a fine of up to thirty-five fine units – on a legal person;

3) unless a note has been made in the construction permit on the fulfilment of the conditions for commencing construction work, a warning or fine of up to fifty-five fine units shall be imposed on a natural person, but a fine of up to sixty-five fine units – on a legal person;

4) unless a note has been made in the construction permit on the fulfilment of the design conditions, a warning or fine of up to four hundred fine units shall be imposed on a natural person, but a fine of up to five hundred fine units – on a legal person;

5) without the explanatory memorandum, without the certification card, or without the construction permit in the cases where it is necessary, a warning or fine of up to four hundred fine units shall be imposed on a natural person, but a fine of up to four thousand fine units – on a legal person.

(2) For the performance of construction work with derogations from the construction intention documentation, unless changes in the construction intention documentation have been coordinated in accordance with the procedures laid down in this Law and no derogations have been detected from:

1) the explanatory memorandum, a warning or fine of up to twenty-five fine units shall be imposed on a natural person, but a fine of up to thirty-five fine units – on a legal person;

2) the certification card, a warning or fine of up to fifty-five fine units shall be imposed on a natural person, but a fine of up to sixty-five fine units – on a legal person;

3) the building design, a warning or fine of up to four hundred fine units shall be imposed on a natural person, but a fine of up to five hundred fine units – on a legal person.

(3) For the service of a structure or part thereof not in conformity with the designed type of use if it is:

1) a structure of the first group or part thereof, a warning or fine of up to five fine units shall be imposed on a natural person, but a fine of up to fifteen fine units – on a legal person;

2) a structure of the second group or part thereof, a warning or fine of up to four hundred fine units shall be imposed on a natural person, but a fine of up to thousand fine units – on a legal person;

3) a structure of the third group or part thereof, a warning or fine of up to four hundred fine units shall be imposed on a natural person, but a fine of up to two thousand fine units – on a legal person.

[21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 25 of Transitional Provisions]

Section 26. Administrative Liability for the Failure to Conform to the Requirements for the Preservation or Delimitation of a Structure Laid down in Laws and Regulations

For the failure to perform preservation or delimitation of a structure, the performance thereof without the documentation specified in laws and regulations or with derogations therefrom, a fine of between fifty and one hundred fine units shall be imposed on a natural person, but a fine of between fifty to one thousand four hundred and twenty fine units – on a legal person.

[21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 25 of Transitional Provisions]

Section 27. Administrative Liability for the Provision of Construction Services Without Civil Liability Insurance

For the provision of construction services without appropriate civil liability insurance, a fine of between twelve to twenty-five fine units shall be imposed on a natural person, but a fine of between twelve to two hundred and fifty fine units – on a legal person.

[21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 25 of Transitional Provisions]

Section 28. Administrative Liability in the Field of the Service of Structures

(1) For the failure to perform technical survey of a public building within the time periods specified in laws and regulations, a warning or fine of up to twenty-five fine units shall be imposed on a natural person, but a fine of up to one hundred fine units – on a legal person.

(2) For the use of a structure or part thereof prior to accepting it for service if it is:

1) a structure of the first group or part thereof, a warning or fine of up to fifteen fine units shall be imposed on a natural person, but a fine of up to twenty-five fine units – on a legal person;

2) a structure of the second group or part thereof, a warning or fine of up to two hundred and fifty fine units shall be imposed on a natural person, but a fine of up to three hundred and fifty fine units – on a legal person;

3) a structure of the third group or part thereof, a warning or fine of up to four hundred fine units shall be imposed on a natural person, but a fine of up to one thousand four hundred and twenty fine units – on a legal person.

(3) For the use of a structure or part thereof or for the allowing it to be used if the structure or part thereof is in such a condition that the use thereof is dangerous, a warning or fine of up to four hundred fine units shall be imposed on a natural person, but a fine of up to four thousand fine units – on a legal person.

[21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 25 of Transitional Provisions]

Section 29. Administrative Liability in the Field of Construction Products

(1) For the marketing, offering, or sale of the construction products which are not secured by the documentation certifying conformity specified in laws and regulations or which are secured by the documentation certifying conformity but the content thereof does not conform to the requirements laid down in laws and regulations, a fine of between one hundred to four hundred fine units shall be imposed on a natural person, but a fine of between one hundred to three thousand fine units – on a legal person.

(2) For the marketing, offering, or sale of the construction products which have not been evaluated in accordance with the coordinated technical specifications or applicable standards, a fine of between one hundred forty to four hundred fine units shall be imposed on a natural person, but a fine of between one hundred forty to four thousand fine units – on a legal person.

(3) For the marketing, offering, or sale of the construction products the actual operating characteristics of which does not conform to that declared, a fine of between one hundred forty to four hundred fine units shall be imposed on a natural person, but a fine of between one hundred forty to four thousand fine units – on a legal person.

(4) For the use of the construction products in the construction process which do not have the documentation certifying conformity, a warning or fine of up to one hundred forty fine units shall be imposed on a natural person, but a fine of between fifty-six to four thousand fine units – on a legal person.

[21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 25 of Transitional Provisions]

Section 30. Administrative Liability for the Provision of Construction Services Without Registration in the Register of Construction Merchants

For the provision of construction services without registration in the Register of Construction Merchants, a fine of up to one thousand fine units shall be imposed on a legal person.

[21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 25 of Transitional Provisions]

Section 31. Administrative Liability for the Failure to Issue Technical Regulations, Permits, Agreements, or Refusals Within the Time Periods or in the Manner Specified in Laws and Regulations

For the failure to issue technical regulations, permits, agreements (including opinions), or refusals within the time periods or in the manner specified in laws and regulations, a warning or fine of up to three hundred fine units shall be imposed on a legal person.

[21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 25 of Transitional Provisions]

Section 32. Competence in the Process of Administrative Violations

(1) The building authority, the Bureau, the Ministry of Economics, the State Railway Technical Inspectorate, or the State Environmental Service shall conduct administrative offence proceedings regarding the violations referred to in Sections 25, 26, 27, and 28, Section 29, Paragraph four, and Section 30 of this Law.

(2) The building authority shall conduct administrative offence proceedings regarding the violations referred to in Sections 25, 26, 27, and 28, Section 29, Paragraph four, and Section 30 of this Law until examination of the administrative offence case. The Administrative Commission of a local government or the building authority shall examine the administrative

offence case regarding the violations referred to in Sections 25, 26, 27, and 28, Section 29, Paragraph four, and Section 30 of this Law.

(3) The Consumer Rights Protection Centre shall conduct administrative offence proceedings regarding the violations referred to in Section 29, Paragraphs one, two, and three of this Law.

(4) The Bureau shall conduct administrative offence proceedings regarding the violations referred to in Section 31 of this Law.

[21 November 2019 / Section shall come into force on 1 July 2020. See Paragraph 25 of Transitional Provisions]

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 independent 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 independent 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 attains the retirement age laid down in law, he or she shall be allowed to continue an independent practice in the fields referred to in this Paragraph until attaining the retirement age, without conforming to the requirements for education laid down for building specialists in Section 13 of this Law. If a person wishes to continue an independent practice in engineering research, design, managing of construction work, building supervision or building expert-examination after attaining 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 independent 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 independent 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 attains the retirement age specified in law, he or she shall be allowed to continue an independent practice in the fields referred to in this Paragraph until attaining the retirement age, without conforming to the requirements for education specified for building specialists in Section 13 of this Law. If a person wishes to continue an independent practice in engineering research, design, or building expert-examination after attaining 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 building specialist shall not apply to building inspectors who have commenced employment legal relationship with the building authority until 1 November 2014.

[3 July 2014]

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 2014]

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 on 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. Building 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 independent 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 building specialists to the extent, within the time period and in accordance with to the procedures stipulated by the Cabinet.

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

[3 July 2014; 18 June 2015]

10.¹ Section 6.¹, Paragraph one, Clause 1 of this Law shall come into force on 1 July 2015 and the competence specified therein shall be executed for such construction intentions for the implementation of which construction permits have been issued starting from 1 October 2014. Construction work carried out on the basis of a construction permit which has been issued until 30 September 2014 shall be controlled and a structure shall be accepted for service by the authority which issued the respective construction permit.

[18 June 2015]

11. Until 30 June 2016 natural persons have the right to perform expert-examination, if they have received a certificate for the relevant types of design or construction work and also 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 2014; 17 December 2015]

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 2014]

13. The Cabinet shall issue the regulations referred to in Section 5, Paragraph one, Clause 14 of this Law until 1 January 2018.

[23 November 2016]

14. [14 February 2019]

15. Cabinet Regulation No. 610 of 7 October 2014, Regulations Regarding Competence Evaluation of Construction Specialists and Supervision of Professional Practice (*Latvijas Vēstnesis*, 2014, No. 203; 2016, No. 13., No. 246), shall be applicable insofar as it is not in contradiction with this Law, until the coming into force of Cabinet regulations referred to in Section 5, Paragraph one, Clause 4 of this Law, but not later than by 31 December 2017.

[22 June 2017]

16. [14 February 2019]

17. Amendments to this Law in respect of supplementing thereof with Section 6.¹, Paragraph one, Clause 1.¹ and the new wording of Paragraph one, Clause 2 shall come into force on 1 October 2017.

[22 June 2017]

18. If the building authority has issued a construction permit by the day the amendments to Section 6.¹, Paragraph one, Clause 1.¹ of this Law have come into force and a note on the

conformity with the conditions for the start of the construction work is made in the construction permit, the control of the construction work of this object, including the acceptance thereof for service, shall be performed by the building authority. Construction intentions which have been submitted to the building authority and whereon a decision is not taken until 30 September 2017 shall be handed over for taking a decision to the Bureau in accordance with the procedures laid down in the Administrative Procedure Law.

[22 June 2017]

19. The Bureau shall carry out the functions of a building authority specified in Section 12, Paragraph three, Clauses 1, 3, 4, 5, 5.¹, 5.², 6, 7, 9, and 10 of this Law in respect of such construction intention of electricity transmission lines to which the status of an object of national interest has been assigned in accordance with the provisions laid down in the Spatial Development Planning Law. Upon carrying out these functions, the Bureau shall apply the time periods specified in the Law for decision-taking and examination of disputes, shall ensure the procedures for the notification and discussion of a construction intention laid down in the Law and also shall provide access to the information in the Construction Information System. The implementation of the functions specified in this Paragraph of Transitional Provisions may be delegated by the Bureau to a local government in accordance with the procedures laid down in the State Administration Structure Law. Construction intentions which have been submitted to the building authority and whereon a decision is not taken until 9 July 2017 shall be handed over for taking a decision to the Bureau in accordance with the procedures laid down in the Administrative Procedure Law.

[22 June 2017]

20. A local government may issue binding regulations, specifying a time period in 2019 from which the construction intention documentation or other construction documents shall only be submitted to the building authority of the relevant local government in the Construction Information System.

[14 February 2019]

21. Starting from 1 January 2020 the administrative proceedings regarding construction shall be commenced electronically in the Construction Information System.

[14 February 2019]

22. If the initiator of the construction, by the time period specified in Paragraph 21 of these Transitional Provisions or in the case specified in Paragraph 20 by the time period set in the corresponding binding regulations, submits the construction intention documentation or other construction documents in writing without using the Construction Information System, or if the administrative proceedings regarding construction are continued in writing without using the Construction Information System, the building authority or an authority which carries out the functions of a building authority shall take the decisions specified in Section 14, Paragraph three of this Law and make notes within the scope of the administrative proceedings regarding construction, taking into account the time periods specified in this Law for taking decisions and making notes. The relevant time periods shall be counted from the day when the construction intention documentation or documents attesting to the fulfilment of all conditions included in the decisions are submitted to the building authority or an authority which carries out the functions of a building authority.

[14 February 2019]

23. In the cases specified in Paragraph 22 of these Transitional Provisions, the building authority or an authority which carries out the functions of a building authority shall indicate in

the Construction Information System the information referred to in Section 14, Paragraphs two, six, and 6.³ of this Law regarding the construction intention.

[14 February 2019]

24. In the cases referred to in Paragraph 22 of these Transitional Provisions the notes in the construction permit, certification card, or explanatory memorandum which have been specified in the law shall be made in writing without using the Construction Information System, and they shall be equated to the notes made in the Construction Information System.

[14 February 2019]

25. Sections 25, 26, 27, 28, 29, 30, 31, and 32 of this Law shall come into force concurrently with the Law on Administrative Liability.

[21 November 2019]

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