

# Amendment to the regulation on the detailed scope and form of building permit design

Pursuant to Art. 18 of the Act of 7 July 1994 Building Law (Journal of Laws 2013, item 1409, hereinafter referred to as the Building Law), the investor's duty is to organise the construction process with due consideration given to health and safety regulations and, in particular, to ensure that, among others, a building permit design and other designs, if necessary, are developed. Also, pursuant to Art. 20 of the Building Law, one of the basic responsibilities of the designer is to develop a building permit design in a manner consistent with the requirements of the Building Law, the rules defined in administrative decisions concerning the planned construction projects, the applicable regulations and the best technical knowledge.

The contents of the design are subject to approval in the decision on the building permit. Four copies of the building permit design must be submitted, two of them intended for the investor, one for the authority approving the design and one for the competent construction supervision body. Due to its significance to the construction process, the building permit design is strictly governed by the applicable formal requirements.

The applicable regulations relating thereto are stipulated in the regulation of the Minister for Transport, Construction and Maritime Economy of 25 April 2012 on the detailed scope and form of building permit design (Journal of Laws 2012, item 462). The regulation of the Minister for Infrastructure and Development amending the Regulation on the detailed scope and form of building permit design (Journal of Laws 2015, item 1554, hereinafter referred to as the Amending Regulation) came into force on 15 October 2015. The amendment to the Regulation results from the amendment to the Building Law of 20 February 2015.

To date, a development plan of the plot of land or site was required to include a descriptive part and a drawing part drafted on the map intended for design pur-

poses, as defined in the provisions issued pursuant to Article 19 section 1 item 11 of the Act of 17 May 1989 – the Surveying and Cartography Law. The revised Regulation includes provisions which allow for the preparation of the drawing part of the development plan of the plot of land or site on a copy of the map intended for design purposes certified as a true copy by the designer.

In addition, the Amending Regulation waives the obligation to prepare the drawing part of the building plan drawn to a scale of 1 to 50 for separated parts of building structures due to be reconstructed or developed and parts of complex works and small-sized works.

Furthermore, pursuant to the amended Regulation, information on the impact zone of the work should be attached to the building permit design, which should specify the provisions of the law based on which the impact zone of the work has been outlined and the scope of the impact zone displayed in a descriptive or graphical form or information stating that the work's impact zone falls entirely within the plot or plots on which the work has been designed.

Another change concerns the obligation to provide additional information on the title

page of the building permit design. In addition to the name, address, registry unit, cadastral district and the registration number of the plots on which the structure is located, the category of the building should also be specified. Moreover, the title page must include data of the designer responsible for all design work.

Par. 2 of the Amending Regulation stipulates that the existing provisions will apply to the building permit application or the notification of the construction and a separate application for approval of the building permit design submitted prior to the entry into force of the Regulation. However, the existing provisions will apply to the building permit application or the notification of the construction and a separate application for approval of the building permit design submitted after the entry into force of the Regulation but before 1 January 2016 at the investor's request.

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