Text consolidated by Valsts valodas centrs (State Language Centre) with amending regulations of:

10 May 2016 [shall come into force from 13 May 2016].

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

Republic of Latvia

Cabinet

Regulation No. 499

Adopted 19 August 2014

**Regulations Regarding Building Inspectors**

*Issued pursuant to*

*Section 5, Paragraph one, Clause 5 of the Construction Law*

**I. General Provisions**

1. This Regulation prescribes:

1.1. the requirements to be set for building inspectors, the procedures for registration of building inspectors and the procedures by which building inspectors shall be excluded from the register;

1.2. the content of the data of the register of building inspectors;

1.3. the procedures for supervising the professional activity of building inspectors.

2. Registration of persons in the register of building inspectors (hereinafter – the Register) and exclusion thereof, shall be conducted by the Ministry of Economics.

3. The Ministry of Economics shall maintain the Register and ensure that it is publicly available by following the requirements of the laws and regulations regulating the openness of information and data protection. The Register shall be a part of the Construction Information System.

**II. Requirements for a Building Inspector**

4. The following person may apply for acquisition of the right of a building inspector:

4.1. a person with the second level professional higher education in architecture which is obtained in a study programme for architects or at least the first level professional higher education in construction which is obtained in a study programme for building engineers;

4.2. a person who has the right to an independent professional practice in architecture as an architect or in construction as a building engineer (hereinafter – the certificate of a construction specialist);

4.3. a person who has had an independent professional practice in architecture or construction for at least two years after receipt of the certificate of a construction specialist (the said professional practice should be acquired over the last five years);

4.4. a person whose certificate of a construction specialist has not been cancelled over the last five years due to any violations of professional activity which have or might have caused threat to human life, health or environment;

4.5. a person who, over the last two years, has not been found guilty, under the procedure established by law, of commitment of any criminal offence related to acceptance of a bribe, giving of a bribe, misappropriation of a bribe, intermediation in bribery, acceptance of unauthorised benefits or commercial payoff.

*[10 May 2016]*

5. The right of a building engineer for:

5.1. State control of construction work and supervision of service of public buildings (in which simultaneous presence of more than 100 people is intended) may be applied for by a person who complies with the requirements referred to in Sub-paragraphs 4.2, 4.3, 4.4 and 4.5 of this Regulation and who has the second level professional higher education in architecture which is obtained in a study programme for architects, or in construction which is obtained in a study programme for building engineers;

5.2. control of construction work and supervision of service of railway engineering structures may be applied for by a person who complies with the requirements referred to in Sub-paragraph 4.5 of this Regulation and who has:

5.2.1. the second level professional higher education in railway sector which is obtained in a study programme for engineers;

5.2.2. work experience in construction of railway engineering structures of at least five years;

5.3. control of construction work of State motorways or bridges may be applied for by a person who complies with the requirements referred to in Sub-paragraphs 4.4 and 4.5 of this Regulation and who has:

5.3.1. at least the first level professional higher education in transport structures;

5.3.2. the right to an independent professional practice in designing of roads or bridges, construction work management or construction supervision;

5.3.3. an independent professional practice in designing of roads or bridges, construction work management or construction supervision for at least two years after receipt of the certificate of a construction specialist (the said professional practice should be acquired over the last five years).

*[10 May 2016]*

**III. Registration of Building Inspectors and Exclusion thereof from the Register**

6. A person shall submit an application for registration in the Register (Annex 1) and documents certifying compliance of the person with the requirements referred to in Sub-paragraphs 4.1 and 4.3 and Paragraph 5 of this Regulation (if the information regarding the acquired education and independent professional practice of the person is not available in the Construction Information System) to the Ministry of Economics in writing or electronically by completing a special online form on the website of the Construction Information System at www.bis.gov.lv. When submitting the said documents electronically:

6.1. the State Information System Integrator Authentication Module managed by the State Regional Development Agency shall be used for authentication;

6.2. the application drawn up in the special online form shall be signed with a secure electronic signature.

7. The Ministry of Economics shall assess compliance of the person with the requirements of this Regulation and take a decision to register the person in the Register or refuse to register the person in the Register within 10 working days after receipt of the documents referred to in Paragraph 6 of this Regulation.

8. If assessment of the person requires additional information, the Ministry of Economics may extend the deadline for taking the decision under the procedure established by the Administrative Procedure Law.

9. In order to assess persons compliance with the registration in the Register, the Ministry of Economics may consult with representatives of professional non-governmental organisations of building inspectors and of the relevant ministry or of subordinate institution thereof.

10. A decision to refuse to register the person in the Register shall be taken, if the person does not comply with the requirements of this Regulation or has not submitted the requested additional information within the deadline determined by the Ministry of Economics.

11. A local government, the State Construction Control Office or an institution, which carries out the functions of the building authority, is not entitled to enter into an employment contract for fulfilment of duties of a building inspector with a person who is not registered in the Register.

12. A building inspector shall be excluded from the Register, if:

12.1. a submission has been received from the building inspector regarding his or her exclusion from the Register;

12.2. his or her certificate of a construction specialist has been revoked;

12.3. a final court decision has been received which establishes violations of professional activity of the building inspector that have caused threat to human life, health or the environment;

12.4. a final court decision has been received which establishes that the building inspector has been found guilty of commitment of a criminal offence by State authority..

13. If the building inspector has been excluded from the Register in accordance with Sub-paragraphs 12.2, 12.3 or 12.4 of this Regulation, he or she is not entitled to re-apply for the right of a building inspector for two years. If the building inspector has been repeatedly excluded from the Register in accordance with Sub-paragraphs 12.2, 12.3 or 12.4 of this Regulation, he or she is not entitled to re-apply for the right of a building inspector for five years.

14. The Ministry of Economics shall inform employer of the exclusion of the building inspector from the Register in writing or electronically.

15. The decision of the Ministry of Economics to refuse to register a person in the Register or to exclude the person from the Register may be appealed under the procedure established by the Administrative Procedure Law.

**IV. Content of the Register Data and Updating Thereof**

16. The following information shall be included in the Register:

16.1. the given name, surname and personal identity number of the building inspector;

16.2. information regarding the education and qualification acquired by the building inspector;

16.3. information regarding the establishment and termination of an employment relationship with a local government, the State Construction Control Office or an institution, which carries out the functions of the building authority;

16.4. a note verifying acquisition of the right of a building inspector for the following:

16.4.1. municipal control of construction work and supervision of service of structures (except for the structures referred to in Sub-paragraphs 16.4.2, 16.4.3 and 16.4.4 of this Regulation);

16.4.2. State control of construction work and supervision of service of public buildings (in which simultaneous presence of more than 100 people is intended);

16.4.3. control of construction work and supervision of service of railway engineering structures;

16.4.4. control of construction work of State motorways or bridges.

*[10 May 2016]*

17. When registering or suspending user's right of a building inspector in the Construction Information System, the building authority, the State Construction Control Office or an institution, which carries out the functions of the building authority, shall indicate the date when an employment relationship with the building inspector is established or terminated.

**Procedure for Supervision of the Professional Activity of Building Inspectors**

18. The professional activity of building inspectors shall be supervised by the Ministry of Economics by assessing professional activity reports of a building inspector and examining complaints regarding behaviour of the building inspector, as well as informing the building inspector and an employer thereof of the measures necessary for improving professional activity of the building inspector, if necessary.

19. When exercising supervision of the professional activity of building inspectors, the Ministry of Economics shall use the data entered and processed in the electronic working environment of the building inspector in the Construction Information System as well as may consult with representatives of professional non-governmental organisations of building inspectors and of the relevant ministry or of subordinate institution thereof.

**VI. Closing Provisions**

20. A person who has been registered in the Register by the day this Regulation comes into force and who has not established an employment relationship with the building authority as a building inspector by 1 November 2014, as well as has not acquired the second level professional higher education in architecture in a study programme for architects or at least the first level professional higher education in construction in a study programme for building engineers, and a certificate of a construction specialist, shall be obliged to acquire the said education and certificate by 31 December 2020. If the information regarding the acquired education is not available in the Construction Information System, a person shall submit a document certifying the acquired education to the Ministry of Economics.

21. If six years or less have remained until the person referred to in Paragraph 20 of this Regulation reaches the retirement age laid down in law, this person has the right of a building inspector until reaching the retirement age, notwithstanding the requirements determined in Paragraph 20 of this Regulation. If the person wishes to retain the right of a building inspector after reaching the retirement age, he or she should comply with the requirements determined in Paragraph 20 of this Regulation.

22. If the person referred to in Paragraph 20 of this Regulation has not acquired the second level professional higher education in architecture in a study programme for architects or at least the first level professional higher education in construction in a study programme for building engineers, and a certificate of a construction specialist by 31 December 2020, the Ministry of Economics shall take a decision to exclude the person from the Register.

23. Until the moment of granting the user rights in the Construction Information System the building authority, a local government, the State Construction Control Office or an institution, which carries out the functions of the building authority, shall submit the information referred to in Paragraph 17 of this Regulation to the Ministry of Economics in writing or electronically within 10 working days after establishment or termination of an employment relationship with the building inspector.

24. Until the moment the building authority, a local government, the State Construction Control Office or an institution, which carries out the functions of the building authority, registers the user rights of a building inspector in the Construction Information System, the building inspector shall submit his or her professional activity report for the previous calendar year to the Ministry of Economics in writing by 1 March of the current year (Annex 2).

*[10 May 2016]*

25. This Regulation shall come into force on 1 October 2014.

Prime Minister Laimdota Straujuma

Minister for Economics Vjačeslavs Dombrovskis

**Annex 1**

Cabinet Regulation No. 499

19 August 2014

*[10 May 2016]*

**Application for Registration in the Register of Building Inspectors**

|  |  |
| --- | --- |
|  |  |
|  | (given name, surname) |
|  |  |
|  | (personal identity number) |

**1. Contact details**

|  |  |  |  |
| --- | --- | --- | --- |
| Actual address  (not to be indicated, if it is the same as the address of the declared place of residence) |  | | |
| Phone number |  | To be published | |
| http://www.vestnesis.lv/wwwraksti/BILDES/KVADRATS.GIFYes | http://www.vestnesis.lv/wwwraksti/BILDES/KVADRATS.GIFNo |
| E-mail address |  | To be published | |
| http://www.vestnesis.lv/wwwraksti/BILDES/KVADRATS.GIFYes | http://www.vestnesis.lv/wwwraksti/BILDES/KVADRATS.GIFNo |

**2. Education**1

|  |  |
| --- | --- |
| Educational institution | Qualification |
|  |  |
|  |  |

Note.

1 Indicate the information regarding the second level professional higher education in architecture obtained in a study programme for architects, or at least the first level professional higher education in construction obtained in a study programme for building engineers, or at least the first level professional higher education in transport structures for control of construction work of State motorways or bridges, or the second level professional higher education in railway obtained in a study programme for engineers for control of construction work of railway engineering structures.

**3. Independent professional practice or practical work experience**2

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| No. | Employer (name, registration number) | Commissioning party | Name of work / project | Description of content | Address, cadastral number of the object | Time when the work was performed  (dd.mm.yyyy–dd.mm.yyyy) | Degree of participation  (position, work task) | Person who is entitled to represent the employer – the given name, surname, phone number, e-mail address |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |

Note.

2 Indicate the independent professional practice in architecture in profession of an architect, or in construction in profession of a building engineer which is at least two years after receipt of the certificate of a construction specialist (for control of construction work of State motorways or bridges – after receipt of the certificate of a construction specialist in designing of roads and bridges, construction work management or construction supervision) and has been acquired over the last five years, or practical work experience in construction of railway engineering structures of at least five years.

**4. Certificates**3

|  |  |  |  |
| --- | --- | --- | --- |
| Number |  |  |  |

Note.

3 Indicate the information regarding certificates of a construction specialists issued in the regulated area. This shall not apply to building inspectors for control of construction work of railway engineering structures.

In the Annex:

|  |
| --- |
|  |
| (copies of the documents certifying education, independent professional practice and practical work experience of the person, if such information is not available in the Construction Information System) |
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| --- | --- | --- |
| **Signature**4 |  |  |

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Date** |  |  |  |  |  |  |  |  |  |  |  |
|  | (day) | |  | (month) | |  | (year) | | | |  |

Note.

4Shall not be completed, if the electronic document has been prepared in compliance with the laws and regulations regarding the drawing up of electronic documents.

Minister for Economics Vjačeslavs Dombrovskis

**Annex 1**

Cabinet Regulation No. 499

19 August 2014

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

building inspector's

**Professional Activity Report**

**for 20\_\_**

**1. Information characterising construction in the administrative territory of a city/county or in the area of competence of the institution (which carries out the function of the building authority):**

1.1. issued construction permits (number) – \_\_\_\_\_\_\_\_

1.2. structures accepted for service (number) – \_\_\_\_\_\_\_\_

1.3. construction under simplified procedure:

certification cards and explanatory memorandums (number) – \_\_\_\_\_\_\_\_

**2. Information characterising activity of the building inspector:**

2.1. conducted examinations and prepared opinions (number) – \_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
| **Name of structure according to the classification of structures**  (on the level of four decimal places) | **Type of construction**  (newly erected construction, rebuilding, reconstruction, restoration, construction under simplified procedure) | **Address** |
|  |  |  |
|  |  |  |
|  |  |  |

2.2. suspended construction (number) – \_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
| **Name of structure according to the classification of structures**  (on the level of four decimal places) | **Type of construction**  (newly erected construction, rebuilding, reconstruction, restoration, construction under simplified procedure) | **Address** |
|  |  |  |
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2.3. cases of unauthorised construction:

2.3.1. construction without a construction permit (number) – \_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
| **Name of structure according to the classification of structures**  (on the level of four decimal places) | **Type of construction**  (newly erected construction, rebuilding, reconstruction, restoration, construction under simplified procedure) | **Address** |
|  |  |  |
|  |  |  |
|  |  |  |

2.3.2. deviations from the building design (number) – \_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
| **Name of structure according to the classification of structures**  (on the level of four decimal places) | **Type of construction**  (newly erected construction, rebuilding, reconstruction, restoration, construction under simplified procedure) | **Address** |
|  |  |  |
|  |  |  |
|  |  |  |

2.4. examined complaints and submissions regarding construction issues (number) – \_\_\_\_\_\_\_\_

2.5. other prepared documents (number) – \_\_\_\_\_\_\_\_

**3. Other necessary information:**

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| --- | --- | --- |
| **Signature**1 |  |  |

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Date** |  |  |  |  |  |  |  |  |  |  |  |
|  | (day) | |  | (month) | |  | (year) | | | |  |

Note.

1Shall not be completed, if the electronic document has been prepared in compliance with the laws and regulations regarding the drawing up of electronic documents.

Minister for Economics Vjačeslavs Dombrovskis