


LAW ON CONSTRUCTION

CONSOLIDATED TEXT ¹

**Macedonian
text**

 Закон за градење

I. GENERAL PROVISIONS

Article 1

This Law shall regulate the construction process, the basic requirements for the construction, the necessary project documentation for obtaining construction approval, the rights and obligations of the participants in the construction process, the manner of use and maintenance of the construction, as well as other issues of significance for the construction process.

Article 2

The terms used in this Law shall have the following meaning:

1. Construction process means carrying out previous activities, preparation of project documentation, carrying out preparatory activities, building a new construction, extension or superstructure of an existing construction, reconstruction and adaptation of the existing construction that includes ground activities, setting up a building structure, carrying out construction-installation activities and final construction activities, building-in installations or equipment, and other activities necessary to complete the whole construction;

2. Construction means everything that is made by building and is attached to the land, and constitutes a physical, technical-technological and construction whole, including the built installations, i.e. the equipment;

3. Temporary facility means any prefabricated or portable facility set up on a non-built up construction land for temporary use of the space until implementation of the urban plan for the construction land where the temporary facility has been set up. Temporary facility is set up in order to carry out:

- traffic activities (temporary parking lots and access roads),
- sale of food,
- tourism-, culture-, sport-, recreation- and entertainment-related activities (platforms for sport-, culture-, tourism- and entertainment-related events, auxiliary facilities for sports events and summer disco clubs), and
- facilities used at border crossings;

4. Urban equipment, in terms of this Law, is deemed the equipment for sale of tickets for public transport, newspapers, souvenirs, flowers, food, ice-cream, phone booths, bus stations, modular facilities intended for

security guards of diplomatic and consular offices, state administrative bodies and residential facilities, equipment used at tourism-, culture- and sport-related events, equipment for sports and recreational activities, public toilets, balconies with or without awning, platforms for public events on ground and water surface, covered or not covered bars, swimming facilities, parking lots for the facilities of state administrative bodies and the facilities of municipalities, advertising and information panels, playgrounds, awnings set in public areas, fountains, taps, benches and garbage bins;

5. Reconstruction means carrying out activities within the limits of the existing size of the facility that affect the fulfillment of the basic requirements for the construction and that alters the conformity of the construction with the project according to which it has been built, by changing the façade, the technological process and the installation, by repairing and substituting construction elements and alike, that is, carrying out activities on infrastructure facilities which affect the fulfillment of the basic requirements for the construction and which alter the conformity of the construction with the project according to which it has been built;

6. Adaptation means carrying out construction and other activities on an existing facility which changes the organization in the facility space, substitutes devices, plants, equipment and installation of the same capacity but it does not affect the stability and safety of the facility, does not alter the construction elements, does not alter the outer appearance and does not affect the safety of the neighboring facilities, the traffic, the fire and environmental protection;

7. Superstructure means carrying out activities on an existing facility that affect the basic elements according to which the facility has been built, and especially the height of the construction, by building new floors up to the maximum height allowed by the urban plan which may affect the construction system within the limits of the existing size of the foundation;

8. Extension means carrying out activities on an existing facility by building a new space exceeding the size of the existing facility up to the maximum allowed space anticipated by the urban plan which may affect the construction system of the existing facility;

9. Use of construction facility means carrying out activities in already constructed facility, in line with its purpose established by the decision on location requirements and the basic project;

10. Maintenance of construction facility means carrying out activities in order to maintain the basic requirements of the facility in the course of its use;

11. Construction product means a product manufactured for permanent incorporation into constructions for which positive technical assessment that the product is suitable to be used for the anticipated purpose have been obtained;

12. Installation means a set of connected equipment that serves for carrying out the technological or another process, in line with the purpose of the construction;

13. Equipment means individual devices, process installations and other products that compose the installation or are independently fitted in the construction and serve the technological or other process, in line with the purpose of the construction;

14. Previous activities mean activities that, depending on the type and nature of the construction, include research and preparation of analyses and other professional documents, obtaining data to analyze geological, geotechnical, geodetic, hydrological, meteorological, urban, technical, technological, economic, energy, seismic, water economy and traffic conditions, conditions for fire protection and environmental protection, as well as other conditions anticipated by law;

15. Pre-construction activities mean activities for building temporary constructions and other activities for the purpose of organizing and preparing the construction site, as well as enabling the carrying out of proper construction and technological works;

16. Linear infrastructure constructions mean a public road, bridges, railway infrastructure, long-distance transmission line, oil pipeline, refined products pipeline, gas pipeline, thermal pipeline, water pipeline, sewage, telecommunication lines and other facilities that may be above ground or underground and the construction of which is considered to be of public interest, established by law;

17. Construction site means a fenced space where activities for construction, extension, superstructure, reconstruction, adaptation, maintenance and removal of a construction are carried out, as well as a temporary occupied space necessary for use of appropriate construction technologies, and

18. Removal means carrying out activities for demolition or dismantlement of a construction, facility or their parts, as well as collection and transport of the construction material and waste created by the demolition, i.e. by the dismantlement of the construction, and by the land development.

Article 2-a

The provisions of the Law on Inspection Supervision shall apply to the procedure for conducting inspection supervision, unless otherwise determined by this Law.

Article 2-b

(1) The provisions of this Law do not apply to construction of military facilities and constructions of significance for the defense and security.

(2) The facilities and constructions referred to in paragraph (1) of this Article shall be built in accordance with the regulations in the field of defense and security.

Article 2-c

Deleted 2

II. BASIC REQUIREMENTS FOR THE CONSTRUCTION

Article 3

(1) Every construction, depending on the purpose, should meet the basic requirements for the construction anticipated by the parameters of the urban plan or the state, i.e. local urban planning documentation or the

infrastructure project and other conditions prescribed by this Law and the special laws.

(2) The basic requirements for the construction shall refer to mechanical endurance, stability and seismic protection, fire protection, sanitary and health protection, protection of the working and living environment, protection against noise, safety in the use, efficient use of energy and thermal protection, unobstructed access and movement to and in the construction, and technical characteristics of the construction products used in building.

(3) The basic requirements for construction products, their technical features and other technical requirements have to conform to the law and the other regulations on the quality of construction products.

1. Mechanical endurance, stability and seismic protection

Article 4

The construction should be designed and built in such a manner so as, in the course of the construction operations and use, disturbance of the mechanical endurance, stability and seismic protection not to be caused, particularly:

- collapse of the whole or part of the construction;
- destruction of parts of the construction, the basic foundation or the equipment as a result of major deformations of the load-bearing building structure, and
- disproportionally big deformations and damages with regard to the reason that has caused them.

Article 4-a

(1) For the purpose of determining the fulfillment of the conditions referred to in Article 4 of this Law, it shall be necessary to provide a positive opinion on the designed and built level of mechanical endurance, stability and seismic protection of the construction by an entity that carries out a scientific and research activity - scientific institute specialized in the field of protection of constructions against seismic actions. The opinion on the designed and built level of mechanical endurance, stability and seismic protection of the construction shall be provided only for the constructions whose basic project, in accordance with the regulations on design, should include a construction project.

(2) The opinion on the designed level of endurance, stability and seismic protection of the construction shall refer to the engineering and construction project which is an integral part of the basic project and shall be attached to the request for obtaining a construction approval by the investor.

(3) The entity that carries out a scientific and research activity - a scientific institute specialized in the field of protection of constructions against seismic actions shall be obliged to issue the opinion on the designed level of mechanical endurance, stability and seismic protection of constructions with gross developed area of up to 5.000 m² to the investor within a period of 15 days as of the receipt of the request, that is, within a period of 30 days regarding the constructions with gross developed area of over 5.000 m² and regarding the linear infrastructure constructions, or it shall be deemed that the opinion is positive, and if damages are caused in

future due to the omission of actions, the obligation for damage compensation shall fall to the entity that carries out a scientific and research activity.

(4) The opinion on the built level of mechanical endurance, stability and seismic protection of the construction shall be provided by the contractor in the course of building and upon completion of the whole construction system of the building.

(5) Opinion for the built level of mechanical endurance, stability and seismic protection of the construction shall not be mandatory for constructions intended for individual housing facilities with a gross developed area of up to 300 m².

(6) The amount of the fee for the opinion for the designed and the built level of mechanical endurance, stability and seismic protection shall be determined by a price list adopted by the entity that carries out a scientific and research activity - a scientific institute specialized in the field of protection of constructions against seismic actions, upon a previous consent of the Government of the Republic of Macedonia and it shall be published in the "Official Gazette of the Republic of Macedonia".

(7) The amount of the fee referred to in paragraph (6) of this article shall be determined according to the level of seismic protection, the type and categorization of the construction, the seismic zone where the construction is located, the material the construction system of the construction is build from, the calculation area, the length and height of the construction.

(8) If the construction is damaged upon the completion of the building and its putting into use due to non-fulfillment of the conditions for mechanical endurance, stability and seismic protection of the construction, the obligation for damage compensation shall fall on the entity that carries out a scientific and research activity.

(9) The entity referred to in paragraph (1) of this Article cannot prepare a project documentation, audit of the project documentation, building of constructions and supervision over the building.

(10) The form and the elements that the opinion on the designed and built level of mechanical endurance, stability and seismic protection of the construction should contain shall be prescribed by the minister heading the state administrative body responsible for the activities in the field of land development.

2. Fire protection

Article 5

The construction shall be designed and built in such a manner that in case of fire it could:

- preserve the load-bearing system of the structure for a certain time period,
- prevent the spreading of the fire and smoke in the construction,
- prevent the spreading of the fire to the neighboring constructions,
- ensure that the people leave the construction uninjured, that is, ensure their rescue, and
- ensure protection of the rescue teams.

3. Hygiene, health and protection of the working and living environment

Article 6

(1) The construction should be designed and built in such a manner so as not to pose a threat to the hygiene and health of the people, the working and living environment, especially as a result of:

- release of dangerous substances,
- presence of dangerous particles or gas in the air,
- emission of dangerous radiation,
- pollution or poisoning of water and soil,
- improper removal of waste waters, smoke, hard or liquid waste, and
- presence of humidity in parts of the construction.

(2) The construction products and equipment during construction should be assembled, built-in, connected and maintained so that the effect of the chemical, physical and other influences cannot cause danger, obstruction, damage or unacceptable failures while using the construction.

4. Safety in use

Article 7

The construction should be designed and built in such a manner so as, in the course of the use and maintenance, to avoid possible injuries of persons that may be caused by slipping, falling, hitting, burn, electric shock and explosion and by other causes that might endanger the safety in the construction.

5. Protection against noise

Article 8

The designing, building and using the constructions, built-in installations and equipment should enable the noise in and out of the construction to be within the limits prescribed by the Law on Protection Against Environmental Noise and the rulebooks related thereto.

6. Energy efficiency and thermal savings

Article 9

The construction and its heating, cooling and ventilation devices should be designed and built in such a manner so as, depending on the climate of the location, to ensure that the energy consumption in the course of its use is equal or lower than the prescribed level, as well as to meet the requirements for energy efficiency prescribed by the regulations pertaining to this matter.

7. Exception to the basic requirements for a construction

Article 10

In case of reconstruction or adaptation of a construction entered in the National Register of Cultural Heritage, which should enable unobstructed access, movement, stay and work to persons with disabilities, an exception to certain basic requirements for the construction can be made in order to ensure unobstructed access, movement, stay and work, upon obtaining a positive opinion from the Ministry of Labor and Social Policy

and obtaining consent from the state administrative body responsible for carrying out the activities in the field of culture.

8. Unobstructed access and movement to and in the construction

Article 11

(1) A construction for public and business purposes, constructions for housing purposes in residential buildings, as well as constructions with residential and business purpose, have to be designed and built in such a manner so as to ensure the persons with disability unobstructed access, movement, stay and work to and in the construction.

(2) A construction for housing purposes in residential buildings, as well as a construction with residential and business purpose, with ten and more apartments, should be designed and built in such a manner so as to be adjusted for access, movement, stay and work of persons with disability in at least one apartment at each ten apartments, but not more than four apartments, and at least 3% of the total number of parking spaces in the parking lot of these buildings should be intended for persons with disability and should be marked by an appropriate horizontal and vertical signalization.

(3) In the course of construction of new, as well as in the course of reconstruction of the existing, public areas - pedestrian paths in the downtown and in parks, the public area - pedestrian path should be designed and built so as to have a path for movement of persons with bodily disability and persons with hearing impairment.

(4) The technical characteristics and the dimensions of the path for movement of persons with bodily disability and persons with hearing impairment shall be prescribed by the minister heading the state administrative body responsible for the activities in the field of land development.

(5) The manner of ensuring unobstructed access, movement (horizontal and vertical), stay and work of persons with disability to and in the constructions referred to in paragraphs (1) and (2) of this Article shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities in the field of land development.

9. Connection to gas infrastructure

Article 11-a

A construction that is located at the border of a plan ambit of the general urban plan should be designed and built in so as to have a connection to the gas infrastructure.

10. Bicycle area

Article 11-b

A public purpose construction should be designed and built in so as to have a bicycle parking space that serves the facility.

11. Physical infrastructure for electronic communication networks for high speed transmission

Article 11-c

A constructions with business purposes and a construction for housing purposes in residential buildings must be designed and built in such a manner so as to have a concentration point located inside or outside the building, which shall be accessible by the operators in order to make their access to the physical infrastructure in the building for high speeds possible.

III. PARTICIPANTS IN THE CONSTRUCTION PROCESS

Article 12

(1) Participants in the construction process shall be the holder of the right to construct and the legal entities that carry out the activities related to designing, audit, building and supervision of the construction.

(2) Foreign legal entity and natural person may be a participant in the construction process under the conditions established by this Law.

(3) The rights and obligations between the participants in the construction process shall be regulated by this and another law.

1. Investor

Article 13

(1) Holder of the right to construct shall be any legal entity or natural person an owner of the land where the construction is built, a person that has acquired the right to a long-term lease of construction land, a concessionaire, a holder of the right to construction easement, a person to whom the owner of the land or the holder of the right to a long-term lease of construction land has transferred the right to construct by a legal act, a person who has acquired the right to construct based on a decision of a bankruptcy judge in the course of sale of the right to construct in a bankruptcy procedure, and a person having acquired the right to construct under law (hereinafter: investor).

(2) The investor shall be obliged to entrust the designing, the design audit, the construction and the supervision of the building of constructions to legal entities that fulfill the conditions prescribed by this Law.

Article 13-a

(1) State bodies, public enterprises and other entities established by the Government of the Republic of Macedonia or by the Assembly of the Republic of Macedonia, by the municipalities, the municipalities in the city of Skopje and the City of Skopje, as well as municipalities, municipalities in the city of Skopje and City of Skopje that have acquired the right to permanent use of construction land for the purpose of building a construction in accordance with the Law on Construction Land may transfer the right to construction to a natural person or a legal entity upon a previous consent of the Government of the Republic of Macedonia.

(2) The bodies and the entities referred to in paragraph (1) of this Article may transfer the right to construction only to a natural person or a legal entity that may acquire the right of ownership in the Republic of Macedonia in accordance with the law, selected based on a public call for bids.

Article 13-b

(1) The public call for transfer of the right to construction shall be conducted by the Commission for Conducting a Procedure for Transfer of the Right To Construction (hereinafter: the Commission), formed by the body, that is, the entity referred to in Article 13-a paragraph (1) of this Law.

(2) The public call shall be published in two daily newspapers printed in the Macedonian language and are in circulation at least three months before the day of publication of the call and in one daily newspaper published in a language spoken by at least 20% of the citizens that speak an official language other than the Macedonian in the municipalities, the municipalities in the city of Skopje and the City of Skopje, on the area of which the construction which is the subject of the public call should be built, and is in circulation at least three months before the day of publication of the call, upon a prior consent of the Government of the Republic of Macedonia, and it shall mandatorily contain:

- data on the construction land where the construction should be built,
- urban architectural requirements for building the construction,
- minimum percentage from the gross developed area of the part of the construction that upon the completion of the building should be transferred in ownership of the body, that is, the entity referred to in Article 13-a paragraph (1) of this Law that transfers the right to construction,
- deadline and manner of submission of the bid,
- necessary documentation that should be submitted,
- date, time and place of opening of the bids,
- deadline for obtaining a construction approval,
- deadline for building the construction,
- obligation for submission and amount of the bank guarantee showing the seriousness of the bid by the bidders, and
- obligation for submission and amount of the bank guarantee for building the construction by the most favorable bidder.

(3) The deadline for submission of the bid cannot be shorter than 15 calendar days as of the day of publication of the public call.

(4) The only criterion for selection of the most favorable bidder shall be the amount of the offered percentage of the gross developed area of the part of the construction which after the building should be transferred in ownership of the body, that is, the entity referred to in Article 13-a paragraph (1) of this Law which transfers the right to construction.

(5) The procedure for selection of the most favorable bidder shall be conducted if at least one bid is received.

(6) The bids shall be publicly opened, in the presence of the bidders or authorized representative of the bidders and the Commission shall prepare minutes for the public opening of the bids which shall be signed by the members of the Commission and the bidders, that is, the authorized representatives of the bidders that are present at the public opening.

(7) The Commission shall be obliged, within a period of five working days as of the day of opening the bids at the latest, to evaluate the bids and to prepare a report for the evaluation of the bids which shall be submitted to all the bidders.

(8) The person that fulfills the conditions under the public call and offers the biggest percentage of the gross developed area of the part of the construction which after the construction shall be transferred in the ownership of the body, that is, the entity referred to in Article 13-a paragraph (1) of this Law that is transferring the right to construction shall be selected for the most favorable bidder.

(9) The agreement on transfer of the right to construction shall be concluded with the most favorable bidder upon a previous consent of the Government of the Republic of Macedonia.

(10) The bidder shall have the right to a complaint within a period of three days as of the receipt of the report for the evaluation to the Commission that decides by a decision within a period of five days as of the day of receipt of the complaint.

(11) An appeal against the decision referred to in paragraph (10) of this Article may be filed with the State Commission for Decision-making in Administrative Procedure and Labor Relations Procedure in Second Instance within a period of eight days as of the day of receipt of the decision which shall not postpone the conclusion of the agreement.

(12) The notary costs for solemnization of the agreement shall be born by the most favorable bidder.

1.1. Construction manager

Article 14

(1) When building the constructions referred to in Article 57 of this Law, the investor may appoint a construction manager who, on his/her behalf, shall manage all the organizational activities, monitor all the building phases and do financial and material monitoring of the funds in the construction process, until obtaining an approval for use.

(2) Construction manager may be a legal entity holding a license for a construction manager.

(3) In order to obtain a license for a construction manager, the legal entity shall be required to submit:

- a proof to be registered for carrying out the corresponding activity and
- a proof that it has employed at least two persons one of them holding an A authorization for a supervisory engineer or A authorization of construction engineer and one person holding B authorization for supervisory engineer or B authorization for construction engineer.

2. Designing

Article 15

(1) Designer shall be any natural person who prepares projects for building the constructions referred to in Article 57 of this Law and who holds an A and/or B designing authorization. The designer shall be obliged to prepare the project in line with the designing standards and norms and

shall be responsible for the conformity of the projects with the construction conditions.

(2) The designer shall carry out the designing activities within a legal entity which is registered in the Central Register of the Republic of Macedonia (hereinafter: the Central Register) for carrying out a respective activity and which holds a designing license.

2.1. Designing license

Article 16

(1) The legal entity for designing the first category constructions referred to in Article 57 of this Law shall hold an A designing license, and a B designing license for the second category constructions.

(2) In order to obtain an A designing license, the legal entity should submit:

- a proof to be registered for carrying out the respective activity and
- a proof that it has employed at least three engineers, one of them holding an A designing authorization and one holding a B designing authorization.

(3) Together with the application for obtaining a B designing license, the legal entity should submit:

- a proof to be registered for carrying out the respective activity and
- a proof that it has employed at least two engineers, one of them holding a B designing authorization.

2.2. Designing authorizations

Article 17

(1) With regard to designing the first category constructions referred to in Article 57 of this Law, the Chamber of Authorized Architects and Engineers shall issue an A authorization for preparing project documentation, and a B authorization for preparing project documentation for the second category constructions.

(2) Together with the application for obtaining an A authorization for preparing project documentation, the natural person should submit:

- a proof for holding a university degree in the appropriate technical field (diploma or certificate for completed higher education, and if the applicant has acquired a university degree according to the European credit transfer system (ECTS), he/she should have 300 credits),
- a proof of work experience of at least five years in preparing project documentation in the appropriate field, and
- a proof for participation in the preparation of at least three project documentations in the appropriate field for the first category constructions referred to in Article 57 of this Law, attested by the legal entity where the project documentation has been prepared.

(3) Together with the application for obtaining a B authorization for preparing project documentation, the natural person should submit:

- a proof for holding a university degree in the appropriate technical field (diploma or certificate for completed higher education, and if the applicant has acquired a university degree according to the European credit transfer system (ECTS), he/she should have 240 credits),
- a proof of work experience of at least two years in preparing project documentation in the appropriate field, and

- a proof of participation in the preparation of at least three project documentations in the appropriate field for the second category constructions referred to in Article 57 of this Law, attested by the legal entity where the project documentation has been prepared.

Article 18

(1) If more designers participate in the designing process, the legal entity for designing shall assign a head designer to be responsible for the complete harmonization of the projects.

(2) In the course of designing, the head designer shall ensure and coordinate the preparation of the projects and shall be responsible for the application of the designing regulations.

(3) The head designer may at the same time be a designer of a certain type of project which is part of the project documentation.

Article 19

(1) For the purpose of controlling the project implementation in the course of the construction, the designer may conduct designing supervision upon a request of the investor.

(2) The supervisory engineer may require particular parts of the project to be altered.

(3) In the cases referred to in paragraph (2) of this Article, a procedure for alteration during the construction shall be conducted in accordance with Article 69 of this Law.

3. Audit

Article 20

(1) Auditor shall be a natural person auditing the projects for building the constructions referred to in Article 57 of this Law for the purpose of establishing the conformity of the projects with the provisions of this Law, the designing standards and norms and the technical regulations for construction and shall hold an A and/or B audit authorization.

(2) The auditor shall conduct the audit within a legal entity registered in the Central Register for carrying out a respective activity and holds a license for audit of project documentation.

(3) The auditor cannot audit the project documentation for a construction for which the whole or parts of the referred project documentation is prepared by the legal entity where the auditor is employed.

Article 21

(1) Audit of the basic project, depending on the nature of the construction, shall be conducted in terms of fulfillment of the basic requirements for the construction, in line with this or another law.

(2) The audit of the basic project shall be mandatorily conducted with regard to the mechanical endurance, stability and seismic protection of the constructions.

(3) The auditor shall be obliged to prepare a report for the completed audit of the project in writing and to verify the audited project.

(4) The audit of the basic project shall be mandatorily conducted in all phases of the basic project.

Article 22

The content and scope of the audit, the manner of verification of the audited project by the auditor, shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

3.1. License for audit of project documentation

Article 23

(1) The legal entity for conducting an audit of projects for the first category constructions referred to in Article 57 of this Law shall hold an A license for audit of project documentation, and a B license for audit of project documentation for the second category constructions.

(2) In order to obtain an A license for audit of project documentation, the legal entity should submit:

- a proof to be registered for carrying out the respective activity and
- a proof to have employed at least three engineers, one of them holding an A authorization for audit of project documentation and one of them holding a B authorization for audit of project documentation.

(3) Together with the application for obtaining a B license for audit of project documentation, the legal entity should submit:

- a proof to be registered for carrying out the respective activity and
- a proof to have employed at least two engineers, one of them holding a B authorization for audit of project documentation.

3.2. Authorizations for audit of project documentation

Article 24

(1) For the purpose of conducting audit of the first category constructions referred to in Article 57 of this Law, the Chamber of Authorized Architects and Engineers shall issue an A authorization for audit of project documentation, and a B authorization for audit of project documentation for the second category constructions.

(2) Together with the application for obtaining an A authorization for audit of project documentation, the natural person should submit:

- a proof for holding a university degree in the appropriate technical field (diploma or certificate for completed higher education, and if the applicant has acquired a university degree according to the European credit transfer system (ECTS), he/she should have 300 credits),
- a proof of work experience of at least five years in audit of project documentation in the respective field, or work experience of at least five years in conducting procedures for issuance of construction approval for the first category constructions referred to in Article 57 of this Law, and
- a proof for participation in at least three audits of project documentation in the respective field for the first category constructions referred to in Article 57 of this Law, attested by the legal entity where the audit has been conducted.

(3) Together with the application for obtaining a B authorization for audit of project documentation, the natural person should submit:

- a proof for holding a university degree in the appropriate technical field (diploma or certificate for completed higher education, and if the applicant has acquired a university degree according to the European credit transfer system (ECTS), he/she should have 240 credits),
- a proof of work experience of at least two years in audit of project documentation in the respective field, or work experience of at least five years in conducting procedures for issuance of construction approval for the second category constructions referred to in Article 57 of this Law, and
- a proof for participation in at least three audits of project documentation in the respective field for the second category constructions referred to in Article 57 of this Law, attested by the legal entity where the audit has been conducted.

4. Contracting

Article 25

(1) Contractor shall be any legal entity that carries out, i.e. builds the construction or part of it, pursuant to a construction contract concluded with the investor.

(2) For carrying out the activities referred to in paragraph (1) of this Article, the legal entity should be registered in the Central Register for carrying out construction and/or construction-craftsman activities, and should hold a contractor license.

4.1. Contractor license

Article 26

(1) For the purpose of building the first category constructions referred to in Article 57 of this Law, the legal entity should hold an A contractor license, and for building the second category constructions, the legal entity should hold a B contractor license.

(2) Together with the application for obtaining an A contractor license, in terms of this Law, the legal entity should submit:

- a proof to be registered for carrying out the respective activity and
- a proof to have at least 20 employees, three of them holding an A authorization for construction engineer and one person holding a B authorization for construction engineer.

(3) Together with the application for obtaining a B contractor license, the legal entity should submit:

- a proof to be registered for carrying out the respective activity and
- a proof to have at least five employees, two of them holding a B authorization for construction engineer.

Article 27

The contractor may entrust the carrying out of particular construction activities to another legal entity (sub-contractor) that meets the requirements for carrying out those activities prescribed by this Law, for which it shall conclude a contract.

Article 28

The construction and the other activities in a construction entered in the National Register of Cultural Heritage may be carried out by an entity that, in addition to the requirements prescribed by this Law, meets the requirements established in the regulations pertaining to protection of cultural heritage.

Article 29

(1) The contractor shall be obliged to:

- carry out construction activities under the obtained license;
- carry out construction activities in line with the construction approval, the audited basic and construction project and if a construction approval has been issued based on a draft project in accordance with the Law on Technological Industrial Development Zones and the Law on Industrial and Green Zones, to carry out construction activities in accordance with the construction approval and the draft project,;
- keep a site diary and a log book when carrying out the construction activities;
- provide proofs of the prescribed quality for built-in construction products;
- implement measures for protection and safety at the construction site, in accordance with the law, and
- ensure proofs for the origin of the dimension stone, construction sand and gravel (sale and purchase agreement, invoice, certificate of receipt and alike), and
- provide an opinion on the built level of mechanical endurance, stability and seismic protection of the construction in the course of the building and an opinion on the built level of mechanical endurance, stability and seismic protection of the construction upon completion of the whole construction system of the construction.

(2) The form, content and manner of keeping the site diary and the log book shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

Article 30

(1) The contractor shall assign a construction engineer to manage the building of the construction and to be responsible for the fulfillment of the obligations defined in Article 29 of this Law.

(2) In the course of building the construction, the contractor may assign several construction engineers, whereas one shall be assigned as a head construction engineer to be responsible for the fulfillment of the obligations defined in Article 29 of this Law, as well as for mutual synchronization of the activities.

(3) The construction engineer shall be any natural person with appropriate technical profession, holding an authorization for a construction engineer, in accordance with this Law.

4.2. Authorizations for a construction engineer

Article 31

(1) Regarding the management of the building of the first category constructions referred to in Article 57 of this Law, the Chamber of Authorized Architects and Engineers shall issue an A authorization for a

construction engineer, and a B category for a construction engineer for the second category constructions.

(2) Together with the application for obtaining an A authorization for a construction engineer, the natural person should submit:

- a proof for holding a university degree in the appropriate technical field (diploma or certificate for completed higher education, and if the applicant has acquired a university degree according to the European credit transfer system (ECTS), he/she should have 300 credits),
- a proof of work experience of at least five years in building constructions referred to in Article 57 of this Law, and
- a proof of participation in the construction of at least three first category constructions referred to in Article 57 of this Law, attested by the legal entity that has built the constructions.

(3) Together with the application for obtaining a B authorization for a construction engineer, the natural person should submit:

- a proof for holding a university degree in the appropriate technical field (diploma or certificate for completed higher education, and if the applicant has acquired a university degree according to the European credit transfer system (ECTS), he/she should have 180 credits),
- a proof of work experience of at least two years in building the constructions referred to in Article 57 of this Law, for persons holding a university degree, i.e. at least five years for persons holding a college degree, and
- a proof of participation in building of at least three second category constructions referred to in Article 57 of this Law, attested by the legal entity that has built the constructions.

Article 32

Deleted 3

5. Supervision of construction

Article 33

(1) Supervisory engineer shall be any natural person that supervises the building of the construction, and holds an A and/or B authorization for a supervisory engineer.

(2) The supervisory engineer referred to in paragraph 1 of this Article shall carry out the supervisory activities in the legal entity registered in the Central Register for carrying out the respective activity and holds a supervisory license.

(3) Supervisory engineer cannot be a person employed in the legal entity, contractor of the construction under supervision, or it shall be considered basis for permanent revocation of the authorization for a supervisory engineer.

5.1. Supervisory license

Article 34

(1) The legal entity for supervision of the building of the first category constructions referred to in Article 57 of this Law should hold an A supervisory license, and B supervisory license for the second category constructions.

(2) Together with the application for obtaining an A supervisory license, the legal entity should submit:

- a proof to be registered for carrying out the respective activity and
- a proof to have employed at least four engineers, two of them holding an A supervisory authorization.

(3) Together with the application for obtaining a B supervisory license, the legal entity should submit:

- a proof to be registered for carrying out the respective activity and
- a proof to have employed at least three engineers, two of them holding a B supervisory authorization.

5.2. Authorizations for supervisory engineer

Article 35

(1) For the purpose of conducting the supervision of the first category constructions, the Chamber of Authorized Architects and Engineers shall issue an A authorization for a supervisory engineer, and a B authorization for a supervisory engineer for the second category constructions.

(2) Together with the application for obtaining an A authorization for a supervisory engineer, the natural person should submit:

- a proof for holding a university degree in the appropriate technical field (diploma or certificate for completed higher education, and if the applicant has acquired a university degree according to the European credit transfer system (ECTS), he/she should have 300 credits),
- a proof of work experience of at least five years in conducting supervision of contracted constructions referred to in Article 57 of this Law or of building the constructions referred to in Article 57 of this Law, and
- a proof of participation in supervision in the respective field of at least three first category constructions referred to in Article 57 of this Law, attested by the legal entity under supervision or a proof of participation in the building of at least three first and second category constructions referred to in Article 57 of this Law, attested by the contracting legal entity.

(3) Together with the application for obtaining a B authorization for a supervisory engineer, the natural person should submit:

- a proof for holding a university degree in the appropriate technical field (diploma or certificate for completed higher education, and if the applicant has acquired a university degree according to the European credit transfer system (ECTS), he/she should have 240 credits),
- a proof of work experience of at least three years in supervision over contracted constructions referred to in Article 57 of this Law or over building the constructions referred to in Article 57 of this Law, and
- a proof of participation in supervision in the respective field of at least three second category constructions referred to in Article 57 of this Law, attested by the legal entity under supervision, or a proof of participation in building of at least three third, fourth and fifth category constructions referred to in Article 57 of this Law, attested by the contracting legal entity.

Article 36

(1) The supervisory engineer shall be obliged to:

- control the building whether it is in conformity with the basic project and the construction approval, and if a construction approval has been issued based on a draft project in accordance with the Law on Technological

Industrial Development Zones and the Law on Industrial and Green Zones, to control the building whether it is in conformity with the draft project and the construction approval,

- establish whether the ground for the designed construction is marked, in accordance with Article 82 of this Law,
- control the construction during each building phase (during staking out and transferring the foundation of the construction from the design onto the land anticipated for construction, during the excavation for building the foundation, during each built level, i.e. floor of the construction, during building the roof structure, final façade and other craftsman's activities),
- confirm whether the participants in the construction hold the appropriate licenses and authorizations,
- control the quality of the materials built in the construction,
- establish whether the contractor has ensured proofs for the origin of the dimension stone, construction sand and gravel, and if he/she establishes that they are not ensured, to notify the competent body referred to in Article 58 of this Law that has issued the construction approval, as well as the State Inspectorate for Technical Inspection,
- establish whether the contractor has obtained an opinion on the build level of mechanical endurance, stability and seismic protection of the construction in the course of the building process and an opinion on the built level of mechanical endurance, stability and seismic protection of the construction after the whole construction system of the construction is built,
- inform the investor and the competent construction inspector about the established flaws or irregularities during the construction process and note them in the site diary, and
- prepare a final report for the completed supervision.

(2) At each phase of building the construction, the contractor and the investor shall be obliged to enable the supervisory engineer to conduct control, or the supervisory engineer shall be obliged to inform the competent construction inspector to perform insight on the spot and to establish the construction situation together.

(3) For each phase of building of the construction, the supervisory engineer shall compose a written report for the completed control with assessment of the conformity of the construction with the design and the construction requirements.

(4) During the building of the construction, the legal entity conducting supervision may assign several supervisory engineers, in which case it shall assign a head supervisory engineer who shall be responsible for the mutual synchronization of the supervision of the construction and for the preparation and submission of the final report about the completed supervision.

Article 36-a

The person that supervises the construction of facilities intended for storehouses and warehouses cannot define a price higher than 0,5% of the value of the facility for the completed supervision.

Article 37

Deleted 4

6. Issuance and revocation of licenses and authorizations

Article 38

(1) The licenses prescribed by this Law shall be issued upon filed application for a period of seven years and they cannot be transferred to another person. The licenses shall be issued, revoked, and records of the issued and revoked licenses shall be kept by the body responsible for carrying out the activities related to land development.

(2) In order to obtain the licenses, the legal entities shall pay an appropriate charge. The amount of the charge, depending on the type of the license, shall be defined by the minister heading the state administrative body responsible for carrying out the activities related to land development, and it cannot be lower than Euro 200 in Denar counter-value or higher than Euro 3.000 in Denar counter-value. The funds generated from the charge shall be considered income to the Budget of the Republic of Macedonia.

(3) Upon the expiry of the validity period, the license may be renewed if the legal entity meets the requirements prescribed by this Law. The charge referred to in paragraph (2) of this Article shall not be paid for renewal of the license.

(4) The license issued in accordance with the provisions of this Law shall be revoked if it is established that the legal entity - holder of the license has ceased to meet any of the requirements for issuance of a license, or the legal entity has failed to fulfill the obligation for damage liability in an insurance company in the Republic of Macedonia in accordance with Article 41-a of this Law, or the legal entity has ceased to exist.

(5) A contractor license shall be revoked if the legal entity - contractor builds constructions contrary to the construction approval or without a construction approval, a license for supervision shall be revoked if the legal entity for supervision of the building of constructions draws up or verifies a written report for a particular phase of the construction with conclusions which are not in accordance with the activities completed, draws up or verifies a final report for a conducted supervision with conclusions which are not in accordance with the activities completed, draws up or verifies a report for completed technical control contrary to the provisions of Article 90 paragraphs (3) and (4) of this Law, a designing license shall be revoked if the legal entity for designing constructions prepares, that is, verifies project documentation contrary to the legal regulations, and a license for audit of project documentation shall be revoked if the legal entity for audit of project documentation draws up, that is, verifies a report for audit of the project documentation contrary to the legal regulations.

(6) In the cases referred to in paragraph (4) of this Article, the license shall be revoked *ex officio*, and in the cases referred to in paragraph (5) of this Article, the license shall be revoked on the basis of a proposal of a construction or a competent construction inspector by minutes for the established irregularity, and regarding the constructions of a second category referred to in Article 57 of this Law, also on the basis of a proposal by the body responsible for the issuance of the construction approval referred to in Article 58 of this Law, for this kind of constructions, by minutes for the established irregularity. The license shall be revoked by a decision of the state administrative body responsible for the issues in the field of land development as of the day the decision on revocation of the license becomes legally valid. An appeal against the decision cannot be filed, but a lawsuit is allowed before the Administrative Court within a period of 30 days as of the day of receipt of the decision.

(7) The legally valid decision on revocation of the license shall be entered in the Register on Issued and Revoked Licenses. The body responsible for issues in the field of land development shall submit the legally valid decision on revocation of the license to the Central Register of the Republic of Macedonia for the purpose of entering the prohibition referred to in paragraph (8) of this Article.

(8) A legal entity - a holder of the A license that has been revoked due to the irregularities stated in paragraph (4) of this Article cannot obtain an A license for carrying out the same activities as the activities to which the revoked license refer to in a period of one year after the day the decision on revocation of the license becomes legally valid, a legal entity - a holder of the B license that has been revoked due to the irregularities stated in paragraph (4) of this Article cannot obtain an A license and a B license for carrying out the same activities as the activities to which the revoked license refer to in a period of one year after the day the decision on revocation of the license becomes legally valid, and a legal entity whose license has been revoked due to the irregularities stated in paragraph (5) of this Article cannot obtain an A license and a B license for carrying out the same activities as the activities to which the revoked license refer to in a period of five years after the day the decision on revocation of the license becomes legally valid. The responsible person in the legal entity that has been revoked the license due to the irregularities referred in paragraph (4) of this Article cannot establish another legal entity for carrying out the same activity as being carried out by the legal entity whose license has been revoked in accordance with this Law in a period of one year after the day the decision on revocation of the license becomes legally valid, and the responsible person in the legal entity that has been revoked the license due to the irregularities referred in paragraph (5) of this Article cannot establish another legal entity for carrying out the same activity as being carried out by the legal entity whose license has been revoked in accordance with this Law in a period of five years after the day the decision on revocation of the license becomes legally valid. The legal entity whose license has been revoked shall be obliged to return the license to the state administrative body responsible for carrying out the activities related to land development within a period of eight days as of the day the decision on revocation of the license becomes legally valid.

(9) The manner and procedure for issuance, renewal, revocation of licenses, the design and content of the form for the licenses, as well as the design, content and manner of keeping the register shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

(10) Pursuant to the obtained license for carrying out activities for building, designing, audit, supervision and maintenance of constructions referred to in Article 57 of this Law, the legal entity may also carry out these activities for constructions of lower category than the one for which the license has been issued.

(11) The form and content of the application referred to in paragraph (1) of this Article shall be prescribed by the minister heading the state administrative body responsible for the activities in the field of land development.

Article 39

(1) The authorizations prescribed by this Law shall be issued upon filed application for a period of five years and they cannot be transferred to another person. The authorizations shall be issued, revoked, and register

of issued and revoked authorizations shall be kept by the Chamber of Authorized Architects and Engineers.

(2) In order to obtain the authorizations, a charge shall be paid, in accordance with the public services price list referred to in Article 109 paragraph (1) point 7 of this Law. The funds generated from the charge for obtaining authorizations referred to in this Article shall be considered income to the Chamber of Authorized Architects and Engineers.

(3) Upon expiry of the validity period, the authorization may be renewed upon request of the natural person. The charge referred to in paragraph (2) of this Article shall not be paid for renewal of the authorization.

(4) The authorization issued in accordance with the provisions of this Law shall be revoked if the competent body of the Chamber of Authorized Architects and Authorized Engineers establishes that the natural person does not abide by the price list referred to in Article 109 point 7 of this Law, has not paid an annual membership fee, or does not abide by the Code of Professional Ethics of Authorized Architects and Authorized Engineers.

(5) An authorization for a construction engineer shall be revoked if the construction engineer builds constructions contrary to the construction approval or without a construction approval, an authorization for a supervisory engineer shall be revoked if the supervisory engineer draws up a written report for a certain phase of the construction with conclusions that are not in accordance with the activities carried out, draws up a final report for a completed supervision with conclusions that are not in accordance with the activities carried out, draws up a report for a conducted technical control contrary to the provisions referred to in Article 90 paragraphs (3) and (4) of this Law, an authorization for preparation of a project documentation shall be revoked if the designer prepares a project documentation contrary to the legal regulations, and an authorization for audit of project documentation shall be revoked if the auditor draws up a report on audit of project documentation contrary to the legal regulations.

(6) In the cases referred to in paragraph (4) of this Article, the authorization shall be revoked *ex officio* and in the cases referred to in paragraph (5) of this Article, the authorization shall be revoked on the basis of a proposal of a construction or a competent construction inspector by minutes for the established irregularity or on the basis of a proposal of the body responsible for the issuance of the construction approval referred to in Article 58 of this Law by minutes for the established irregularity or *ex officio*. The authorization shall be revoked by a decision of the Chamber of Authorized Architects and Authorized Engineers as of the day the decision on revocation of the authorization becomes legally valid. An appeal against the decision cannot be filed, but a lawsuit with the Administrative Court shall be allowed in a period of 30 days as of the day of receipt of the decision.

(7) The legally valid decision on revocation of the authorization shall be entered in the Directory of Authorized Architects and Authorized Engineers.

(8) The natural person whose authorization is revoked due to irregularities referred to in paragraph (4) of this Article cannot obtain an A authorization and a B authorization for carrying out the same activities for which the revoked authorization refers to within a period of one year as of the day the decision on revocation of the authorization becomes legally valid, and

the natural person whose authorization is revoked due to irregularities referred to in paragraph (5) of this Article cannot obtain an A authorization and a B authorization for carrying out the same activities for which the revoked authorization refers to within a period of seven years as of the day the decision on revocation of the authorization becomes legally valid. The natural person whose authorization is revoked shall be obliged to return the authorization to the Chamber of Authorized Architects and Engineers within a period of eight days as of the day the decision on revocation becomes legally valid.

(9) The manner and procedure for issuance, renewal, revocation of authorizations, the design and content of the form of the authorizations, as well as the design, content and manner of keeping the register shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

(10) Pursuant to the obtained A authorization for carrying out activities related to building, designing, audit, supervision of constructions referred to in Article 57 of this Law, the natural person may also carry out these activities for constructions for which B authorization is anticipated by this Law.

(11) The form and content of the application referred to in paragraph (1) of this Article shall be prescribed by the minister heading the state administrative body responsible for the activities in the field of land development.

Article 39-a

(1) Upon the application referred to in Articles 38 paragraph (1) and 39 paragraph (1) of this Law, within a period of 30 days, the competent body shall be obliged to issue a license, i.e. authorization or to adopt a decision for rejection of the application for issuance of a license, i.e. authorization.

(2) Appeal against the decision on rejection of the application for issuance of a license, i.e. authorization may be filed to the State Commission for Decision-making in Administrative Procedure and Labor Relation Procedure in Second Instance.

Article 39-b

Deleted 5

Article 40

In order to carry out the activities pertaining to interior design of the construction, such as lighting, painting the walls, setting up parquet, tiles, doors and windows, water installation works, landscaping, as well as other craftsman's activities, the contractor of these activities should be registered in the Central Register for carrying out the appropriate activity and does not need to have a license or authorization under this Law.

Article 41

The participants in the building of constructions referred to in Article 57 of this Law may anticipate provision of a bank guarantee the amount of which is to be defined by a mutual agreement and which guarantees that the activities are to be carried out on time and in a quality manner, that the possible damage caused while carrying out the activities is to be

compensated, as well as that the payment for the completed activities is to be made on time.

Article 41-a

(1) The participants in the building of constructions referred to in Article 57 of this Law (investor, legal entities for design, audit, building and supervision of the construction) shall be liable for the damage caused to third parties when carrying out their activity and contractual obligations.

(2) The legal entities for design, audit, building and supervision of the construction shall be obliged to have liability insurance in an insurance company in the Republic of Macedonia against damage that might be caused by their work to the investors or to third parties.

(3) The annual amount of the insurance coverage for the total number of constructions for the participants in the building of the first category constructions referred to in Article 57 of this Law cannot be lower than Euro 10.000 in Denar counter-value, and for the second category constructions it cannot be lower than Euro 5.000 in Denar counter-value.

7. Foreign natural persons and legal entities

Article 42

(1) Foreign legal entity may carry out activities for design, audit, building and supervision prescribed by this Law in the Republic of Macedonia if it obtains a certificate for carrying out the referred activities by the state administrative body responsible for carrying out the activities related to land development. In order to obtain a certificate, the legal entity from a member state of the European Union should file an application and proofs to certify that the entity is registered to carry out the respective activity in the country where it has its head office and that it has a permit, i.e. a license to carry out the respective activities for the type of construction for which it applies to obtain a certificate, and a legal entity from a country that is not a member state of the European Union should also submit a list of completed activities. In case a permit, i.e. a license is not issued in the state, the foreign legal entity from the member state of the European Union shall be obliged, together with the application, to submit a proof from the competent body of the referred state that, in accordance with its regulations on carrying out the referred activities, a permit, i.e. a license is not issued, and a proof to certify that the entity is registered for carrying out the referred activity in the state where it has its head office, and a legal entity that is not a member of the European Union should also submit a list of completed activities. On the basis of the submitted proofs, the state administrative body responsible for carrying out the activities in the field of land development shall issue a certificate, in accordance with this Law, which activities the foreign legal entity may perform in the Republic of Macedonia.

(2) Foreign natural person that holds an authorization from another state may carry out activities for design, audit, building and supervision of constructions in the Republic of Macedonia if the authorization is attested by the Chamber of Authorized Architects and Engineers.

(3) Foreign legal entity may carry out the activities referred to in paragraph (2) of this Article within a legal entity registered in the Central Register for carrying out the referred activities.

(4) As an exception to paragraph (3) of this Article, domestic and foreign natural person may also carry out the activities for design, audit and supervision over constructions in the Republic of Macedonia independently if selected in a public procurement procedure for carrying out these activities in a project financed by an international organization and the European Union.

(5) Validation of the authorization shall be made by the Commission referred to in Article 55 of this Law by which it is determined whether the authorization of a foreign natural person corresponds to the authorizations prescribed by this Law. If the Commission establishes that the authorization corresponds, it shall issue a certificate for its credibility and for the type of authorization that the foreign natural person acquires in the Republic of Macedonia. In order to obtain the certificate a charge shall be paid according to the public services price list referred to in Article 109, paragraph (1), point 7 of this Law.

(6) As an exception, a foreign legal entity and natural person may carry out the activities related to design, audit, building and supervision prescribed by this Law, provided that an interstate reciprocity contract has been concluded pursuant to the conditions defined by the contract.

IV. PROJECT DOCUMENTATION

Article 43

(1) Project documentation shall be a set of mutually harmonized studies, projects, surveys, analyses, expert reports and other documentation that establishes the concept and defines the technical solution for the construction, reviews the conditions and ways of building and ensures its technological function, anticipated duration and conditions for use.

(2) According to the level of preparation, the project may be:

- 1) pre-construction activities project;
- 2) basic project;
- 3) draft project;
- 4) as-built project, and
- 5) project for use and maintenance of the construction.

(3) According to the purpose, the project may be:

- 1) architectural;
- 2) engineering (statics with seismics);
- 3) electro-technical;
- 4) traffic-related;
- 5) thermo-technical, and
- 6) other projects and studies, depending on the purpose of the construction.

(4) The projects referred to in paragraphs (2) and (3) of this Article shall be prepared in line with the designing standards and norms and the other technical regulations that establish the basic parameters in the designing and architectural formation of the constructions.

(5) The designing standards and norms referred to in paragraph (4) of this Article shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

Article 44

The project documentation, i.e. the individual projects shall mandatorily contain a general part that includes:

- 1) name and signature of the designer, title of the construction with exact location, name, i.e. title of the investor, mark and technical number of the project documentation for the construction per phases separately, and date of preparation,
- 2) proof of registration of the legal entity where the project documentation is verified with priority activity or main income code and verification by a seal,
- 3) proof of designing license for a legal entity and designer's authorization,
- 4) project program signed by the investor that sets out the architectural, technical-technological and other requirements for preparing the project documentation, and
- 5) project explanation, bill of quantities and designers' calculation of the construction activities.

Article 45

Deleted 6

Article 45-a

(1) An infrastructure project shall be prepared for linear infrastructure constructions, for functional parts of infrastructure constructions, as well as for infrastructure constructions composed of several parts at least one of which constitutes a linear infrastructure. The project shall contain a technical solution for the infrastructure with all of its elements containing a textual part and graphic appendixes and shall show the track of the infrastructure and other data on the construction.

(2) The infrastructure project shall also contain an environmental impact assessment study of the project, i.e. an environmental protection study approved by a competent body, if the regulations in the field of environment anticipate the preparation of a study for such type of infrastructure.

1. Pre-construction activities project

Article 46

The pre-construction activities project, depending on the complexity and technical structure of the construction, shall be composed of:

- text that contains description of the location and manner of supply of the construction site with electrical energy and water, manner of waste and polluted waters drainage from the construction site, manner of connecting the construction site to the existing traffic roads, and the manner of treatment of the construction waste (construction debris) from the site itself, and
- graphic attachment that contains a scheme of the organization of the construction site and how the construction site is connected to the existing traffic roads.

2. Basic project

Article 47

(1) The basic project shall be a set of mutually harmonized projects that provide technical solution for the construction, display the position of the construction at the location and the fulfillment of the basic requirements

for the construction and it shall be prepared on the basis of an excerpt from a detailed urban plan or urban plan for uninhabited place or urban plan for a village, or state, i.e. local urban planning documentation, and regarding the linear infrastructure constructions, on the basis of an infrastructure project prepared in accordance with the law.

(2) In the cases referred to in Article 48-a paragraph (3) of this Law, the basic project shall be prepared on the basis of the approved draft project.

(3) The basic project shall contain the corresponding projects referred to in Article 43 paragraph (3) of this Law.

(4) The basic project shall contain an environmental impact assessment study of the project, i.e. an environmental protection study approved by a competent body, if the regulations in the field of environment anticipate the preparation of a study for such type of construction.

(5) The basic project for linear infrastructure constructions for which infrastructure project has been prepared, shall not contain an environmental impact assessment study of the project, i.e. an environmental protection study approved by a competent body.

(6) The basic project, except for individual housing facilities and public facilities with a capacity of concurrent stay of maximum 25 people, shall also contain a study for protection against fire, explosion and hazardous materials.

(7) Where the basic project for linear infrastructure constructions is prepared before the infrastructure project approval, its harmonization with the infrastructure project shall be confirmed in the basic project audit report by the legal entity that audits the basic project.

(8) The basic project for constructions that are located in or beside surface waters, constructions that cross above or under surface waters, constructions that are located in vicinity of surface waters or waterside lands, and which may affect the water regime, as well as water resources management constructions determined by the Law on Waters, shall also contain a water resources management consent.

(9) The basic project for constructions to which the Rulebook for Energy Performance of Buildings applies shall contain a certificate from a sole proprietor or a legal entity that holds a license to conduct an energy audit confirming that the minimum requirements for energy efficiency that are contained in the basic project are in compliance with the minimum requirements for energy efficiency.

Article 48

(1) The basic reconstruction project shall contain a project of the existing condition and a reconstruction project.

(2) The project of the existing condition shall contain footage of the existing condition and control of the fulfillment of the basic requirements for the construction.

(3) The reconstruction project, depending on the type of the reconstruction and the purpose of the construction, shall contain the necessary individual projects referred to in Article 43 paragraph (3) of this Law.

(4) The basic project for reconstruction of constructions that are located in or beside surface waters, constructions that cross above or under surface waters, constructions that are located in vicinity of surface waters or waterside lands, and which may affect the water regime, as well as for reconstruction of water resources management constructions determined by the Law on Waters, shall also contain a water resources management consent.

(5) The basic project for reconstruction of constructions to which the Rulebook for Energy Performance of Buildings applies, except the constructions for individual housing, with regard to major reconstruction, shall contain a certificate from a sole proprietor or a legal entity that holds a license to conduct an energy audit confirming that the minimum requirements for energy efficiency that are contained in the basic project are in compliance with the minimum requirements for energy efficiency.

(6) Major reconstruction, in terms of paragraph (5) of this Article, shall be a reconstruction whose total value is higher than 25% of the value of the construction, not including the value of the land on which the construction is built and the costs for construction land development, or a reconstruction of more than 25% of the area of the appearance of the construction which is the subject of the reconstruction.

3. Draft project

Article 48-a

(1) A draft project shall be a set of mutually harmonized drawings and documents that define the basic forms, the functional and technical solutions for the construction and shall show the position of the construction on the location and shall be prepared on the basis of the excerpt from the urban plan, plan documentation, that is, the infrastructure project.

(2) The draft project, depending on the complexity and the technical structure of the construction, may also contain other drawings and documents significant for the preparation of the draft project (description of the technological procedure and technological scheme, description of the application of particular construction technology and alike).

(3) The investor, before filing the application for issuance of a construction approval, may also submit a draft project for the construction to the competent body referred to in Article 58 of this Law requesting its approval and in the cases referred to in Article 59-j paragraph (1) of this Law, the investor shall be obliged to submit a draft project for the construction, requesting its approval.

(4) A draft project and an excerpt from the urban plan or the urban planning documentation, that is, an infrastructure project verified by a competent body, in the case of linear infrastructure constructions, shall be attached to the application referred to in paragraph (3) of this Article, and regarding the superstructures referred to in Article 59-j of this Law, only a draft project shall be submitted.

(5) The competent body referred to in Article 58 of this Law shall be obliged, in a period of ten working days as of the day of receipt of the application referred to in paragraph (3) of this Article, to establish whether the project is prepared in accordance with the regulations of facility design, whether the project is prepared in accordance with the excerpt from the urban plan or the urban planning documentation, that is, the

infrastructure project, and in the case of Article 59-j paragraph (1) of this Law, whether the project disturbs the standards and the norms for the constructions intended for individual housing (A1) with regard to the allowed height (floors and meters) and the number of housing units, which are determined in the Rulebook for the Standards and Norms for Urban Planning, after which it shall approve the project by verifying and sealing it or shall submit a notification to the applicant for the established faults.

Article 48-b

Deleted 7

Article 49

Deleted 8

Article 50

Deleted 9

4. As-built project

Article 51

(1) As-built project shall be a project that illustrates the actual condition of the construction built pursuant to Article 69 of this Law.

(2) The as-built project shall be prepared by a legal entity holding a designing license.

(3) In case the construction is built in accordance with the basic project, without alterations, the basic project shall at the same time constitute the as-built project.

5. Project for use and maintenance

Article 52

(1) The project for use and maintenance shall define the optimal technical-technological and functional conditions that ensure the planned duration of specific parts, i.e. of the whole construction and shall particularly contain the type, manner, purpose and deadlines for periodical control in defined time periods of the condition of the construction system, equipment, devices and installations, periodical monitoring in defined intervals including an analysis of the effect on the technological process, of climate effects, as well as other effects over the loading capacity and stability of particular elements, i.e. of the construction as a whole, the deadlines for regular, i.e. general repairing of plants, devices, equipment and installations, as well as deadlines for mandatory replacement of certain elements, devices, equipment, installations and other parts of the construction.

(2) Based on the project for use and maintenance of linear infrastructure constructions, replacement of plants, devices, equipment, installations and other parts of the construction for the purpose of keeping the basic requirements of the construction may be projected and made.

(3) The project for use and maintenance shall be prepared for the first category constructions referred to in Article 57 of this Law, as well as for

linear infrastructure constructions.

(4) The project for use and maintenance of linear infrastructure constructions together with a positive project audit report shall be submitted to the competent body referred to in Article 58 of this Law which shall be obliged, within a period of seven working days, to approve the project by verifying it and affixing a seal on it or to submit a notification of the established faults.

6. Preparing and keeping project documentation

Article 53

(1) The project documentation shall be prepared in an electronic form in an appropriate format in a manner laid down by the regulation referred to in Article 54 of this Law.

(2) The project documentation together with the construction approval shall be documentation with permanent value and the competent bodies shall be obliged to keep it in accordance with the law.

(3) As an exception to paragraph (1) of this Article, the project documentation for the constructions in the technological industrial development zones established by the Government of the Republic of Macedonia and by legal entities, which are constructed by the lessees and the owners of the land in the technological industrial development zones (except for infrastructure facilities in the zone, which are constructed by the entities - public service providers in charge of construction of electro-technical, water supply, sewage, gas and telecommunication infrastructure), for the constructions in the free health zones, as well as for the constructions in the industrial and green zones established by the Government of the Republic of Macedonia which are constructed by the owners of the land in the industrial and green zones, shall be prepared and verified in a written form, in the manner laid down in the regulation referred to in Article 54 of this Law.

Article 54

The content, marking, manner of verification of the projects by the responsible persons, as well as the manner of use of the electronic forms shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

7. Establishment of harmonization of project documentation (validation)

Article 55

(1) The projects prepared pursuant to foreign regulations shall be harmonized with the construction regulations of the Republic of Macedonia by establishing the harmonization of the projects – validation.

(2) The investor shall submit the projects referred to in paragraph (1) of this Article, prior to their validation, translated in Macedonian language and its Cyrillic letter, as well as in an official language other than the Macedonian language in accordance with the law. The original text in the foreign language shall be submitted along with the translation.

(3) The validation of the projects shall be made by the Chamber of Authorized Architects and Engineers through a commission composed of minimum three members, formed by the president of the Chamber of Authorized Architects and Engineers. A person who holds an authorization prescribed by this Law may be a member of the commission.

(4) The validation made by the Chamber has to be completed in a period not exceeding 60 days.

(5) The commission referred to in paragraph (3) of this Article shall prepare a written report, verify the project and give consent to the validation certifying that the project documentation meets the requirements anticipated by the construction regulations in the Republic of Macedonia.

(6) The validation procedure, the content of the written report, the consent to the validation, the manner of verification of the projects by the commission shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

V. CONSTRUCTION APPROVAL

Article 56

(1) The building of the constructions referred to in Article 57 of this Law may commence with the issuance of the construction approval that is legally valid in the administrative procedure.

(2) The constructions and parts of constructions built without construction approval shall be considered unlawful constructions. The parts of the construction built contrary to the verified project and the construction approval shall constitute a basis for nullity of the construction approval.

(3) In the cases referred to in paragraph (2) of this Article, the competent body that has issued the construction approval shall adopt an act for nullity of the construction approval that is further submitted to the state administrative body responsible for keeping the public book of entries of the rights to immovables and it shall constitute a basis for deletion of all comments and preliminary registrations related to the immovable.

1. Categorization of constructions

Article 57

(1) First category constructions shall be: nuclear power stations, thermal power stations and hydro power stations with capacity of and exceeding 1 MV, long-distance transmission lines with voltage level of 35 KV and above, constructions for generation of electrical energy from renewable sources with capacity exceeding 1 MW, transformers with voltage level of 35 KV and above, oil pipelines, refined products pipelines, backbone gas pipelines, backbone thermal pipelines, gas pipelines measuring stations, state roads, service areas on the state roads determined by law, railway lines, railway stations at railway lines, airports, dumps for hazardous waste, dams with accumulations, constructions for mineral and chemical industry, constructions for the ferrous and non-ferrous metallurgy, constructions for manufacturing wood pulp and paper, constructions for processing leather and fur, constructions for processing rubber, gunpowder and explosive ammunition, constructions for storage of

explosives, warehouses for oil derivatives, natural gas and LPG with storage capacity of 1.000 tones and above, constructions for protection against landslides, constructions that might endanger the environment, constructions for the needs of the state bodies and the agencies and funds established by the Republic of Macedonia, constructions for the needs of legal entities fully or predominantly owned by the Republic of Macedonia, constructions for diplomatic and consular offices and for international organizations, tourism development zones and the constructions therein, industrial and green zones established by the Republic of Macedonia and the constructions therein, free health zones and the constructions therein, technological industrial development zones established by the Government of the Republic of Macedonia and by legal entities and the constructions in these zones, constructions for higher education purposes, observatories, national cultural institutions, constructions considered protected immovable cultural heritage in accordance with the law (separate goods, monumental wholes without the contact zones and archaeological sites), memorial monuments, constructions intended for tertiary health protection, telecommunication centers for receipt of satellite signals, constructions for the needs of the border crossings, constructions of special interest (except individual housing facilities) planned by the urban planning documentation, regional water supply and sewage systems with treatment systems, regional dumps, aerial cableways, constructions planned on the area of two or more municipalities, constructions that contain installations for generation of thermal energy, lake and river harbors, stadiums and sports halls with capacity of more than 10.000 spectators.

(2) Second category constructions shall be: constructions intended for primary and secondary school education, constructions in the field of culture, constructions for the needs of the bodies of the municipalities, the municipalities in the city of Skopje and the City of Skopje, industrial and green zones established by the municipalities, the municipalities in the city of Skopje and the constructions therein, constructions intended for the primary and secondary protection, constructions for the needs of the religious communities, industrial constructions, economy constructions, business constructions, residential and business constructions, constructions for individual housing, constructions for individual housing planned by the urban planning documentation for constructions of special interest, weekend cottages, constructions for collective housing, constructions for the needs of the agro-exchange markets, trade centers, hotels, recreational centers, constructions for scientific and research activity, multi-floor parking lots, markets, municipal roads, accompanying service facilities on the municipal roads and streets defined by law, electronic communication networks and devices, thermal and hydro power stations with capacity of up to 1 MV, windmills, constructions for generation of electrical energy from renewable sources with capacity of up to 1 MW, photo-power panels for generation of electricity installed on ground, long-distance transmission lines with voltage level of up to 35 KV, transformers with voltage level of up to 35 KV, warehouses for oil derivatives, natural gas and LPG with storage capacity of up to 1.000 tones, secondary gas pipeline, secondary thermal pipeline, tram rails, constructions for fire protection, constructions for veterinary protection, kindergartens, constructions in national parks areas and forest parks, constructions for separation of materials for production of concrete, concrete base, asphalt base, local water supply and sewage systems with treatment systems, constructions serving for protection and promotion of the natural heritage (information centers), dumps for internal waste (waste from a construction site) and dumps for non-hazardous waste, mines and constructions for the needs of the mines, auto camps and

constructions for the needs of the auto camps, facilities for waste storage, treatment and/or recycling, intercity bus stations, zoos, stadiums and sports hall with capacity less than 10.000 spectators, irrigation and drainage systems, ground level swimming pools for public use, public parks, public parking lots and ski-lifts.

2. Competent bodies for issuance of construction approval

Article 58

(1) The first category constructions referred to in Article 57 of this Law shall be constructions significant for the Republic and the construction approval thereof shall be issued by the state administrative body responsible for carrying out the activities related to land development.

(2) The second category constructions referred to in Article 57 of this Law shall be constructions of local significance and the construction approval thereof shall be issued by the mayor of the municipality, i.e. the mayors of the municipalities in the city of Skopje.

(3) As an exception to paragraph (1) of this Article, the construction approval for the constructions in the technological industrial development zones established by the Government of the Republic of Macedonia and by legal entities, which are constructed by the lessees and the owners of the land in the technological industrial development zones (except for infrastructure facilities in the zone, which are constructed by the entities - public service providers in charge of construction of electro-technical, water supply, sewage, gas and telecommunication infrastructure), for the constructions in the free health zones, as well as for the constructions in the industrial and green zones established by the Government of the Republic of Macedonia which are constructed by the owners of the land in the industrial and green zones, shall be issued by the Directorate for Technological Industrial Development Zones, in a manner and procedure determined by the Law on Technological Industrial Development Zones, that is, the Law on Industrial and Green Zones, and for the constructions in the technological industrial development zones (except for the infrastructure facilities in the zones, which are constructed by the entities - public service providers in charge of construction of electro-technical, water supply, sewage, gas and telecommunication infrastructure) for which a contract for public private partnership is concluded, the construction approval shall be issued by the Ministry of Economy in the manner and procedure determined by the Law on Technological Industrial Development Zones.

(4) As an exception to paragraph (2) of this Article, the procedure for issuance of a construction approval for building backbone and junction streets in the area of the City of Skopje, a construction approval for linear infrastructure facilities the building of which, under the Law on the City of Skopje, is within the competence of the City of Skopje, an approval for extension, superstructure and an approval for reconstruction of facilities for which a decision is adopted by the Council of the City of Skopje in accordance with Article 67-a paragraph (1) of this Law, an approval for construction and reconstruction of squares that are within the competence of the City of Skopje, an approval for construction and reconstruction of roads that enable access to the squares that are within the competence of the City of Skopje, an approval for construction of lineal infrastructure constructions with auxiliary facilities in the river beds that are located in the area of the City of Skopje, an approval for construction of auxiliary

facilities in parks that are within the competence of the City of Skopje, shall be conducted by the City of Skopje and the approval for construction, extension, superstructure, that is, the approval for reconstruction shall be issued by the mayor of the City of Skopje.

(5) As an exception to paragraph (2) of this Article, the procedure for issuance of a construction approval for linear infrastructure constructions, stadiums and sports halls having a gross developed area of over 1500 m², the investor of which is the Republic of Macedonia and the construction of which is financed solely from the funds of the Budget of the Republic of Macedonia, shall be carried out by the state administrative body responsible for carrying out the activities in the field of land development, and the construction approval shall be issued by the state administrative body responsible for carrying out the activities in the field of land development.

(6) If the urban plan or the state, i.e. the local urban planning documentation anticipates multifunctional construction that includes the first and second category constructions referred to in Article 57 of this Law, the construction approval shall be issued by the state administrative body responsible for carrying out the activities related to land development.

(7) Copy of the legally valid construction approval that is brought by the state administrative body responsible for carrying out the activities related to land development, that is, the Directorate for Technological Industrial Development Zones, that is, the City of Skopje shall be submitted to the local self-government unit where the construction is going to be built, within a period of five days as of the legal validity of the construction approval.

3. Procedure for issuance of construction approval

Article 59

(1) The procedure for issuance of a construction approval shall be conducted in line with the provisions of the Law on the General Administrative Procedure, unless otherwise regulated by this Law.

(2) In order to obtain a construction approval, the investor shall submit an application in an electronic form to the competent body referred to in Article 58 of this Law, with the following documentation:

- architecture and urban project, verified by a competent body, if the urban plan or the urban planning documentation anticipates preparation of this project, that is, an infrastructure project in the case of linear infrastructure constructions;
- basic project, including a report for audit of the basic project or a written report with consent to the validation of the basic project, if it is prepared abroad, as well as a positive opinion on the designed level of mechanical endurance, stability and seismic protection of the construction,
- draft project if it has not been previously submitted and approved in accordance with Article 48-a of this Law,
- proof of the construction right, and
- land survey report for numeric data on the construction land.

(3) If an application is filed for a construction approval for service areas on state, i.e. municipal roads defined by law, the applicant shall also submit a decision on permanent change of the traffic regime issued by a competent body and a statement by the applicant given under full material and criminal liability certifying that the decision on permanent change of the

traffic regime refers to the project submitted via the e-construction approval information system, in addition to the proofs referred to in paragraph (2) of this Article.

(4) If an application is filed for a construction approval for constructions considered protected immovable cultural heritage under law, in addition to the proofs referred to in paragraph (2) of this Article, a conservatory approval issued by the Directorate for Cultural Heritage Protection and a statement by the applicant given under full material and criminal liability certifying that the conservatory approval refers to the project submitted via the e-construction approval information system shall be submitted.

(5) If an application is filed for a construction approval for constructions for generation of electrical and thermal energy, for which a construction approval for such constructions is foreseen in accordance with the energy regulations, in addition to the proofs of Article (2) of this Law, an authorization for building constructions for generation of electrical and thermal energy issued by a competent body shall be submitted.

(6) If an application is filed for a construction approval for electronic communications, networks and devices, in addition to the proofs referred to in paragraph (2) of this Article, notification for electronic data transfer issued by the Agency for Electronic Communications shall be submitted.

(7) If an application is filed for a construction approval for dumps for hazardous waste, dumps for non-hazardous waste and dumps for internal waste, in addition to the proofs referred to in paragraph (2) of this Article, a decision that approves the establishment of a dump issued by a competent body shall be submitted.

(8) The competent body referred to in Article 58 of this Law shall be obliged, within a period of five working days as of the day of receipt of the application, to review the submitted documentation and to establish whether the application is complete, whether the submitted documentation has faults, whether the basic project is prepared in accordance with the designing regulations, the urban plan or the urban planning documentation or the infrastructure project, and whether the applicant is the sole holder of the construction right, and in the case of Article 59-j paragraph (1) of this Law, whether the basic project disturbs the standards and the norms for the constructions intended for individual housing (A1) with regard to the allowed height (floors and meters) and the number of housing units, which are determined in the Rulebook for the Standards and Norms for Urban Planning. If the basic project and a positive basic project audit report is submitted to the application, the competent body shall be obliged to act in accordance with Article 59-c of this Law immediately upon the receipt of the application.

(9) If, upon taking the actions referred to in paragraph (8) of this Article, it is established that the submitted documentation is complete, the requirements referred to in paragraph (8) of this Law are met, and a positive opinion, that is, consent is granted by the entities referred to in Article 59-c of this Law to which a request for inspection of the basic project is submitted, the competent body shall be obliged to act in accordance with paragraph (11) of this Article, or it shall be obliged to adopt a conclusion for suspension of the procedure based on which it shall oblige the applicant to remove the established faults and to supplement the application within a period of 15 days as of the receipt of the conclusion.

(10) If the applicant does not eliminate the established faults and does not supplement the application within the time period referred to in paragraph (9) of this Article, the competent body shall be obliged to adopt a decision rejecting the application for construction approval, and if the applicant eliminates the established faults and supplements the application within the time period referred to in paragraph (9) of this Article, and within the time period referred to in paragraph (8) of this Article a positive opinion, that is, consent is granted by the entities referred to in Article 59-c of this Law to which a request for inspection of the basic project is submitted, the competent body shall be obliged to act in accordance with paragraph (11) of this Article. If any of the entities, within the time period referred to in paragraph (8) of this Article, gives comments to the basic project, the competent body shall be obliged, immediately after the applicant supplements the application, to submit a request for re-inspection of the basic project to the entities referred to in Article 59-c of this Law which have given comments to the basic project in order for them to establish whether it has been acted upon the previously submitted comments.

(11) If the submitted or supplemented documentation is complete, the requirements referred to in paragraph (8) of this Law are met, and a positive opinion, that is, consent is granted by the entities referred to in Article 58-c of this Law to which a request for inspection of the basic project is submitted, the competent body shall be obliged to verify the basic project and to submit to the applicant a notification including a calculation for payment of compensation for construction land development within a period of two days as of completion of the documentation or as of the receipt of a positive opinion, that is, a consent. With regard to the first category constructions, the competent body shall be obliged, upon verification of the basic project, to submit it to the respective municipality for the purpose of preparing a calculation for compensation for construction land development. The applicant shall be obliged to pay the compensation for construction land development or to arrange the payment in a manner set out in paragraph (12) of this Article within a period of 15 working days as of the day of receipt of the notification including the calculation for payment of the compensation.

(12) The competent body shall reject the request for granting a construction approval if the applicant, that is, the investor, within the period referred to in paragraph (11) of this Article, does not pay the compensation for construction land development, that is, does not conclude an agreement with the municipality for payment of the compensation for construction land development in installments, or does not conclude an agreement that establishes that the applicant, that is, the investor is to develop the land on its own expense, or does not submit a bank guarantee for payment of the compensation, or does not establish a mortgage in favor of the municipality, or an act is not adopted pursuant to which the applicant, that is, the investor is exempted from payment of the compensation.

(13) The construction approval shall be issued within a period of five working days as of the submission of the proof of paid compensation for construction land development, i.e. as of the day of conclusion of the contract for the manner of payment of the compensation or the contract that establishes that the investor is to develop the land on its own expense, i.e. as of the day of adoption of the act pursuant to which the investor is exempted from payment of the compensation or as of the day of submission of the bank guarantee for payment of the compensation or submission of a proof of given mortgage for the benefit of the municipality.

(14) The form and content of the application for a construction approval shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

(15) The competent body referred to in Article 58 of this Law that has issued the construction approval shall be obliged to submit to the investor a calculation for payment of the expenses for entry of the facility in the public books of immovables in an electronic form via the e-construction approval information system.

(16) The competent body, in the procedure for issuance of construction approval, cannot require other documentation from the applicant, except the documentation anticipated by this Law.

(17) Construction approval for linear infrastructure facilities such as state roads, local roads and streets, water supply and sewage systems, railway lines, gas pipelines and long-distance transmission lines, refined products pipeline, thermal pipeline, oil pipeline, aerial cableways, constructions for generation of electrical energy from renewable sources, irrigation and drainage systems, ground level swimming pools for public use, constructions considered protected immovable cultural heritage in accordance with the law, as well as for constructions for the needs of state bodies, agencies or funds established by the Government of the Republic of Macedonia and legal entities that are fully or predominantly owned by the Republic of Macedonia, may be issued without the property rights issues for the whole construction parcel to be settled, but obliging the investor to regulate the property rights issues by the time of submission of the application for use approval, that is, by the time of preparation of the report for completed technical control by the supervisory engineer at the latest, and in this case a land survey report for numeric data on the construction land shall not be attached to the application referred to in paragraph (2) of this Article.

(18) The application for obtaining a construction approval and the documentation referred to in paragraphs (2), (3), (4), (5), (6) and (7) of this Article shall be filed in an electronic form via the e-construction approval information system, in a manner laid down by the regulation referred to in Article 59-g paragraph (2) of this Law.

(19) The applicant shall be held liable for the authenticity of all the documents attached to the application in an electronic form via the e-construction approval information system, with the original documents issued by the competent entities.

(20) The construction approval issued on the basis of the documents submitted in an electronic form via the e-construction approval information system, which are not identical to the original documents issued by the competent entities, shall be null and void.

Article 59-a

Proof of the construction right, in terms of this Law, shall be considered:

- a property certificate containing the entered right to ownership or right to long-term lease or right to easement of the construction land, which is an integral part of the land survey for numerical data of the construction land,
- a contract for transfer of the right to construction on the relevant construction land,
- a concession contract or an agreement for public private partnership,
- a decision of the Government of the Republic of Macedonia whereby a

state body, agency or fund established by the Government of the Republic of Macedonia, legal entities fully or predominantly owned by the Republic of Macedonia or a local self-government unit acquires the right to construction,

- a contract with the union of owners of separate parts of the facility or a written consent from the majority owners of separate parts of the facility which constitute more than half of the total area of the facility, who hold property certificates for the separate parts of the facility, in case of extension or superstructure of buildings in floor ownership,
- a decision of the council of the municipality, the council of the municipality in the city of Skopje, that is, the City of Skopje, in case of extension or superstructure of a facility for which a decision in accordance with Article 67-a paragraph (1) of this Law is adopted,
- a statement of the investor confirming that it assumes the obligation to regulate the property rights issues in the course of construction and that they shall be fully regulated by the time of submission of the application for approval for use, that is, by the time of preparation of the report for completed technical control by a supervisory engineer, in the cases of construction of linear infrastructure facilities such as state roads, local roads and streets, water supply and sewage systems, railway lines, gas pipelines and long-distance transmission lines, refined products pipeline, thermal pipeline, oil pipeline, aerial cableways, constructions for generation of electrical energy from renewable sources, irrigation and drainage systems, ground level swimming pools for public use, constructions considered protected immovable cultural heritage in accordance with the law, as well as for constructions for the needs of state bodies, agencies or funds established by the Government of the Republic of Macedonia and legal entities that are fully or predominantly owned by the Republic of Macedonia, where the property rights issues for the whole construction parcel are not settled, and
- a property certificate containing the entered right of ownership of the Republic of Macedonia, or a final decision for expropriation or a property certificate with inscribed right of ownership or right to a long-term lease or right of easement of the construction land, in case of building linear infrastructure constructions, which is an integral part of the land survey for numerical data of the construction land.

(2) Where an application for construction approval for parts of a long-distance transmission line which do not constitute a construction and technical and functional whole is submitted, a proof of the right to construction referred to in paragraph (1) of this Article shall be submitted, but only for the part which is the subject of the application for issuance of a construction approval.

(3) Where an application for construction approval for construction of an aerial cableway or above-ground long-distance transmission line is submitted, a proof of the right to construction referred to in paragraph (1) of this Article shall be submitted and the property rights issues only for the land where the pillars for the aerial cableway, that is, long-distance transmission line are located shall be settled.

Article 59-b

Audit of the basic project and supervision of the building of the construction shall not be mandatory for constructions intended for individual housing with gross developed area of up to 300 m², and the contractor shall be obliged to give a statement verified by a notary under full material and criminal liability, to confirm that the facility is built

pursuant to the construction approval and the basic project or the as-built project.

(2) As an exception to paragraph (1) of this Article regarding the superstructures in the cases referred to in Article 59-j paragraph (1) of this Law, the audit of the basic project shall be mandatory, and the contractor shall not give a statement verified by a notary under full material and criminal liability, to confirm that the facility is built pursuant to the construction approval and the basic project or the as-built project.

Article 59-c

(1) The competent body referred to in Article 58 of this Law shall be obliged to submit a request for inspection of the basic project to the entities responsible for electrical energy, water and sewage infrastructure immediately upon receipt of the application for construction approval, provided that a basic project and a positive basic project audit report have been attached to the application, and if a basic project and a positive basic project audit report have not been attached to the application and the procedure has been stopped in accordance with Article 59 paragraph (9) of this Law, immediately upon supplementing the application.

(2) The entity responsible for electrical energy infrastructure shall be obliged to inspect the basic project and to submit an opinion whether the facility can be connected to the appropriate electrical energy system within a period of five days as of the receipt of the request for inspection.

(3) The entity responsible for water and sewage infrastructure, within a period of five days as of the receipt of the request for inspection, shall be obliged to inspect the basic project and to submit an opinion whether the facility can be connected to the water and sewage system. The entity responsible for water and sewage infrastructure shall be obliged to also give its opinion in the case where the basic project does not contain hydro-technical requirements for connection of the construction to the water and sewage infrastructure in accordance with the Law on Drinking Water Supply and Urban Waste Water Discharge.

(4) If the basic project anticipates connection of the facility to the thermal and gas pipeline infrastructure, the competent body referred to in Article 58 of this Law, within the deadline set out in paragraph (1) of this Article, shall submit a request for inspection of the basic project to the entities responsible for thermal and gas pipeline infrastructure which shall be obliged, within a period of five days as of the receipt of the request for inspection of the basic project, to submit an opinion whether the facility can be connected to the thermal and gas pipeline infrastructure.

(5) In case of building constructions for storage of explosive materials, warehouses, storage or tanks for flammable liquids and gases, unloading point, gas station, oil or gas pipelines, including the storage, plant or device technologically connected to the oil or gas pipeline, the competent body referred to in Article 58 of this Law, within the deadline set out in paragraph (1) of this Article, shall submit a request for inspection of the basic project to the state administrative body responsible for carrying out the activities in the field of internal affairs, which is further obliged, within a period of five days as of the receipt of the request, to inspect the basic project and to give consent or give comments if the requirements for consent are not met.

(6) In case of building constructions for which the basic project, in accordance with Article 47 paragraph (5) of this Law, consists of a study

for protection against fire, explosions and hazardous materials, the competent body referred to in Article 58 of this Law, within the deadline set out in paragraph (1) of this Article, shall also submit a request for inspection of the basic project to the Directorate for Protection and Rescue which is obliged, within a period of five days as of the day of receipt of the request for inspection, to inspect the basic project and to give consent for the study or to give comments if the requirements for a consent are not met.

(7) In case of building electronic communication networks and devices, the competent body referred to in Article 58 of this Law, within the deadline set out in paragraph (1) of this Article, shall submit a request for inspection of the basic project to the Agency for Electronic Communications which is obliged, within a period of five days as of the receipt of the request for inspection, to inspect the basic project and to give consent or comments if the requirements for consent are not met.

(8) If the entities referred to in paragraphs (2), (3), (4), (5), (6) and (7) of this Article do not act pursuant to this Article, it shall be considered that they do not have any comments and if their failure to act causes damages in the future, the obligation for damage compensation shall be borne by the entity whose failure to act has caused the damage.

(9) The entities referred to in paragraphs (2), (3), (4), (5), (6) and (7) of this Article which have submitted their comments to the basic project shall be obliged to inspect whether the applicant has acted upon the comments within a period of two working days as of the receipt of the request for re-inspection of the basic project submitted by the competent body referred to in Article 58 of this Law.

(10) If, upon completed inspection, the entities referred to in paragraphs (2), (3), (4), (5), (6) and (7) of this Article acting in accordance with paragraph (9) of this Article have another comments to the basic project, that is, give a negative opinion or do not give consent, the competent body shall adopt a decision on rejection of the application for construction approval.

(11) The request for inspection of the basic project, the opinion or the consent, that is, the comments shall be delivered in an electronic form via the e-construction approval information system in a manner laid down by the regulation referred to in Article 59-g paragraph (2) of this Law.

Article 59-d

The requirements for preservation and conservation within the procedure for issuance of construction approval shall only be defined if the urban plan does not have incorporated preservation and conservation bases.

Article 59-e

(1) The competent body that has issued the construction approval shall be obliged, within a period of three days as of the legal validity of the construction approval, to submit a copy of it, including a copy of the verified basic project to the competent body for keeping the public book for entry of the rights to immovables for the purpose of entering comments and preliminary registrations in the public book where the right to the land is entered, and a copy to the competent construction inspector, and if a construction approval is issued to an investor-natural person for building a construction for housing purposes in residential buildings, a construction for business purposes, and a construction for residential and

business purposes, the competent body shall be obliged to submit a copy of the effective construction approval to the Public Revenue Office, in electronic form through the e-construction approval information system.

(2) When the construction approval is issued to several investors, all the investors shall be listed in the approval in ideal and real parts, based on the legal act for regulation of the mutual rights and obligations for construction, verified by a notary.

(3) The provisions of this Law shall also apply to the procedure for issuance of construction approval to foreign states for the needs of their diplomatic and consular offices, unless otherwise regulated by an international agreement.

Article 59-f

Deleted 10

Article 59-g

(1) The competent body referred to in Article 58 of this Law shall be obliged to conduct the procedure for granting a construction approval in an electronic manner via the e-construction approval information system.

(2) The manner of conducting the procedure for granting a construction approval via electronic means shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

(3) The construction approval which has been issued contrary to paragraph (1) of this Article shall be null and void.

(4) The manner of acting of the administrator of the e-construction approval information system shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

(5) As an exception to paragraph (1) of this Article, the competent bodies referred to in Article 58 paragraph (3) of this Law shall conduct the procedures for issuance of a construction approval in a written form, in the manner determined by the Law on Technological Industrial Development Zones, that is, the Law on Industrial and Green Zones.

Article 59-h

(1) The City of Skopje shall be obliged to build a local road or a street on the area of the City of Skopje which serves the needs of constructions of state bodies, agencies and funds established by the Republic of Macedonia and legal entities that are fully or dominantly owned by the Republic of Macedonia, for the construction of which compensation for construction land development is paid by the investor of the construction for the needs of which the local road, that is, street should be built, provided that the competent municipality in the city of Skopje has not issued an approval for construction of the road, that is, the street and/or their construction has not started until the preparation of the final report for the completed supervision referred to in Article 36 paragraph (1) line 9 of this Law for the constructions for the functioning of which the road is to be built.

(2) In the cases referred to in paragraph (1) of this Article, the procedure for issuance of the construction approval shall be conducted and the

construction approval shall be issued by the state administrative body responsible for carrying out the activities related to land development.

(3) During the procedure referred to in paragraph (2) of this Article, the investor shall not pay compensation for construction land development, and the municipality in the city of Skopje shall be obliged to transfer the funds of the compensation for construction land development earmarked for building the road, that is, the street paid by the investor of the construction for the needs of which the road, that is, the street should be built to the City of Skopje within a period of five days as of the day of receipt of the request for transfer of the funds by the City of Skopje.

(4) If the City of Skopje does not act in accordance with paragraph (1) of this Article, the road, that is, the street may be built by the investor of the construction for the needs of which the road, that is, the street should be built, and the municipality in the city of Skopje and the City of Skopje shall be obliged to return the funds of the compensation for construction land development earmarked for building the road, that is, the street paid by the investor of the construction for the needs of which the road, that is, the street should be built to the investor within a period of five days as of the day of receipt of the request for return of the funds.

Article 59-i

(1) Verification of the basic project confirming that the basic project is prepared in accordance with the regulations on facility design, the urban plan or the urban planning documentation, or the infrastructure project, and in the case of Article 59-j paragraph (1) of this Law, that the project does not disturb the standards and the norms for the constructions intended for individual housing (A1) with regard to the allowed height (floors and meters) and the number of housing units, which are determined in the Rulebook for the Standards and Norms for Urban Planning, may be done only by official person of the competent body referred to in Article 58 of this Law, who are graduated engineers architects or graduated civil engineers.

(2) With regard to the constructions of first category referred to in Article 57 of this Law, the official persons referred to in paragraph (1) of this Article should have a work experience of at least two years in procedures for issuance of construction approvals for construction of the first or the second category referred to in Article 57 of this Law or to hold an authorization for designing or an authorization for audit of project documentation for constructions of the first or the second category referred to in Article 57 of this Law.

(3) With regard to the constructions of second category referred to in Article 57 of this Law, the official persons referred to in paragraph (1) of this Article should have a work experience of at least one year in procedures for issuance of construction approvals for construction of the first or the second category referred to in Article 57 of this Law or to hold an authorization for designing or an authorization for audit of project documentation for constructions of the first or the second category referred to in Article 57 of this Law.

Article 59-j

(1) A construction approval may also be issued for superstructures of constructions for individual housing in the cases where the superstructure is not planned in the urban plan or the urban planning documentation, provided that the existing construction has been determined the right of

ownership in a public book for inscription of the right of immovables and the superstructure does not disturb the standards and the norms for the constructions intended for individual housing (A1) with regard to the allowed height (floors and meters) and the number of housing units, which are determined in the Rulebook for the Standards and Norms for Urban Planning.

(2) The superstructure procedure in the cases referred to in paragraph (1) of this Article shall be conducted for an existing construction for individual housing, which is built based on a construction approval or for which a legally valid decision on determination of the legal status of an unlawful construction is adopted, and which is located:

- outside of the plan ambit of the urban plan, that is, the urban planning documentation or
- within the plan ambit of the urban plan, that is, the urban planning documentation, but it is not incorporated in the planning documentation or
- within the plan ambit of the urban plan, that is, the urban planning documentation, it is incorporated in the planning documentation, but the allowed maximum parameters regarding the height (floors and meters) and the number of housing units are not determined, which may be determined for this kind of constructions in accordance with the standards and the norms of the Rulebook for the Standards and Norms for Urban Planning.

(3) As an exception to Article 59 paragraph (2) of this Law, in the cases referred to in paragraph (1) of this Article, the following documentation shall be attached to the application for obtaining a construction approval for superstructure of the construction:

- a basic project together with a positive audit report,
- a draft project approved in accordance with Article 48-a of this Law,
- a statement given under full material and criminal liability by the designer confirming that the existing state of the facility is authentically shown in the basic project,
- a positive opinion for the designed degree of mechanical endurance, stability and seismic protection of the construction,
- a property certificate for the existing construction where the superstructure is built having a determined purpose of family housing (A1) and a determined right of ownership of the investor,
- a consent for the superstructure by the owner of the existing construction, in the case it is not the investor, and
- a conservatory approval issued by the Directorate for Cultural Heritage Protection and a statement by the applicant given under full material and criminal liability certifying that the conservatory approval refers to the project submitted via the e-construction approval information system, provided that an application for superstructure of a construction constitution an immovable cultural heritage in accordance with the law is submitted.

(4) The supervision of the building of the construction in the cases referred to in paragraph (1) of this Article shall not be mandatory if the gross developed area is not more than 300 m², and the superstructure shall be put into use and shall be entered in the public book for inscription of immovables based on a report for a conducted technical control done by a supervisory engineer.

(5) During the procedure for changes in the course of building the superstructure referred to in paragraph (1) of this Law, the provisions of Article 69 of this Law shall accordingly apply and the competent body shall determine whether the standards and the norms for the constructions intended for individual housing (A1) with regard to the allowed height

(floors and meters) and the number of housing units, which are determined in the Rulebook for the Standards and Norms for Urban Planning, are disturbed.

(6) The provisions of paragraphs (1), (2), (3), (4) and (5) of this Article shall not apply to a superstructure of individual housing facilities built within an ambit planned for construction of a facility of public interest determined by law in accordance with an urban plan or urban planning documentation.

Article 60

(1) The manner and procedure of construction land development shall be performed in accordance with the Law on Construction Land and the regulations derived from this Law.

(2) If the competent body does not develop the construction land in accordance with the contract for construction land development, the investor shall not be held liable for any consequences for the untimely completion of the construction.

Article 61

(1) If the competent body issues a construction approval contrary to this Law, or does not issue a construction approval, i.e. does not reject the application for construction approval within the period referred to in Article 59 of this Law, the responsible, i.e. the official shall be held criminally liable pursuant to the Criminal Code.

Article 62

(1) The construction approval shall be issued for the whole construction and to the investor's name, and may also be issued for part of the construction, if that particular part is a separate construction-technical and functional whole.

(2) As an exception to paragraph (1) of this Article and Article 71 paragraph (1) of this Law, upon a request of the investor, construction approval for building linear infrastructure facilities may be also issued for parts of the construction which do not constitute a functional whole but they constitute a construction-technical whole, and for long-distance transmission lines and parts of the long-distance transmission line that do not constitute a construction-technical and functional whole.

(3) Construction approval issued contrary to the provisions of this Law shall be null and void. The body that has issued a construction approval pronounced null and void shall cover the costs for reinstatement of the area to the condition prior to the issuance of the construction approval, and the investor shall be entitled to damage compensation and compensation for lost profit from the body.

(4) Where the construction approval is pronounced null and void in accordance with Articles 59 paragraph (2) 66 paragraph (2) and 67 paragraphs (3) and (7) of this Law, the body that has issued the construction approval shall not cover the costs for bringing back the area in the condition prior to the issuance of the construction approval and the investor shall have no right to compensation of the damage and the lost profit from the body.

(5) The design and content for the form for the construction approval shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

Article 62-a

(1) The competent body that has adopted the construction approval shall be obliged, within a period of three days as of the adoption of the construction approval, to inform the immediate neighbors of the construction parcel, subject of the approval, that the construction approval has been issued and that they are allowed to inspect the documentation within a period of 15 days as of the issuance of the construction approval.

(2) If the immediate neighbors do not inspect and/or do not appeal against the construction approval within a period of 15 days as of the day of issuance of the construction approval, such construction approval shall become legally valid.

(3) The body responsible for keeping the public book for entry of the rights to immovables shall be obliged to submit data on the immediate neighbors of the construction parcel for which a construction approval is granted, as well as calculation of the costs for entry of the facility in the public books of immovables, in an electronic form, upon the receipt of the application in an electronic form by the competent body referred to in Article 58 of this Law.

(4) As an exception to paragraph (1) of this Article, the immediate neighbors of the construction parcel for which an approval is granted shall not be notified of the granted construction approval for the constructions in the technological industrial development zones established by the Government of the Republic of Macedonia and by legal entities, of the constructions in the free health zones, of the constructions in the industrial and green zones, as well as of the linear infrastructure constructions.

Article 62-b

An approval for extension and superstructure may be issued for a facility having already built parts, that is, levels which do not constitute a functional whole, provided that a decision on establishment of the legal status under the Law on the Treatment of Unlawful Constructions is issued for the existing facility, and the planning documentation based on which incorporation is made of the part of the facility for which a decision on establishment of the legal status is adopted foresees requirements for future construction.

(2) As an exception to paragraph (1) of this Article for the superstructures referred to in Article 59-j paragraph (1) of this Law, a construction approval for the superstructure may be also issued if a decision on establishment of the legal status under the Law on the Treatment of Unlawful Constructions is issued for the existing facility, but incorporation is not made in the planning documentation of the part of the facility for which a decision on establishment of the legal status is adopted.

Article 63

In case of extension and superstructure of a facility, the same procedure anticipated for obtaining a construction approval prescribed by this Law shall be conducted.

(2) As an exception to paragraph (1) of this Article for the superstructures in the cases of Article 59-j paragraph (1) of this Law, the same procedure foreseen for obtaining a construction approval prescribed by this Law shall be conducted, except for the documentation which is attached to the application for a superstructure approval where the documentation determined in Article 59-j paragraph (3) of this Law shall be attached to the application for a superstructure approval of Article 59-j paragraph (1) of this Law.

Article 64

(1) If for the purpose of constructing it is necessary the investor to remove an already built construction or part of it, and they are located within the boundaries of the construction area, it shall be obliged to do that upon the legal validity of the construction approval, on the basis of a special study on the manner of removal of the existing construction, which shall include solutions for the treatment of the construction waste made by removing the previously built construction.

(2) If the constructions referred to in paragraph 1 of this Article are out of the construction area but within the boundaries of the construction parcel, the constructor shall be obliged to remove them until the issuance of the approval for use at the latest.

Article 65

(1) An appeal against the construction approval issued by the state administrative body responsible for carrying out the activities related to land development, that is, the Directorate for Technological Industrial Development Zones, that is, the Ministry of Economy, within the period defined in Article 62-a of this Law, may be filed to the State Commission for Decision-making in Administrative Procedure and Labor Relation Procedure in Second Instance, and an appeal against the construction approval issued by the mayor of the municipality, that is, the mayor of the City of Skopje, within the period defined in Article 62-a of this Law, may be filed to the state administrative body responsible for carrying out the activities related to land development.

(2) An appeal against the decision on rejection of the application for construction approval of the state administrative body responsible for carrying out the activities in the field of land development, that is, the Directorate for Technological Industrial Development Zones, that is, the Ministry of Economy may be filed to the State Commission for Decision-making in Administrative Procedure and Labor Relation Procedure in Second Instance within a period of 15 days as of the receipt of the decision, and an appeal against the decision on rejection of the application for construction approval of the mayor of the municipality, that is, the mayor of the City of Skopje may be filed to the state administrative body responsible for carrying out the activities in the field of land development within a period of 15 days as of the receipt of the decision.

(3) The documentation attached to the application for obtaining construction approval in the e-construction approval information system shall be used by the second instance body responsible for acting upon appeals against administrative acts issued in a procedure for granting construction approval, the Administrative Court and the Higher Administrative Court when acting upon a filed lawsuit and appeal in a procedure for issuance of a construction approval.

(4) The minister heading the state administrative body responsible for carrying out the activities in the field of land development shall prescribe the manner of using the e-construction approval information system by the second instance body responsible for acting upon appeals against administrative acts issued in a procedure for granting construction approval, the Administrative Court and the Higher Administrative Court when acting upon a filed lawsuit and appeal in a procedure for issuance of a construction approval.

Article 65-a

(1) The investor may commence the building of the construction based on a legally valid construction approval.

(2) As an exception to paragraph (1) of this Article, the investor may commence building the construction, on its own responsibility and at its own risk, based on a final construction approval.

(3) If the construction approval is not legally valid because the appellant has initiated an administrative dispute, and the investor has not commenced the building of the construction before the construction approval became legally valid, the investor shall have right to claim damage compensation and compensation for lost profit from the appellant, if the petition and/or the appeal are rejected by the competent courts as unfounded and/or non-allowed.

Article 66

(1) The construction approval shall cease to be valid if the investor does not commence the construction process within a period of two years as of the day the construction approval became legally valid.

(2) In the cases referred to in paragraph (1) of this Article, the competent body that has issued the construction approval shall adopt an act for nullity of the approval which shall be submitted to the body responsible for keeping the public book for inscribing the rights to immovables and it shall constitute a basis for deletion of all the comments and preliminary registrations related to the immovable.

(3) If the building of the construction has commenced upon the expiry of the time period referred to in paragraph (1) of this Article, it shall be considered that the building is unlawful.

Article 67

(1) Before commencement of the construction process, the investor shall be obliged to report the commencement of the building, in writing, to the competent body referred to in Article 58 of this Law, the construction inspection and the labor inspection.

(2) In the notification referred to in paragraph (1) of this Article, the investor shall be obliged to state the contractor and the supervisory legal entity having appointed a supervisory engineer. If, in the course of the construction process, the contractor or the supervisory legal entity, i.e. the appointed supervisory engineer is changed, the investor shall be obliged to notify the competent body referred to in paragraph (1) of this Article about the change within a period of seven days as of the change. For constructions intended for individual housing with gross developed area of up to 300 m², it shall not be mandatory to state the supervisory legal

entity and the appointed supervisory engineer in the notification referred to in paragraph (1) of this Article.

(3) If the investor does not act in accordance with paragraphs (1) and (2) of this Article, the competent body that has issued the construction approval shall adopt an act on nullity of the approval that is submitted to the body responsible for keeping the public book for subscription of the rights to immovables and it shall constitute a basis for deletion of all comments and preliminary registrations related to the immovable.

(4) In case of suspension of the construction, the investor shall be obliged to undertake measures for securing the construction, the neighboring constructions and the land.

(5) The council of the municipality, i.e. the councils of the municipalities in the city of Skopje, may by a decision define a time period during the calendar year when constructions cannot be built, i.e. construction works cannot be carried out in certain tourism area. The investor shall be obliged to build, that is, to carry out the construction works in accordance with the decision, except in the cases of building a construction of public interest determined by law.

(6) The councils of the municipalities of the city of Skopje shall submit the decision referred to in paragraph (5) of this Article upon a previous positive opinion of the City of Skopje.

(7) The decision referred to in paragraph (5) of this Article shall not apply to constructions of public interest determined by law.

(8) As an exception, the council of the municipality, i.e. the councils of the municipalities in the city of Skopje may define the appearance of one or several constructions in a certain area on the territory of the municipality if they establish it to be significant for the municipality, for which they shall adopt a program composed of data and directions on the appearance of the construction, i.e. of the constructions and a drawing of the defined appearance.

(9) In the cases referred to in paragraph (8) of this Article, the investor shall be obliged to conform the appearance of the construction with the program, or the competent body that has issued the construction approval shall adopt an act for nullity of the approval which shall be submitted to the body responsible for keeping the public book for subscription of the rights to immovables and it shall constitute a basis for deletion of all comments and preliminary registrations related to the immovable.

(10) When building constructions whose appearance is defined as referred to in paragraph (8) of this Article, the municipality shall be obliged to reduce the payment of the charge for construction land development made by the investor by 50%.

(11) If a construction approval has been issued in an electronic manner, the notification referred to in paragraphs (1) and (2) of this Article shall be delivered by the investor, in an electronic form, via the e-construction approval information system.

Article 67-a

(1) The council of the municipality, the council of the municipality in the city of Skopje, that is, the Council of the City of Skopje, may by a decision determine the appearance of the façade of one or more constructions which are put into operation and/or for which extension and/or

superstructure is planned or for which a legally valid decision for establishment of the legal status of an unlawful construction is adopted in accordance with the Law on the Treatment of Unlawful Constructions, provided that they determine that it is of importance for the municipality, the municipality in the city of Skopje, that is, the City of Skopje.

(2) The municipality, the municipality in the city of Skopje, that is, the City of Skopje, whose council has adopted a decision determining the appearance of the façade of the construction, that is, the constructions shall be an investor in the cases referred to in paragraph (1) of this Article.

(3) The costs for carrying out the construction activities incurred in the implementation of the decision referred to in paragraph (1) of this Article shall be provided by the budget of the municipality, the municipality in the city of Skopje, that is, the City of Skopje whose council has adopted the decision on the appearance of the façade, and if damage is caused to the owner of the construction while carrying out the construction activities, the investor shall be obliged to compensate the damage.

(4) Extension and/or superstructure may be anticipated for a construction for which a legally valid decision for establishment of the legal status of an unlawful construction is adopted in accordance with the Law on the Treatment of Unlawful Constructions in the cases referred to in paragraph (1) of this Article, and if the unlawful construction is not entered in the urban planning documentation, the parameters of the extension, that is, of the superstructure shall be determined by the decision referred to in paragraph (1) of this Article. In this case, the basic project shall be prepared in accordance with the parameters determined by the decision referred to in paragraph (1) of this Article.

(5) If the extension and the superstructure constitute a separate construction and functional whole and are built to a construction in floor ownership or to a construction for public or business use, the municipality, the municipality in the city of Skopje, that is, the City of Skopje whose council has adopted the decision determining the appearance of the facade of the facility shall acquire the right of ownership over them, or otherwise the right of ownership shall be obtained by the owner of the facility.

(6) As an exception to paragraphs (2) and (3) of this Article, the owner of the construction, that is, the majority owners of separate parts of the construction which constitute more than half of the total area of the construction in floor ownership may be investors and cover the costs for carrying out the construction activities, provided that the municipality, the municipality in the city of Skopje, that is, the City of Skopje whose council has adopted the decision determining the appearance of the facade of the construction has concluded an agreement with the owner of the construction, that is, with the majority owners regulating that the owner of the construction, that is, the majority owners shall be investors.

(7) As an exception to paragraph (5) of this Article, the owner, that is, the owners of the construction and the municipality, the municipality of the city of Skopje, that is, the City of Skopje whose council has adopted the decision determining the appearance of the facade of the construction may regulate the acquisition of the right of ownership over the extension and the superstructure in another manner by concluding an agreement on regulation of the relationships.

4. Deadline for completing the construction process

Article 68

(1) The investor shall be obliged to build the first category and the second category constructions within a period not longer than ten years.

5. Alterations during the construction process

Article 69

(1) During the construction process, the construction may be altered if the alterations do not affect the fulfillment of any of the basic requirements for the construction and does not alter the conformity of the construction with the parameters of the urban plan, the state, that is, the local urban planning documentation, the urban planning documentation for tourism development zone, the urban planning documentation for auto camp, or the infrastructure project. In order to make alterations, the investor shall be obliged to submit a request attaching the supplementation of the basic project with an audit report of the supplementation of the basic project to the competent body referred to in Article 58 of this Law which has issued the construction approval.

(2) The competent body referred to in Article 58 of this Law shall be obliged, within a period of 15 days as of the receipt of the request referred to in paragraph (1) of this Article, to obtain opinions and consents from the entities referred to in Article 59-c of this Law the obtaining of which result from the requested alteration and to determine whether the statutory requirements for alterations during the construction process determined in paragraph (1) of this Article are met and if it determines that the requirements are met, the necessary opinions and consents from the entities referred to in Article 59-c of this Law are obtained, it shall adopt a decision on approval of the alterations during the construction process and shall verify the supplementation of the basic project.

(3) The competent body referred to in Article 58 of this Law shall reject the request by decision, should it determine that the requested supplementation of part of the basic project alters the conformity of the construction with the parameters of the urban plan or the state, that is, local urban planning documentation or the infrastructure project, or disturbs the mechanical endurance, stability and seismic protection, or a negative opinion is submitted, that is, no consent is granted by the entities referred to in Article 59-c of this Law

(4) If a new usable area of the respective construction is foreseen by the proposed alterations, the investor shall be obliged, before the issuance of the decision on approval of the alterations, to pay compensation for construction land development for the new usable area.

(5) The decision for alterations during the construction process shall be an integral part of the construction approval, and when approving the alterations during the construction process, the as-built project shall be prepared in accordance with the supplemented basic project.

(6) Copy of the decision referred to in paragraphs (2) and (3) of this Article shall be submitted to the competent construction inspection. Copy of the decision referred to in paragraph (2) of this Article and of the altered, that is, supplemented basic project verified by the body referred to in Article 58 of this Law shall be submitted by the body that has approved the alterations of the basic project to the body responsible for subscription of the rights to immovables, in order to enter the amended data in the certificate for preliminary registration of a construction. After

the approval of the alterations, that is, the supplements of the basic project, the investor shall be obliged to amend the acts/legal acts related to the construction and preliminary registered in the certificate for preliminary registration of a construction, and shall submit them to the body responsible for subscription of the rights to immovables for entering the alterations in the certificate for preliminary registration of a construction.

(7) An appeal against the decision referred to in paragraphs (2) and (3) of this Article may be filed to the body competent for decision-making upon an appeal referred to in Article 65 of this Law within a period of 15 days as of the receipt of the decision.

(8) The design and content of the request and the form of the decision referred to in paragraph (1) of this Article shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

6. Change of investor

Article 70

(1) If the investor is changed in the course of the construction process, the new investor shall be obliged to notify the body responsible for issuance of a construction approval and attach a proof of investor status to the notification. The status of a construction investor of the new investor, by a decision, shall be recognized only if, by assuming the construction right, it assumes the rights and obligations of the previous investor towards the participants in the construction process (construction manager, legal entities for design, audit, supervision, and contractor), as well as if it assumes the rights and obligations that the previous investor had as a result of concluded mortgage contracts and other legal acts for trade of the construction or parts of the construction entered in the certificate for preliminary registration of the construction, or after the construction is completed, it shall not be issued an approval for use of the construction on its name, i.e. a report for a completed technical control by a supervisory engineer shall not be prepared. Also in this case the supervisory engineer must not prepare a report for completed technical control, and for constructions for individual housing with gross developed area of up to 300 m², the contractor must not give a statement that confirms that the facility is built in line with the construction approval and the basic project or the as-built project. The competent body referred to in Article 58 of this Law shall be obliged, within a period of 15 days as of the day of receipt of the request, to determine whether the legal requirements for a change of investor are met and to adopt a decision for a change of investor or a decision rejecting the request.

(2) The amendments in the acts issued by the competent bodies with regard to the construction process, resulted from the changes in the legal relations of the participants in the construction processes particularly with regard to acquiring the right to construction, ownership of construction and assuming the rights and obligations from the investor shall be performed only on the basis of confirmed legal actions or final acts of state bodies, suitable for entry of the rights to immovables in the public book of immovables, by commenting.

(3) Upon the change of investor, the body that has adopted the document on a change of investor shall be obliged immediately to submit the act amending the construction approval to the body responsible for

subscription of the rights to immovables in order to enter the change of investor in the public book for subscription of the rights to immovables.

(4) The change of investor may be submitted until the issuance of the approval for use, that is, until the preparation of the report for completed technical control, and for constructions for individual housing with gross developed area of up to 300 m², before the statement is given by the contractor referred to in Article 59-b of this Law that confirms that the facility has been built in accordance with the construction approval and the basic project or the as-built project.

(5) An appeal against the decision referred to in paragraph (1) of this Article may be filed to the body responsible for decision-making upon appeal referred to in Article 65 of this Law, within 15 days.

Article 70-a

(1) As an exception to Article 70 paragraph (1) of this Law, an investor shall be also changed if the legal entity or the natural person has acquired the right to construct based on a decision of a bankruptcy judge in the course of the sale of the right to construct in a bankruptcy procedure.

(2) In the cases referred to in paragraph (1) of this Article, a request for change of investor shall be submitted by the legal entity or the natural person which has acquired the right to construct in a bankruptcy procedure, attaching the legally valid decision of a bankruptcy judge based on which the entity/person has acquired the right to construct.

(3) The change of the investor shall be made by a decision and the investor whose right to construct has been the subject of sale in a bankruptcy procedure shall be replaced by the legal entity or the natural person which has acquired the right to construct in a bankruptcy procedure. The competent body referred to in Article 58 of this Law shall be obliged, within a period of 15 days as of the day of receipt of the request, to determine whether the legal requirements for a change of investor are met and to adopt a decision for a change of investor or a decision rejecting the request.

(4) If the investor whose right to construct has been the subject of sale in a bankruptcy procedure has been a joint investor with other natural persons and legal entities, in the course of adoption of the decision on a change of investor referred to in paragraph (3) of this Article, these persons and entities shall be determined as joint investors with the legal entity or the natural person which has acquired the right to construct in a bankruptcy procedure.

(5) The provisions of Article 70 paragraphs (3), (4) and (5) of this Law shall apply to the adoption of the decision referred to in paragraph (3) of this Article.

7. Construction approval for part or parts of a construction

Article 71

(1) Construction approval may be issued upon request of the investor, for one or several parts, provided that they constitute a construction and functional whole, as a phase construction.

(2) The application for issuance of construction approval for part of a construction shall be filed by the investor, including the documentation prescribed in Article 59 of this Law.

(3) In the application referred to in paragraph 2 of this Article, the part, that is, parts of the construction to which the application refers shall be stated, in line with the basic project, that is, the infrastructure project (sections, distances, number of columns and alike).

8. Approval for pre-construction activities

Article 72

(1) If necessary, pre-construction activities may be carried out for building constructions. Pre-construction activities shall be carried out upon obtained approval for pre-construction activities. The investor or the contractor shall file a written application for obtaining an approval for pre-construction activities. On the basis of the approval for pre-construction activities, the construction site shall be organized by setting up constructions to be used in the process of building the construction.

(2) Constructions for carrying out pre-construction activities shall be:

- fence, for fencing off the construction site,
- asphalt base, separation of aggregates, machinery for concrete production,
- pylon and transformer station necessary to be built in order to supply power to the construction site,
- installation for supply and drainage of water,
- facilities for accommodation of workers and for storing construction products,
- warehouses for storage of flammable liquids and explosives, and
- other facilities necessary for building the construction.

(3) Project for pre-construction activities, consents, opinions and proofs of settled property right relations for the land where the facilities for pre-construction activities are to be set up shall be submitted together with the application referred to in paragraph (1) of this Article.

(4) The constructions referred to in paragraph (2) of this Article shall be temporary and shall not be anticipated in the urban plan, and the contractor shall be obliged to remove them and to develop the land accordingly until the application for approval for use is filed at the latest.

(5) The competent body referred to in Article 58 of this Law shall be obliged, within a period of 15 days as of the day of receipt of the request, to issue an approval for pre-construction activities or to adopt a decision rejecting the request. A deadline for removal of the constructions for carrying out the pre-construction activities shall be set in the approval for pre-construction activities.

(6) If the investor does not obtain a construction approval within a period of one year as of obtaining the approval for pre-construction activities, the obtained approval shall cease to be valid and the contractor shall be obliged to remove the set facilities for pre-construction activities forthwith and to develop the land accordingly.

(7) Copy of the approval issued for pre-construction activities referred to in paragraph (1) of this Article, i.e. the decision that rejects the application for issuance of approval for pre-construction activities referred to in

paragraph (1) of this Article shall also be submitted to the competent construction inspection.

(8) An appeal against the approval, that is, the decision referred to in paragraph (5) of this Article, within a period of 15 days as of the issuance of the approval, may be filed to the body responsible for decision-making upon an appeal referred to in Article 65 of this Law.

9. Constructions for which construction approval is not necessary

Article 73

(1) Construction approval shall not be necessary for the following constructions:

- measuring stations for protection of the environmental media,
- temporary facilities set up for researching purposes (facilities for carrying out research measuring, natural resources, measuring stations for wind, sun, air, drills, excavations and alike), where there is a decision of a competent body, for a period of three years at the most, after which they should be removed,
- facilities serving for hail protection and signalization in the air traffic,
- non-categorized road that serves for forest management and using other natural resources, approved by a special regulation,
- monuments, memorials and sculptures,
- tomb and tomb monuments, within the boundaries of the cemetery, defined by the urban plan,
- constructions that enable and facilitate the movement of persons with disabilities to and within the construction,
- upon installation and replacement of equipment in a construction that is used for expansion of the capacity of the construction, and which does not alter the purpose of the construction and the premises where the equipment is stored, nor it alters the general terms and conditions for protection and rescue, anticipated by the basic project for the construction
- telecommunications equipment for internal audio and visual transfer, equipment serving for protection of the construction from thefts, protection and rescue,
- fences,
- electronic communications equipment for audio, visual transfer and transfer of other data set up in facilities for which approval for use is issued, and
- advertising and information billboards set up on facilities.
- supporting walls,
- accompanying constructions of a housing facility or another type of facility, built on a same urban parcel (garage with gross developed area of up to 50 m², pantry, septic tank and alike),
- awnings serving the use of the facility,
- swimming pools at ground level for individual use,
- temporary constructions for the needs of the Directorate for Technological Industrial Development Zones that are built in the technological industrial development zones,
- open and closed sports fields,
- sports halls having a gross developed area of up to 1500 m²,
- measurement and junction boxes for electrical energy and low-voltage cables,
- fiber optic cables, fiber optic cables in sewers and cable sewers for fiber optic cables,
- temporary constructions for accommodation of workers during building industrial facilities and linear infrastructure constructions,

- underground containers for communal waste,
- accompanying facilities at the cemetery (mortuary, crematories, special facilities for combustion of waste and other waste products from the cemetery, sanitary facilities, wells with industrial water, and shops for selling candles and flowers,
- railway stations the construction of which is financed by funds from the European Union or another international organization,
- equipment for automatic regulation of a passage above existing railroad lines and installations for automatic traffic monitoring and management of existing railway lines, and
- photo-power panels for generation of electricity having the maximum capacity installed of up to 1MW that are installed on constructions,
- electronic information and advertising panels (having an area of over 30 m² and construction elements) that are set in public areas,
- beaches and accompanying facilities that are built on land and water area, within the boundaries of an area planned for a beach,
- pedestrian paths,
- underground wells with linear systems in function of the wells,
- electronic communication equipment for monitoring and regulation of the traffic in existing streets.

(2) The provisions of Article 74 of this Law shall not apply to the constructions referred to in paragraph (1) line 6 of this Article that shall be built in line with the Law on Cemetery and Undertaking Services.

(3) The constructions referred to in paragraph (1) lines 16, 17, 18, 21, 23 and 24 of this Article. that are not planned by an urban plan, that is, an urban planning documentation shall be planned by a program consisted of a graphical and narrative part, where the narrative part contains data on the constructions and the space for locating the construction, and the graphical part shows the existing and the planned situation. 11

(4) The program referred to in paragraph (3) of this Article with regard to the constructions intended for the municipalities, the municipalities in the city of Skopje and the City of Skopje shall be approved by the council of the municipality, the council of the municipality in the city of Skopje, that is, the Council of the City of Skopje, and with regard to the constructions the building of which is financed by the Budget of the Republic of Macedonia or by legal entities in full or dominant ownership of the Republic of Macedonia or by finds from the European Union, that is, another international organization. as well as for temporary constructions for accommodation of workers in the course of construction of linear infrastructure facilities of first category referred to in article 57 of this Law, shall be approved by the state administrative body responsible for carrying out the activities related to land development. 12

(5) The minister heading the state administrative body responsible for carrying out the activities related to land development shall adopt a guide for the manner of preparing the program referred to in paragraph (3) of this Article.

Article 74

(1) The investor shall submit a request for building the constructions, that is, for setting up the equipment referred to in Article 73 paragraph (1) of this Law together with the necessary documentation to the municipality, the municipality in the city of Skopje, that is, the City of Skopje on whose territory it should build the construction, that is, set up the equipment and the decision shall be issued by the mayor of the municipality, of the municipality in the city of Skopje, that is, of the City of Skopje.

(2) As an exception to paragraph (1) of this Article, the request for building the constructions, that is, for setting up the equipment referred to in Article 73 paragraph (1) of this Law the building, that is, the setting up of which is financed by the Budget of the Republic of Macedonia or by legal entities in full or dominant ownership of the Republic of Macedonia or by funds from the European Union, that is, another international organization., as well as for temporary constructions for accommodation of workers in the course of construction of linear infrastructure facilities of first category referred to in article 57 of this Law, shall be submitted to the state administrative body responsible for carrying out the activities related to land development and the decision shall be issued by the state administrative body responsible for carrying out the activities related to land development, the request for building the constructions, that is, for setting up the equipment referred to in Article 73 paragraph (1) of this Law in the technological industrial development zones established by the Government of the Republic of Macedonia and by legal entities, as well as in the industrial and green zones established by the Government of the Republic of Macedonia, shall be submitted to the Directorate for Technological Industrial Development Zones and the decision shall be issued by the Directorate for Technological Industrial Development Zones, and the request for building the constructions, that is, setting up the equipment referred to in Article 73 paragraph (1) of this Law in the technological industrial development zones for which a contract for public private partnership is concluded shall be submitted to the Ministry of Economy and the decision shall be issued by the Ministry of Economy. 13

(3) The competent body referred to in paragraphs (1) and (2) of this Article shall adopt a decision on building the construction, that is, setting up the equipment within a period of five working days as of the day of receipt of the request, provided that the submitted documentation is complete and the requirements for building the construction, that is, setting up the equipment are met, or it shall adopt a conclusion for termination of the procedure where it shall oblige the investor to eliminate the established faults within a period of seven working days as of the receipt of the conclusion. If the investor eliminates the established faults and amends the request within the set deadline, the competent body shall be obliged, within a period of three working days, to adopt a decision on building the construction, that is, setting up the equipment or it shall adopt a decision rejecting the request.

(4) An appeal against the conclusion, that is, decision of the mayor of the municipality, of the municipality in the city of Skopje, that is, of the City of Skopje may be filed to the state administrative body responsible for carrying out the activities related to land development within a period of eight days as of the day of receipt of the conclusion, that is, decision.

(5) An appeal against the conclusion, that is, decision of the state administrative body responsible for carrying out the activities related to land development, the conclusion, that is, the decision of the Directorate for Technological Industrial Development Zones, and the conclusion, that is, the decision of the Ministry of Economy may be filed to the State Commission for Decision-making in Administrative Procedure and Labor Relation Procedure in Second Instance within a period of eight days as of the day of receipt of the conclusion, that is, decision.

(6) The decision on setting up an uncategorized road for forest management and use of other natural resources approved by a special regulation, an electronic communication equipment for transmission of picture, sound and other data which is set up on facilities, accompanying constructions of a housing facility or another type of facility that are built

on a same urban parcel (garage with a gross developed area of up to 50 m²), ground level pools for individual use, optic cables, optic cables for cable sewers and cable sewers for optic cables, open sports fields and sports halls having a gross developed area of up to 1500 m², as well as railway stations the building of which is financed by funds from the European Union or another international organization, adopted in accordance with paragraph (1) of this Article, which is legally valid, shall represent a legal ground for entry and preliminary registration of the right of ownership of the construction, that is, the equipment in the public book of entries of the rights to immovables.. 14

(7) The constructions referred to in paragraph (7) of this Article shall be put into use and shall be registered in the public book of entries of the rights to immovables after the preparation of the report for completed technical control by a supervisory engineer that confirms that the construction is set up, that is, constructed in accordance with the decision on setting up, that is, constructing and that the construction can be put in use.

(8) The form and content of the request for issuing a decision on building, that is, setting up, the necessary documentation and the form of the decision referred to in paragraphs (1) and (2) of this Article shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

(9) If payment of compensation for construction land development is foreseen for the constructions, that is, the equipment referred to in Article 73 of this Law in accordance with the Rulebook for the degree of the construction land development by communal infrastructure facilities and the manner of determining the amount of the costs for the development depending on the degree of development, the investor shall be obliged to pay the compensation before the issuance of the decision on building the constructions, that is, setting up the equipment.

(10) The investor may start building the facility, that is, setting up the equipment referred to in Article 73 of this Law based on the legally valid decision on building the facility, that is, setting up the equipment referred to in Article 73 of this Law, and as an exception, on its own responsibility and risk, the investor may also start building based on a final decision.

10. Special cases of construction process

Article 75

(1) In case of risk from natural perils or military and other destructions, that might directly endanger the people and the goods, during such risks and immediately after, constructions that serve for prevention of the effect of the referred risks, i.e. for elimination of the harmful consequences may be built without a construction approval.

(2) The constructions referred to in paragraph 1 of this Article have to be removed within a year as of the day of termination of the risk.

Article 76

In case of damage of facilities due to natural perils or military and other destructions, the construction, depending on the degree of damage, may be reinstated without construction approval, but in accordance with the construction approval, i.e. approval of the project on basis of which it has been previously built. In case of a construction entered in the National

Register of Cultural Heritage, it shall be necessary to request an approval pursuant to the regulations on cultural heritage protection.

Article 77

(1) The facility may be brought back in the previous condition on the basis of the renewal project, and the competent body referred to in Article 58 of this Law shall consider it renewed, provided that its owner submits:

- 1) one copy of the renewal project,
- 2) one copy of the construction approval, i.e. of the approved project on the basis of which the facility has been built,
- 3) minutes for building commissioning of the renewed construction with final report from a supervisory engineer certifying that the facility is renewed in accordance with the renewal project, and
- 4) copy of a cadastral plan.

(2) The facility whose construction approval or other corresponding license, i.e. documentation is destroyed or unavailable in the cases referred to in Article 76 of this Law shall be considered renewed if its owner submits:

- 1) one copy of the renewal project;
- 2) minutes for the building commissioning of the renewed construction with final report from a supervisory engineer certifying that the facility is renewed in line with the renewal project, and
- 3) copy of a cadastral plan.

(3) The construction referred to in paragraphs (1) and (2) of this Article shall be considered a functional construction.

Article 78

(1) The renewal project for a facility or part of the facility shall contain a technical solution and description of the manner of renewal of the facility or part of it, presented as an existing condition and renewed condition, which shall not affect the stability of the land or the fulfillment of the basic requirements of the neighboring facilities, as well as the transport and treatment of the construction waste that is removed and the construction parcel development.

(2) The renewal project referred to in paragraph (1) of this Article shall be audited pursuant to Article 21 of this Law.

Article 78-a

(1) A land deposit may be formed during the construction of state and municipal roads which constitutes an area where the land is deposited during road construction.

(2) The investor of the state, that is, the municipal road shall submit an infrastructure project, approved by the competent body referred to in paragraph (3) of this Article, for the purpose of forming a land deposit.

(3) The infrastructure project for a land deposit near a state road shall be approved by the state administrative body responsible for the activities in the field of land development, and for a land deposit near a municipal road shall be approved by the municipality, the municipality in the city of Skopje, that is, the City of Skopje.

(4) The land deposit may be used if the land covered by the infrastructure project based on which the land deposit is formed is owned by the

Republic of Macedonia, but if it is not owned by the Republic of Macedonia, that is, it is owned by a natural person or a legal entity, it may be used upon resolution of the property issues with the owner of the land.

(5) The land deposit formation near a state road and near a municipal road shall constitute public interest.

Article 78-b

(1) If it is necessary to dislocate a long-distance transmission line or a transformer during construction of a state road or a railroad, a procedure for dislocation of an energy facility shall be conducted.

(2) The dislocation of the energy facility referred to in paragraph (1) of this Article shall be conducted based on an approved project for dislocation of an energy facility.

(3) For the purpose of getting an approval for a project for dislocation of an energy facility, the electricity distribution system operator responsible for the long-distance transmission line and/or the transformer which are the subject of dislocation, shall submit a request to the state administrative body responsible for carrying out the activities related to land development attaching a project for dislocation of an energy facility together with a positive audit report for the project.

(4) The competent body referred to in paragraph (3) of this Article shall be obliged, within a period of five working days, to adopt a decision approving the project for dislocation of an energy facility and to verify the project by verification and a seal or to submit a notification of the established faults to the entity submitting the request. If the entity submitting the request for approval of the project for dislocation of an energy facility does not eliminate the established faults within a period of 10 working days as of the day of receipt of the notification for the established faults, the competent body referred to in paragraph (3) of this Article shall adopt a decision on rejection of the request.

(5) The technical control of the dislocated energy facilities referred to in paragraph (1) of this Article shall be conducted by a supervisory engineer holding an A authorization for conducting supervision over the construction of facilities and they shall be put in use upon drawing up a report for completed technical control in accordance with Article 90 paragraph (3) of this Law where it shall be established that the long-distance transmission line, that is, the transformer are built in line with the project for dislocation of an energy facility and that they may be put in use.

(6) The effective decision approving the project for dislocation of an energy facility shall constitute a legal ground for entry of comments, preliminary registrations and entry into of the right of ownership of the long-distance transmission line, that is, the transformer in the public book for entry of the rights to immovables.

(7) If the land planned for installation of the pillars of the long-distance transmission line or for building the transformer is owned by natural persons or legal entities, the electricity distribution system operator whose long-distance transmission line, that is, the transformer is the subject of dislocation shall be obliged, upon adoption of the decision on approval of the project for dislocation of an energy facility, to provide a contract for a long-term lease of the land concluded with the owner of the land or a consent from the owner of the land for installation of the pillar, that is, building of the transformer, or to establish a right of easement on the

respective land or a decision on establishment of possession over the land in accordance with the Law on Expropriation to be adopted in a procedure for expropriation, or otherwise the long-distance transmission line, that is, the transformer cannot be put in use.

(8) The dislocated energy facilities referred to in paragraph (1) of this Article, for which a report for a completed technical control is prepared in accordance with Article 90 paragraph (3) of this Law, establishing that the long-distance transmission line, that is, the transformer are built in line with the project for dislocation of an energy facility and for which a decision on establishment of possession over the land in accordance with the Law on Expropriation is adopted in an expropriation procedure, may be put in use, but cannot be entered in the public book for entry of immovables until the resolution of property issues with the owner of the land whereon they are built.

(9) The dislocation of a long-distance and a transformer during construction of a state road or a railroad shall constitute public interest.

(10) The form and the content of the project for dislocation of an energy facility and of the decision on approval of the project for dislocation of an energy facility shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

11. Temporary facilities and urban equipment

Article 79

(1) The municipalities, the municipalities in the city of Skopje and the City of Skopje shall adopt an annual program for setting up temporary facilities that defines the space where the temporary facilities may be set up, that should be a non built-up construction land, in ownership of the Republic of Macedonia, with built infrastructure, and for which urban planning documentation has been adopted.

(2) The program referred to in paragraph (1) shall be adopted by the council of the municipality, i.e. the councils of the municipalities in the city of Skopje and the Council of the City of Skopje, upon the consent of the state administrative body responsible for carrying out the activities related to land development. The graphic part shall be composed of presentation of the existing and planned condition.

(3) Upon approval of the program referred to in paragraph (1) of this Article, the body responsible body for conducting the procedure for giving construction land under short-term lease in accordance with the Law on Construction Land shall conduct a procedure for awarding a short-term lease of the construction land included in the program.

(4) The micro-location conditions shall be an excerpt from the graphic and text part of the annual program for temporary facilities and shall be prepared by the competent bodies referred to in paragraph (1) of this Article and the land survey report shall be prepared pursuant to the referred conditions.

(5) The temporary facilities shall be set up upon an obtained approval for setting up a temporary facility, issued by the mayor of the municipality, i.e. the mayors of the municipalities in the city of Skopje and the mayor of the City of Skopje to the persons who have concluded a contract for a short-term lease of the land in question.

(6) The submitted request for setting up a temporary facilities shall also include:

- a contract for a short-term lease of the construction land, concluded pursuant to law,
- a property certificate for the land in question, and
- a draft project for setting up a temporary facility, prepared in line with the micro-location conditions.

(7) Issuance of an approval for setting up temporary facilities without an approval for the program referred to in paragraph (1) of this Article and/or contrary to the legal regulations shall constitute a basis for revocation of the authorization for issuance of approval for setting up temporary facilities.

Article 80

(1) Urban equipment shall be set up on public areas considered to be a built-up construction land and developed land, without disturbing the basic purpose of the area and the traffic safety. The need to set up an urban equipment shall be established by the council of the municipality, the councils of the municipalities in the city of Skopje and the Council of the City of Skopje.

(2) The urban equipment shall be set up upon an obtained approval for setting up urban equipment that is issued by the mayor of the municipality, the mayors of the municipalities in the city of Skopje and the Mayor of the City of Skopje.

(3) As an exception to paragraph (2) of this Article, a decision in accordance with Article 74 of this Law shall be issued for the urban equipment - electronic information and advertising panels (having an area of over 30 m² and construction elements) that is set on public areas.

Article 80-a

(1) The council of the municipality, the councils of the municipalities in the City of Skopje and the Council of the City of Skopje shall adopt a program for setting up an urban equipment determining the number, type and dimensions of the urban equipment, as well as the locations and the facilities where it may be set up.

(2) The councils of the municipalities in the City of Skopje shall adopt the program referred to in paragraph (1) of this Article upon a previous positive opinion from the City of Skopje.

Article 81

(1) The approval for setting up a temporary facility and the approval for setting up an urban equipment shall define the conditions, manner and deadline for setting up and removal of the temporary facility, i.e. urban equipment.

(2) The minister heading the state administrative body responsible for carrying out the activities related to land development shall adopt Instructions on the manner of preparing annual program for setting up temporary facilities and micro-location conditions and shall prescribe the form and content of the approval for setting up temporary facilities and the approval for setting up an urban equipment.

(3) The competent bodies referred to in Article 79, paragraph (1) of this Law shall be obliged to keep a register of issued approvals for setting up temporary facilities and urban equipment.

VI. CONSTRUCTION SITE

1. Setting up and development of a construction site

Article 82

(1) Before the commencement of ground activities on the construction parcel, the investor shall be obliged to ensure staking out of the planned construction on the site with appropriate markers by a sole proprietor, i.e. a trade company for land surveying activities that prepares a land survey report for staking out the planned construction.

(2) The manner of staking out of the planned construction on the site shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

Article 83

(1) The contractor shall be obliged to fence off the construction site in order to prevent uncontrolled access to the construction site, with appropriate fence, in such a way that the work at the construction site does not endanger the passengers.

(2) For a construction site that occupies a larger area (railway tracks, roads, long-distance transmission lines and alike), the parts of the construction site that cannot be fenced off have to be protected by certain traffic signs or be marked in another manner.

(3) The construction site has to be marked by an information table that shall mandatorily contain the name, that is, the title of the participants in the construction, the name and the type of the construction that is built, the competent body referred to in Article 58 of this Law, the number and date of the issued construction approval, as well as the sign that it is protected immovable cultural heritage under the law, if the construction in question is entered in the National Register of Cultural Heritage.

Article 84

(1) The contractor shall be obliged to act in accordance with the law in case of temporary occupation of the neighboring, i.e. surrounding land for the needs of the construction site.

(2) For temporary occupation of public traffic areas for the needs of the construction site, the contractor shall be obliged to obtain an act from a competent body in accordance with the law.

Article 85

(1) The constructions for pre-construction activities and the equipment set up on the construction site have to correspond to the basic requirements of the construction.

(2) The constructions referred to in paragraph (1) of this Article, the unspent construction and other materials, waste and alike, have to be

removed within the period defined by the approval for pre-construction activities referred to in Article 72 of this Law.

2. Documentation for a construction site

Article 86

The contractor of the construction shall be obliged to have the following documentation:

- 1) decision for entry in the Central Register and an appropriate license issued pursuant to this Law;
- 2) certificate for assigned construction engineer and supervisory engineer at the construction site;
- 3) construction approval together with a basic project;
- 4) report for completed audit by the auditor;
- 5) site diary and log book;
- 6) proof of prescribed quality for the installed construction products, as well as proofs for the origin of the dimension stone, construction sand and gravel;
- 7) study for safety at work;
- 8) opinion on the designed level of mechanical endurance, stability and seismic protection of the construction, opinion on the built level of mechanical endurance, stability and seismic protection of the construction during the construction process, and opinion on the built level of mechanical endurance, stability and seismic protection of the construction upon the completion of the construction system of the construction;
- 9) complete data about the participants in the construction process, and
- 10) other documentation if another law prescribes an obligation for its keeping at the construction site by the contractor.

(2) Where the procedure for issuance of a construction approval is conducted via electronic means, the contractor shall not be obliged to hold the basic project and the report on the performed audit by the auditor at the construction site.

(3) In the cases where a construction approval is issued in accordance with the Law on Technological Industrial Development Zones and the Law on Industrial and Green Zones, the contractor shall be obliged to hold the documentation based on which the construction approval in accordance with the Law on Technological Industrial Development Zones and the Law on Industrial and Green Zones is issued on the construction site.

VII. APPROVAL FOR USE

Article 87

(1) The construction shall be put in use upon issuance of an approval for use regarding the first category constructions referred to in Article 57 of this Law, upon preparing a report for completed technical control by a supervisory engineer that confirms that the construction can be put in use, regarding the second category constructions, and for the constructions in the cases of Article 59-j paragraph (1) of this Law, and regarding the constructions intended for individual housing with gross developed area of up to 300 m² (except the superstructures in the cases of Article 59-j paragraph (1) of this Law), upon obtaining a statement verified by a notary under full material and criminal liability of the contractor confirming that the facility is constructed in accordance with the construction approval and the basic project or the as-built project.

(2) The approval for use of the first category facilities referred to in Article 57 of this Law shall be issued by the competent body referred to in Article 58 of this Law which has issued the construction approval, when after the technical control it is established that the construction is built in accordance with the basic project or the as-built project in case of alterations during the construction process.

(3) The procedure for issuance of approval for use shall be conducted in accordance with the Law on the General Administrative Procedure, unless otherwise regulated by this Law.

(4) The approval for use of the facility shall be issued to the investor based on a proof of the public book for subscription of the rights to immovables – property certificate containing the right to ownership, other real rights and all the comments and preliminary registrations or another proof of the acquired right to construction in accordance with the law.

(5) As an exception to paragraph (4) of this Article, regarding linear infrastructure facilities such as state roads, local roads and streets, water supply and sewage systems, railway lines, gas pipelines, long-distance transmission lines, refined products pipelines, thermal pipelines, oil pipelines, aerial cableways, irrigation and drainage systems, backbone and junction streets in the area of the City of Skopje, as well as hydro power plants and dams with accumulations, the approval for use of the facility may be issued to the investor, provided that a decision on establishment of possession over the land in accordance with the Law on Expropriation is adopted in an expropriation procedure.

(6) An appeal against the approval for use, that is, the decision rejecting the application for issuance of approval for use issued by the state administrative body responsible for carrying out the activities related to land development, that is, the Directorate for Technological Industrial Development Zones, that is, the Ministry of Economy may be filed to the State Commission for Decision-making in Administrative Procedure and Labor Relation Procedure in Second Instance in a period of 15 days as of receipt of the approval, that is, receipt of the decision.

(7) A copy of the approval for use for a construction shall be submitted to the competent construction inspection, and to the body responsible for carrying out the activities related to protection and rescue regarding a construction with a shelter, for the purpose of keeping records of shelters.

(8) When the construction approval is entitled to several entities – investors, all the entities shall be listed in the approval for use i.e. until the preparation of the report for completed technical control by the supervisory engineer, and the shares of each shall be expressed in ideal parts (fractions) or real parts based on the provisions of the contract regulating the mutual relations and parts with regard to the construction, verified by a notary, and submitted in the procedure for issuance of construction approval.

(9) In the cases referred to in Article 62 paragraph (2) of this Law, the construction shall be put in use, that is, the approval for use shall be issued or a report for technical control completed by a supervisory engineer shall be prepared only for the whole construction, as soon as all of the parts of the construction are built and the construction constitutes a construction-technical and functional whole.

(10) The form and content of the approval for use shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

1. Application for issuance of approval for use

Article 88

(1) The application for issuance of approval for use shall be submitted by the investor.

(2) In addition to the application referred to in paragraph (1) of this Article, the investor shall also submit:

- a basic project, and if there have been alterations during the construction process, an as-built project,
- a final report from the supervisory engineer that confirms that the construction is built in accordance with the basic project and the construction approval, and
- an excerpt from the public book for subscription of the rights to immovables for the last situation of the entered rights of the construction (property certificate), in order to establish the legal relation between the investor and the owner of the land with regard to the construction.

(3) Where a construction approval is issued for linear infrastructure facilities such as state roads, local roads and streets, water supply and sewage systems, railway lines, gas pipelines and long-distance transmission lines, refined products pipeline, thermal pipeline, oil pipeline, aerial cableways, constructions for generation of electrical energy from renewable sources, irrigation and drainage systems, ground level swimming pools for public use, constructions considered protected immovable cultural heritage in accordance with the law, as well as for constructions for the needs of state bodies, agencies or funds established by the Government of the Republic of Macedonia and legal entities that are fully or predominantly owned by the Republic of Macedonia obliging the investor to regulate the property rights issues by the time of submission of the approval for use, that is, by the time of preparation of the report on the completed technical control by a supervisory engineer, in addition to the documentation referred to in paragraph (2) of this Article, the investor shall be obliged to attach a land survey report for the numerical data and a proof of the settled property rights issue to the application.

(4) As an exception to paragraph (3) of this Article, regarding linear infrastructure facilities such as state roads, local roads and streets, water supply and sewage systems, railway lines, gas pipelines, long-distance transmission lines, refined products pipelines, thermal pipelines, oil pipelines, aerial cableways, irrigation and drainage systems, backbone and junction streets in the area of the City of Skopje, as well as hydro power plants and dams with accumulations, for which a decision on establishment of possession over the land in accordance with the Law on Expropriation is adopted in an expropriation procedure, in addition to the documentation referred to in paragraph (2) of this Article, the investor shall be obliged to attach a decision on establishment of possession over the land adopted in accordance with the Law on Expropriation to the request.

(5) In the cases where a construction approval is issued for a construction to which the Rulebook for Energy Performance of Buildings applies, in addition to the documentation referred to in paragraph (2) of this Article, the investor shall attach to the request a certificate for energy performance of the building issued by a sole proprietor or a legal entity holding a license for conducting an energy audit.

2. Technical control

Article 89

(1) The competent body referred to in Article 58 of this Law shall be obliged, upon receipt of the application for issuance of approval for use, to conduct a technical control of the construction.

(2) In case of incomplete application, the competent body shall be obliged to request supplementation within a period of eight days as of the receipt of the application.

(3) The technical control of the construction shall be conducted by a commission within a period of 15 days as of the day of filing the completed application. The commission shall be composed of minimum three members and their deputies, holders of authorization for supervisory engineer issued pursuant to this Law, depending on the category of the construction under technical control, and for electronic communication networks and devices, at least two members of the commission should be from the Agency for Electronic Communications.

(4) The commission for technical control of the first category constructions referred to in Article 57 of this Law shall be formed by the competent body referred to in Article 58 of this Law which has issued the construction approval.

(5) For the second category constructions referred to in Article 57 of this Law and the superstructures in the cases of Article 59-j paragraph (1) of this Law, the technical control shall be conducted by the supervisory engineer who shall also prepare a report for the completed technical control. The report shall be submitted to the municipality where the facility is built together with the land survey report for the completed survey of the facility and proof of paid costs for entry of the facility in the public books of immovables in line with the calculation referred to in Article 59 paragraph (15) of this Law.

(6) For constructions intended for individual housing with gross developed area of up to 300 m² (except for the superstructures in the cases of Article 59-j paragraph (1) of this Law), the technical control shall not be conducted, and the contractor shall be obliged to give a statement verified at a notary under full material and criminal liability confirming that the facility is built pursuant to the construction approval and the basic project or the as-built project. The statement confirming that the facility is built in accordance with the construction approval and the basic project or the as-built project shall be submitted to the municipality where the facility is built together with the land survey report for the completed survey of the facility and proof of paid costs for entry of the facility in the public books of immovables in line with the calculation referred to in Article 59 paragraph (15) of this Law.

Article 89-a

The investor, before completing the technical control, shall be obliged to provide a certificate for energy performance of the building issued by a sole proprietor or a legal entity holding a license for conducting an energy audit regarding the constructions of second category referred to in Article 57 of this Law to which the Rulebook for Energy Performance of Buildings applies.

Article 90

(1) The competent body referred to in Article 58 of this Law shall organize the technical control and shall inform the participants in the construction process about the place, date and hour of conducting the technical control.

(2) The commission conducting the technical control shall prepare minutes for its work, where it concludes whether:

- the construction is built in line with the basic project or the as-built project and the construction approval,
- the construction has a façade and may be used,
- there are certain flaws that have to be eliminated in order an approval for use to be issued, and
- there are flaws that breach the basic requirements for the construction pertaining to mechanical endurance, stability and seismic protection and shall propose an approval for use for the particular construction not to be issued.

(3) The supervisory engineer that conducts a technical control over the second category facilities referred to in Article 57 of this Law and the superstructures in the cases of Article 59-j paragraph (1) of this Law shall conclude in the report for the completed technical control whether the construction is built in accordance with the basic project or the as-built project and the construction approval, whether the construction has a façade and may be used, whether it has certain flaws to be eliminated and flaws that breach the basic requirements for the construction pertaining to the mechanical endurance, stability and seismic protection due to which the construction cannot be used.

(4) In the cases referred to in Article 59 paragraph (17) of this Law, the Commission, that is, the supervisory engineer carrying out technical control shall mandatorily establish whether the investor has regulated the property rights for the whole construction parcel, and if they are not completely regulated, the construction cannot be put in use.

(5) As an exception to paragraph (4) of this Article, regarding linear infrastructure facilities such as state roads, local roads and streets, water supply and sewage systems, railway lines, gas pipelines, long-distance transmission lines, refined products pipelines, thermal pipelines, oil pipelines, aerial cableways, irrigation and drainage systems, backbone and junction streets in the area of the City of Skopje, as well as hydro power plants and dams with accumulations, the construction may be put in use if a decision on establishment of possession over the land in accordance with the Law on Expropriation is adopted in an expropriation procedure.

(6) In the cases where the Commission, that is, the supervisory engineer, in the course of conducting technical control over the construction built for the needs of state bodies, agencies and funds established by the Republic of Macedonia and legal entities in whole or dominant ownership of the Republic of Macedonia, establish that a local road or a street to which the construction is to be connected is not built, it may be put in use if no other irregularities because of which the construction cannot be put in use are established during the technical control in accordance with paragraphs (2) and (3) of this Article.

(7) The form and content of the report for the completed technical control by the supervisory engineer for the second category constructions shall be prescribed by the minister heading the state administrative body responsible for the activities in the field of land development.

Article 90-a

If during the technical control, the Commission, that is, the supervisory engineer carrying out the technical control establishes that there are no proofs for the origin of the dimension stone, construction sand and gravel, they shall be obliged to notify the competent body referred to in Article 58 of this Law that has issued the construction approval, as well as the State Inspectorate for Technical Inspection thereof.

Article 90-b

If positive opinion on the built level of mechanical endurance, stability and seismic protection of the construction during the construction process and opinion on the built level of mechanical endurance, stability and seismic protection of the construction upon the completion of the construction system of the construction is not obtained, the construction cannot be put into use.

Article 90-c

If a certificate for energy performance of the building issued by a sole proprietor or a legal entity holding a license for conducting an energy audit is not provided, the constructions to which the Rulebook for Energy Performance of Buildings applies cannot be put into use, that is, the contractor cannot give the statement referred to in Article 89 paragraph (6) of this Law.

Article 91

The contractor shall be obliged, on the day of conducting the technical control, to give all the documentation referred to in Article 86 of this Law for inspection to the commission referred to in Article 89 of this Law, i.e. to the supervisory engineer who should conduct the technical control.

Article 92

(1) The investor shall be obliged to cover the costs for conducting the technical control at its own expense.

(2) The manner of conducting the technical control shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

(3) The amount of the costs for the technical control referred to in paragraph (1) of this Article, on a proposal of the minister heading the state administrative body responsible for carrying out the activities related to land development, shall be prescribed by the Government of the Republic of Macedonia.

Article 92-a

(1) The procedure for connection of the facility to the water and sewage network shall be conducted by the local self-government unit on whose area the facility is built.

(2) Facility built without construction approval cannot be connected to the technical infrastructure (electrical power, water, sewage, road and alike).

(3) As an exception to paragraph (2) of this Article, a facility that is built without a construction approval may be connected to the technical infrastructure, provided that an urban planning consent or a decision on

determination of the legal status of an unlawful facility in accordance with the Law on Determination of the Legal Status of Unlawful Facilities.

(4) The municipality shall be obliged to commence the procedure for connection of the facility to water and sewage network within a period of three working days as of the day of receipt of the notification from the supervisory engineer, and from the contractor for the facilities for individual housing with gross developed area of up to 300 m², if a supervisory engineer has not been assigned.

3. Issuance of approval for use

Article 93

(1) The competent body referred to in Article 58 of this Law shall issue an approval for use for the construction within 15 days as of the completed technical control, if the commission that has completed the technical control concludes in the minutes that the construction may be put in use.

(2) If during the technical control the commission establishes flaws by reason of which the approval for use cannot be issued, it shall notify the investor of their elimination, in writing, within a period not exceeding 30 days.

(3) The application for issuance of approval for use shall be rejected by the competent body by a decision if the flaws established during the technical control are not eliminated within the time period determined in paragraph (2) of this Article.

Article 94

(1) Approval for use of the first category constructions referred to in Article 57 of this Law may be issued upon request of the investor for one or several of its parts, should they constitute a construction and functional whole, as a construction phase.

(2) For constructions of the second category referred to in Article 57 of this Law, upon request of the investor, a report may be prepared for the completed technical control for one or several parts of the construction if they constitute a construction and functional whole as a construction phase.

4. Commissioning of built construction

Article 95

Upon the issuance of approval for use by the competent body referred to in Article 58 of this Law, i.e. upon preparation of the report for completed technical control by the supervisory engineer, i.e. upon giving a statement by the contractor for the facilities for individual housing with gross developed area of up to 300 m², the contractor and the investor shall perform commissioning of the construction facility and shall prepare minutes for the commissioning of the contracted construction as a construction facility.

5. Subscription of immovables in a public book

Article 96

(1) The procedure for subscription of the facility in the public book of immovables shall be conducted by the competent body referred to in Article 58 of this Law that has issued the construction approval.

(2) For the first category constructions, the state administrative body responsible for carrying out the activities related to land development shall be obliged, on behalf and for the account of the investor, to submit an application for subscription of the construction facility in the public book of immovables to the body responsible for subscription of the rights to immovables, within a period of three working days as of the day of receipt of land survey report for the completed survey of the facility and the proof of paid costs for subscription of the facility in the public books of immovables made by the investor pursuant to the calculation referred to in Article 59 paragraph (15) of this Law.

(3) For the second category constructions referred to in Article 57 of this Law and the superstructures in the cases of Article 59-j paragraph (1) of this Law, the municipality shall be obliged, on behalf of and for the account of the investor, to submit an application for subscription of the construction facility in the public book of immovables to the body responsible for subscription of the rights to immovables, within a period of three working days as of the day of receipt of the land survey report for the completed survey of the facility and the proof of paid costs for subscription of the facility in the public books of immovables made by the investor pursuant to the calculation referred to in Article 59 paragraph (15) of this Law, and for facilities for individual housing with gross developed area of up to 300 m² (except for and the superstructures in the cases of Article 59-j paragraph (1) of this Law), within a period of three working days as of the receipt of the statement from the contractor together with the land survey report for the completed survey of the facility and the proof of paid costs for subscription of the facility in the public books of immovables made by the investor pursuant to the calculation referred to in Article 59 paragraph (15) of this Law.

(4) The competent body referred to in Article 58 paragraph (3) of this Law which has issued the construction approval shall be obliged, for the constructions in the technological industrial development zones established by the Government of the Republic of Macedonia and by legal entities, which are constructed by the lessees and the owners of the land in the technological industrial development zones (except for infrastructure facilities in the zone, which are constructed by the entities - public service providers in charge of construction of electro-technical, water supply, sewage, gas and telecommunication infrastructure), for the constructions in the free health zones, as well as for the constructions in the industrial and green zones established by the Government of the Republic of Macedonia which are constructed by the owners of the land in the industrial and green zones, on behalf and for the account of the investor, to submit a request for subscription of the construction facility in the public book of immovables to the competent body responsible for inscribing the rights to immovables, within a period of three working days as of the day of receipt of the land survey report for the completed survey of the facility and the proof of paid costs for subscription of the facility in the public books of immovables by the investor.

(5) The City of Skopje shall be obliged, for the backbone and junction streets in the area of the City of Skopje, as well as for the linear infrastructure constructions the construction of which, pursuant to the Law on the City of Skopje, is within the competence of the City of Skopje, on behalf and for the account of the investor, to submit a request for subscription of the construction facility in the public book of immovables to

the competent body responsible for inscribing the rights to immovable, within a period of three working days as of the day of receipt of the land survey report for the completed survey of the facility and the proof of paid costs for subscription of the facility in the public books of immovables by the investor in accordance with the calculation referred to in Article 59 paragraph (15) of this Law.

(6) The body responsible for subscription of the rights to immovables shall enter the construction facility in the public book of immovables upon filed application by the bodies referred to in paragraphs (2), (3), (4) and (5) of this Article that also includes the basic project or the as-built project, in case of alterations during the construction, the land survey report for the completed survey of the facility, as well as the approval for use for the first category constructions referred to in Article 57 of this Law, the report for the completed technical control by the supervisory engineer for the second category constructions referred to in Article 57 of this Law and the superstructures in the cases of Article 59-j paragraph (1) of this Law, i.e. the statement verified by a notary under full material and criminal liability by the contractor confirming that the facility has been built in line with the construction approval and the basic project or the as-built project, for constructions intended for individual housing with gross developed area of up to 300 m² (except for and the superstructures in the cases of Article 59-j paragraph (1) of this Law).

(7) As an exception to paragraph (6) of this Article, the linear infrastructure facilities such as state roads, local roads and streets, water supply and sewage systems, railway lines, gas pipelines, long-distance transmission lines, refined products pipelines, thermal pipelines, oil pipelines, aerial cableways, irrigation and drainage systems, backbone and junction streets in the area of the City of Skopje, as well as hydro power plants and dams with accumulations, for which approval for use is issued in accordance with Article 93 paragraph (1) of this Law, that is, for which a report for a completed technical control is prepared in accordance with Article 90 paragraph (3) of this Law establishing that they may be put in use, and for which a decision on establishment of possession over the land in accordance with the Law on Expropriation is adopted in an expropriation procedure, cannot be entered in the public book for entry of immovables until the resolution of the property issues with the owner of the land whereon they are built.

VIII. USE, MAINTENANCE AND REMOVAL OF A CONSTRUCTION FACILITY

1. Use of a construction facility, repurpose, adaptation and reconstruction

Article 97

(1) The facility shall be used in accordance with its purpose.

(2) As an exception to paragraph (1) of this Article, a separate part of a facility, apartment or part of an apartment may be repurposed, reconstructed or adapted under the conditions determined by this Law.

(3) The owner of a separate part of a facility, apartment or part of an apartment intended to be repurposed shall submit a request for approval of the repurpose to the competent body referred to in Article 58 of this Law, attaching the following to the request:

- an excerpt from an urban plan or an urban planning documentation that confirms that the respective facility is planned by the planning documentation,
- a proof of the right to ownership of the separate part of the facility, that is, the apartment or the part of the apartment which is the subject of the repurpose,
- a basic project for the planned repurpose, including a positive audit, and
- a contract with the union of owners of separate parts of the facility or a written consent from the majority owners of separate parts of the facility which constitute more than half of the total area of the facility, who hold property certificates for the separate parts of the facility, in case of a facility in floor ownership.

(4) With regard to reconstruction of a facility or part of a facility, the owner of the facility, that is, the municipality, the municipality in the city of Skopje or the City of Skopje in the cases where a decision has been adopted in accordance with Article 67-a paragraph (1) of this Law, shall submit a request for reconstruction to the competent body referred to in Article 58 of this Law, attaching the following to the request:

- a proof of the right of ownership of the separate part of the facility, that is, apartment or part of the apartment, that is, a decision of the council of the municipality, the council of the municipality in the city of Skopje or the Council of the City of Skopje, in the cases of reconstruction of a facility for which a decision has been adopted in accordance with Article 67-a paragraph (1) of this Law,
- a property certificate for the facility which is the subject of reconstruction or a legally valid decision on establishment of a legal status of an unlawful construction in accordance with the Law on the Treatment of Unlawful Constructions, for the facility for which a request for reconstruction is submitted, and
- a basic project for the planned reconstruction, containing a positive audit report.

(5) With regard to adaptation of a separate part of a facility, apartment or part of an apartment, the owner of the separate part of the facility, apartment or part of the apartment shall submit a request for adaptation to the competent body referred to in Article 58 of this Law, attaching the following to the request:

- a property certificate for the facility which is the subject of adaptation or a legally valid decision on establishment of a legal status of an unlawful construction in accordance with the Law on the Treatment of Unlawful Constructions, for the facility for which a request for adaptation is submitted, and
- an adaptation project containing the current situation and a new situation which is planned by the adaptation.

(6) The competent body referred to in Article 58 of this Law, within a period of five working days as of the day of receipt of the request, shall determine whether the submitted documentation is complete, whether the requirements for the requested repurpose, reconstruction or adaptation are met, and shall obtain opinions and consents in accordance with Article 59-c of this Law, provided that they should be obtained.

(7) If the submitted documentation is complete, the requirements for the requested repurpose, reconstruction or adaptation are met, and a positive opinion, that is, consent is obtained by the entities referred to in Article 58-c of this Law which have been submitted a request for examination of the basic project, the competent body, within the deadline set in paragraph (6) of this Article, shall adopt a decision approving the repurpose or the reconstruction or the adaptation and shall verify the

project documentation, or shall adopt a conclusion for termination by which it shall oblige the requesting entity to remove the established irregularities within a period of 10 working days.

(8) If the requesting entity does not remove the established irregularities and does not supplement the request within the deadline referred to in paragraph (7) of this Article, the competent body shall be obliged, within a period of three working days, to adopt a decision rejecting the request, and if the requesting entity supplements the request and removes the established irregularities, the competent body shall adopt a decision approving the repurpose or the reconstruction or the adaptation within a period of five working days.

(9) If comments to the basic project are submitted by any of the entities referred to in Article 59-c which have been submitted a request for examination, the competent body shall be obliged, immediately upon supplementing the request by the requesting entity, to submit a request for re-examination of the basic project to the entities referred to in Article 59-c of this Law which have given comments, and they shall be obliged to examine whether it is acted upon the previously given comments in a period of two working days as of the day of receipt of the request for re-examination of the basic project.

(10) If, in the procedure for repurposing, it is established that a charge for land development is to be paid, the competent body shall submit a calculation to the requesting entity before issuing the decision approving the repurpose, and the requesting entity shall be obliged, within a period of 15 working days as of the receipt of the calculation, to pay the charge, or a decision rejecting the request shall be adopted.

(11) If repurposing is also carried out during reconstruction or adaptation of a separate part of a facility, apartment or part of an apartment, the requesting entity shall be obliged to file a request to the competent body for reconstruction by repurposing or adaptation by repurposing and to submit the proofs prescribed in paragraph (3) of this Article.

(12) An appeal against the decision on approval, that is, the decision on rejection of the request for repurposing, reconstruction, reconstruction by repurposing, adaptation, adaptation by repurposing may be filed to the competent body responsible for making a decision on an appeal referred to in Article 65 of this Law within a period of 15 days as of the day of receipt of the decision.

(13) A copy of the legally valid decision approving the request for repurposing, reconstruction, reconstruction by repurposing, adaptation, adaptation by repurposing, as well as the verified project documentation, shall be submitted to the body responsible for inscription of the right to immovables and to the construction inspection.

(14) Repurposing and adaptation of a separate part of a facility, apartment or part of an apartment cannot be approved if the parameters for the repurpose and/or the parameters for the number of housing units of the facilities, which are determined by the effective urban plan, that is, the urban planning documentation, are disturbed.

Article 97-a

In the cases where a reconstruction approval is issued for a construction to which the Rulebook for Energy Performance of Buildings applies and in the case of a major reconstruction in accordance with Article 48 paragraph

(6) of this Law, except for an individual housing facility, the investor shall provide, upon the completed reconstruction, a certificate for energy performance of the building issued by a sole proprietor or a legal entity holding a license for conducting an energy audit.

Article 97-b

(1) The reconstruction of the facilities referred to in Article 73 paragraph (1) of this Law shall be made based on an approved reconstruction project.

(2) In the cases referred to in paragraph (1) of this Article, a request for approval of the reconstruction project shall be submitted to the competent body referred to in Article 74 of this Law accompanied by a reconstruction project together with a positive audit report.

(3) The competent body referred to in Article 74 of this Law, to which the request referred to in paragraph (2) of this Article is submitted, shall be obliged to approve the project by verifying it and affixing a seal or to submit a notification for the established faults within a period of seven working days.

Article 97-c

(1) Reconstruction of linear infrastructure facilities shall be made on the basis of an approved reconstruction project.

(2) In the cases referred to in paragraph (1) of this Article, for the purpose of approving a reconstruction project, a request shall be submitted to the competent body referred to in Article 58 of this Law attaching a reconstruction project containing a positive audit report.

(3) The competent body referred to in Article 58 of this Law to which the request referred to in paragraph (2) of this Article has been submitted shall be obliged, within a period of seven working days, to approve the project by verifying it and affixing a seal or to deliver a notification for the established irregularities.

2. Maintenance of a construction facility

Article 98

(1) The owner of the facility shall be obliged, by day-to-day and investment maintenance, to preserve the basic requirements for the construction, in line with the project for use and maintenance.

(2) For the activities referred to in paragraph (1) of this Article, the owner of the facility may appoint a legal entity – manager of day-to-day and investment maintenance of the first and second category facilities (except for residential facilities with more than three floors) referred to in Article 57 of this Law.

(3) Maintenance manager may be a legal entity registered in the Central Register for carrying out an appropriate activity and a holder of a license of maintenance manager.

(4) The legal entity shall be obliged to attach the following to the application for obtaining the license referred to in paragraph (3) of this Article:

- proof of registration for carrying out an appropriate activity and

- proof to have at least two employees, one of them holder of A authorization for a building engineer or A authorization for a supervisory engineer, and one holder of B authorization for a building engineer or B authorization for a supervisory engineer.

3. Removal of a facility

Article 99

(1) Removal of a facility or part of it shall be carried out in case of damage to the facility if there is a risk of collapsing.

(2) The owner of the facility shall also be obliged to take urgent measures for removal of the facility, i.e. to mark the facility as dangerous with proper signs, to set protection fence until the elimination of the risk, and to submit a request for obtaining an approval for removal to the competent body referred to in Article 58 of this Law.

(3) If the owner of the facility does not carry out the activities referred to in paragraph (2) of this Article, they shall be carried out by the competent body referred to in Article 58 of this Law.

(4) The following shall be attached to the request for approval for removal:

- proof of ownership of the facility and
- project for removal of a facility or part of it.

(5) The procedure for issuance of approval for removal shall be conducted pursuant to the Law on the General Administrative Procedure.

(6) The competent body referred to in paragraph (2) of this Article shall *ex officio* obtain consent or opinion of other bodies regarding the conditions for assessment and removal of the facility and the bodies shall be obliged to submit the consent or the opinion, i.e. reject or refuse the request for consent within a period of seven working days as of the day of receipt of the request, or it shall be considered that they have consented, i.e. given positive opinion. The competent body referred to in Article 58 of this Law shall be obliged, within a period of 15 days as of the day of receipt of the request, to issue an approval for removal or to adopt a decision rejecting the request.

(7) Removal of a facility shall be carried out upon obtaining an approval for removal issued by the competent body referred to in Article 58 of this Law for the first and second category referred to in Article 57 of this Law.

(8) As an exception to paragraph (7) of this Article the constructions referred to in Article 73 of this Law may be removed without the approval.

(9) If the owner of the facility does not act in accordance with the approval for removal, the removal shall be carried out by the competent body referred to in Article 58 of this Law, at the expense of the owner of the facility.

(10) The request for issuance of approval for removal of a facility or part of it may be submitted by other interested entities as well. The competent body shall be obliged to establish whether the request is founded, and if it is founded, it shall notify the owner of the facility with regard to the commencement of the procedure for removal, in writing, within a period of 30 days at the most. If the owner of the facility does not submit a request for obtaining an approval for removal, the competent body shall adopt a

decision on removal and shall carry out the removal at the expense of the owner of the facility.

(11) An appeal against the approval for removal, that is, the decision rejecting the request may be filed to the competent body responsible for making a decision on an appeal referred to in Article 65 of this Law within a period of 15 days.

(12) The manner and procedure for marking the facility, setting a protection fence, the type of signs and removal of the facility shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

Article 99-a

(1) The owner may remove a constructed facility which is not damaged or not threatened by demolition upon receipt of a legally valid approval for removal of a facility issued by a competent body for issuance of construction approval referred to in Article 58 of this Law.

(2) The following shall be attached to the request for removal of a facility:
- a proof of ownership of the facility and
- a project for removal of a facility or a part thereof.

(3) The procedure for issuance of approval for removal shall be conducted in accordance with the Law on the General Administrative Procedure.

(4) The competent body referred to in Article 58 of this Law shall be obliged, within a period of 15 days as of the day of receipt of the request, to issue an approval for removal or to adopt a decision rejecting the request.

(5) An appeal against the approval for removal, that is, the decision rejecting the request may be filed to the competent body responsible for making a decision on an appeal referred to in Article 65 of this Law within a period of 15 days.

(6) In the course of removal of the facility, the owner shall be obliged to set a protective net and marks for removal of the facility in accordance with the regulation of Article 99 paragraph (2) of this Law.

Article 100

(1) The project for removal of a facility or part of it shall contain a technical solution and description with regard to the manner of removal of the facility or part of it, that shall not affect the stability of the land or the fulfillment of the basic requirements of the neighboring facilities, as well as the transport and treatment of the construction waste that is removed and the construction parcel development after the removal of the facility or part of it.

(2) The project for removal referred to in paragraph (1) of this Article shall be audited in accordance with Article 21 of this Law.

(3) The costs for removal of the facility or part of it and the costs for clearing the field shall be covered by the owner of the facility.

Article 100-a

(1) By removing a facility or a part of it, in accordance with Article 99 and Article 99-a of this Law, the right of ownership, the sub-forms of the right

of ownership (co-ownership and joint ownership), the other real rights, as well as other rights and facts the inscription of which is defined by law shall terminate.

(2) Upon a request of the competent body referred to in Article 58 of this Law, to which a legally valid decision on removal of a facility or a part of it and a land survey report for inscription of changes in the public book for entry of the rights to immovables are submitted, the body responsible for keeping the public book for entry of the rights to immovables shall delete the entered rights referred to in paragraph (1) of this Article from the Real Estate Cadastre.

Article 101

Approval shall not be required for reconstruction, reconstruction by repurposing and adaptation by repurposing, as well as for removal of constructions located in an area fenced off for the needs of the defense.

Article 101-a

(1) The competent bodies referred to in Article 58 of this Law shall be obliged to conduct the procedures for approval of a draft project, alterations during the construction process, change of investor, issuance of an approval for carrying out preparatory activities, issuance of a decision on the constructions referred to in Article 73 of this Law, reconstruction, repurposing, adaptation, and issuance of an approval for use of the first category constructions referred to in Article 57 of this Law via electronic means.

(2) The manner of conducting the procedures referred to in paragraph (1) of this Article shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities in the field of land development.

(3) As an exception to paragraph (1) of this Article, the competent bodies referred to in Article 58 paragraph (3) of this Law shall conduct the procedures for approval of a draft project, alterations during the construction process, change of investor, issuance of an approval for carrying out preparatory activities, issuance of a decision on the constructions referred to in Article 73 of this Law, reconstruction, repurposing, adaptation, and issuance of an approval for use of the constructions in the technological industrial development zones established by the Government of the Republic of Macedonia and by legal entities, which are constructed by the lessees and the owners of the land in the technological industrial development zones (except for infrastructure facilities in the zone, which are constructed by the entities - public service providers in charge of construction of electro-technical, water supply, sewage, gas and telecommunication infrastructure), of the constructions in the free health zones, as well as of the constructions in the industrial and green zones established by the Government of the Republic of Macedonia which are constructed by the owners of the land in the industrial and green zone, in writing.

IX. CHAMBER OF AUTHORIZED ARCHITECTS AND AUTHORIZED ENGINEERS

Article 102

(1) The Chamber of Authorized Architects and Authorized Engineers (hereinafter: the Chamber) shall represent, synchronize and protect the interests of the authorized architects and engineers and shall protect the interests of third parties in carrying out the activities by the authorized architects and engineers.

(2) The right to use the professional title authorized architect and authorized engineer shall be acquired by obtaining an authorization in accordance with this Law and by entry in a corresponding directory of the Chamber.

Article 103

(1) The Chamber shall be autonomous, professional, non-profit and independent organization with the capacity of a legal entity.

(2) The head office of the Chamber shall be in Skopje.

(3) The Chamber shall have its own seal, symbol, coat of arms and impress.

(4) The Chamber shall be entered in the Trade Register.

(5) The work of the Chamber shall be public, and the publicity of the Chamber's work shall be ensured by constant informing the members about the activities of the Chamber, in a manner defined by the Statute of the Chamber.

Article 104

(1) The Chamber shall execute public authorizations defined by this Law and shall keep records thereof.

(2) The public authorizations referred to in paragraph (1) of this Article shall consist of issuance of acts considered to be public documents, such as:

- 1) authorization for designing, audit of the project documentation, supervision of the building of constructions and management of the building of constructions referred to in Article 57 of this Law;
- 2) certificate for authorization of a foreign architect or engineer for activities related to designing, audit of projects, supervision of the building of constructions referred to in Article 57 of this Law and management of the building of the construction, and
- 3) validation of projects prepared abroad.

Article 105

(1) The supervision of the execution of the public authorizations referred to in Article 104 of this Law shall be conducted by the state administrative body responsible for carrying out the activities related to land development, by:

- pointing to certain material and procedural flaws in the operations of the Chamber,
- giving recommendations for consistent implementation of the legislation regarding the execution of public authorizations, and
- giving opinions and providing professional assistance.

(2) If the Chamber does not eliminate the flaws referred to in paragraph (1) line 1 of this Article or does not execute its powers under this Law for more than six months, they shall be revoked or limited by the state

administrative body responsible for carrying out the activities related to land development. The revoked and/or limited powers shall be executed by the state administrative body responsible for carrying out the activities related to land development, on behalf of and for the account of the Chamber, at most one year after they are revoked, i.e. limited.

(3) The Chamber shall submit an annual report with regard to the execution of the public authorizations to the state administrative body responsible for carrying out the activities related to land development.

Article 106

The members of the Chamber shall directly achieve their interests in the Chamber in professional departments and indirectly via elected representatives in the Assembly of the Chamber, as well as through other forms of organization in line with the Statute of the Chamber (hereinafter: the Statute).

1. Bodies of the Chamber

Article 107

(1) Bodies of the Chamber shall be the Assembly, Managing Board, Supervisory Board and President and Vice-President of the Chamber.

(2) The President of the Chamber, the Vice-president of the Chamber, the members of the Managing Board and the members of the Supervisory Board shall have a four-year term of office, with the right to be re-elected.

Article 108

(1) The Assembly of the Chamber shall be the highest body of the Chamber.

(2) The Assembly of the Chamber shall be composed of representatives of professional departments of the Chamber, elected by the members of the Chamber.

(3) The chairman of the Chamber and his/her deputy shall be elected from among the representatives referred to in paragraph (2) of this Article, for a two-year term of office. The office of the chairman of the Assembly shall be incompatible with any other office in the Chamber.

(4) Equitable representation of the professional departments, in line with the number of members in the departments, shall be ensured in the Assembly.

(5) The Assembly of the Chamber shall hold sessions at least once a year, and the chairman of the Assembly shall be obliged to convene a session of the Assembly for the purpose of urgent resolution of certain issues upon written request from:

- the President of the Chamber,
- the Vice-president of the Chamber,
- the Managing Board,
- one department of the Chamber, and
- at least one fourth of the total membership of the Chamber.

(6) The chairman shall be obliged to schedule the session within 20 days as of the day of receipt of the request referred to in paragraph (5) of this Article.

(7) The Assembly of the Chamber may work if the majority of the total number of representatives referred to in paragraph (2) of this Article are present at the session, where the decisions shall be adopted by majority votes of the present representatives.

Article 109

The Assembly of the Chamber shall carry out the following activities:

- 1) adopt the Statute and other general acts defined by this Law and by the Statute;
- 2) consolidate annual work report for the previous year and adopt a work program for the following year;
- 3) adopt an annual calculation and a plan for implementation of the calculation;
- 4) define the amount of the membership fee;
- 5) elect the president of the Chamber, the vice-president of the Chamber, the members of the Managing Board and the members of the Supervisory Board, considering the equitable representation of the members of all communities;
- 6) adopt the Rules of Procedure for the work of the Assembly of the Chamber;
- 7) adopt a price list for the public services and a tariff list for the provided services;
- 8) adopt a Code of Professional Ethics for authorized architects and authorized engineers, and
- 9) carry out other activities defined by this and another law and by the Statute.

Article 110

The price list for the public service shall be adopted upon a previously obtained consent from the state administrative body responsible for carrying out the activities related to land development and it shall be published in the "Official Gazette of the Republic of Macedonia".

Article 111

(1) The Managing Board shall be composed of the president and the vice-president of the Chamber and the heads of the professional departments.

(2) The president of the Managing Board shall also be a president of the Chamber.

(3) The vice-president of the Managing Board shall also be a vice-president of the Chamber.

(4) The president of the Managing Board may convene a session of the Managing Board at any time. The president of the Chamber shall be obliged to convene a session of the Managing Board for the purpose of urgent resolution of certain issues, upon written request of the Supervisory Board of the Chamber, the president of any professional department or at least one fourth of the members of the Managing Board of the Chamber, within 15 days as of receipt of the request.

Article 112

The Managing Board of the Chamber shall carry out the following activities:

- 1) adopt the Rules of Procedure for the Managing Board;
- 2) adopt decisions within its scope of operation;

- 3) implement the decisions and conclusions of the Assembly;
- 4) establish the draft statute and other acts adopted by the Assembly;
- 5) adopt the Rulebook for organization and systematization of the professional service of the Chamber;
- 6) propose decisions, conclusions, positions and give opinions with regard to the issues discussed by the Assembly, and
- 7) carry out other activities defined by the Statute.

Article 113

(1) The Supervisory Board shall be composed of a president, two members and their deputies, elected by the Assembly of the Chamber.

(2) The president of the Chamber and the members of the Supervisory Board cannot be members of the Supervisory Board.

Article 114

The Supervisory Board shall carry out the following activities:

- 1) supervision of the implementation of the Statute and the other general acts of the Chamber and the exercise of the rights and fulfillment of the duties of the members of the Chamber;
- 2) supervision of the material and financial operations of the Chamber and the management of the funds of the Chamber, and
- 3) supervision of the work of the professional service of the Chamber, in line with the Statute and the other general acts.

Article 115

(1) The president of the Chamber shall be elected by the members of the Chamber's Assembly, from among the professional departments.

(2) Each professional department may propose one candidate for a president at most, and the candidate that has been voted by the majority of the total number of members of the Assembly of the Chamber shall be elected.

(3) The office of the president of the Chamber shall be professional.

(4) The president of the Chamber shall represent the Chamber, convene sessions of the Managing Board and chair them, implement the decisions and conclusions of the Assembly of the Chamber, shall be responsible for the legal operations of the Chambers and shall have the right to participate in the work at the sessions of the professional departments, without the right to decide.

Article 116

The Chamber shall be composed of professional departments, as a basic form of professional connection and organization of the members of the Chamber, for promotion of particular activities.

Article 117

(1) The following departments shall be formed in the Chamber:

- 1) Department of Architects;
- 2) Department of Civil Engineers;
- 3) Department of Mechanical Engineers;
- 4) Department of Electro Engineers;

- 5) Department of Geological Engineers, and
- 6) Department of Traffic Engineers.

(2) If necessary, in addition to the departments referred to in paragraph (1) of this Article, by a decision of the Managing Board, other departments may be formed within the Chamber.

Article 118

(1) The department shall be managed by a head of department, and in case of his/her absence or prevention, by his/her deputy.

(2) At least one board shall be formed in the department referred to in paragraph (1) of this Article, and if necessary several boards may also be formed.

Article 119

(1) At the first session, the departments shall elect heads and deputy heads from among their members.

(2) The head and deputy head shall prepare, convene and chair the sessions of the department and shall represent the interests of the department in the Chamber.

(3) The head of the department may represent the Chamber with regard to issues within its scope, upon written authorization from the president of the Chamber.

Article 120

The professional, administrative, auxiliary and other activities in the Chamber shall be carried out by the professional service of the Chamber, headed by the secretary general of the Chamber.

2. Acts of the Chamber

Article 121

The Statute shall regulate in detail the following:

- 1) organization of the Chamber;
- 2) rights, obligations and responsibilities of the Chamber;
- 3) presentation and representation of the Chamber;
- 4) transparency in the operations;
- 5) procedure for adoption of general and specific acts;
- 6) procedure for entry in the directories of the Chamber;
- 7) abeyance and termination of membership of the Chamber;
- 8) manner of keeping the directories;
- 9) rights and duties of authorized architects and authorized engineers;
- 10) disciplinary procedure for establishment of violation of duty and reputation by authorized architects and authorized engineers;
- 11) disciplinary measures;
- 12) bodies for initiation and conduct of a disciplinary procedure;
- 13) organization of the professional service of the Chamber, and
- 14) other issues significant for the Chamber.

Article 122

The Code of Professional Ethics shall define the principles, rules and duties of the members with which they are obliged to comply.

Article 123

(1) The Chamber shall keep a directory of:

- 1) authorized architects;
- 2) authorized engineers;
- 3) bureaus (individual or joint), and
- 4) designing companies.

(2) The directory referred to in paragraph (1) of this Article shall be a public book. An excerpt issued pursuant to the data from the directory shall be a public document.

(3) The directory referred to in paragraph (1) of this Article shall be published in the "Official Gazette of the Republic of Macedonia".

3. Procedure for entry in the directory

Article 124

(1) The authorized architects and authorized engineers shall acquire the capacity of a member of the Chamber by entry in the Directory of Authorized Architects and the Directory of Authorized Engineers.

(2) Every person meeting the following requirements shall have the right to be entered in the Directory of Authorized Architects and the Directory of Authorized Engineers:

- 1) to be a citizen of the Republic of Macedonia and
- 2) to have obtained an approval under this Law.

(3) The application for entry in the directories referred to in paragraph (1) of this Article shall be filed to the Managing Board of the Chamber.

(4) The entry in the directory referred to in paragraph (1) of this Article shall be made on the basis of a decision adopted by the Managing Board of the Chamber.

(5) An application for entry in the corresponding directory shall be rejected by a decision if the person filing it does not meet the requirements referred to in paragraph (2) of this Article.

(6) An appeal against the decision referred to in paragraph (1) of this Article, within eight days as of receipt of the decision, may be filed to the Commission for Decision-making upon Appeals in Second Instance within the Chamber whose members are appointed by the Assembly of the Chamber.

(7) New application for entry may be filed at least three months after the day of adoption of the decision that rejects the application for entry in the corresponding directory.

4. Insurance against liability and financing

Article 125

(1) The Chamber shall mandatorily have an insurance against liability, as a collective insurance.

(2) As an exception to paragraph (1) of this Article, an authorized architect, i.e. an authorized engineer may be individually insured against

liability that he/she may cause to third parties if the Chamber consents.

Article 126

The funds for carrying out the activities within the Chamber's competence shall be provided from:

- compensation for authorization;
- membership fee;
- compensation for validation;
- donations, and
- other sources defined by law.

X. SUPERVISION

Article 127

The supervision of the implementation of this Law and the regulations adopted pursuant to this Law shall be conducted by the state administrative body responsible for carrying out the activities related to land development.

1. Inspection supervision

Article 128

(1) The inspection supervision activities with regard to the application of this Law and the regulations adopted pursuant to this Law shall be carried out by construction inspectors of the State Inspectorate for Construction and Urbanism (hereinafter: construction inspectors) and construction inspectors of the municipalities and the municipalities in the city of Skopje (hereinafter: authorized construction inspectors).

(2) Construction inspector shall conduct inspection supervision of the first category constructions, and authorized construction inspector shall conduct inspection supervision of the second category constructions referred to in Article 57 of this Law.

(3) The inspectors referred to in paragraph (1) of this Article shall also conduct the inspection in accordance with the provisions of the Law on Prohibition and Prevention of Carrying Out an Unregistered Business Activity.

Article 128-a

The State Inspectorate for Construction and Urbanism shall have the capacity of a legal entity with its own budget account as a direct budget user, shall independently conduct procedures for employment in accordance with the law, and shall decide on the rights and obligations under employment.

Article 128-b

(1) The State Inspectorate for Construction and Urbanism shall be managed by a director who is appointed and dismissed by the Government of the Republic of Macedonia.

(2) A public announcement for appointment of a director shall be published in three daily newspapers that are printed on the whole territory

of the Republic of Macedonia one of which is a newspaper printed in a language spoken by at least 20% of the citizens who speak an official language other than the Macedonian.

(3) A person who meets the following requirements may be appointed as a director:

- 1) to be a citizen of the Republic of Macedonia;
- 2) at the moment of appointment, not to be issued an effective injunction banning him/her from exercising a profession, business or office;
- 3) to have at least 300 credits under ECTS or completed VII/1 degree;
- 4) to have at least five years of work experience;
- 5) to hold one of the following internationally recognized certificates for active knowledge of English Language which is not older than five years:
 - TOEFL IBT - at least 74 points,
 - IELTS - at least 6 points,
 - ILEC (Cambridge English: Legal) - at least B2 level,
 - FCE (Cambridge English: First) - passed,
 - BULATS - at least 60 points.
- 6) to have passed a psychological test and an integrity test.

Article 129

(1) The construction and the authorized construction inspector shall have an official identity card.

(2) The official identity card referred to in paragraph (1) of this Article for the construction inspector shall be issued by the director of the inspectorate, and for the authorized construction inspector shall be issued by the mayor of the municipality, that is, the municipality in the city of Skopje.

(3) The official identity card shall be valid for six years.

(4) Upon the expiry of the validity, the construction inspector shall be obliged to return the identity card to the director of the inspectorate, and the authorized construction inspector to the mayor of the municipality, that is, the municipality in the city of Skopje, who shall be obliged to issue a new one.

(5) The form and the contents of the identity card referred to in paragraph (1) of this Article, the manner of its issuance and revocation and the design of the sign, for the construction inspector, on a proposal of the director of the State Construction Inspectorate and Urbanism, shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development, and for the authorized construction inspector shall be prescribed by the mayor of the municipality, that is, the municipality in the city of Skopje.

Article 130

A construction inspector may be a person who:

- is a citizen of the Republic of Macedonia,
- is of age,
- has good general health,
- is not been issued an injunction banning him/her from exercising a profession, business or office,
- has at least 300 credits under ECTS or completed VII/1 degree in the field of architecture or civil engineering, verified by a certificate,
- has at least five years of work experience in the field of architecture or civil engineering,

- fulfills the other requirements set out by the act on systematization of jobs,
- holds an internationally recognized certificate for work with office computer programs, that is, one of the following:
 - 1) Certiport: IC3 GS4 Key Applications - passed;
 - 2) Microsoft: MOS Word or MOS Excell - passed; or
 - 3) ECDL: Core - passed,
- has a positive opinion on the suitability for the job by passing a psychological test and an integrity test, in accordance with the regulations on civil servants, and
- holds an inspector license in the field within the area of competence of the inspection service.

(2) Authorized construction inspector may be appointed a person holding a university degree in architecture or civil engineering, with minimum two years work experience in the respective field.

Article 130-a

(1) The director of the State Inspectorate for Construction and Urbanism shall prepare a draft annual program on the work of the Inspectorate and shall submit it to the Inspection Council, no later than 31 October in the current year for the following year.

(2) The director of the State Inspectorate for Construction and Urbanism shall adopt the annual program on the work of the Inspectorate within a period of seven days as of the day of receipt of the consent by the Inspection Council, that is, no later than 10 December in the current year if the Inspection Council fails to review it and fails to grant its consent, that is, to submit comments within the deadline set out by paragraph (3) of this Article.

(3) On the basis of the adopted annual program, the director of the State Inspectorate for Construction and Urbanism shall prepare quarterly work plans for each of the inspectors, which shall be jointly delivered to the Inspection Council for a review no later than two weeks prior to the beginning of the following calendar quarter, that is, by 15 December for the first quarter of the following year, by 15 March for the second, by 15 June for the third, that is, by 15 September for the fourth quarter in the current year.

(4) In the quarterly work plans for each of the inspectors, the director shall mandatorily enter the number of planned supervisions for the following three months, as well as the level of complexity of each of the supervisions.

(5) On the basis of the quarterly plans for each of the inspectors, the director of the State Inspectorate for Construction and Urbanism shall prepare a monthly work plan which shall also include a schedule of the supervisions per dates and per entitles under supervision.

(6) The director of the State Inspectorate for Construction and Urbanism shall, within a period of two weeks as of the beginning of the current calendar quarter at the latest, jointly submit quarterly reports on the work of each of the inspectors for the previous quarter, that is, by 15 January for the fourth quarter of the previous year, by 15 April for the first quarter, by 15 July for the second, that is, by 15 October for the third quarter in the current year.

(7) The director of the State Inspectorate for Construction and Urbanism shall submit an annual report on the work of the inspectorate to the Inspection Council for the previous year, no later than 1 March in the current year.

Article 130-b

The mayor shall adopt the annual program for work of the inspection service by the 15th of December in the current year for the following year at the latest.

2. Rights and duties of a construction inspector

Article 131

(1) Construction inspector, i.e. authorized construction inspector within the limits of the competences defined by this or another law, shall have right to conduct inspection supervision in the course of the construction, as well as inspection supervision of a facility when repurposing its construction elements in terms of their mechanical endurance, stability and seismic protection, as well as upon repurposing residential into business premises and *vice versa* .

(2) In the course of the inspection supervision, the inspector referred to in paragraph (1) of this Article may require presence of an authorized official from the state administrative body responsible for carrying out the activities related to internal affairs, for his/her personal protection.

(3) The participants in the construction process shall be obliged to enable the construction inspector, i.e. the authorized construction inspector, to conduct inspection supervision and to provide inspection of the documentation pertaining to the construction under supervision.

(4) In the course of the inspection supervision, the construction inspector shall examine whether the authorized construction inspector carries out the activities in compliance with this Law. The competent bodies of the municipalities shall be obliged, upon request of a construction inspector, to enable to inspect the documentation.

(5) If the competent construction inspector establishes that any of the conditions for revocation of the license foreseen in Article 38 paragraphs (4) and (5) of this Law, as well as for revocation of authorization foreseen in Article 39 paragraphs (4) and (5) of this Law, have been created, he/she shall be obliged to submit a proposal for revocation of the license, that is, the authorization by minutes of the established irregularity to the body responsible for revocation of the license, that is, the authorization.

Article 131-a

If during the supervision, the construction inspector, that is, the authorized construction inspector establishes that the contractor has not ensured proofs for the origin of the dimension stone, construction sand and gravel, he/she shall be obliged to notify the State Inspectorate for Technical Inspection thereof and to act in accordance with Article 164 of this Law.

Article 131-b

(1) A construction inspector, that is, an authorized construction inspector shall be obliged to conduct an inspection supervision and to establish

whether the owners of the public purpose constructions have provided a bicycle parking area.

(2) If the construction inspector, that is, the authorized construction inspector, in the course of conducting the inspection supervision, establishes that the owners of public purpose constructions have not provided a bicycle parking area, he/she shall be obliged to file a motion for initiation of a misdemeanor procedure.

Article 132

(1) The construction inspector, i.e. the authorized construction inspector shall keep a diary for the inspection supervision.

(2) The manner and content of keeping the diary referred to in paragraph (1) of this Article shall be prescribed by the minister heading the state administrative body competent responsible for carrying out the activities related to land development.

(3) In the course of the inspection supervision the construction inspector, i.e. the authorized construction inspector shall have the right and duty to examine whether the participants in the construction process hold authorizations and licenses, as well as to order elimination of the flaws, removal of the damages, suspension of the construction process, removal of the construction, closing of the construction site, marking the construction as dangerous, and also to take other actions in order to prevent the building, provided that the construction is built contrary to this Law.

(4) The construction inspector, i.e. the authorized construction inspector shall initiate the inspection supervision procedure and shall conduct it *ex officio* , as well as upon initiative of any person, in line with the provisions of the Law on the General Administrative Procedure.

(5) In the procedure for enforcement of the individual, enforceable administrative acts, the construction inspector, i.e. the authorized construction inspector shall have the right to require assistance from the state administrative body responsible for carrying out the activities related to internal affairs, for his/her personal protection.

(6) If in the course of the inspection supervision, the construction inspector, i.e. the authorized construction inspector establishes irregularity that under this Law is considered violation, i.e. by special law it is defined as a crime, he/she shall initiate a misdemeanor or criminal procedure.

Education procedure

Article 132-a

(1) If in the course of the inspection supervision the construction inspector, that is, the authorized construction inspector establishes that there has been an irregularity referred to in Articles 150 paragraph (1) point 4, 151 paragraph (1) point 3, 156-a paragraph (1) points 1, 2, 3, 4, 5 and 6 and 156-b paragraph (1) points 1, 2, 3, 4, 5 and 6 of this Law, he/she shall be obliged to prepare minutes in which he/she shall define the irregularity and indicate that the established irregularity should be eliminated within a defined period and shall at the same time hand over an invitation for education of the person or entity where such irregularity has been established during the inspection supervision.

- (2) The competent construction inspector shall also be obliged to deliver an education procedure if he/she establishes an irregularity as referred to in Article 162 of this Law, and the deadline for removal of the irregularity in this case shall be six months.
- (3) The form and content of the invitation for education, as well as the manner of delivery of the education shall be prescribed by the minister responsible for carrying out the activities related to land development.
- (4) The education shall be organized and delivered by the State Inspectorate for Construction and Urbanism, that is, by the municipality, in a period not longer than eight days as of the day of conducting the inspection supervision.
- (5) The education may be delivered for several identical, or of the same kind, established irregularities, for one or more entities.
- (6) The education shall be considered delivered if the person or entity to be educated does not show at the scheduled time for education.
- (7) If the person or entity to be educated shows at the scheduled time for education and completes the education, it shall be considered educated in regard to the established irregularity.
- (8) If in the course of the control supervision the construction inspector, that is, the authorized construction inspector determines that the established irregularities referred to in paragraph (1) of this Article have been eliminated, he/she shall adopt a conclusion to stop the inspection supervision procedure.
- (9) If in the course of conducting the control supervision the construction inspector, that is, the authorized construction inspector determines that the established irregularities referred to in paragraph (1) of this Article have not been eliminated, he/she shall file a motion for initiation of a misdemeanor procedure with the competent court.
- (10) The State Inspectorate for Construction and Urbanism, that is, the municipality shall keep records of the completed education, in a manner prescribed by the minister responsible for carrying out the activities related to land development.

Article 132-b

The State Inspectorate for Construction and Urbanism, i.e. the municipality shall prepare quarterly reports for the completed controls and shall publish them on its web site.

3. Suspension of the construction process

Article 133

- (1) The construction inspector, i.e. the authorized construction inspector shall, by a decision, order the investor to suspend the further building, should he/she establish that:
- the construction is commenced with a construction approval that is suspended from enforcement in accordance with the Law on the General Administrative Procedure,
 - the investor does not act in accordance with Article 67 paragraphs (1) and (2) of this Law,
 - the construction process is carried out by a legal entity without a license,

i.e. a natural person without authorization anticipated by this Law;

- the construction or part of it is built contrary to the construction approval or contrary to the verified basic project,
- there are irregularities in the construction process that may endanger the fulfillment of the basic requirements for the construction, and
- the construction process endangers the safety of the surrounding constructions or the stability of the surrounding land.

(2) With the decision referred to in paragraph (1) of this Article, the construction inspector, i.e. the authorized construction inspector shall define a time period for the purpose of conforming the construction, i.e. the condition of the construction to the provisions of this Law.

(3) In case of suspension of the construction process, regarding a construction entered in the National Register of Cultural Heritage, the construction inspector, i.e. the authorized construction inspector shall notify the state administrative body responsible for carrying out the activities related to culture.

4. Removal of a construction

Article 134

(1) The construction inspector, i.e. the authorized construction inspector shall, by a decision, order the investor to remove the construction, i.e. part of it if:

- it is being built or has been built without construction approval referred to in Article 59 of this Law,
- the construction is not in conformity with the provisions of this Law after the expiry of the period for bringing into conformity given in the decision on suspension of the construction referred to in Article 133 of this Law,
- it is built although a decision to suspend the construction referred to in Article 133 of this Law has been adopted,
- it is built or has been built contrary to the construction approval or the verified basic project,
- in the course of the construction process, irregularities are established that disturb the basic requirements for the construction in terms of mechanical endurance, stability, seismic protection and quality of built-in materials, and
- the construction process is carried out with a construction approval that is not final in the administrative procedure.

(2) The construction inspector, i.e. the authorized construction inspector shall, by a decision, order the contractor to remove the construction referred to in paragraph (1) of this Article if it does not act pursuant to Article 72 paragraph (6) of this Law.

(3) In case of removal of a construction that is entered in the National Register of Cultural Heritage, the construction inspector, i.e. the authorized construction inspector shall request consent from the state administrative body responsible for carrying out the activities related to the culture.

(4) If the authorized construction inspector establishes that the owner of the separate part of the facility, apartment or part of the apartment has repurposed it without an approval for repurposing referred to in Article 97 paragraph (3) of this Law, he/she shall adopt a decision to oblige the owner to reinstate the separate part of the facility, the apartment or part of the apartment.

Article 135

The construction inspector, i.e. the authorized construction inspector shall, by a decision, order the investor to remove:

- a temporary construction if it is not removed in the prescribed time period,
- a construction built in case of direct danger if it is not removed in the prescribed time period pursuant to this Law,
- facilities and equipment referred to in Article 73 of this Law which are built, i.e. set up without a decision on construction, i.e. decision for setting up,
- a temporary facility set up on a construction land by an act of a competent body, for the purpose of implementing the annual program referred to in Article 79 of this Law and for the purpose of setting up the urban equipment referred to in Article 80 of this Law,
- a temporary facility set up on a construction land by an act of a competent body if the time period defined by the act for its setting up has expired,
- a temporary facility set up on a construction land by an act of a competent body, for the purpose of implementing the urban plan, and
- a temporary facility and urban equipment set up by an approval for setting up in accordance with Article 81 of this Law, after the expiry of the period for removal defined by the approval for setting up.

Article 135-a

(1) If the authorized construction inspector establishes that the urban equipment – balconies with or without awning and covered or not covered bars, is set up without an approval for setting up urban equipment, he/she shall adopt a decision on removal of the referred equipment and within a period of three days shall file a motion for initiation of a misdemeanor procedure.

(2) If the authorized construction inspector establishes that the urban equipment – balconies with or without awning and covered or not covered bars, is set up contrary to the approval for setting up urban equipment, he/she shall adopt a decision obliging the person to whom the approval has been issued, within a period of three days after the receipt of the decision, to conform the set up urban equipment to the issued approval, and shall file a motion for initiation of a misdemeanor procedure.

(3) The appeal filed against the decision referred to in paragraphs (1) and (2) of this Article shall not postpone the enforcement of the decision.

(4) If the person that has set up urban equipment without an approval or contrary to the approval, does not act upon the decision referred to in paragraphs (1) and (2) of this Article, i.e. does not remove the urban equipment in the defined time period, the removal of the equipment shall be carried out by the authorized construction engineer at the expense of the person having set up the urban equipment. The authorized inspector shall notify the competent body that has issued the approval for the removal of the equipment, after which the competent body shall be obliged to annul the approval.

(5) The competent body shall not issue an approval for setting up urban equipment in the cases referred to in paragraph (4) of this Article, for a period of at least six months as of the day of annulment of the approval, i.e. of the day of removal of the equipment set up without an approval.

Article 135-b

(1) If the authorized construction inspector, that is, the construction inspector establishes that an urban equipment - advertising and information billboards, as well as advertising and information billboards that are set up on facilities in accordance with Article 74 of this Law, are set up without an approval for setting up an urban equipment, i.e. without a decision on setting up, he/she shall adopt a decision on their removal and shall file a motion for initiation of a misdemeanor procedure in a period of three days.

(2) The appeal filed against the decision referred to in paragraph (1) of this Article shall not postpone the enforcement of the decision.

5. Closing a construction site

Article 136

(1) In the cases referred to in Articles 134 and 135 of this Law, the construction inspector, i.e. the authorized construction inspector, before adopting a decision, shall on-the-spot order closing of the construction site, i.e. part of it and shall set up a special official sign.

(2) The manner of closing and marking a closed construction site shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

(3) The construction inspector, i.e. the authorized construction inspector shall remove from the construction site the official sign referred to in paragraph (1) of this Article when the investor acts in line with the decision, i.e. brings the construction in conformity with this Law.

(4) If the constructor continues with the construction process after the construction site is closed and marked with a special official sign for preventing the further construction, the decision shall be enforced by the construction inspector, i.e. the authorized construction inspector with the assistance of the state administrative body responsible for carrying out the activities related to internal affairs.

6. Decision of the inspector

Article 137

(1) Depending on the established condition, the construction inspector, i.e. the authorized construction inspector shall prepare minutes, based on which he/she shall adopt a decision.

(2) An appeal against the decision of the construction inspector, as well as against the decision allowing enforcement, the decision on suspension of the procedure, as well as the decision on the costs for conducting the procedure, may be filed to the State Commission for Decision-making in Second Instance in the Field of Inspection and Misdemeanor Procedure.

(3) An appeal against the decision of the authorized construction inspector and the decision of the communal inspector of the City of Skopje, as well as against the conclusion that allows enforcement, the conclusion for suspension of the procedure and the conclusion for the costs for conducting the procedure may be filed to the State Commission for Decision-making in Second Instance in the Field of Inspection and Misdemeanor Procedure.

(4) The appeal filed against the decision of the construction inspector, i.e. the authorized construction inspector shall not postpone the enforcement of the decision.

(5) The president of the Commission referred to in paragraphs (2) and (3) of this Article shall adopt the decision upon the appeal within 30 days as of the receipt of the appeal.

Article 138

Abolished 15

Article 139

(1) In the decision referred to in Article 137 of this Law, the construction inspector, i.e. the authorized construction inspector may also pronounce prohibition of construction and use of the facility by closing the construction site.

(2) The prohibition of construction and use shall be posted on a notice board in the body conducting the procedure and shall be published in at least two daily newspapers, one of them in the languages of the representatives of ethnic communities.

(3) By the pronouncement of the prohibition, the contractor, i.e. the investor shall be obliged to close the construction site and the access to the facility in the manner defined by the inspector, or the decision shall constitute a basis for taking an action that may only be taken by the debtor in a procedure with an enforcement agent pursuant to the Law on Enforcement, as well as enforcement due to emptying an immovable, items and persons from the place where the procedure for coercive enforcement is conducted upon the decision of the construction inspector, i.e. authorized construction inspector, or enforcement for the purpose of taking an action that may be taken by a third party instead of the debtor. In order to proceed to coercive enforcement, the inspector shall bring a conclusion for proceeding to enforcement against which special appeal is allowed. The appeal shall not postpone the enforcement of the conclusion. The decision of the inspector shall be an enforceable document.

Article 140

Abolished 16

Article 141

The decision of the construction inspector should in particular contain:

- number and date of adoption,
- index from the diary of the construction inspector,
- data on the constructor, investor, contractor and owner of the construction,
- description and category of the construction, i.e. of the part of the construction that is not built in accordance with the construction approval, project and decision on location conditions,
- number, date and body that has issued the construction approval, if issued,
- description and spatial data on the land where it is being built (number of cadastre parcel, cadastre municipality, area and legal status), by stating the legal basis regulating the relations between the owner of the land, the contractor and the investor,
- deadline and indication for elimination of the irregularities,

- presentation of the rights entered in the Public Book until the moment of adoption of the decision,
- order for entry of the pledge right in the Public Book,
- order with regard to posting the decision on the notice board and publishing it in daily newspapers,
- pronouncement of the prohibition referred to in Article 138 and/or of Article 139 of this Law,
- determination of the amount of costs for removal of the construction, i.e. of the parts being built without a construction approval, and determination of the amount of penalties for each day delay,
- explanation, and
- legal instruction and other data in accordance with the law.

Article 142

(1) The procedure for enforcement of the decision shall commence by submission of the conclusion to the party, whereby its enforcement is allowed.

(2) If the entity does not act upon the decision referred to in Article 137 of this Law, with regard to the first category constructions referred to in Article 57 of this Law, the decision shall be enforced and the administrative enforcement shall be implemented by a construction inspector, and for the second category constructions, as well as constructions and equipment referred to in Article 73 of this Law, temporary facilities and urban equipment, by an authorized construction inspector, in accordance with this or another law.

Article 143

(1) The costs for enforcement of the decision of the construction inspector for the first category constructions shall be covered from the Budget of the Republic of Macedonia, and for the decision of the authorized construction inspector for the second category constructions, as well as constructions and equipment referred to in Article 73 of this Law, temporary facilities and urban equipment, from the budgets of the municipalities, i.e. the municipalities in the city of Skopje.

(2) The costs for enforcement of the decision referred to in paragraph (1) of this Article shall be compensated by the entity, by law, and cannot exceed the amount of the actual costs.

Article 144

(1) When the construction inspector establishes that the municipality has not authorized a construction inspector to carry out the activities defined by this Law, he/she shall prepare minutes to submit to the minister heading the state administrative body responsible for carrying out the activities related to land development, with a proposal to obtain an authorization for carrying out the activities within the competence of an authorized construction inspector. The minutes, with the proposal, shall be submitted to the mayor of the municipality, i.e. the mayor of the municipality in the city of Skopje. The minister heading the state administrative body responsible for carrying out the activities related to land development may issue an authorization for carrying out the activities within the competence of the authorized construction inspector, pursuant to the proposal.

(2) If there is no authorized construction inspector in the municipality to carry out the activities related to inspection supervision, the mayor of the

municipality may submit a proposal to the State Inspectorate for Construction and Urbanism for carrying out the activities related to inspection supervision in the municipality. After obtaining the proposal, the construction inspector shall act pursuant to paragraph (1) of this Article.

(3) The activities related to inspection supervision, shall be carried out by the construction inspector until the authorization of a municipal construction inspector, but not longer than one year.

(4) The activities referred to in paragraphs (1) and (2) of this Article shall be carried out by the construction inspector at the expense of the municipality, and shall be covered by the budget of the municipality, and regarding the costs for the completed activities, the state administrative body responsible for carrying out the activities related to land development shall submit a notification to the state administrative body responsible for financial activities.

(5) The state administrative body responsible for the activities in the field of finances, upon the received notification referred to in paragraph (4) of this Article, shall redirect the revenues generated from the construction land development charge of the municipality, that is, of the municipalities in the area of the City of Skopje in the amount of the incurred costs to the account of the Budget of the Republic of Macedonia.

7. Taking over the activities by the construction inspector

Article 145

(1) If the construction inspector establishes that the authorized construction inspector does not carry out the activities prescribed by this Law, he/she shall be obliged forthwith to submit a written indication to the mayor of the municipality with regard to the failure to carry out the activities.

(2) If the authorized construction inspector does not carry out the activities within his/her authorizations under this Law, within a period of eight days as of the day of submission of the indication referred to in paragraph (1) of this Article, the construction inspector shall prepare minutes that shall be further delivered by the State Inspectorate for Construction and Urbanism to the minister heading the state administrative body responsible for carrying out the activities related to land development, including a proposal for taking over the activities within the competence of the authorized construction inspector with regard to the particular subject for which failure to carry out the activities has been established. The minutes, together with the proposal shall be also submitted to the mayor of the municipality, i.e. the mayor of the municipality of the City of Skopje.

(3) Pursuant to the proposal, the minister heading the state administrative body responsible for carrying out the activities related to land development shall adopt a decision on taking over the activities within the competence of the authorized construction inspector, with regard to the particular subject where failure to carry out the activities has been established, which shall be further submitted to the mayor of the municipality, i.e. the mayor of the municipality of the City of Skopje.

(4) The activities taken over from the authorized construction inspector shall be carried out by the construction inspector until their completion.

(5) The activities referred to in paragraph (1) of this Article shall be carried out by the construction inspector at the expense of the municipality and shall be covered from the budget of the municipality, and the state administrative body responsible for carrying out the activities related to land development shall submit a notification to the state administrative body responsible for financial activities regarding the costs for the activities carried out.

(6) The state administrative body responsible for the activities in the field of finances upon the received notification referred to in paragraph (5) of this Article, shall redirected the revenues generated from the construction land development charge of the municipality, that is, of the municipalities in the area of the city of Skopje in the amount of the incurred costs, to the account of the Budget of the Republic of Macedonia.

Article 146

(1) In the course of conducting the inspection supervision, the inspectors referred to in Article 128 of this Law shall be obliged to inspect whether the administrative acts issued pursuant to this Law comply with this Law and in case if they establish that the administrative acts have been issued contrary to this Law, they shall be obliged to submit a written proposal for annulment of the referred administrative acts, including minutes for the established condition, to the body that has adopted them.

(2) The competent body that has adopted the administrative act shall be obliged to act upon the proposal and to adopt a decision to annul the issued administrative act or a decision to reject the proposal for annulment within a period of eight days.

8. Supervision of the lawfulness of the operations of the bodies of the municipality, i.e. the bodies of the municipalities in the city of Skopje

Article 147

The supervision of the lawfulness of the operations of the bodies of the municipality, i.e. the bodies of the municipalities of the city of Skopje shall be conducted by the state administrative body responsible for carrying out the activities related to land development, regarding the activities within their competence pertaining to construction of the second category constructions referred to in Article 57 of this Law.

Article 148

(1) In the course of the supervision of the lawfulness in the operations of the municipality bodies, i.e. the bodies of the municipalities in the city of Skopje, the state administrative body responsible for carrying out the activities related to land development shall carry out the following activities:

- 1) monitor the lawfulness of the operations of the bodies of the municipality, i.e. the bodies of the municipalities in the city of Skopje and take measures, activities and raise initiatives for exercise of the competences of the municipality pertaining to the construction process;
- 2) point out to the bodies of the municipality, i.e. the bodies of the municipalities in the city of Skopje to the excess of their competences defined by this Law and propose appropriate measures for overcoming the situation;
- 3) point to certain material and procedural flaws in the operations of the

bodies of the municipality, i.e. the bodies of the municipalities in the city of Skopje that might hinder the performance of the activities defined by this Law, which are of public interest of local significance;

4) give recommendations for consistent exercise of the competences of the municipality for the activities that should be carried out under this Law, upon a request of the bodies of the municipality, i.e. the bodies of the municipalities in the city of Skopje;

5) monitor the timely adoption of acts by the municipality defined by this Law;

6) raise initiatives and submit proposals to the bodies of the municipality, i.e. the bodies of the municipalities in the city of Skopje should it establish non-implementation of this Law as a result (consequence) of conflict of competences between them;

7) monitor the lawfulness of the decisions that the bodies of the municipality, i.e. the bodies of the municipalities in the city of Skopje adopt in the course of the decision-making process upon administrative matters pertaining to the rights, obligations and interests of the legal entities and natural persons, adopted pursuant to this Law and take measures in accordance with the law;

8) give opinion and provide professional assistance upon request of the bodies of the municipality, i.e. the bodies of the municipalities in the city of Skopje, upon draft acts derived from this Law;

9) monitor the transparency in the operations of the bodies of the municipality, i.e. the bodies of the municipalities in the city of Skopje, particularly from the aspect of regular, timely, truthful and complete information to the citizens with regard to the activities defined by this Law, and

10) timely notifications of the bodies of the municipality, i.e. the bodies of the municipalities in the city of Skopje with regard to the established conditions in their operations, i.e. to the activities pertaining to the construction process and the measures taken in the course of the supervision.

(2) The state administrative body responsible for carrying out the activities related to land development shall inform the bodies of the municipality, i.e. the bodies of the municipalities in the city of Skopje about the taken measures and activities referred to in paragraph (1) of this Article.

(3) Even despite the indications and taken measures and activities, the bodies of the municipality, i.e. the bodies of the municipalities in the city of Skopje do not ensure the activities referred to in paragraph (1) of this Article to be carried out, the responsibility for carrying out the particular activities shall be revoked.

(4) The responsibility for carrying out the revoked activities shall be taken over by the state administrative body responsible for carrying out the activities related to land development, but for a period of one year after their revocation at the most.

(5) The state administrative body responsible for carrying out the activities related to land development shall carry out the revoked activities on behalf of and for the account of the municipality and shall thereof notify the bodies of the municipality, i.e. the bodies of the municipalities in the city of Skopje, the state administrative body responsible for carrying out the activities in the field of local self-government.

(6) The state administrative body responsible for activities in the field of land development shall submit a notification for the costs for the completed activities referred to in paragraph (4) of this Article to the state administrative body responsible for the activities in the field of finances.

(7) The state administrative body responsible for the activities in the field of finance, upon the received notification referred to in paragraph (6) of this Article, shall redirect the revenues generated from the charge for construction land development of the municipality, that is, the municipalities on the area of the City of Skopje, in the amount of the incurred costs, to the account of the Budget of the Republic of Macedonia.

Article 149

When the body responsible for carrying out the activities related to land development, i.e. the construction inspector establishes that the municipality, i.e. the authorized construction inspector does not adopt the acts defined by this Law within the prescribed deadlines, it shall submit a proposal for conducting inspection supervision to the State Administrative Inspectorate that shall be further obliged to conduct inspection supervision under the Law on the Administrative Inspection.

XI. MISDEMEANOR PROVISIONS

1. Misdemeanors of an investor

Article 150

(1) Fine in the amount of Euro 7.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity – investor if it:

- 1) entrusts the design, audit, construction and supervision of the building of the first category constructions referred to in Article 57 of this Law to an entity that does not meet the requirements under this Law for carrying out the particular activity (Article 13 paragraph (2));
- 2) appoints a person without a license to be a construction manager (Article 14 paragraph (2));
- 3) does not complete the first category construction referred to in Article 57 of this Law within the time period defined by this Law (Article 68);
- 4) does not report, in writing, the commencement of the building of the first category constructions referred to in Article 57 of this Law (Article 67 paragraph (1)), and
- 5) does not take security measures for the first category constructions referred to in Article 57 of this Law (Articles 82 and 83).

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of Euro 2.000 to 3.500 in Denar counter-value shall be also imposed for the misdemeanor referred to in paragraph (1) of this Article on a natural person – investor.

Article 151

(1) Fine in the amount of Euro 4.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity – investor if it:

- 1) entrusts the design, audit, construction and supervision of the building of the second category constructions referred to in Article 57 of this Law to an entity that does not meet the requirements under this Law for carrying out the particular activity (Article 13 paragraph (2));
- 2) does not complete the second category construction referred to in Article 57 of this Law within the time period defined by this Law (Article 68 paragraph (2) point 3);

3) does not report, in writing, the commencement of the building of the second category constructions referred to in Article 57 of this Law (Article 67 paragraph (1)), and

4) does not take security measures for the second category constructions referred to in Article 57 of this Law (Articles 82 and 83).

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of Euro 1.000 to 2.000 in Denar counter-value shall be also imposed for the misdemeanor referred to in paragraph (1) of this Article on a natural person – investor.

Article 151-a

(1) Fine in the amount of Euro 9.000 in Denar counter-value shall be imposed on the legal entity – investor if it does not ensure staking out of the designed construction on the land in accordance with Article 82 of this Law.

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of Euro 2.500 to 4.500 in Denar counter value shall be also imposed for the misdemeanor referred to in paragraph (1) of this Article on a natural person – investor.

Article 151-b

(1) Fine in the amount of Euro 3.000 in Denar counter-value shall be imposed on the legal entity-investor if, upon the completed major reconstruction of a facility to which the Rulebook for Energy Performance of Buildings applies, it does not provide a certificate for energy performance of the building issued by a sole proprietor or a legal entity holding a license for conducting an energy audit in accordance with Article 97-a of this Law.

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of Euro 500 to 1.000 in Denar counter-value shall be also imposed for the misdemeanor referred to in paragraph (1) of this Article on the natural person-investor.

2. Violations of a legal entity for designing constructions and of a designer

Article 152

(1) Fine in the amount of Euro 7.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity for designing constructions if:

1) it carries out designing activities without a designing license (Article 16 paragraph (1));

2) it employs a foreign natural person without certified authorizations from the Chamber as a designer (Article 42 paragraph (4)), and

3) it prepares, that is, verifies a project documentation contrary to the legislation.

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

Article 152-a

(1) Fine in the amount of Euro 21.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity for designing of constructions if the construction is not designed in accordance with Article 11 paragraph (1) of this Law.

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

Article 153

Fine in the amount of Euro 2.000 to 3.500 in Denar counter-value shall be imposed for a misdemeanor on a designer if he/she:

- 1) prepares a project without a design authorization (Article 17 paragraph (1)) and
- 2) prepares a project contrary to the legislation.

Article 153-a

Fine in the amount of Euro 6.500 to 10.500 in Denar counter-value shall be imposed for a misdemeanor on the designer if the construction is not designed in accordance with Article 11 paragraph (1) of this Law.

3. Violations of a legal entity for conducting audit and of an auditor

Article 154

(1) Fine in the amount of Euro 7.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity for conducting audit of project documentation if:

- 1) it conducts audit of projects without holding a license for conducting audit of project documentation (Article 23 paragraph (1));
- 2) it employs a foreign natural person without certified authorization from the Chamber as an auditor (Article 42 paragraph (4)), and
- 3) it prepares, that is, verifies a report for a project documentation audit contrary to the legislation.

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

Article 154-a

(1) Fine in the amount of Euro 21.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity for auditing a project documentation if the auditor, in the course of conducting the audit, has verified a project which is not prepared in accordance with Article 11 paragraph (1) of this Law.

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

Article 155

Fine in the amount of Euro 2.000 to 3.500 in Denar counter-value shall be imposed for a misdemeanor on an auditor if he/she:

- 1) conducts audit without holding an authorization for audit of project documentation (Article 24 paragraph (1));
- 2) conducts audit of project documentation prepared by the legal entity where he/she is employed (Article 20 paragraph (3)), and
- 3) conducts audit contrary to the legislation.

Article 155-a

Fine in the amount of Euro 6.500 to 10.500 in Denar counter-value shall be imposed for a misdemeanor on an auditor if he/she, in the course of conducting the audit, has verified a project which is not prepared in accordance with Article 11 paragraph (1) of this Law.

4. Violations of a legal entity – contractor and construction engineer

Article 156

(1) Fine in the amount of Euro 9.000 in Denar counter-value shall be imposed for a misdemeanor on the legal entity-contractor if it:

- 1) builds constructions without a corresponding construction license (Article 26 paragraph (1));
- 2) does not build in accordance with the construction approval, the audited basic and as-built project (Article 29 paragraph (1) line 2);
- 3) does not provide proofs of the prescribed quality of the built-in construction products (Article 29 paragraph (1) line 4);
- 4) does not implement protection and security measures, in accordance with the law (Article 29 paragraph (1) line 5);
- 5) does not assign a construction engineer on the construction site (Article 30);
- 6) does not stake out the designed facility on the land (Article 82);
- 7) does not fence off, that is, does not secure the construction site (Article 83 paragraphs (1) and (2));
- 8) employs a foreign natural person without confirmed authorization by the Chamber as an construction engineer (Article 42 paragraph (4)).

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of Euro 2.500 to 4.500 in Denar counter value shall be imposed on a construction engineer for the misdemeanor referred to in paragraph (1) points 2, 3, 4, 6 and 7 of this Article.

Article 156-a

(1) Fine in the amount of Euro 7.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity contractor if during building the first category constructions referred to in Article 57 of this Law it:

- 1) does not keep a site diary and a log book for the completed construction activities (Article 29 paragraph (1) line 3);
- 2) does not put information boards on the construction site (Article 83 paragraph (3));
- 3) temporarily occupies a public traffic area for the needs of the construction site without a permit (Article 84);

4) does not remove the construction and other materials that have not been used, the waste and alike from the construction site (Article 85 paragraph (2)), and

5) does not keep the documentation referred to in Article 86 at the construction site.

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of Euro 2.000 to 3.500 in Denar counter value shall be imposed on a construction engineer for the misdemeanor referred to in paragraph (1) points 1, 2, 3, 4, and 5 of this Article.

Article 156-b

(1) Fine in the amount of Euro 4.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity - contractor if in the course of building the second category constructions referred to in Article 57 of this Law it:

1) does not keep a site diary and a log book with regard to the completed construction activities (Article 29 paragraph (1) line 3);

2) does not put information boards on the construction site (Article 83 paragraph (3));

3) temporarily occupies a public traffic area for the needs of the construction site without a permit (Article 84);

4) does not remove the construction and other materials that have not been used, the waste and alike from the construction site (Article 85 paragraph (2)), and

5) does not keep the documentation referred to in Article 86 at the construction site.

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of Euro 1.000 to 2.000 in Denar counter value shall be imposed on a construction engineer for the misdemeanor referred to in paragraph (1) points 1, 2, 3, 4, and 5 of this Article.

Article 156-c

(1) Fine in the amount of Euro 17.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity - contractor, in case it fails to provide proofs of the origin of the dimension stone, the construction sand and gravel during the building of the constructions (Article 29 paragraph (1) line 6).

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

Article 156-d

Fine in the amount of Euro 5.000 to 8.500 in Denar counter-value shall be imposed for a misdemeanor on a contracting engineer if during the building of constructions he/she fails to provide proofs for the origin of the dimension stone, the construction sand and gravel (Article 29 paragraph (1) line 6).

Article 156-f 17

(1) Fine in the amount of Euro 17.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity - contractor, in the case it constructs the facility contrary to the audited basic project prepared in accordance with Article 11 paragraph (1) of this Law.

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of Euro 5.000 to 8.500 in Denar counter value shall be imposed on a construction engineer for the misdemeanor referred to in paragraph (1) of this Article.

Article 156-g

(1) Fine in the amount of Euro 17.000 in Denar counter-value shall be imposed for a misdemeanor on the legal entity contractor, provided that it does not obtain an opinion on the built level of mechanical endurance, stability and seismic protection of the construction in the course of the building and an opinion on the built level of mechanical endurance, stability and seismic protection of the construction upon completion of the whole construction system of the construction (Article 29 paragraph (1) line 7).

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

Article 156-h

Fine in the amount of Euro 5.000 to 8.500 in Denar counter-value shall be imposed for a misdemeanor on a construction engineer, provided that he/she does not obtain an opinion on the built level of mechanical endurance, stability and seismic protection of the construction in the course of the building and an opinion on the built level of mechanical endurance, stability and seismic protection of the construction upon completion of the whole construction system of the construction (Article 29 paragraph (1) line 7).

Article 157

Fine in the amount of Euro 2.500 to 4.500 in Denar counter-value shall be imposed on a construction engineer if he/she manages the building of a construction without holding an authorization for a construction engineer in accordance with Article 31 paragraph (1) of this Article.

5. Violation of a legal entity for conducting supervision and of a supervisory engineer

Article 158

(1) Fine in the amount of Euro 9.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity for conducting supervision if:

- 1) it supervises without holding a license for conducting supervision (Article 34 paragraph (1)),
- 2) it prepares a report for completed technical control contrary to the provisions of Article 90 paragraph (3) and (4) and Articles 90-b and 90-c

of this Law;

3) it acts contrary to Article 36-a of this Law;

4) it employs a foreign natural person without confirmed authorization by the Chamber as a supervisory engineer (Article 42 paragraph (4)), and

5) the supervisory engineer has not acted pursuant to Article 36 and Article 90-a of this Law.

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

Article 159

Fine in the amount of Euro 2.500 to 4.500 in Denar counter-value shall be imposed for a misdemeanor on a supervisory engineer if he/she:

1) conducts supervision without holding an authorization for a supervisory engineer (Article 35 paragraph (1));

2) acts contrary to Article 36-a of this Law;

3) prepares a report for completed technical control contrary to the provisions of Article 90 paragraph (3) and (4) and Articles 90-b and 90-c of this Law; and

4) has not acted in line with Article 36 and Article 90-a of this Law.

5.1. Violation committed by the entity that carries out a scientific and research activity - a scientific institute specialized in the field of protection of constructions against seismic actions

Article 159-a

(1) Fine in the amount of Euro 17.000 in Denar counter-value shall be imposed for a misdemeanor on the entity that carries out a scientific and research activity - a scientific institute specialized in the field of protection of constructions against seismic actions, provided that it prepares an opinion on the designed and an opinion on the built level of mechanical endurance, stability and seismic protection of the construction contrary to the regulations on mechanical endurance, stability and seismic protection of the construction.

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed for the misdemeanor referred to in paragraph (1) of this Article on the responsible person in the entity that carries out a scientific and research activity - a scientific institute specialized in the field of protection of constructions against seismic actions.

(3) Fine in the amount of Euro 5.000 to 8.500 in Denar counter-value shall be imposed for a misdemeanor on a person employed in the entity that carries out a scientific and research activity - a scientific institute specialized in the field of protection of constructions against seismic actions, provided that he/she prepares an opinion on the designed and an opinion on the built level of mechanical endurance, stability and seismic protection of the construction contrary to the regulations on mechanical endurance, stability and seismic protection of the construction.

5.2. Violation of a participant in construction for not returning licenses and authorizations

Article 159-b

(1) Fine in the amount of Euro 5.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity if it does not return the revoked license within the period determined in Article 38 paragraph (8) of this Law.

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

Article 159-c

Fine in the amount of Euro 1.000 to 2.000 in Denar counter-value shall be imposed for a misdemeanor on a natural person if it does not return the revoked authorization within the period determined in Article 39 paragraph (8) of this Law.

6. Violations for non-enforcement of a decision of a construction inspector

Article 160

(1) Fine in the amount of Euro 5.000 in Denar counter-value shall be imposed for a misdemeanor on the legal entity – investor and the contractor if they continue the construction process for first category constructions referred to in Article 57 of this Law and the carrying out of particular activities in the cases when a decision is adopted for suspension of the construction process (Article 133 paragraph (1)), and upon closing the construction site (Article 136 paragraph (1)).

(2) Fine in the amount of Euro 1.000 to 2.500 in Denar counter-value shall be imposed on a natural person – investor for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of Euro 3.000 in Denar counter-value shall be imposed for a misdemeanor on the legal entity - participant in building first category constructions referred to in Article 57 of this Law if it obstructs the supervision or does not enable inspection of the documentation (Article 131 paragraph (3)).

(4) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanors referred to in paragraphs (1) and (3) of this Article.

Article 160-a

(1) Fine in the amount of Euro 2.000 in Denar counter-value shall be imposed for a misdemeanor on the legal entity - investor and contractor if they continue building the second category constructions referred to in Article 57 of this Law and carrying out certain activities in the cases where a decision on suspension of the construction process is adopted (Article 133 paragraph (1)) and upon closing the construction site (Article 136 paragraph (1)).

(2) Fine in the amount of Euro 600 to 1.000 in Denar counter value shall be imposed on a natural person - investor for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of Euro 1.000 in Denar counter-value shall be imposed for a misdemeanor on the legal entity - participant in building second category constructions referred to in Article 57 of this Law if it

obstructs the supervision or does not enable inspection of the documentation (Article 131 paragraph (3)).

(4) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanors referred to in paragraphs (1) and (3) of this Article.

7. Violations of an owner of a facility

Article 161

(1) Fine in the amount of Euro 5.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity owner of facility if it:

1) uses the facility or part of it without approval for use (Article 93 paragraph (1)),

2) *deleted* **18**

3) appoints a person without a license to be maintenance manager (Article 98 paragraph (3)).

(2) Fine in the amount of Euro 1.000 to 2.500 in Denar counter-value shall be imposed on a natural person owner of a facility for the misdemeanor referred to in paragraph (1) point 1 of this Article.

(3) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

Article 161-a

(1) Fine in the amount of Euro 7.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity and on a sole proprietor if it sets up urban equipment – balconies with or without awning and covered or not covered bars, without an approval for setting up urban equipment or contrary to the approval for setting up urban equipment.

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity and on the responsible person in the sole proprietor for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of Euro 2.000 to 3.500 in Denar counter-value shall be also imposed for the misdemeanor referred to in paragraph (1) of this Article on a natural person.

Article 161-b

(1) Fine in the amount of Euro 7.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity if it sets up an urban equipment - advertising and information billboards, as well as advertising and information billboards that are set up on facilities in accordance with Article 74 of this Law, without an approval for setting up urban equipment, i.e. without a decision on setting up.

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of Euro 2.000 to 3.500 in Denar counter-value shall be imposed on a natural person for the misdemeanor referred to in paragraph (1) of this Article.

(4) Fine in the amount of Euro 6.000 in Denar counter-value shall be also imposed on the association of owners of apartments for the misdemeanor referred to in paragraph (1) of this Article.

Article 161-c

(1) Fine in the amount of Euro 12.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity - owner of a facility if it repurposes a particular part of a facility, an apartment or a part of an apartment without an approval for repurposing to be issued (Article 97 paragraphs (2) and (3)).

(2) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of Euro 3.500 to 6.000 in Denar counter-value shall be imposed on a natural person - owner of a facility for the misdemeanor referred to in paragraph (1) of this Article.

Article 162

(1) Fine in the amount of Euro 2.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity owner of a facility if it does not act in accordance with Article 171 of this Law.

(2) Fine in the amount of Euro 100 to 500 in Denar counter-value shall be imposed for a misdemeanor on a natural person owner of a facility for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

Article 162-a

(1) Fine in the amount of Euro 5.000 in Denar counter-value shall be imposed for a misdemeanor on a legal entity - owner of a facility if it removes an already constructed facility without an approval for removal (Article 99-a).

(2) Fine in the amount of Euro 1.000 to 2.500 in Denar counter-value shall be also imposed on a natural person - an owner of a facility for the misdemeanor referred to in paragraph (1) of this Article.

(3) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph (1) of this Article.

Article 162-b

(1) Fine in the amount of Euro 15.000 in Denar counter-value shall be imposed on the legal entity - an owner of a public purpose construction for a misdemeanor if it does not act in accordance with Article 170 of this Law.

(2) Fine in the amount of Euro 5.000 in Denar counter-value shall be imposed for a misdemeanor on the legal entity - owner of the public purpose construction if it does not act in accordance with Article 11-b of this Law.

(3) Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanors referred to in paragraphs (1) and (2) of this Article.

8. Violations of responsible persons and officials

Article 163

(1) Fine in the amount of Euro 25 to 50 in Denar counter-value shall be imposed for a misdemeanor on the official person in the competent body referred to in Article 58 of this Law if he/she, within the statutory deadline, does not issue a construction approval, does not adopt a decision on changes in the course of construction, does not adopt a decision on a change of investor, does not issue an approval for pre-construction activities, does not adopt a decision on building the construction, that is, setting-up the equipment referred to in Article 73 of this Law, does not issue an approval for use of the first category constructions referred to in Article 57 of this Law, does not adopt a decision on repurpose or reconstruction or adaptation, and does not issue an approval for removal of the facility.

(2) Fine in the amount of Euro 2.000 to 3.000 in Denar counter-value shall be imposed for a misdemeanor on the responsible person and the official in the body responsible for issuance of a construction approval if they do not act in accordance with Article 146 paragraph (2) of this Law.

(3) Fine in the amount of Euro 3.000 to 5.000 in Denar counter-value shall be imposed for a misdemeanor on the responsible construction inspector if he/she does not carry out the activities of inspection supervision under this Law.

(4) Fine in the amount of Euro 1.000 to 2.000 in Denar counter-value shall be imposed for a misdemeanor on the responsible person and the responsible construction inspector if they do not act in accordance with Article 142 of this Law.

(5) Fine in the amount of Euro 3.000 to 5.000 in Denar counter-value shall be imposed for a misdemeanor on the responsible person and the official in the local self-government unit, as well as in the state administrative body responsible for carrying out the activities related to land development, if in the course of the procedure for issuance of a construction approval they act contrary to Article 59 paragraph (16) of this Law and if they issue a construction approval whose form and content is not in accordance with the form and content prescribed under Article 62 paragraph (5) of this Law.

(6) Fine in the amount of Euro 3.000 to 5.000 in Denar counter-value shall be imposed for a misdemeanor on the responsible person and the official in the local self-government unit if they do not act in accordance with Article 92-a paragraph (3) of this Law.

(7) Fine in the amount of Euro 3.000 to 5.000 in Denar counter-value shall be imposed for a misdemeanor on the responsible person and the official in the state administrative body responsible for carrying out the activities related to land development if they do not act in line with Article 96 paragraph (2) of this Law, i.e. on the responsible person and the official in the local self-government unit if they do not act in line with Article 96 paragraph (3) of this Law.

(8) Fine in the amount of Euro 3.000 to 6.000 in Denar counter-value shall be imposed for a misdemeanor on the responsible person and the official in the state administrative body responsible for issuance of construction approval if he/she issues a construction approval on the basis of a basic project prepared contrary to Article 11 paragraph (1) of this Law.

(9) Fine in the amount of Euro 3.000 to 5.000 in Denar counter-value shall be imposed for a misdemeanor on the responsible person and the official in the competent body referred to in Article 58 of this Law, provided that they act contrary to Article 59-g paragraph (1) of this Law.

(10) Fine in the amount of Euro 1.000 to 2.000 in Denar counter-value shall be imposed for a misdemeanor on the responsible person and the official in the body responsible for issuance of a construction approval, provided that he/she does not submit the requirements, that is, applications for comments and preliminary registrations of the construction, for the amendments during the construction, as well as for the registration of the construction in the public book of immovables, to the Agency for Real Estate Cadastre in an electronic form.

(11) Fine in the amount of Euro 3.000 to 5.000 in Denar counter value shall be imposed for a misdemeanor on the official and the mayor of the municipality in the city of Skopje and the official and the mayor of the City of Skopje if they do not act in accordance with Article 58-h paragraphs (3) and (4) of this Law.

(12) Fine in the amount of Euro 1.000 to 2.000 in Denar counter value shall be imposed for a misdemeanor on the official in the body responsible for issuance of a construction approval, provided that, in the procedure for issuance of a construction approval, he/she verifies a basic project but it does not meet the requirements determined in Article 59-i of this Law.

(13) Fine in the amount of Euro 500 to 1.000 in Denar counter value shall be imposed for a misdemeanor on the official in the entity responsible for water and sewage infrastructure, provided that, in the procedure determined in Article 59-c of this Law, he/she requires the investor to submit hydro-technical requirements for a connection of the facility to a water and sewage infrastructure contrary to Article 59-c paragraph (3) of this Law.

Article 163-a

Fine in the amount of Euro 3.000 to 5.000 in Denar counter-value shall be imposed for a misdemeanor on the responsible person in the municipality if he/she does not act in accordance with Article 11 paragraph (3) of this Law in the course of construction of new, as well as in the course of reconstruction of the existing, public areas - pedestrian paths in the downtown and in the parks.

Article 163-b

(1) A body responsible for conducting the misdemeanor procedure regarding the misdemeanors set out in this Law shall be the competent court, except for the misdemeanors set out in Article 151-b paragraph (3) of this Law, Article 160-a paragraph (2) of this Law, and Article 162 paragraph (2) of this Law for which a competent body shall be a misdemeanor commission formed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

(2) An appeal against the decision of the commission referred to in paragraph (1) of this Article may be filed with the State Commission for Decision-making in Second Instance in the Field of Inspection and Misdemeanor Procedure within a period of eight days as of the day of receipt of the decision.

Article 164

Where the responsible inspectors referred to in Article 128 of this Law, that is, the body responsible for carrying out the activities related to land development establish that a misdemeanor anticipated by this Law has been perpetrated, they shall file a motion for initiation of a misdemeanor procedure with a competent court, that is, a misdemeanor body.

(2) A disabled person may file a motion for initiation of a misdemeanor procedure with the competent court if he/she establishes that the built facility of public use does not fulfill the requirements for unobstructed access of disabled persons prescribed by this Law that is, a misdemeanor body. ¹⁹

Article 165

(1) Before filing the motion for initiation of a misdemeanor procedure with a competent court, a settlement procedure shall be conducted. If the perpetrator admits the misdemeanor, the competent inspector referred to in Article 128 of this Law shall issue the perpetrator a misdemeanor payment order for payment of the fine foreseen for the misdemeanor. By signing the misdemeanor payment order, it shall be considered that the perpetrator consents to pay the foreseen fine.

(2) The perpetrator of the misdemeanors referred to in paragraph (1) of this Article shall be obliged to pay the fine within a period of eight days as of the day of receipt of the misdemeanor payment order. to the account of the state administrative body responsible for carrying out the activities related to land development, stated in the misdemeanor payment order., that is, to the account of the competent municipality. ²⁰ The perpetrator shall only pay half of the imposed fine if the payment is made within the time period of eight days.

(3) If the perpetrator of the misdemeanor referred to in paragraph (1) of this Article does not pay the fine within the time period defined in paragraph (2) of this Article, the competent inspector shall file a motion for initiation of a misdemeanor procedure with a competent court.

(4) The competent inspectors referred to in Article 128 shall be obliged to keep records of the issued misdemeanor payment orders and of the outcome of the initiated procedures.

(5) The following data shall be gathered, processed and kept in the records referred to in paragraph (4) of this Article: name and surname, that is, name of the perpetrator, permanent, that is, temporary residence, head office, type of misdemeanor, number of the misdemeanor payment order which is issued, and outcome of the procedure.

(6) The personal data referred to in paragraph (5) of this Article shall be kept for five years as of the day of entry in the records.

(7) The form and the contents of the misdemeanor payment order shall be prescribed by the minister heading the state administrative body responsible for carrying out the activities related to land development.

Article 165-a

The determination of the amount of the fine for the legal entity and sole proprietor shall be made in accordance with the Law on Misdemeanors.

XII. TRANSITIONAL AND FINAL PROVISIONS

Article 166

The commenced procedures for issuance of a construction approval and approval for use shall continue according to the regulations in force before the day of application of this Law.

Article 167

(1) The detailed regulations defined by this Law shall be adopted within a period of six months as of the day this Law enters into force.

(2) The existing bylaws shall apply until the adoption of the regulations referred to in paragraph (1) of this Article.

Article 168

The licenses and authorizations issued pursuant to the Law on Construction ("Official Gazette of the Republic of Macedonia" nos. 51/2005, 82/2008 and 106/2008) shall continue to be valid until their expiry date.

Article 169

The main projects for infrastructure constructions and complexes referred to in Article 57 of this Law which are prepared and audited, as well as the main projects for infrastructure constructions and complexes referred to in Article 57 of this Law whose preparation has started up to 30 June 2005, shall be considered basic projects in terms of this Law.

Article 170

The owners of built facilities intended for public and business purposes shall be obliged to meet the requirements for unobstructed access of disabled persons prescribed by this Law by the 1st of September, 2015 at the latest, and the stairways in the external space intended for public use, within a period of two years as of the day this Law enters into force.

Article 171

Owners of built facilities that have no façade shall be obliged to build the façade within two years as of the day this Law enters into force.

Article 172

As of the day this Law enters into force, the Law on Construction ("Official Gazette of the Republic of Macedonia" nos. 51/2005, 82/2008 and 106/2008) shall cease to be valid.

Article 173

This Law shall enter into force on the eight day as of the day of the publication in the "Official Gazette of the Republic of Macedonia".

PROVISIONS OF OTHER LAWS

Law Amending the Law on Constructions ("Official Gazette of the Republic of Macedonia" nos. 130/2009 and 124/2010):

Article 37

The procedures for issuance of approval for use of the third, fourth and fifth category facilities commenced before the day this Law enters into force, shall be continued in line with the provisions of this Law, provided that technical control has not been conducted in the facility.

Article 38

The bylaws referred to in this Law shall be adopted within 15 days as of the day this Law enters into force.

Law Amending the Law on Constructions ("Official Gazette of the Republic of Macedonia" no. 18/2011):

Article 76

The A designing license issued before this Law enters into force shall be valid until its expiry date and it can be used to design the first category construction referred to in Article 57 of this Law, while the B designing license issued before this Law enters into force shall be valid until its expiry date and it can be used to design the second category constructions referred to in Article 57 of this Law.

The A license for audit of project documentation issued before this Law enters into force shall be valid until its expiry date and it can be used to conduct audit of project documentation for the first category constructions referred to in Article 57 of this Law, while the B license for audit of project documentation issued before this Law enters into force shall be valid until its expiry date and it can be used to conduct audit of project documentation for the second category constructions referred to in Article 57 of this Law.

The A contractor license and B contractor license issued before this Law enters into force shall continue to be valid until their expiry date and it can be used to build the first category constructions referred to in Article 57 of this Law, while the C contractor license and D contractor license issued before this Law enters into force shall continue to be valid until their expiry date and it can be used to contract the second category constructions referred to in Article 57 of this Law.

The A supervisory license and the B supervisory license issued before this Law enters into force shall continue to be valid until their expiry date and shall be used to conduct supervision of the building of the first category constructions referred to in Article 57 of this Law, while the C supervisory license and the D supervisory license issued before this Law enters into force shall continue to be valid until their expiry date and shall be used to conduct supervision of the building of the second category constructions referred to in Article 57 of this Law.

Article 77

The E contractor license issued before this Law enters into force shall continue to be valid until its expiry date.

The holder of the E contractor license may, without paying a charge, file an application for obtaining an A contractor license or B contractor license, during the period of validity of the E license, pursuant to the requirements defined by this Law.

The A contractor license or the B contractor license referred to in paragraph (2) of this Article shall not be issued if the applicant does not previously return the E contractor license.

Article 78

The A designing authorization, the A authorization for audit of project documentation, the A authorization for contraction engineer and the A authorization for supervisory engineer issued before this Law enters into force shall continue to be valid until their expiry date and it can be used for designing, audit of project documentation, construction management and supervision of the construction, of the first category constructions referred to in Article 57 of this Law, while the B designing authorization, the B authorization for audit of project documentation, the B authorization for contraction engineer and the B authorization for supervisory engineer issued before this Law enters into force shall continue to be valid until their expiry date and it can be used for designing, audit of project documentation, construction management and supervision of the construction, of the second category constructions referred to in Article 57 of this Law.

Article 79

The legal entities for design, audit, building and supervision of the construction shall be obliged to provide insurance against damage liability in an insurance company in the Republic of Macedonia, within 90 days as of the day this Law enters into force, at the latest.

Article 80

The procedures for obtaining licenses commenced before the day this Law enters into force shall continue according to the provisions of this Law.

The procedures for issuance of construction approval commenced before the day this Law enters into force shall continue in accordance with the provisions of the Law according to which they have been commenced.

Article 81

If there is a main i.e. basic project prepared for the linear infrastructure constructions, which is audited before this Law enters into force, an infrastructure project shall not be submitted in the procedure for obtaining construction approval.

Article 82

The state administrative body responsible for carrying out the activities related to land development, the municipalities, the municipalities in the city of Skopje shall be obliged to conduct the procedure for obtaining construction approval via electronic means as of 1 June 2013.

Article 83

The regulation referred to in Article 59-g of this Law shall be adopted within six months after the day this Law enters into force.

Law Amending the Law on Constructions ("Official Gazette of the Republic of Macedonia" no. 36/2011):

Article 3

Local and state urban planning documentation that regulate the use of the space in certain plan ambit, and which are approved until 7 February 2011, shall apply to the procedure for issuance of construction approval which may be issued pursuant to them.

Construction approvals issued in accordance with the local and state urban planning documentation that regulate the use of the space in certain plan ambit shall have legal effect and may be enforced if the local and state urban planning documentation are approved until 7 February 2011.

Law Amending the Law on Constructions ("Official Gazette of the Republic of Macedonia" no. 54/2011):

Article 8

The bylaws of this Law shall be adopted within 15 days as of the day of entry into force of this Law.

Law Amending the Law on Constructions ("Official Gazette of the Republic of Macedonia" no. 54/2011):

Article 9

As of the day the Law on Establishment of the State Commission for Decision-making in Administrative Procedure and Labor Relation Procedure in Second Instance enters into force, competent body for acting upon the filed appeals against the decision rejecting the application for issuance of license, i.e. authorization shall be the State Commission for Decision-making in Administrative Procedure and Labor Relation Procedure in Second Instance.

The provision of Article 5 paragraph 1 of this Law that amends Article 65 paragraphs (1) and (2) of this Law, shall apply as of the day of commencement of the application of the Law on Establishment of the State Commission for Decision-making in Administrative Procedure and Labor Relation Procedure in Second Instance.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 13/2012):

Article 15

The provision of Article 5 of this Law that amends Article 87 paragraph (5), the provision of Article 8 of this Law that amends Article 97 paragraph (8), and the provision of Article 10 of this Law that amends Article 99 paragraph (11) shall apply as of the day of commencement of the application of the Law on the Establishment of the State Commission for Decision-making in Administrative

Procedure and Labor Relation Procedure in Second Instance.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 13/2012):

Article 16

The basic, i.e. the main projects for state and local roads prepared and audited until 22 February 2011 shall be considered as infrastructure projects, provided that they have been approved by a competent body in accordance with the Law on Spatial and Urban Planning.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 144/2012 and 25/2013):

Article 52

The regulation determined in Article 17 of this Law based on which a new Article 48-b is introduced shall be adopted in a period of eight days as of the day of entry into force of this Law.

Upon the publication of the bylaw referred to in paragraph (1) of this Article in the "Official Gazette of the Republic of Macedonia" it shall forthwith, and in a period of 24 hours at the latest, be published on the website of the Ministry of Transport and Communications.

Article 53

The procedures for obtaining a construction approval and authorization commenced before the day this Law enters into force shall continue in line with the provisions of the law according to which they have commenced.

Article 55

The competent body referred to in Article 58 of this Law shall be obliged to submit in an electronic form the requests, that is, the applications for preregistration and entering comments about the construction, for changes in the course of constructing, as well as for entry of the facility in the public book of immovables that are submitted to the Agency for Real Estate Cadastre as of 1 December 2012.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 144/2012):

Article 54

The provision of Article 19 of this Law adding a new paragraph (3) in Article 58 shall start to apply as of 1 January 2013.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 25/2013):

Article 6

The provision of Article 55 of the Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 144/2012) shall not apply in the period from the day of entry into force of this Law to 1 June 2013.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 79/2013):

Article 12

The Government of the Republic of Macedonia, within a period of 30 days as of the day of entry into force of this Law, shall prepare a list of built facilities of public use that should meet the requirements for unobstructed access of disabled persons prescribed by this Law within the deadline referred to in Article 170 of this Law.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 137/2013):

Article 22

The provision of Article 20 of this Law adding the new Article 101-a shall start to apply as of 1 November 2013.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 137/2013):

Article 23

The bylaws envisaged by this Law shall be adopted within a period of 30 days as of the day of entry into force of this Law.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 163/2013):

Article 28

With regard to the construction approvals for the second category constructions that are issued prior to the entry into force of this Law, the investor may submit a request for extension of the deadline for construction set out in Article 12 of this Law which amends Article 68 to the competent body that have issued the construction approval within a period of a year as of the day of entry into force of this Law at the latest.

Article 29

The provisions of Article 65 paragraphs (18) and (19) of the Law on Construction ("Official Gazette of the Republic of Macedonia" nos. 130/2009, 124/2010, 18/2011, 36/2011, 54/2011, 13/2012, 144/2013, 25/2013, 79/2013 and 137/2013) shall accordingly apply in the course of taking actions upon submitted appeals and lawsuits against administrative documents adopted in the procedures for amendments during construction, for issuance of the decision for the constructions referred to in Article 73 of this Law, for reconstruction, repurposing, adaptation, and for issuance of the approval for use for the first category constructions referred to in Article 57 of this Law that are conducted electronically.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 163/2013):

Article 31

This Law shall enter into force on the eight day as of the day of its publication in the "Official Gazette of the Republic of Macedonia" and Articles 18, 19, 20 and 21 of this Law shall start to apply as of 1 May 2014.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 28/2014):

Article 8

The provisions of Articles 59 paragraph (17), 59-a paragraph (1) line 7, and 88 paragraph (3) of this Law referring to state roads, railway lines, gas pipelines and long-distance transmission lines shall also apply to hydro power plants, hot water lines, backbone and junction streets on the area of the city of Skopje and dams with accumulations.

Article 9

An opinion on the designed and built level of mechanical endurance, stability and seismic protection of the construction by an entity that carries out a scientific and research activity - a scientific institute specialized in the field of protection of constructions against seismic actions shall not be provided for the constructions for which a request for construction approval has been submitted or a construction approval has been issued up until the day of entry into force of the Law amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 163/2013).

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 28/2014):

Article 10

This Law shall enter into force on the day of its publication in the "Official Gazette of the Republic of Macedonia".

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 27/2014):

Article 5

The procedures for revocation of licenses and authorizations that are initiated up to the day of entry into force of this Law shall continue in accordance with the provisions of the law under which they have been initiated.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 42/2014):

Article 8

The director of the State Inspectorate for Construction and Urbanism who has been appointed before the beginning of application of Article 7 of this Law, shall continue to exercise the office until the expiry of the term of office for which he/she has been appointed.

Article 10

The bylaw foreseen in Article 5 of this Law shall be adopted within a period of 30 days as of the day of entry into force of this Law.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 42/2014):

Article 9

The provisions of Article 7 of this Law shall start to apply one year as of the day of entry into force of this Law,

except the provisions that refer to the requirement for knowledge of a foreign language which shall start to apply two years as of the day of entry into force of this Law.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 115/2014):

Article 13

The owners of public purpose constructions shall be obliged to provide a bicycle parking area that serves the public purpose construction within a period of one year as of the day of entry into force of this Law.

Article 14

(1) The legal entity and the natural person whose license, that is, authorization is revoked before the day of entry into force of this Law, shall be obliged to return the license, that is, the authorization within a period of 30 days as of the day of entry into force of this Law.

(2) The legal entities that have lost the right to obtain a license due to the irregularities determined in Article 38 paragraph (4) of the Law on Construction ("Official Gazette of the Republic of Macedonia" nos. 130/2009, 124/10, 18/11, 36/ 11, 54/11, 13/12, 144/12, 25/13, 79/13, 137/13, 163/13, 27/14, 28/14 and 42/14) until the day of entry into force of this Law, may submit a request for obtaining a license to the state administrative body responsible for carrying out the activities related to land development, provided that they meet the requirement under this Law, upon expiry of one year as of the day the decision on revocation of the license becomes legally valid, and the legal entity which have lost the right to obtain a license due to the irregularities determined in Article 38 paragraph (5) of the Law on Construction ("Official Gazette of the Republic of Macedonia" nos. 130/2009, 124/10, 18/11, 36/ 11, 54/11, 13/12, 144/12, 25/13, 79/13, 137/13, 163/13, 27/14, 28/14 and 42/14), may submit a request for obtaining a license to the state administrative body responsible for carrying out the activities related to land development, provided that they meet the requirement under this Law, upon expiry of five years as of the day the decision on revocation of the license becomes legally valid.

Article 15

The procedures for issuance of a construction approval for local roads and streets, water supply and sewage systems that have begun before the entry into force of this Law, shall continue in accordance with the provisions of this Law.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 149/2014):

Article 12

The procedures for issuance of a construction approval initiated before the entry into force of this Law shall continue in accordance with the provisions of this Law.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 187/2014):

Article 18

The provisions of Article 5 of this Law and Article 8 paragraph (1) of this Law referring to constructions considered protected immovable cultural heritage in accordance with the law shall apply to the procedures for issuance of a construction approval that have been initiated up until the day of entry into force of this Law.

Article 19

The provisions of Articles 1, 2, 8, 9, 10, 12, 13, 14 and 15 of this Law referring to the fulfillment of the requirements for energy efficiency shall apply to the constructions for which a request for construction approval and a request for approval of reconstruction is to be submitted as of 1 January 2015.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 44/2015):

Article 5

(1) Article 3 of this Law shall start to apply as of the day of application of the Law on Prohibition and Prevention of Carrying Out an Unregistered Business Activity ("Official Gazette of the Republic of Macedonia" no. 199/2014).

(2) Article 4 of this Law shall start to apply as of the day of application of the Law on the Establishment of the State Commission for Decision-making in Second Instance in the Field of Inspection and Misdemeanor Procedure ("Official Gazette of the Republic of Macedonia" no. 130/2014).

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 44/2015):

Article 6

The project documentation, which is prepared until the day of entry into force of this Law by a foreign legal entity selected in a public procurement procedure financed by an international organization or by the European Union and which does not hold a certificate in accordance with Article 42 paragraph (1) of the Law on Construction ("Official Gazette of the Republic of Macedonia" nos. 130/2009, 124/10, 18/11, 36/11, 54/11, 13/12, 144/12, 25/13, 79/13, 137/13, 163/13, 27/14, 28/14, 42/14, 115/14, 149/14 and 187/14), nor a designing authorization for the natural persons who have prepared the documentation, may be used in a procedure for issuance of a construction approval, that is, a decision on building the construction in accordance with Article 74 of this Law, provided that there is a positive audit report prepared by a legal entity holding a license for audit of project documentation.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 129/2015):

Article 39

The bylaw referred to in Article 36 of this Law shall be adopted within a period of 30 days as of the day of entry into force of this Law at the latest.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 129/2015):

Article 41

This Law shall enter into force on the day of its publication in the "Official Gazette of the Republic of Macedonia".

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 129/2015):

Article 13

(1) The procedures for issuance of a construction approval for the constructions in the technological industrial development zones established by the Government of the Republic of Macedonia and by legal entities, which are constructed by the lessees and the owners of the land in the technological industrial development zones (except for infrastructure facilities in the zone, which are constructed by the entities - public service providers in charge of construction of electro-technical, water supply, sewage, gas and telecommunication infrastructure), as well as for the constructions in the industrial and green zones established by the Government of the Republic of Macedonia which are constructed by the owners of the land in the industrial and green zone, that are initiated until the day of entry into application of this Law, shall continue in accordance with the provisions of the Law on Construction ("Official Gazette of the Republic of Macedonia" nos. 130/2009, 124/2010, 18/2011, 36/2011, 54/2011, 13/2012, 144/2012, 25/2013, 79/2013, 137/2013, 163/2013, 27/2014, 28/2014, 42/2014, 115/2014, 149/2014, 187/2014 and 44/2015).

(2) The procedures for issuance of a decision for building the constructions, that is, setting up the equipment referred to in Article 73 paragraph (1) of this Law in the technological industrial development zones established by the Government of the Republic of Macedonia and by legal entities, as well as in the industrial and green zones established by the Government of the Republic of Macedonia, that are initiated until the day of entry into application of this Law, shall continue in accordance with the provisions of the Law on Construction ("Official Gazette of the Republic of Macedonia" nos. 130/2009, 124/2010, 18/2011, 36/2011, 54/2011, 13/2012, 144/2012, 25/2013, 79/2013, 137/2013, 163/2013, 27/2014, 28/2014, 42/2014, 115/2014, 149/2014, 187/2014 and 44/2015).

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 129/2015):

Article 14

This Law shall enter into force on the eight day as of the day of its publication in the "Official Gazette of the Republic of Macedonia" and shall start to apply as of 1 September 2015.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 217/2015):

Article 11

The provisions of Article 5 of this Law shall also apply to the procedures for alterations during the construction of facilities which are issued a construction approval in accordance with the Law on Construction ("Official Gazette of the Republic of Macedonia" nos. 130/2009, 124/10, 18/11, 36/11, 54/11, 13/12, 144/12, 25/13, 79/13, 137/13, 163/13, 27/14, 28/14, 42/14, 115/14, 149/14, 187/14 and 44/15).

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 226/2015):

Article 3

This Law shall enter into force on the day of its publication in the "Official Gazette of the Republic of Macedonia".

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 31/2016):

Article 23

The procedures initiated before the day of beginning of application of this Law shall end in accordance with the law they have been initiated.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 31/2016):

Article 25

The provisions of Articles 1, 2, 3, 4, 6, 8, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21 and 22 of this Law shall start to apply as of the beginning of application of the Law on the General Administrative Procedure in accordance with Article 141 of the Law on the General Administrative Procedure ("Official Gazette of the Republic of Macedonia" no. 124/15).

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 39/2016):

Article 17

This Law shall enter into force on the day of its publication in the "Official Gazette of the Republic of Macedonia".

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 71/2016):

Article 4

This Law shall enter into force on the day of its publication in the "Official Gazette of the Republic of Macedonia".

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 132/2016):

Article 11

The procedures for issuance of an approval for use for linear infrastructure facilities such as state roads, local roads and streets, water supply and sewage systems, railway lines, gas pipelines, long-distance transmission lines, refined products pipelines, thermal pipelines, oil pipelines, aerial cableways, irrigation and drainage systems, backbone and junction streets in the area of the

City of Skopje, as well as hydro power plants and dams with accumulations, initiated up to the day of entry into force of this Law, shall continue in accordance with the provisions of this Law.

Article 12

The procedures for issuance of an approval for superstructure of facilities for individual housing in accordance with Article 59-j of this Law, initiated up to the day of entry into force of this Law, shall continue in accordance with the provisions of this Law.

Article 13

The bylaw foreseen by this Law shall be adopted within a period of 30 days as of the day of entry into force of this Law.

Law Amending the Law on Construction ("Official Gazette of the Republic of Macedonia" no. 132/2016):

Article 14

This Law shall enter into force on the day of its publication in the "Official Gazette of the Republic of Macedonia".