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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. 169

Adopted 20 March 2018

**Regulations Regarding Competence Evaluation and Supervision of Independent Practice of Construction Specialists**

*Issued pursuant to*

*Section 5, Paragraph one, Clauses 4 and 4.1 of the Construction Law*

[*19 December 2023*]

**I. General Provision**

1. The Regulation prescribes:

1.1. the conditions by which a certificate for an independent practice in the field of architecture (hereinafter – the certificate of architectural practice) and the fields of construction and electric energy (hereinafter – the certificate of construction practice) shall be issued to, registered, and cancelled for natural persons and also the procedures for the issuance, registration, and cancellation, suspending and restoring the operation of such certificates (hereinafter – the construction specialist’s certificate);

1.2. the necessary length of practical work experience in the fields of architecture and construction to apply for a certificate for an independent practice in the fields of architecture and construction;

1.3. the conditions for organising a competence examination and the content of a competence examination;

1.4. the procedures for supervising an independent practice;

1.5. the amount of paid services, the payment procedures, and the procedures for the use of the received resources;

1.6. the authorisation of the competence examining authority;

1.7. the extent of information to be included in the register of construction specialists and the procedures for the examination thereof;

1.8. the procedures by which the competence examining authority shall supervise the activities of building inspectors.

[*19 December 2023*]

**II. Requirements for the Competence Examining Authority and the Obligations Thereof**

2. Competence evaluation of construction specialists and supervision of independent practice shall be carried out by:

2.1. a legal person governed by private law to which the Ministry of Economics has delegated such task under the concluded contract in accordance with the procedures laid down in the State Administration Structure Law and this Regulation;

2.2. the State Construction Control Bureau in accordance with Section 6, Paragraph seven of the Construction Law.

3. The authority which carries out competence evaluation of construction specialists and supervision of independent practice (hereinafter – the competence examining authority) shall be accredited by the national accreditation body as a certification authority of persons in accordance with the laws and regulations regarding conformity assessment, including in accordance with the standard LVS EN ISO/IEC 17024:2012, Conformity assessment. General requirements for bodies operating certification of persons.

4. The potential contracting party to the delegation contract shall submit for assessment to the Ministry of Economics a written application for concluding the delegation contract, indicating the field of competence evaluation, the speciality, and the sphere of activity in accordance with Annex 1 to this Regulation.

5. The delegation contract shall be concluded for not more than ten years.

[*22 August 2023*]

6. The competence examining authority has the right to set up a classifier of practical experience of a a construction specialist if the setting up thereof is provided for in the delegation contract.

7. The competence examining authority has an obligation:

7.1. to ensure timely and qualitative performance of the tasks delegated thereto, i.e. to carry out competence evaluation of construction specialists and supervision of independent practice;

7.2. to conclude a contract with the national standardisation body on subscription to the online reading room of the Latvian standards for certified construction specialists of the competence examining authority, determining that construction specialists shall make a payment for the use thereof in the amount specified in Sub-paragraph 65.2.2 of this Regulation (the abovementioned obligation shall not apply to the competence examining authority referred to in Sub-paragraph 2.2 of this Regulation);

7.3. to ensure the availability of the online reading room of the Latvian standards to a construction specialist who has made the payment in accordance with Sub-paragraph 65.2.2 of this Regulation (the abovementioned obligation shall not apply to the competence examining authority referred to in Sub-paragraph 2.2 of this Regulation);

7.4. to provide information to the Ministry of Economics on matters related to competence evaluation of construction specialists and supervision of independent practice;

7.5. to maintain and update information related to competence evaluation of construction specialists and supervision of independent practice in the register of construction specialists of the Construction Information System (hereinafter – the register of construction specialists);

7.6. to publish on the website the list of additional documents to be submitted for obtaining the construction specialist’s certificate or the addition of the spheres of its activity;

7.7. to develop and publish on the website the professional code of ethics of construction specialists;

7.8. to develop, harmonise with the Ministry of Economics, and publish on the website the content of and the procedures for competence examination of construction specialists and the programme of minimum practical work experience;

7.9. to determine, harmonise with the Ministry of Economics, and publish on the website the scope of independent practice of construction specialists and the list of topics and scope of vocational in-service training;

7.10. to harmonise the information referred to in Paragraph 6 of this Regulation with the Ministry of Economics;

7.11. to determine, harmonise with the Ministry of Economics, and publish on website the scope of and procedures for the examination of independent practice of construction specialists referred to in Section 13, Paragraph 9.1, Clause 1 of the Construction Law;

7.12. to develop and harmonise with the Ministry of Economics the sample of the certificate in the form of a printed document;

7.13. [22 August 2023];

7.14. to invite a representative of the State Fire and Rescue Service in the composition of the expert committee referred to in Paragraphs 20 and 43 of this Regulation in case of competence evaluation of a construction specialist in the spheres of activity referred to in Paragraph 8 of this Regulation;

7.15. to fulfil other obligations referred to in this Regulation.

[*5 July 2022; 22 August 2023*]

8. Prior to agreement upon with the Ministry of Economics, the competence examining authority shall agree upon the content of and the procedures for the competence examination of a construction specialist and the topics and scope of vocational in-service training measures referred to in Sub-paragraphs 7.8 and 7.9 of this Regulation with the State Fire and Rescue Service in the part concerning fire requirements laid down in the construction standards and the applicable standards in the following spheres of activity:

8.1. architectural practice;

8.2. building structure design;

8.3. design of water supply and sewage systems, including fire extinguishing systems;

8.4. design of heating supply, ventilation, and air-conditioning systems;

8.5. design of electrical facilities;

8.6. design of electronic communications systems and networks;

8.7. building construction work management and supervision of the construction work;

8.8. restoration construction work management and supervision of the construction work;

8.9. construction work management of water supply and sewage systems, also fire extinguishing systems, and supervision of the construction work;

8.10. construction work management of heating supply, ventilation, and air-conditioning systems and supervision of the construction work;

8.11. construction work management of electrical facilities and supervision of the construction work;

8.12. construction work management of electronic communications systems and networks and supervision of the construction work;

8.13. [19 December 2023];

8.14. [19 December 2023];

8.15. [19 December 2023];

8.16. [19 December 2023];

8.17. [19 December 2023];

8.18. [19 December 2023];

8.19. fire safety.

[*22 August 2023; 19 December 2023*]

9. When agreeing upon the documents referred to in Sub-paragraphs 7.8, 7.9, 7.10, and 7.11 of this Regulation, the Ministry of Economics has the right to request an opinion of the Construction Council of Latvia.

10. Competence evaluation and supervision of independent practice of construction specialists in one sphere of activity may be delegated only to one competence examining authority.

[*19 December 2023*]

11. If the competence examining authority referred to in Sub-paragraph 2.1 of this Regulation takes the decision on the suspension of competence evaluation and supervision of independent practice of construction specialists, the competence examining authority shall, not later than three months in advance, inform the Ministry of Economics, the national accreditation authority, and all construction specialists of such decision to which a certificate has been issued thereby and shall transfer the certification files of certified persons and information of the register of construction specialists to the Ministry of Economics within a month after suspension of competence evaluation and supervision of independent practice of construction specialists.

**III. Requirements for Obtaining the Construction Specialist’s Certificate**

12. A person may apply for the construction specialist’s certificate in the field of architecture and the field of construction or electric energy specified in Annex 1 to this Regulation in the spheres of activity of engineering research, design, and construction work management specialities if the person:

12.1. has acquired education conforming to the requirements laid down in the Construction Law;

12.2. has completed the programme of minimum practical work experience determined by the competence examining authority under supervision of a construction specialist in the relevant sphere of activity not less than for two years during the past seven years;

12.3. has not been convicted of committing an intentional criminal offence in the field of construction as referred to in Annex 3 to this Regulation or the criminal record has been set aside or extinguished;

12.4. at the time of submitting the submission referred to in Paragraph 18 of this Regulation, has not been held criminally liable for committing a criminal offence in the field of construction as referred to in Annex 3 to this Regulation.

[*19 December 2023*]

13. A construction specialist may apply for the construction specialist’s certificate in the speciality of building expert-examination only in such spheres of activity in which he or she has obtained the right to independent practice if:

13.1. his or her education conforms to the requirements laid down in the Construction Law;

13.2. the right to independent practice after obtaining the construction specialist’s certificate in the field of architecture in the relevant sphere of activity of the speciality of design or construction work management has been in effect for at least seven years;

13.3. no violations of professional activity and professional ethics by the construction specialist have been established during the last five years for which two warnings have been given or the construction specialist’s certificate has been suspended, except for the case where the construction specialist’s certificate has been suspended on the basis of Sub-paragraph 51.2, 51.3, 51.4, or 51.4.1 of this Regulation.

[*22 August 2023; 19 December 2023*]

14. A construction specialist may apply for the right to carry out expert-examinations for building designs of the structures of the third group if, during the last 10 years in the relevant sphere of activity, he or she has developed at least three building designs of the structures of the third group or sections of a building design.

15. The competence examining authority that issues the certificates for the recognition of professional qualification in regulated professions in the fields of architecture, construction, and electric energy in accordance with the law On the Regulated Professions and the Recognition of Professional Qualifications shall:

15.1. accept declarations from persons with professional qualifications obtained abroad, carry out qualification examination, and issue permits for the provision of temporary professional services, and also fulfil other obligations in accordance with the laws and regulations laying down the procedures for the provision of temporary professional services in a regulated profession in the Republic of Latvia;

15.2. take decisions on the recognition of professional qualification and grant the right to carry out independent professional activity in the relevant regulated profession, and also fulfil other obligations in accordance with the procedures for the recognition of professional qualification for permanent professional activity in the Republic of Latvia laid down in laws and regulations.

[*22 August 2023*]

16. If a person has fulfilled the professional duties of the head of the building authority, building inspector, or assistant to the building inspector, it shall be included in practical work experience in accordance with the programme of minimum practical work experience for obtaining the construction specialist’s certificate in the speciality of construction work management and also in the independent practice of a construction specialist in the speciality of construction work management.

[*19 December 2023*]

17. If a person has fulfilled the duties of an architect for a building authority, it shall be included in the independent practice of a construction specialist in the field of architecture and may be included in practical work experience in accordance with the programme of minimum practical work experience for obtaining the certificate of architectural practice.

17.1 If a person has obtained a doctoral degree in the relevant speciality of construction and is carrying out academic work in a higher education institution, the competence examining authority may include this in the independent practice of a construction specialist in the specialities of engineering research, design, and construction work management, taking into account the content and scope of the academic work.

[*19 December 2023*]

**IV. Procedures for Granting the Construction Specialist’s Certificate**

18. In order to apply for the construction specialist’s certificate or the addition of the spheres of activity, a person shall complete an online application form for obtaining the certificate or for addition of the spheres of activity on the website of the Construction Information System (www.bis.gov.lv), entering the following in the Construction Information System:

18.1. information on the education attesting the acquired qualification and attach electronically a copy of the document attesting the education if the abovementioned information is not available in the register of construction specialists;

18.2. the list of works in the field, speciality, and sphere of activity corresponding to the certificate in the performance of which the person has participated and also additional documents determined by the competence examining authority and certification by the construction specialist in the relevant sphere of activity on the completion of the programme of minimum practical work experience (except for obtaining a certificate in the speciality of building expert-examination) or information on independent practice corresponding to the speciality and sphere of activity if the abovementioned information is not available in the register of construction specialists.

[5 July 2002]

19. If a person applies for the construction specialist’s certificate or the addition of the spheres of activity, the competence evaluation thereof:

19.1. in the spheres of activity of the specialities of architecture, engineering research, design, and construction work management shall include:

19.1.1. assessment of practical work experience or independent practice and appending of additional documents to be submitted for obtaining the construction specialist’s certificate or for addition of the spheres of activity thereof;

19.1.2. the competence examination;

19.2. in the speciality of building expert-examination shall include:

19.2.1. the assessment of practical work experience or independent practice;

19.2.2. the competence examination in the speciality of building expert-examination if the competence in the speciality of building expert-examination is assessed for the first time or the certificate in the speciality of building expert-examination has been cancelled.

[*5 July 2022; 22 August 2023; 19 December 2023*]

20. The assessment referred to in Sub-paragraphs 19.1.1 and 19.2.1 of this Regulation shall be carried out by at least one construction specialist in the relevant sphere of activity appointed by the competence examining authority. The competence examination referred to in Sub-paragraphs 19.1.2 and 19.2.2 of this Regulation shall be carried out by a committee set up by the competence examining authority and consisting of at least two construction specialists in the relevant sphere of activity. The competence examining authority may only appoint a construction specialist conforming to the following requirements for the competence examination referred to in Paragraph 19 of this Regulation:

20.1. he or she has completed at least five years of independent practice in the field of architecture, engineering research, or the relevant sphere of activity in the speciality of design or construction work management selected by the applicant;

20.2. no violations of professional activity and professional ethics have been established during the last five years in the independent practice of the construction specialist for which a warning has been given or the construction specialist’s certificate has been suspended, except for the case where the construction specialist’s certificate has been suspended in accordance with Sub-paragraph 51.2, 51.3, 51.4, or 51.4.1 of this Regulation;

20.3. during the competence examination, the construction specialist is not in a situation of a conflict of interest within the meaning of the law On Prevention of Conflict of Interest in Activities of Public Officials.

[*22 August 2023; 19 December 2023*]

21. After receipt of a submission, the competence examining authority shall:

21.1. examine it and assess the conformity of the education acquired by the person with the requirements laid down in the Construction Law;

21.2. assess the conformity of the practical work experience or independent practice of the person with the requirements of laws and regulations;

21.3. if necessary, request the applicant to submit clarifications of the information;

21.4. within a month after receipt of the information and documents referred to in Paragraph 18 of this Regulation:

21.4.1. invite the applicant to the competence examination;

21.4.2. take the decision on refusal to invite the person to the competence examination if the person does not conform to the requirements for obtaining the construction specialist’s certificate laid down in the Construction Law and this Regulation.

22. The competence examining authority shall organise the competence evaluation of construction specialists at least once a month if at least one submission from an applicant or a construction specialist has been received.

[*19 December 2023*]

23. Prior to the competence examination, the applicant shall present:

23.1. a personal identification document and the competence examining authority shall verify the identity of the person;

23.2. an education document (original) certifying the acquired qualification.

[*5 July 2002*]

24. If the competence of the applicant is assessed as appropriate, the competence examining authority shall take the decision on granting the construction specialist’s certificate or the addition of the spheres of activity.

25. The decision on granting the construction specialist’s certificate or the addition of the spheres of activity shall include the following information:

25.1. the full name of the competence examining authority;

25.2. the date of taking the relevant decision and the number thereof;

25.3. the given name, surname, and personal identity number of the certified person;

25.4. a reference to the applicable law or regulation and certification scheme;

25.5. the field of certification, speciality, and sphere of activity;

25.6. the registration number of the construction specialist’s certificate in the register of construction specialists;

25.7. in the specialities of design, construction work management, and building expert-examination – the registration number of the sphere of activity and the date of addition;

25.8. the information referred to in Paragraph 6 of this Regulation on practical experience of the construction specialist in the sphere of activity;

25.9. an indication that up-to-date information on the construction specialist’s certificate and sphere of activity is available electronically on the website of the Construction Information System (www.bis.gov.lv).

[*19 December 2023*]

26. Upon written request of a construction specialist, the competence examining authority shall issue thereto the certificate in the form of a printed document, signed and stamped by an official of the competence examining authority.

27. The certificate issued in the form of a printed document shall include the following information:

27.1. the full name of the competence examining authority;

27.2. the field of certification, speciality, registration number in the register of construction specialists;

27.3. the date and number of the certification decision;

27.4. a reference to the applicable law or regulation and certification scheme;

27.5. the given name, surname, and personal identity number of the certified person;

27.6. in the specialities of design, construction work management, and building expert-examination – the sphere of activity and registration number in the register of construction specialists;

27.7. the information referred to in Paragraph 6 of this Regulation on practical experience of the construction specialist in the sphere of activity;

27.8. an indication that up-to-date information on the construction specialist’s certificate and sphere of activity is available electronically on the website of the Construction Information System (www.bis.gov.lv).

[*19 December 2023*]

28. If the applicant fails to take the competence examination referred to in Sub-paragraph 19.1.2 or 19.2.2 of this Regulation or has failed to attend it due to objective circumstances, the competence examining authority shall take the decision on extension of the competence examination period for not less than one month and inform the applicant of the possibility to take the competence examination repeatedly, indicating the place and time thereof.

[*5 July 2002*]

29. If the applicant repeatedly fails to take the competence examination referred to in Sub-paragraph 19.1.2 or 19.2.2 of this Regulation or fails to attend it without stating an objective reason for non-attendance, the competence examining authority shall take the decision on the non-compliance of the competence of the person and notify the applicant thereof in accordance with the procedures laid down in the Law on Notification.

[*5 July 2002*]

30. A person is entitled to apply for the competence examination not earlier than six months after taking the decision on the non-compliance of the competence of the person.

31. The competence examining authority shall take the decisions referred to in Paragraphs 24, 28, and 29 of this Regulation within five working days after the competence examination.

**V. Registration of the Construction Specialists’ Certificates, Data Content of the Register of Construction Specialists, and the Procedures for the Use Thereof**

32. Construction specialists’ certificates shall be registered in the register of construction specialists and the data thereof shall be kept and maintained in the Construction Information System regardless of the validity of the delegation contract referred to in Sub-paragraph 2.1 of this Regulation.

33. Decisions taken by the competence examining authorities shall be signed with a secure electronic signature and kept in the register of construction specialists.

34. The following shall be included in the register of construction specialists:

34.1 the information referred to in Paragraph 18 of this Regulation;

34.2. an informative indication of whether the professional qualification has been recognised in accordance with the procedures referred to in Paragraph 15 of this Regulation;

34.3. an informative indication of whether the person is the provider of temporary services;

34.4. the term of registration of the provider of temporary services;

34.5. the information referred to in Sub-paragraph 44.6 of this Regulation;

34.6. the date of granting the construction specialist’s certificate and the number thereof;

34.7. the field of certification and speciality;

34.8. the registration number, name, and date of addition of the sphere of activity;

34.9. the information on the decisions taken by the competence examining authority and the documents related thereto in respect of a construction specialist;

34.10. the grounds for giving a warning, suspension or cancellation of the construction specialist’s certificate or the sphere of activity of a construction specialist;

34.11. the date of giving the warning, suspension or cancellation of the construction specialist’s certificate or the sphere of activity thereof;

34.12. the date until which the construction specialist’s certificate or the sphere of activity thereof (if applicable) is suspended;

34.12.1 the date of renewal of the construction specialist’s certificate or the sphere of activity thereof (if applicable);

34.13. the contact details of a construction specialist;

34.14. the information on vocational in-service training of a construction specialist;

34.15. information on the education of the construction specialist;

34.16. the date of the competence examination referred to in Paragraph 40 of this Regulation;

34.17. an informative indication of the practical experience of a construction specialist in the sphere of activity;

34.18. information on the employment contract with the construction control authorities if the construction specialist fulfils the duties of a building inspector, an assistant to the building inspector, or an architect;

34.19. an indication of the right to carry out expert-examinations for building designs of the structures of the third group;

34.20. an informative indication for construction specialists certified in the field of architecture, in the spheres of activity of the design of heating supply, ventilation, and air-conditioning systems, or building structure design in relation to completed vocational in-service training in the fields of temporary energy certification of a building or energy certification of a building;

34.21. an informative indication for construction specialists certified in the sphere of activity of construction work management of heating supply, ventilation, and air-conditioning systems and supervision of the construction work in relation to completed vocational in-service training in the field of the inspection of heating systems and air-conditioning systems.

[*5 July 2022; 19 December 2023*]

35. The following publicly accessible information shall be indicated in the register of construction specialists:

35.1. an informative indication of whether the professional qualification has been recognised in accordance with the procedures referred to in Paragraph 15 of this Regulation;

35.2. an informative indication of whether the person is the provider of temporary services;

35.3. the term of registration of the provider of temporary professional services;

35.4. the list of works in which a construction specialist has participated. The following shall be indicated in the list of works:

35.4.1. the number of a construction case (for works carried out in the Republic of Latvia);

35.4.2. the address of the object (for works carried out outside the Republic of Latvia);

35.4.3. the principal type of use of the structure (for works carried out outside the Republic of Latvia);

35.4.4. the group of the structure;

35.4.5. the term for completing the works;

35.4.6. the sphere of activity;

35.4.7. the degree of participation;

35.5. the date of granting the construction specialist’s certificate and the number thereof;

35.6. the field of certification and speciality;

35.7. the number, name, and date of addition of the sphere of activity;

35.8. information on the warning given to a construction specialist in accordance with Paragraph 50 of this Regulation:

35.8.1. the justification;

35.8.2. the date of entry into effect of the decision;

35.9. information on the suspension of the construction specialist’s certificate or the sphere of activity of a construction specialist:

35.9.1. the justification;

35.9.2. the date of entry into effect of the decision;

35.9.1 information on the renewal of the construction specialist’s certificate or the sphere of activity of a construction specialist:

35.9.11. the justification;

35.9.12. the date of entry into effect of the decision;

35.10. information on the cancellation of the construction specialist’s certificate or the sphere of activity of a construction specialist:

35.10.1. the justification;

35.10.2. the date of entry into effect of the decision;

35.11. contact details of a construction specialist if consent of the person has been obtained;

35.12. an informative indication of the practical experience of a construction specialist in the sphere of activity;

35.13. information on the employment contract with the construction control authorities if the construction specialist fulfils the duties of a building inspector, an assistant to the building inspector, or an architect;

35.14. an indication of the right to carry out expert-examinations for building designs of the structures of the third group;

35.15. an informative indication for construction specialists certified in the field of architecture, in the spheres of activity of the design of heating supply, ventilation, and air-conditioning systems, or building structure design in relation to completed vocational in-service training in the fields of temporary energy certification of a building or energy certification of a building;

35.16. an informative indication for construction specialists certified in the sphere of activity of construction work management of heating supply, ventilation, and air-conditioning systems and supervision of the construction work in relation to completed vocational in-service training in the field of the inspection of heating systems and air-conditioning systems.

[*5 July 2022; 19 December 2023*]

36. The information referred to in Sub-paragraphs 35.8, 35.9, and 35.10 of this Regulation shall be indicated publicly in the register of construction specialists after the decision of the relevant authority or the relevant court ruling has entered into effect. This information shall be publicly accessible not longer than for two years from the date on which the decision (ruling) was enforced.

37. A construction specialist shall communicate electronically with the competence examining authority, using the official electronic mail address if the account thereof has been activated. The competence examining authority may contact electronically and send an electronic document through the Construction Information System.

**VI. Procedures for the Supervision of the Independent Practice, Suspension, Cancellation, and Renewal of the Certificate of a Construction Specialist**

38. The supervision of the independent practice of a construction specialist in the speciality and sphere of activity specified in the construction specialist’s certificate shall be carried out by the competence examining authority which carried out the competence examination of the construction specialist in accordance with the procedures laid down in this Regulation or to which the supervision of the independent practice of certified construction specialists has been delegated by another competence examining authority.

39. When supervising the independent practice of a construction specialist, an official of the competence examining authority has the right to access the construction objects where the construction specialist is carrying out his or her professional activity.

39.1 The competence examining authority shall carry out the examination referred to in Section 13, Paragraph 9.1 of the Construction Law on an annual basis and to the extent specified in the delegation contract, but not less than for one per cent of the construction specialists in each sphere of activity:

39.11. in the speciality of construction work management, at least one randomly selected object where the construction specialist is providing or has provided services during the reporting period shall be examined to ascertain whether the duties of the construction specialist have been fulfilled in accordance with the requirements of laws and regulations;

39.12. in the specialities of engineering research, design, and building expert-examination, at least one randomly selected work carried out in the last five years shall be examined to ascertain the conformity with the requirements of laws and regulations, including verification of calculations of significant characteristics.

[*19 December 2023*]

40. The competence examining authority shall, at least every five years from the date of granting the construction specialist’s certificate or sphere of activity or the date of the previous examination, examine the independent practice carried out by the construction specialist and the information provided by the construction specialist on the education and vocational in-service training programmes or other measures improving the competence in the field specified in the certificate. If the competence examining authority, when carrying out this examination, establishes that:

40.1. the construction specialist has practised in the field and sphere of activity specified in the construction specialist’s certificate for less than three years within five years to the extent determined by the competence examining authority, the construction specialist shall be invited to take the competence examination referred to in Sub-paragraph 48.5 of this Regulation;

40.2. the construction specialist has not, to the extent determined by the competence examining authority, undergone measures improving the competence in the field and sphere of activity specified in the certificate for a period of five years, the construction specialist shall be invited to take the examination in relation to vocational in-service training covering such topics of vocational in-service training that the construction specialist has not covered during vocational in-service training.

[*19 December 2023*]

41. If a construction specialist has been twice given a warning in relation to violations of professional activity on the basis of Paragraph 50 of this Regulation within five years, the competence examining authority shall take the decision to require the construction specialist to take the examination within the term determined by the competence examining authority in order to evaluate the level of competences, skills, and knowledge.

[*19 December 2023*]

42. [19 December 2023]

43. The examination referred to in Section 13, Paragraph 9.1 of the Construction Law shall be carried out by at least one construction specialist conforming to the requirements laid down in Paragraph 20 of this Regulation in the relevant sphere of activity who has been appointed by the competence examining authority. The examination referred to in Sub-paragraph 48.5 of this Regulation to evaluate the level of competences, skills, and knowledge of a construction specialist and the examination referred to in Sub-paragraph 40.2 of this Regulation in relation to vocational in-service training of a construction specialist shall be carried out by a committee set up by the competence examining authority and consisting of at least two construction specialists in the relevant sphere of activity conforming to the requirements laid down in Paragraph 20 of this Regulation.

[*22 August 2023*]

44. A construction specialist has an obligation to:

44.1. carry out independent practice in accordance with the professional code of ethics approved by the competence examining authority;

44.2. provide information to the competence examining authority which is necessary to assess the independent practice of the construction specialist;

44.3. keep the contact details thereof up to date in the register of construction specialists;

44.4. enter in the register of construction specialists information on education attesting the professional qualification and attach electronically a copy of the document attesting education if the abovementioned information is not available in the register of construction specialists;

44.5. maintain continually in the register of construction specialists up-to-date information on the completed vocational in-service training programmes, seminars, and other measures improving the competence, indicating the date of issue of the relevant document attesting it, the issuer, the title and scope of the vocational in-service training programme or measure, and also attach electronically this document if the abovementioned information is not available in the register of construction specialists;

44.6. maintain continually in the register of construction specialists up-to-date information on the independent practice carried out, indicating the employer, the client, the number of a construction case (for works carried out in the Republic of Latvia), the name of the structure, the principal type of use of the structure or the type of use of the civil engineering structure (according to the classification of structures), the type of construction, the address of the object (for works carried out outside the Republic of Latvia), the group of the structure, the term for completing the works, the sphere of activity, the degree of participation, and also attach electronically the documents attesting the relevant works if the abovementioned information is not available in the register of construction specialists. In respect of academic work at a higher education institution, information on the content and duration of the academic work shall be entered and a statement of the higher education institution on the scientific and pedagogical work carried out shall be appended;

44.7. pay the fee referred to in Sub-paragraph 65.2 of this Regulation by 1 February of the current year;

44.8. take the competence examination in accordance with Paragraphs 40, 41, and 53 of this Regulation within the term determined by the competence examining authority.

[*1 June 2021; 5 July 2022; 22 August 2023; 19 December 2023*]

45. The national standardisation body has the obligation to conclude a contract with the competence examining authority on subscription to the online reading room of the Latvian standards for certified construction specialists, determining that construction specialists shall settle the payment for the use thereof in the amount specified in Sub-paragraph 65.2.2 of this Regulation.

46. If it is established in the register of construction specialists that a construction specialist has not submitted or has submitted incomplete information referred to in Sub-paragraphs 44.5 and 44.6 of this Regulation or has not fulfilled the obligation referred to in Sub-paragraph 44.7 of this Regulation, the competence examining authority shall request the construction specialist to enter the necessary information in the register of construction specialists or to fulfil the obligation referred to in Sub-paragraph 44.7 of this Regulation within 30 days.

47. If a complaint or information has been received concerning potential violations of the professional activity of a construction specialist referred to in Paragraphs 50, 51 and Sub-paragraph 57.2 of this Regulation, the competence examining authority shall assess the nature of the violation and may take the decision referred to in Sub-paragraph 48.1, 48.2, 48.4, or 48.5 of this Regulation.

[*5 July 2002*]

48. The competence examining authority may take the following decisions in accordance with the procedures laid down in this Regulation when supervising the independent practice of a construction specialist:

48.1. on issuing a warning;

48.2. on temporary suspension of the certificate of architectural practice or the sphere of activity specified in the certificate of construction practice;

48.3. on the renewal of the certificate of architectural practice or the sphere of activity specified in the certificate of construction practice;

48.4. on the cancellation of the certificate of architectural practice or the sphere of activity specified in the certificate of construction practice;

48.5. to request the construction specialist to take the examination within six months for the evaluation of the level of competences, skills, and knowledge.

[*19 December 2023*]

48.1 The competence examining authority has the right to take the decision referred to in Sub-paragraphs 48.1 and 48.2 of this Regulation in the cases referred to in Sub-paragraphs 50.4 and 51.6.5 of this Regulation also for the violations of laws and regulations or professional ethics committed by a construction specialist during the fulfilment of his or her duties as a building inspector.

[*19 December 2023*]

49. The decision referred to in Paragraphs 48 and 48.1 of this Regulation shall be entered in the register of construction specialists within three working days after taking thereof.

[*21 December 2021*]

50. When assessing a complaint or the information at the disposal of the competence examining authority on the violations of the professional activity or professional ethics of a construction specialist, the competence examining authority shall take the decision on issuing a warning:

50.1. for a violation related to non-compliance with the professional code of ethics approved by the competence examining authority or for knowingly providing false information that has not caused any consequences or has not influenced the actions or taking of a decision of the competent authority;

50.2. for actions not complying with the professional code of ethics and also competences, skills, and knowledge;

50.3. for a violation related to the non-fulfilment, improper fulfilment of the duties specified for a construction specialist in the laws and regulations governing construction or failure to conform to the requirements laid down in standards if this has not caused a significant threat to human health, life, or the environment;

50.4. for violations committed by a construction specialist during the fulfilment of his or her duties as a building inspector, i.e. for the non-compliance with the professional code of ethics approved by the competence examining authority, for actions not complying with good professional practice and also competences, skills, and knowledge, or for a violation related to the non-fulfilment, improper fulfilment of the duties specified for building inspectors in the laws and regulations governing construction, or failure to conform to the requirements laid down in standards if this has not caused a significant threat to human health, life, or the environment.

[*21 December 2021; 19 December 2023*]

51. When assessing a complaint or the information at the disposal of the competence examining authority on the violations of the professional activity of a construction specialist, the competence examining authority shall take the decision on temporary suspension of the certificate of architectural practice or the sphere of activity of the certificate of construction practice:

51.1. if there is information at the disposal thereof that a prosecutor has taken the decision to hold a construction specialist criminally liable for committing a criminal offence in the field of construction in accordance with Annex 3 to this Regulation;

51.2. if a construction specialist has not entered the information referred to in Sub-paragraphs 44.5 and 44.6 of this Regulation or has not fulfilled the obligation referred to in Sub-paragraph 44.7 of this Regulation within the term specified in Paragraph 46 of this Regulation;

51.3. if a construction specialist has not fulfilled the obligation referred to in Sub-paragraph 44.2 of this Regulation within the term determined by the competence examining authority;

51.4. if a construction specialist has not taken the competence examination referred to in Sub-paragraph 44.8 of this Regulation within the term determined by the competence examining authority;

51.4.1 information has been received from the State Language Centre that the use of the official language by a construction specialist who has obtained a professional qualification in the Republic of Latvia does not comply with the level of knowledge and skills of the official language laid down in laws and regulations;

51.5. from three months to one year if the competence examining authority establishes any of the following violations of professional activity:

51.5.1. [19 December 2023];

51.5.2. [19 December 2023];

51.5.3. a construction specialist has been issued at least one warning within the next two years following successful taking of the examination referred to in Paragraph 41 of this Regulation;

51.5.4. a construction expert or the performer of supervision of the construction work has not fulfilled the requirement for independence laid down in the laws and regulations governing construction;

51.5.5. [19 December 2023];

51.5.6. a construction expert has not fulfilled the requirement laid down in the laws and regulations governing construction to document the course of performance of the expert-examination and to keep the documentation of the expert-examination;

51.5.7. [19 December 2023];

51.5.8. [19 December 2023].

51.6. from one year to five years if the competence examining authority establishes any of the following violations of professional activity:

51.6.1. a construction specialist has knowingly provided false information;

51.6.2. there is no detectable evidence that a construction specialist himself or herself controlled, managed, or directly carried out the works for which he or she signed as the responsible construction specialist;

51.6.3. a construction expert has unduly provided a positive or negative expert opinion;

51.6.4. a construction specialist has taken actions or permitted inaction (including the actions or inaction referred to in Paragraph 50 of this Regulation) during the construction process which could have caused a significant threat to human health, life, or the environment;

51.6.5. a construction specialist, while performing the duties of a building inspector, has knowingly provided false information, has not fulfilled the requirement for independence laid down in the laws and regulations governing construction, or has taken actions or permitted inaction which could have caused a significant threat to human health, life, or the environment.

[*21 December 2021; 22 August 2023; 19 December 2023*]

52. The competence examining authority shall take the decision on temporary suspension of the certificate of architectural practice or the sphere of activity of the certificate of construction practice if a submission for the suspension of the construction specialist’s certificate has been received from a construction specialist.

53. If the certificate of architectural practice or the sphere of activity of the certificate of construction practice has been suspended for a person in accordance with Sub-paragraph 51.5 or 51.6 of this Regulation and the person wishes to renew it, he or she shall take the competence examination referred to in Sub-paragraph 48.5 of this Regulation after expiry of the specified suspension period.

[*19 December 2023*]

54. If the competence examining authority establishes a minor violation of the professional activity of a construction specialist, i.e. actions not complying with good professional practice and also competences, skills, and knowledge that have not caused a significant threat to human health, life, or the environment, have not caused any damage or do not generally affect the quality of the construction design, construction work, or building expert-examination, it shall take note of the relevant information.

[*19 December 2023*]

55. The period of suspension of the construction specialist’s certificate shall include the period during which the certificate was suspended in relation to the relevant violation before taking the final decision.

56. The competence examining authority shall take the decision on the renewal of the certificate of architectural practice or the sphere of activity specified in the certificate of construction practice if:

56.1. a submission for the renewal of the certificate of architectural practice or the sphere of activity of the certificate of construction practice, if suspended on the basis of Paragraph 52 of this Regulation, has been received from a construction specialist;

56.2. a construction specialist has entered the information referred to in Sub-paragraphs 44.5 and 44.6 of this Regulation or has fulfilled the obligation referred to in Sub-paragraph 44.7 of this Regulation;

56.3. a construction specialist has successfully taken the competence examination referred to in Sub-paragraph 44.8 of this Regulation;

56.4. a construction specialist has submitted the information referred to in Sub-paragraph 44.2 of this Regulation to the extent necessary for the assessment of a complaint or independent practice;

56.5. the certificate or sphere of activity has been suspended in accordance with Sub-paragraph 51.1 of this Regulation and a judgment of acquittal in relation to this fact or the decision on the termination of criminal proceedings has entered into effect in respect of a construction specialist;

56.6. the certificate or sphere of activity has been suspended in accordance with Sub-paragraph 51.4.1 of this Regulation and a construction specialist has submitted a decision issued by the National Centre for Education on the examination of the official language skills of the person, attesting the compliance of the level of official language skills with the level of knowledge and skills of the official language laid down in laws and regulations.

[*5 July 2022; 22 August 2023*]

57. The competence examining authority shall take the decision on the cancellation of the certificate of architectural practice or the sphere of activity specified in the certificate of construction practice if:

57.1. a submission for the cancellation of the certificate of architectural practice or the sphere of activity of the certificate of construction practice has been received from a construction specialist;

57.2. a construction specialist has knowingly provided false information that served as basis for taking the decision on granting the certificate or the sphere of activity;

57.3. a prosecutor’s penal order or a court judgment has entered into effect whereby a construction specialist is convicted of a criminal offence in the field of construction in accordance with Annex 3 to this Regulation;

57.4. the certificate of architectural practice or the sphere of activity of the certificate of construction practice has been suspended for a construction specialist in accordance with Sub-paragraph 51.2, 51.4, or 51.4.1 or Paragraph 52 of this Regulation for more than four years in the last five years;

57.5. a construction specialist has not complied with the condition referred to in Paragraph 53 of this Regulation for the renewal of the certificate within two years after expiry of the suspension period specified in Sub-paragraph 51.5 or 51.6 of this Regulation.

[*5 July 2022; 22 August 2023; 19 December 2023*]

58. The competence examining authority shall take the decision:

58.1. on the suspension of the sphere of activity of the speciality of building expert-examination if the certificate of architectural practice or the relevant sphere of activity of the certificate of construction practice in the speciality of design or construction work management has been suspended for a construction specialist in accordance with Sub-paragraph 51.1, 51.2, 51.3, 51.4, or 51.4.1 or Paragraph 52 of this Regulation;

58.2. on the suspension of the certificate of building expert-examination in all spheres of activity if:

58.2.1. violations in the speciality of building expert-examination have been established in accordance with Paragraph 51 of this Regulation;

58.2.2. the certificate of architectural practice or the relevant sphere of activity of the certificate of construction practice in the speciality of design or construction work management has been suspended in accordance with Sub-paragraph 51.5 or 51.6 of this Regulation.

[*22 August 2023; 19 December 2023*]

59. The competence examining authority:

59.1. shall take the decision on the renewal of the sphere of activity of the speciality of building expert-examination if the certificate of architectural practice or the relevant sphere of activity of the certificate of construction practice in the speciality of design or construction work management has been renewed in accordance with Paragraph 58 of this Regulation;

59.2. may take the decision on the renewal of the sphere of activity of the speciality of building expert-examination five years after renewal of the certificate of architectural practice or the relevant sphere of activity of the certificate of construction practice in the speciality of design or construction work management if suspended in accordance with Sub-paragraph 51.5.3, 51.5.4, 51.6.1, 51.6.2, or 51.6.4 of this Regulation.

[*19 December 2023*]

60. The competence examining authority shall take the decision on the cancellation of the sphere of activity of the speciality of building expert-examination if the certificate of architectural practice or any of the relevant spheres of activity of the certificate of construction practice in the speciality of design or construction work management has been cancelled for a construction specialist.

[*19 December 2023*]

61. The competence examining authority shall receive from the Punishment Register maintained by the Information Centre of the Ministry of the Interior information on holding persons criminally liable, court judgments, prosecutor’s penal orders, termination of criminal proceedings, and court judgments of acquittal in relation to criminal offences under any sections of the Criminal Law specified in Annex 3 to this Regulation.

**VII. Procedures for Contesting and Appealing Decisions**

62. The decisions referred to in this Regulation, except for the decisions of the State Construction Control Bureau, may be appealed to the Ministry of Economics within one month from the date of entering into effect of the decision in accordance with the procedures laid down in the Administrative Procedure Law.

63. The decision of the Ministry of Economics may be appealed within one month after entering into effect thereof in accordance with the procedures laid down in the Administrative Procedure Law.

64. The decisions of the State Construction Control Bureau related to the competence evaluation of construction specialists and supervision of independent practice in the speciality of building expert-examination may be contested and appealed in accordance with the procedures laid down in Cabinet Regulation No. 576 of 30 September 2014, By-law of the State Construction Control Bureau.

**VIII. Amount of the Certification Service Fee, Procedures for the Payment and Use of the Received Funds**

65. The certification service fee shall consist of:

65.1. the fee for the initial competence evaluation for obtaining the certificate in the amount of EUR 150;

65.2. the annual fees for the supervision of independent practice which shall include:

65.2.1. a supervision fee approved by the Cabinet;

65.2.2. an annual fee of EUR 30 for the subscription to the online reading room of the Latvian standards paid by construction specialists in accordance with the contract concluded by the competence examining authority and the national standardisation body;

65.3. the fee for additional certification services approved by the Cabinet.

66. A person shall pay for the certification services before receipt of such services.

67. If a construction specialist holds the right to independent practice in several spheres of activity, the fee referred to in Sub-paragraph 65.2.2 of this Regulation shall be paid by the construction specialist for the sphere of activity in which the certificate has been granted earliest.

68. The fee specified in Sub-paragraph 65.2 of this Regulation shall not be applied to the person:

68.1. who has obtained the right to independent practice in the speciality of construction work management or building expert-examination for the period during which he or she fulfils the duties of a building inspector if he or she is not carrying out independent practice;

68.2. whose certificate of architectural practice or the sphere of activity specified in the certificate of construction practice has been suspended for the entire calendar year.

[*22 August 2023; 19 December 2023*]

69. In the calendar year in which the construction specialist’s certificate has been granted to a person or in which a person has suspended the fulfilment of the duties of a building inspector if the condition referred to in Paragraph 68 of this Regulation has been applied thereto, the fee referred to in Sub-paragraph 65.2 of this Regulation shall be paid by the person in proportion to the number of months during which the competence examining authority carries out the supervision of the independent practice of the construction specialist.

70. The funds received for certification services shall be used by the competence examining authority for ensuring the supervision of the competence evaluation process and the independent practice of construction specialists and for the competence development of construction specialists as specified in the delegation contract.

[*5 July 2002*]

**IX. Closing Provisions**

71. Cabinet Regulation No. 610 of 7 October 2014, Regulations Regarding Competence Evaluation and Supervision of Professional Practice of Construction Specialists (*Latvijas Vēstnesis*, 2014, No. 203; 2016, Nos. 13, 246), is repealed.

72. Sub-paragraphs 34.2, 34.3, 34.4, 34.10, 34.19, 35.1, 35.2, 35.3, 35.4, 35.8, 35.14, Paragraphs 37 and 61 of this Regulation shall come into force on 1 July 2018.

73. Sub-paragraphs 34.17, 34.18, 34.20, 34.21, 35.12, 35.13, 35.15, and 35.16 of this Regulation shall come into force on 1 September 2018.

74. Sub-paragraphs 7.2, 7.3, and 65.2.2 of this Regulation shall be applied from 1 January 2019.

75. The requirement for an applicant for obtaining the construction specialist’s certificate or for the addition of the spheres of activity to submit to the competence examining authority the certification of a construction specialist of the relevant sphere of activity on the completion of the programme of minimum practical work experience referred to in Sub-paragraph 12.2 and Paragraph 18 of this Regulation shall come into force on 1 January 2019. By 31 December 2018, the applicant shall submit to the competence examining authority information certifying at least three years of practical work experience within the last seven years after completing the first or second level vocational higher education as an architect, a construction engineer, or related engineering studies.

76. By 31 December 2018, the competence examining authority with which the delegation contract has been concluded shall carry out the following actions in respect of the certified person whose independent practice supervised thereby and who has obtained a fixed-term certificate until 1 October 2014:

76.1. update the information in the register of construction specialists on the spheres of activities granted to a construction specialist in accordance with Annex 1 to this Regulation;

76.2. take the decision on the right of a construction specialist to carry out independent practice without a time limit or, in the case referred to in Paragraph 3 or 4 of the Transitional Provisions of the Construction Law, by determining a time limit;

76.3. send an invitation to a construction specialist to attend the competence examination organised within the scope of the supervision of the independent practice if the construction specialist has not undergone independent practice, vocational in-service training programmes, or other measures improving the competence in the field specified in the certificate to the extent determined by the competence examining authority.

77. A construction specialist shall be notified of the decision referred to in Sub-paragraph 76.2 of this Regulation in accordance with the procedures laid down in the Law on Notification.

78. A person whose construction specialist’s certificate has been cancelled on the basis of Sub-paragraph 45.2, 45.3, or 45.5 of Cabinet Regulation No. 610 of 7 October 2014, Regulations Regarding Competence Evaluation and Supervision of Professional Practice of Construction Specialists, may apply for the re-issuance of the construction specialist’s certificate, if he or she conforms to the requirements referred to in Paragraph 12 of this Regulation, not earlier than two years:

78.1. after the decision on the cancellation of the construction specialist’s certificate has entered into effect if the abovementioned decision is not contested;

78.2. after entering into effect of the decision of the supreme authority upholding the decision on the cancellation of the construction specialist’s certificate if the decision of the supreme authority has not been appealed;

78.3. after the day when a court judgment enters into effect if the decision of the supreme authority has been appealed.

79. A person whose construction specialist’s certificate has been cancelled on the basis of Sub-paragraph 45.6 of Cabinet Regulation No. 610 of 7 October 2014, Regulations Regarding Competence Evaluation and Supervision of Professional Practice of Construction Specialists, may apply for the re-issuance of the construction specialist’s certificate, if he or she conforms to the requirements referred to in Paragraph 12 of this Regulation, not earlier than four years:

79.1. after the decision on the cancellation of the construction specialist’s certificate has entered into effect if the abovementioned decision is not contested;

79.2. after entering into effect of the decision of the supreme authority upholding the decision on the cancellation of the construction specialist’s certificate if the decision of the supreme authority has not been appealed;

79.3. after the day when a court judgment enters into effect if the decision of the supreme authority has been appealed.

80. From 1 April 2019, construction specialists certified in the field of architecture, the sphere of activity of building structure design or the spheres of activity of the design of heating supply, ventilation, and air-conditioning systems, construction work management, and supervision of the construction work shall conform to the requirements of the laws and regulations governing the field of energy efficiency of buildings.

81. The practical work experience of a person referred to in Paragraph 16 of this Regulation shall include the experience obtained while fulfilling the duties of the head of the building authority, building inspector, or assistant to the building inspector until the day of coming into force of this Regulation.

82. Construction specialists who until the day of coming into force of this Regulation have obtained the certificate in the speciality of building expert-examination and the length of independent practice whereof does not comply with Sub-paragraph 13.2 of this Regulation shall retain the certificate without limitation of validity.

83. The competence examining authority shall ensure that the information on the actions and decisions taken thereby in the period from day of coming into force of this Regulation until 30 June 2018 is fully available in the register of construction specialists from 1 July 2018.

84. Until the day of coming into force of this Regulation, delegation contracts on the competence evaluation and supervision of independent practice of construction specialists concluded between the Ministry of Economics and the competence examining authority shall be applicable until conclusion of a new delegation contract, but not later than until 31 December 2018.

85. By 1 September 2020, a construction specialist shall be required to pay the annual fee for the supervision of independent practice for the period from 1 April 2020 to 31 March 2021.

[*5 May 2020*]

86. Persons who, until 1 October 2014, have obtained the right to independent practice in the field of construction in the profession of a building technician in the speciality of construction work management, supervision of the construction work, or engineering research and in the period from 1 October 2014 to 31 December 2020 have acquired the education specified in Section 13 of the Construction Law shall be exempt from the obligation to undergo measures improving the competence in the field and the sphere of activity specified in the certificate to the extent determined by the competence examining authority not longer than until 31 December 2025.

[*1 June 2021*]

87. Persons who, until 1 October 2014, have obtained the right to independent practice in the field of construction in the speciality of engineering research with the first level vocational higher education in a study programme of a construction engineer and in the period from 1 October 2014 to 31 December 2020 have acquired the education specified in Section 13 of the Construction Law shall be exempt from the obligation to undergo measures improving the competence in the field and the sphere of activity indicated in the certificate within the scope specified by the competence examining authority until 31 December 2025.

[*1 June 2021*]

88. Sub-paragraph 57.4 of this Regulation shall come into force on 1 January 2023.

[*5 April 2022*]

89. In the sphere of activity of fire safety, the reports of fire safety measures in the speciality of architectural practice or design in the spheres of activity specified in the certificate may be completed until 31 December 2026.

[*22 August 2023*]

90. In the sphere of activity of fire safety, the experience specified in Sub-paragraph 12.2 of this Regulation may be obtained, until 31 December 2026, by construction specialists certified in the field of architecture or the speciality of design who develop fire safety solutions and reports of fire safety measures themselves and also who develop fire safety solutions and reports of fire safety measures under the guidance of a construction specialist certified in the field of architecture or the speciality of design.

[*22 August 2023*]

91. In the sphere of activity of fire safety, the expert committee referred to in Paragraph 20 of this Regulation may also include, until 31 December 2030, construction specialists certified in the field of architecture or the speciality of design who have themselves developed fire safety solutions and reports of fire safety measures.

[*22 August 2023*]

92. In the sphere of activity of fire safety, the examination referred to in Paragraph 43 of this Regulation for the evaluation of the level of competences, skills, and knowledge of a construction specialist and the examination for the evaluation of professional development may also be carried out, until 31 December 2030, by construction specialists certified in the field of architecture or the speciality of design who develop fire safety solutions and reports of fire safety measures themselves.

[*22 August 2023*]

93. The expert-examination of fire safety solutions may be carried out by construction specialists certified in the expert-examination of building design architecture solutions and the expert-examination of building design structures until 31 December 2026. From 1 January 2027, only such construction specialists certified in the expert-examination of building design architecture solutions and the expert-examination of building design structures may carry out the expert-examination of fire safety solutions who have also obtained the right to independent practice in the sphere of activity of fire safety.

[*22 August 2023*]

94. For construction intentions commenced after 1 January 2027, only certified construction specialists who have obtained the right to independent practice in the sphere of activity of fire safety are entitled to develop the reports of fire safety measures in the cases specified in laws and regulations.

[*22 August 2023*]

Prime Minister, Acting for the Minister for Health Māris Kučinskis

Deputy Prime Minister, Minister for Economics Arvils Ašeradens

**Annex 1**

Cabinet Regulation No. 169

20 March 2018

[*19 December 2023*]

**Fields, Specialities, and Spheres of Activity for Competence Evaluation**

|  |  |  |
| --- | --- | --- |
| No. | Field, speciality | Sphere of activity |
| 1. | Architectural practice1, 2, 3 |   |
| 2. | Construction practice |   |
| 2.1. | Engineering research4 |   |
| 2.2. | Design3, 5 |   |
| 2.2.1. |   | building structure design1, 2 |
| 2.2.2. |   | design of water supply and sewage systems (including fire extinguishing systems) |
| 2.2.3. |   | design of heating supply, ventilation, and air-conditioning systems6 |
| 2.2.4. |   | design of transmission, storage, distribution, and user gas supply systems and petroleum supply systems7 |
| 2.2.5. |   | (deleted) |
| 2.2.6. |   | design of electrical facilities9 |
| 2.2.7. |   | design of electronic communications systems and networks10 |
| 2.2.8. |   | design of land amelioration systems |
| 2.2.9. |   | design of hydrotechnic structures |
| 2.2.10. |   | design of railway tracks |
| 2.2.11. |   | design of railway signalling systems |
| 2.2.12. |   | design of railway contact systems |
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| 2.3.4. |   | bridge construction work management and supervision of the construction work |
| 2.3.5. |   | construction work management of water supply and sewage systems, including fire extinguishing systems, and supervision of the construction work |
| 2.3.6. |   | construction work management of heating supply, ventilation, and air-conditioning systems and supervision of the construction work6 |
| 2.3.7. |   | construction work management of transmission, storage, distribution, and user gas supply systems and petroleum supply systems and supervision of the construction work7 |
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| 2.3.11. |   | land amelioration system construction work management and supervision of the construction work |
| 2.3.12. |   | hydrotechnic structure construction work management and supervision of the construction work |
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| 2.3.14. |   | railway signalling system construction work management and supervision of the construction work |
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| 2.5.18. |   | expert-examination of bridges |
| 2.5.19. |   | expert-examination of water supply and sewage systems |
| 2.5.20. |   | expert-examination of heating supply, ventilation, and air-conditioning systems6 |
| 2.5.21. |   | expert-examination of refrigeration systems11 |
| 2.5.22. |   | expert-examination of transmission, storage, distribution, and user gas supply systems and petroleum supply systems7 |
| 2.5.23. |   | (deleted) |
| 2.5.24. |   | expert-examination of land amelioration systems |
| 2.5.25. |   | expert-examination of hydrotechnic structures |
| 2.5.26. |   | expert-examination of port and sea hydrotechnic structures20 |
| 2.5.27. |   | expert-examination of electrical facilities9 |
| 2.5.28. |   | expert-examination of railway tracks18 |
| 2.5.29. |   | expert-examination of electronic communications systems and networks10 |

Notes.

1A construction specialist of architectural practice and a construction specialist certified in the spheres of activity of the design of building structures, fire safety, construction work management, and supervision of the construction work may also carry out the technical survey of buildings in accordance with the competence and the technical survey assignment. A construction specialist certified in the abovementioned specialities and spheres of activity may also manage all types of cost-estimation for construction work.

2Certain engineering structures may be designed by a construction specialist of architectural practice and a construction specialist certified in the design of building structures, unless certain spheres of activity have been determined for the design thereof. A construction specialist certified in the design of building structures may carry out technical survey of certain engineering structures and also cost-estimation for the construction work of such structures.

3In the cases specified in laws and regulations, the development of fire safety solutions, the report of fire safety measures, and organisational design plan shall be included in the specialities of architectural practice and design in the sphere of activity specified in the certificate.

4Geotechnical engineering research and geotechnical supervision.

5A construction specialist certified in the specialities of design and construction work management may also, within the scope of the sphere of activity specified in the certificate, carry out the technical survey of the relevant engineering structures and engineering networks in accordance with the technical survey assignment. A construction specialist of the abovementioned specialities may manage cost-estimation for the construction work of the relevant types of structures.

6Heating supply, ventilation, air-conditioning systems, cooling systems of buildings, smoke protection, smoke and heat exhaust systems, heating equipment/heating supply sources (including biomass heating systems, solar collector systems, geothermal systems, and heat pumps), heating networks.

7Gas supply systems shall also include the use of biomethane, synthetic methane, liquefied petroleum gas, and hydrogen in gas supply systems and the corrosion protection of such systems, data transmission, and automation systems.

8(deleted)

9In the spheres of activity of the design of electrical facilities, construction work management of electrical facilities, and supervision of the construction work, and also the expert-examination of the building designs of electrical facilities and the expert-examination of electrical facilities, the voltage at which the person has the relevant experience shall be indicated, i.e. up to 1 kilovolt, from 1 to 35 kilovolts, and from 110 to 400 kilovolts. The abovementioned spheres of activity shall include the design, construction work management, supervision of the construction work, and expert-examination of the automatics and control unit of automatic fire protection and fire extinguishing systems and automatic fire protection systems, i.e. fire detection and alarm systems, voice fire alerting systems, smoke protection systems, and central alerting systems.

10The spheres of activity of the design, construction wok management, and supervision of the construction work of electronic communication systems and networks, the expert-examination of building designs, and the expert-examination of electronic communication systems and networks shall include the design, construction work management, and supervision of the construction work, expert-examination of building designs and structures of automatic fire protection systems, i.e. fire detection and alarm systems and voice fire alerting systems, and also the automatics and control unit of automatic fire protection and fire extinguishing systems.

11Systems ensuring low temperature technological processes in the food, medical, and chemical industries, agriculture, fishery, and food production and storage (including stationary and mobile refrigeration systems of all sizes, including compressors-heat pumps, compression stations in refrigeration systems, cold chambers, warehouses, and cold storage plants).

12The spheres of activity of the construction work management and supervision of the construction work of buildings shall include all types of construction work management and supervision of the construction work at structures of the first group and structures of the second group, including construction work management and supervision of the construction work of engineering networks necessary for ensuring the operation of such buildings, and also construction work management and supervision of the construction work of fences, masonries, and individual landscaping elements, unless construction specialists of other spheres of activity are engaged in certain construction work management and supervision of the construction work. A construction specialist is entitled to carry out independent practice also in restoration construction work management and supervision of the construction work, provided that the appropriate permit has been obtained from the National Cultural Heritage Board.

13(deleted)

14In the cases specified in laws and regulations, a construction specialist certified in the expert-examination of building design architecture solutions may also carry out the expert-examination of architecture solutions and fire safety solutions included in certain building designs of engineering structures.

15In the cases specified in laws and regulations, a construction specialist certified in the expert-examination of building design architecture solutions and the expert-examination of building design structures may also carry out the expert-examination of the cost-estimation for construction work and fire safety solutions, and also the expert-examination of the report of fire safety measures and organisational design plan.

16A construction specialist may also carry out the expert-examination of the relevant structures.

17A construction specialist may also carry out the expert-examination of the building designs of railway signalling systems and railway contact systems.

18A construction specialist may also carry out the expert-examination of railway signalling systems and railway contact systems.

19In the cases specified in laws and regulations, the sphere of activity of fire safety shall include the development of fire safety solutions and the report of fire safety measures.

20The spheres of activity of the design, construction work management, and supervision of the construction work of port and sea hydrotechnic structures, and also the expert-examination of building designs and structures shall include the design of hydrotechnic structures for energy production and other types of hydrotechnic structures, the expert-examination of building designs and structures, and construction work management and supervision of the construction work.

21In accordance with the competence, a construction specialist may also carry out the design, construction work management, and supervision of the construction work, the expert-examination of building designs and structures for railway structures up to the section of railway tracks (excluding it), including the section of earth structure, overpasses, and culverts, passenger platforms, motorway and pedestrian tunnels under the railway, level crossings and crossings, noise barriers.

**Annex 2**

Cabinet Regulation No. 169

20 March 2018

**Submission**

[5 July 2022]

**Annex 3**

Cabinet Regulation No. 169

20 March 2018

**Legal Norms Subject to Verification in the Punishment Register in Relation to Obtaining the Construction Specialist’s Certificate and Supervision of the Independent Practice of Construction Specialists**

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| --- | --- |
| No. | Legal act norm |
| **The Criminal Law** |
| 1. | Section 44. Restriction of Rights |
| 2. | Section 99, Paragraph two. Violation of Provisions Regarding Waste Management |
| 3. | Section 102. Pollution and Littering of the Earth, Forests and Waters |
| 4. | Section 103. Pollution of the Air of the Atmosphere |
| 5. | Section 106. Concealment of Data regarding Environmental Pollution |
| 6. | Section 186. Negligent Destruction of and Damage to Property |
| 7. | Section 187. Intentional Destruction and Damaging of Electrical Network, Public Electronic Communications Network, Heating Network, Gas, Oil and Oil Product Pipelines |
| 8. | Section 188. Negligent Destruction of and Damage to Natural Gas and Oil Pipelines |
| 9. | Section 195.1 Non-provision of Information and Provision of False Information Regarding Ownership of Resources and the True Beneficiary |
| 10. | Section 196. Use of and Exceeding Authority in Bad Faith |
| 11. | Section 197. Neglect |
| 12. | Section 198. Unauthorised Receipt of Benefits |
| 13. | Section 199. Commercial Bribery |
| 14. | Section 202. Failing to Ensure Quality of Goods and Services |
| 15. | Section 203. Failure to Comply with the Requirements Regarding Safety of Goods and Services |
| 16. | Section 229. Illegal Actions Involving a Cultural Monument Protected by the State |
| 17. | Section 238, Paragraph two. Violation of the Provisions Regarding Production Safety and Technical Requirements |
| 18. | Section 239. Violation of Construction Provisions |
| 19. | Section 240. Violation of Fire Safety Provisions |
| 20. | Section 275. Forgery of a Document, Seal and Stamp and Use and Disposal of a Forged Document, Seal and Stamp |
| 21. | Section 317. Exceeding Official Authority |
| 22. | Section 318. Using Official Position in Bad Faith |
| 23. | Section 319. Failure to Act by a Public Official |
| 24. | Section 320. Accepting Bribes |
| 25. | Section 321. Misappropriation of a Bribe |
| 26. | Section 322. Intermediation in Bribery |
| 27. | Section 323. Giving of Bribes |
| 28. | Section 325. Violation of Restrictions Imposed on a Public Official |
| 29. | Section 326. Unlawful Participation in Property Transactions |
| 30. | Section 326.1 Trading with Influence |
| 31. | Section 326.2 Unlawful Requesting and Receiving of Benefits |
| 32. | Section 326.3 Unlawful Giving of Benefits |
| 33. | Section 327. Forging Official Documents |
| 34. | Section 328. False Official Information |
| 35. | Section 329. Disclosure of Non-disclosable Information |
| 36. | Section 330. Disclosure of Confidential Information after Leaving Office |

Deputy Prime Minister, Minister for Economics Arvils Ašeradens