WHAT IS REQUIRED IF AN INVESTOR WANTS TO BUILD OR RECONSTRUCT A BUILDING
The realisation of every construction project, regardless of whether it is a simple place of abode or larger premises, is a complex undertaking that requires substantial resources, time, careful planning and patience. In the process of such realisation you will be required to obtain a great deal of documents, and will be introduced to a variety of government authorities and parties in the issuance of regulatory documentation. The purpose of this publication is to be a guide to those procedures which relate to the issuance of planning and construction documentation in the area of the County of Primorje and Gorski kotar (excluding the City of Rijeka) which falls within the scope of the County’s Administrative Department for Civil Engineering and Environmental Protection.

Reflecting on the idea of this publication, we wanted it to show how the necessary permits are issued, starting from the question an investor might raise: What should I do when trying to realise certain types of works or the construction of certain buildings?

We want to stress that the administration is not and does not want to see itself as being on ‘the other side’, but rather as being on the same side as you. Although you might often be of the opinion that it is not the case, we are just one of many parties in the realisation of your project.

May this publication be a contribution to the accomplishment of this intention of ours.

Zlatko Komadina, MSc

President of the County of Primorje and Gorski kotar
Introduction

The Administrative Department for Civil Engineering and Environmental Protection (the ADCEEP) of the County of Primorje and Gorski kotar started functioning on 1 January 2008 following amendments to the Act on Physical Planning and Construction and the Environmental Protection Act, which came into force in 2007. Within the ADCEEP two sections were formed: the Physical Planning and Civil Engineering Section and the Environmental Protection, Municipal Affairs and Cultural-Historical Heritage Section.

The Physical Planning and Construction Section is responsible for issuing regulatory documents relating to physical planning and building for the towns of Bakar, Kastav, and Kraljevica, and the municipalities of Čavle, Jelenje, Klana, Kostrena and Viškovo in the seat of the County. For other towns and municipalities, documents are issued in the following offices:

- in Crikvenica, for the towns of Crikvenica and Novi Vinodolski and the Municipality of Vinodol;
- in Delnice, for the towns of Čabar, Delnice, and Vrbovsko, and the municipalities of Brod Moravice, Fužine, Lokve, Mrkopalj, Ravna Gora and Skrad. Delnice area office includes two separate offices – in Čabar and Vrbovsko;
- in Krk, for the Town of Krk, and the municipalities of Baška, Dobrinj, Malinska-Dubašnica, Omišalj, Punat and Vrbnik;
- in Mali Lošinj, for the towns of Cres and Mali Lošinj;
- in Opatija, for the Town of Opatija, and the municipalities of Lovran, Matulji and Mošćenička Draga;
- in Rab, for the Town of Rab, and the Municipality of Lopar.

There are many regulatory documents related to physical planning and building: location permit, approval of land subdivision plan, decision on establishing a building plot, decision on conditions for building works, order for a change of a building’s purpose, decision on the actual state of construction, use permit, certificate of use as an independent functional unit, certificate of dates of a building, removal permit, and building orders.

In 2010 the County of Primorje and Gorski kotar published this brochure to make it easier for investors to deal with the various types of documents and find those that they require for their particular project.

The Act on Physical Planning and Construction distinguishes between two basic types of procedure and documentation depending on the gross building area of the building. The limits are 400m², or 600m² for buildings whose sole purpose is agricultural activity. The two procedures are divided as follows:
the first part relates to buildings whose gross building area does not exceed 400m², or a building whose sole purpose is agricultural activity and whose gross building area does not exceed 600m²;

the second part relates to residential buildings, residential and commercial buildings, and commercial and public buildings, whose gross building area is greater than 400m², and buildings whose sole purpose is agricultural activity and whose gross building area is greater than 600m², and infrastructural buildings.

In this brochure we outline the procedures required prior to making applications for the necessary permits and briefly outline what follows up to the registration of a property at cadastral registries and land registries.

In order to provide a full description of the necessary documentation, this Guide also includes the procedures to be followed in the issuance of the Building Order according to the provisions of the Act on Building Procedures and Requirements for Investment Promotion.

Since certain simple buildings and constructions do not require special permits, this Guide gives the most common examples of such buildings and construction. It also provides information on what the investor has to do in order to remove a building.

At the end of the brochure there is a glossary, which should help you to understand certain technical terms, the various types of documents, and the parties to construction.

We have also added information about addresses and phone numbers of the central offices and area offices of the ADCEEP, as well as details of times when these offices are open to the public.

Because a number of different bodies are involved in the issuance of planning and construction documentation, details of addresses and jurisdictions have been included.

This year amendments to the Act on Physical Planning and Construction came into force which have modified procedures in respect of the issuance of regulatory documents relating to physical planning and building. The order for a change of a building’s purpose has been introduced as a new document, and the decision and certificate on the actual state of construction has been abolished because the procedure for legalising illegal buildings is now regulated by the new Act. Therefore the ADCEEP has published this new and revised edition of the Guide for Building.

Because the first edition of the Guide was so well received, we have also prepared an English version intended for foreign investors.

Koraljka Vahtar-Jurković, PhD
Head of Department
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What is required if an investor wants to build or reconstruct:

1. a building whose gross building area is not more than 400m², and

2. a building whose sole purpose is agricultural activity and whose gross building area is not more than 600m²?

Beforehand:

Before building works for both types of building start the procedure is the same and includes the following:

1. If you have land or an existing building, first check whether it is permitted to carry out building and/or reconstruction works thereon, and if so what kind of building and/or reconstruction works are permissible. This information can be obtained orally or in writing from the headquarters of the Administrative Department for Civil Engineering and Environmental Protection (the ADCEEP) of the County of Primorje and Gorski kotar at Riva 10, Room 108/I, Rijeka, or from one of its area offices during office hours. Where an investor requires such information in writing, an application for the issue of a certificate of physical planning documents has to be submitted. The administrative fee for the issue of such a certificate is 40 kuna (20 kuna for the application, 20 kuna for the certificate).

If you do not have land or an existing building, you need to check whether it is permissible to carry building and/or reconstruction works prior to purchase.

2. If the planned building and/or reconstruction works are permissible in accordance with planning documentation, you are required to obtain proof that you are entitled to carry out such works. The following documents are acceptable as proof:

- an extract from the land registry which shows that the investor is the owner or the holder of a building right in relation to the building plot or the building on which the building works will be carried out;
- either a contract or a ruling from a competent national authority by which the investor acquired a right to possession, a right to build, or a right of way;
What is required if an investor wants to build or reconstruct a building

• a partnership agreement with the owner of the property whereby the parties agree to carry out building and/or reconstruction works jointly;
• a concession agreement which confers the right to build;
• written consent from the owner(s) of an existing building in relation to the reconstruction of the building, unless such consent has been established by special by-law;
• written consent from a trustee to the previous owner of the property who is also the investor.

3. You are required to obtain a proper geodetic survey certified by the State Geodetic Administration Office, local cadastral registry from a qualified geodetic surveyor (a directory of qualified geodetic surveyors is available from the State Geodetic Administration Office, local cadastral registry).

4. You are required to obtain a preliminary building plan from an authorised engineer (a directory is available on the website of the Croatian Chamber of Architects and Engineers at www.hkaig.hr).

Order on conditions for building works

The next step is to obtain the order on conditions for building works from the ADCEEP. Application is made on a form that is available from the ADCEEP – its headquarters, area offices, and from its website at www.graditeljstvo.pgz.hr.

With the application the applicant must submit the following:

• three copies of the preliminary building plan which must show the construction layout on a proper geodetic map, or on a copy of a cadastral plan, where the application is for reconstruction works in relation to an existing building whose ground plan dimensions will not be altered, or three copies of the final building plan including all prescribed elements of the preliminary building plan;
• depending on the type of building works, special conditions issued from the state administrative body responsible for cultural monuments for a building which is located in a town or village, or part of a town or village, that is registered on the Register of Cultural Heritage of the Republic of Croatia as a cultural-historical site, or for a building that is registered as a cultural monument;
• depending on the type of building works, proof of water rights;
• depending on the type of building works, proper certificates from utilities authorities are required (e.g. electrical supply, water supply, sewage etc.) if these have been obtained prior to the commencement of building works;
• written report and confirmation of nostrification of the preliminary building plan where such a plan was drawn up under foreign regulations;
• proof that the investor has the right to build on land which forms the building plot, or to build on an existing building;
• completed Form IM-1 or IM-2 relating to the calculation of water contributions, available from the Croatian Water Company;

Note:
A proper geodetic survey is not required for reconstructions which do not change the horizontal and vertical dimensions of a property.
• administrative fee of 20 kuna for the application, and 50 kuna for the order, which is valid if the application is not successful. The administrative fee for issuance of the order on conditions for building works is 800 kuna. This is paid by the investor where the application is successful and the order on conditions for building works is issued. In such a case, the investor will pay 750 kuna for the order, as 50 kuna will have been paid when the application was submitted.

During the course of issuing the order on conditions for building works, it will be determined:
• that the preliminary building plan was completed in accordance with the physical plan;
• that the preliminary building plan was completed in accordance with the provisions of the Act on Physical Planning and Construction and any regulations passed under the Act;
• that the building plot was prepared and fitted out in accordance with the provisions of the Act on Physical Planning and Construction, i.e. access to traffic areas, sewage systems, prescribed number of parking places etc. in accordance with planning documentation;
• the location and methods of connection to transport, public infrastructure, and other infrastructure;
• that all documents required by the Act were submitted with the application.

In order to determine these facts, the following steps will be necessary:
• to review the preliminary building plan to determine whether it has been drawn up in accordance with the Act and in accordance with the planning documentation;
• to inspect the building plot to determine whether it has been built-up and whether it complies with the Act;
• to submit the preliminary building plan for inspection by the proper authorities or persons designated under regulations and to ascertain any special conditions as required by regulations, where the investor has not already submitted a certificate to this effect with the application;
• invite all interested parties to review the preliminary building plan and make any declarations in relation to the requested building works;
• request from the Croatian Water Company a calculation of water contributions and utility contributions from the town or municipality on whose land the building works will be carried out.

IMPORTANT!
The ADCEEP is required to issue the order on conditions for building works once all the prescribed conditions have been met, and all procedures have been carried out, and the investor has provided proof of payment of utility fees and water contributions, or the first instalment of such payments where applicable. The appropriate building fee must also be paid.
WHAT IF THE INVESTOR WANTS TO MAKE CHANGES TO THE BUILDING WORKS DURING THE PROCESS OF CONSTRUCTION?

If the investor wants to make changes to the building works which would alter the preliminary building plan or the final building plan in terms of layout, size, purpose, location on the building plot, or change the shape and size of the building plot, the investor is required to apply to the ADCEEP for an amendment to the order on conditions for building works. This procedure relates only to the specific conditions which will be affected by the amendments. Only where such amendments relate to the external shape or size of a building, its purpose, terms and methods of use, or the environment, interested parties are entitled to submit their observations and insights about the preliminary building plan.

The administrative fee for issuing an amendment to the order on conditions for building works is 800 kuna.

If the investor wants to make changes which might affect fulfilment of the essential conditions of the building works but which do not affect conformity with the preliminary building plan in terms of external shape and size, purpose, location on building plot, or size and shape of the building plot, then such changes can be made on the basis of an amendment to the final building plan, without the need for an amendment to the order on conditions for building works.

WHAT HAPPENS IF THE INVESTOR CHANGES DURING CONSTRUCTION?

If the investor changes during construction, the new investor is obliged, within 30 days of the change, to obtain from the ADCEEP an amendment to the order on conditions for building works which refers to the change in the name of the person or the company as investor. The new investor must submit with his application proof that the investor has a right to build on the property in question or that the investor is the owner of the building to which the original certificate applies. The administrative fee for issuing the said amended order is 200 kuna.

HOW LONG IS THE ORDER ON CONDITIONS FOR BUILDING WORKS VALID?

The order on conditions for building works is valid for TWO YEARS from the date it comes into effect. This period can be extended once only for a further two years upon application by the investor to the ADCEEP unless there is a change in regulations upon which the original certificate was based, or a change in other regulations relating to the Act on Physical Planning and Construction. The administrative fee for an extension of validity of the order is 200 kuna.
Approval of the land subdivision plan

If the order on conditions for building works establishes a building plot, then a land subdivision plan must be obtained from an authorised geodetic surveyor.

After this has been obtained, the investor needs to obtain a certificate of conformity of the land subdivision plan with the order on conditions for building works from the ADCEEP. A certificate of conformity will be issued if:

- the land subdivision plan has been drawn up by an authorised professional;
- the land subdivision plan has been drawn up in accordance with the final order on conditions for building works;
- the land subdivision plan has been drawn up in accordance with professional norms;
- all necessary documentation has been attached to the plan (which is the responsibility of the geodetic surveyor);
- administrative fees of 20 kuna for the application and 45 kuna for the certificate of conformity of the land subdivision plan have been paid.

Once a certificate of conformity has been issued, the land subdivision plan is then sent to the State Geodetic Administration, local cadastral registry, for registration.

Once the land subdivision plan has been registered by the local cadastral registry, certain documentary information is then sent to the appropriate court in order for registration to be fully completed.

Construction of a building

After the certificate of conformity has been issued the investor must do the following:

1. Order a stake out survey.
2. Order the final building plan, however this plan will not have been confirmed by a competent authority.
3. Give notice of commencement of building works to the ADCEEP, the building inspectorate and the works inspectorate. Building works may commence 8 days after notice has been given.

After completion of building works...

After completion of building works the investor submits the report of the supervising engineer and an energy certificate to the ADCEEP who will issue a certificate which states that the building can be used without further use documentation being required. The administrative fee for this certificate is 40 kuna (20 kuna for the application, 20 kuna for the certificate).
What is required if an investor wants to build or reconstruct:

1. a residential building, a residential/commercial building, or a building for commercial and/or public purposes whose gross building area is greater than 400m^2;

2. a building whose sole purpose is agricultural activity and whose gross building area is greater than 600m^2;

3. an infrastructural building?

Beforehand:

Before building works for all these types of building start the procedure is the same and includes the following:

1. If the investor has land or an existing building, the investor must first check whether it is permitted to carry out building and/or reconstruction works thereon, and if so what kind of building and/or reconstruction works are permissible. This information can be obtained orally or in writing from the headquarters of the Administrative Department for Civil Engineering and Environmental Protection (the ADCEEP) of the County of Primorje and Gorski kotar at Riva 10, Room 108/I, Rijeka, or from one of its area offices during office hours. Where an investor requires such information in writing, an application for the issue of a certificate of physical planning documents has to be submitted. The administrative fee for the issue of such a certificate is 40 kuna (20 kuna for the application, 20 kuna for the certificate).

If the investor does not have land or an existing building, the investor needs to check whether it is permissible to carry out building and/or reconstruction works prior to purchase.

2. If the planned building and/or reconstruction works are permissible in accordance with planning documentation, the investor is required to obtain proof that the investor is entitled to carry out such works. The following documents are acceptable as proof:

- an extract from the land registry which shows that the investor is the owner or the holder of a building right in relation to the
building plot or the building on which the building works will be carried out;
• either a contract or a decision from a competent national authority by which the investor acquired a right to possession, a right to build, or a right of way;
• a partnership agreement with the owner of the property whereby the parties agree to carry out building and/or reconstruction works jointly;
• a concession agreement which confers the right to build;
• written consent from the owner(s) of an existing building in relation to the reconstruction of the building, unless such consent has been established by special by-law;
• written consent from a trustee to the previous owner of the property who is also the investor.

3. The investor is required to obtain a proper geodetic survey certified by the State Geodetic Administration Office, local cadastral registry drawn up by a qualified geodetic surveyor (a directory of qualified geodetic surveyors is available from the State Geodetic Administrative Office, local cadastral registry).

4. The investor needs to contact an authorised engineer to obtain a preliminary building plan (a directory of authorised engineers is available on the website of the Croatian Chamber of Architects and Engineers at www.hkaig.hr).

**Location permit**

The next step is to apply for a location permit, which is obtainable from the ADCEEP. The application is submitted on a form that is obtainable from the ADCEEP – its headquarters and area offices, and from its website at www.graditeljstvo.pgz.hr.

With the application form the applicant must submit the following:

• extract from a cadastral plan, or a copy;
• three copies of the preliminary building plan which shows the layout on a proper geodetic map, or on a copy of the cadastral plan, on the Croatian Basic Map (M 1:5000), or an orthophoto map in the appropriate scale;
• statement by the planner that the preliminary building plan was drawn up in accordance with the physical plan in relation to which the location permit was issued;
• depending on the type of building works, special conditions issued from the state administrative body responsible for cultural monuments for a building which is located in a town or village, or part of a town or village, that is registered on the Register of Cultural Heritage of the Republic of Croatia as a cultural-historical site, or for a building that is registered as a cultural monument;
• depending on the type of building works, proof of water rights;
• depending on the type of building works, proper certificates from utilities authorities are required (e.g. electrical supply, water supply, sewage etc.) if these have been obtained prior to the commencement of building works;

**Note:**
A proper geodetic survey is not required for:

• reconstruction of a building that does not alter the external dimensions in the ground plan of the existing building;
• reconstruction of an immobile cultural heritage building on a building plot which has been built upon 100%;
• building or reconstruction of a building for which one can determine the scope of intervention in the area (the linear infrastructure of the building).
WHAT IS REQUIRED IF AN INVESTOR WANTS TO BUILD OR RECONSTRUCT A BUILDING

• written report and confirmation of nostrification of the preliminary building plan where such plan was drawn up under foreign regulations;
• proof of legal interest of the applicant in whose name the location permit was issued;
• administrative fee of 20 kuna for the application and 50 kuna for the certificate, which is payable even where the application is not successful.

If the application is successful and a location permit is issued, prior to using the permit the applicant must pay an administrative fee as follows:

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<th>Type of Building</th>
<th>Fee (kuna)</th>
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<tr>
<td>for residential buildings, including ancillary and farm buildings, which together with the residential buildings make up a housing or economic unit on a building plot of up to 0.2 hectares</td>
<td>200</td>
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<tr>
<td>buildings, excluding those mentioned in the preceding paragraph, on a building plot of up to 1 hectare or an infrastructural building whose length is up to 1 kilometre</td>
<td>750</td>
</tr>
<tr>
<td>buildings on a building plot of between 1 and 5 hectares or an infrastructural building whose length is between 1 and 5 kilometres</td>
<td>1,500</td>
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<tr>
<td>buildings on a building plot from 5 to 10 hectares or an infrastructural building whose length is between 5 and 10 kilometres</td>
<td>2,225</td>
</tr>
<tr>
<td>buildings on a building plot larger than 10 hectares or an infrastructural building whose length is more than 10 kilometres</td>
<td>3,000</td>
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The above-mentioned fees are reduced by the 50 kuna that was paid when the application was submitted.

During the course of issuing the location permit, it will be determined:

• that all documentation prescribed by law is attached to the application;
• the preliminary building plan was drawn up in accordance with the physical plan and any special conditions attached thereto;
• that the building plot has been prepared and fitted out in accordance with legal provisions relating to the Act on Physical Planning and Construction, i.e. access to traffic areas, sewage systems, prescribed number of parking spaces in accordance with planning documentation etc.;
• whether any interested parties have objections to the building works for which this location permit is being issued.

In order to determine these facts, it is necessary to:

• review the preliminary building plan to determine whether it has been completed in accordance with the Act and in accordance with the planning documentation;
• inspect the building plot to establish whether it has been built-up and whether it complies with the Act;
WHAT IS REQUIRED IF AN INVESTOR WANTS TO BUILD OR RECONSTRUCT A BUILDING

- submit the preliminary building plan for inspection by the proper authorities or persons designated under regulations and obtain a proper certificate of conditions for building as specified by regulations, where the investor has not already submitted such a certificate with the application;
- request interested parties to review the preliminary building plan and make any declarations in relation to the requested building works.

IMPORTANT!

The ADCEEP is obliged to issue a location permit within 30 days of receiving the application including all necessary certificates and provided all prescribed procedures have been completed and the applicant has paid all required fees.

A common misconception is that the period of 30 days automatically starts from submission of the application.

HOW LONG IS A LOCATION PERMIT VALID FOR?

A location permit issued by the ADCEEP expires if an application for approval of the final building plan is not submitted within TWO YEARS of the location permit coming into effect. The period of validity is suspended for the duration of the procedure of issuing approval of the final building plan, and once approval is issued the validity of the location permit ceases. If the building requires one location permit, but several certificates of approval of the final building plan, the validity of location permit will cease upon issuance of the first certificate of approval.

The applicant may apply from the ADCEEP for an extension of the location permit once only for a further TWO YEARS, provided there have been no changes relating to the conditions prescribed by the Act on Physical Planning and Construction and other conditions upon which the issuance of a location permit were based. The administrative fee for an extension of validity of the location permit is 70 kuna (20 kuna for the application, 50 kuna for the certificate).

For accommodation and ancillary buildings related to catering and the tourist industry which are planned in areas that cover more than 5 hectares it is necessary to obtain approval of the preliminary building plan from the Commission for Review of Architectural Merit, except where the plan had been drawn up for a prior competition.

Where this is an intervention to which special legal provisions apply, the competent administrative authority shall request the applicant to fulfil all procedural requirements in relation to an ENVIRONMENTAL IMPACT ASSESSMENT or the IMPACT OF THE BUILDING WORKS ON THE NATURAL SURROUNDINGS.

IMPORTANT!

The ADCEEP is obliged to issue a location permit within 30 days of receiving the application including all necessary certificates and provided all prescribed procedures have been completed and the applicant has paid all required fees.

A common misconception is that the period of 30 days automatically starts from submission of the application.
WHAT IF THE INVESTOR WANTS TO MAKE CHANGES DURING THE DRAWING UP OF THE FINAL BUILDING PLAN OR DURING CONSTRUCTION?

If, during the drawing up of the final building plan or during the construction, the investor wants to make changes to the building works which would alter any of the location conditions, but which do not change the conformity with the physical plan upon which the location permit was based, the investor is required to apply for an amendment to the location permit. This procedure relates only to the specific conditions which will be affected by the amendments. Only where such amendments relate to the external shape or size of a building, its purpose, terms and methods of use, or the environment, interested parties are entitled to submit their observations and insights on the preliminary building plan. The administrative fee is the same as that for a location permit.

Approval of the land subdivision plan

Where, by virtue of a location permit, a building plot has been established, a land subdivision plan must be obtained from an authorised geodetic surveyor.

After this had been obtained you need to obtain approval of the land subdivision plan in a separate procedure carried out by the ADCEEP. This will be issued if:

- the land subdivision plan has been drawn up by an authorised person;
- the land subdivision plan has been drawn up in accordance with the location permit;
- the land subdivision plan includes the prescribed layout and all requisite parts;
- all requisite documentation is attached to the land subdivision plan (which is the responsibility of the geodetic surveyor)
- administrative fees of 20 kuna for the application and 45 kuna for the approval of the land subdivision plan have been paid.

Once a certificate of approval has been issued, the land subdivision plan is then sent to the State Geodetic Administration, local cadastral registry, for further procedure.

Once the land subdivision plan has been registered by the local cadastral registry, certain documentary information is then sent to the appropriate court in order for registration to be completed.
Approval of the final building plan

The investor, furthermore, has to order the drawing up of the final building plan by an authorised architect and apply for approval of the final building plan from the ADCEEP.

Application is made on a form which is available from the ADCEEP – its headquarters and area offices, and from its website at www.graditeljstvo.pgz.hr.

With the application the applicant must submit the following:

• three copies of the final building plan together with a bound copy of the final location permit;
• a written report on inspection of the final building plan where the plan requires inspecting;
• written report and confirmation of nostrification of the final building plan where it was drawn up in accordance with foreign regulations;
• where the final building plan has been based on geotechnical and/or other research surveys, including technical, transport and other surveys, copies of such surveys;
• a land subdivision plan duly certified by a competent authority for the state survey and cadastral registry, and, from the competent authority responsible for the location permit, a certificate of compliance with location requirements relating to the size and shape of the building plot;
• proof that the applicant has the right to build on the building plot, or on the area of the intervention, or on the existing building;
• completed Form IM-1 or IM-2, available from the Croatian Water Company, with analytical calculation of measures (AIM);
• administrative fee of 20 kuna for the application and 50 kuna for the certificate of approval of the final building plan, which is valid if the application is not successful.
Where the application is successful and a certificate of approval is granted, the applicant, prior to taking up the certificate of approval, must pay an administrative fee as follows:

- for a building with a gross building area of up to 1000m² – 0.5 ‰ of the costs of construction;
- for a building with a gross building area of between 1000m² and 5000m² – 0.35 ‰ of the costs of construction;
- for a building with a gross building area of more than 5000m² – 0.25 ‰ of the costs of construction;
- for all other buildings – 0.25 ‰ of the costs of construction.

building costs are determined according to the costs estimate which forms part of the final building plan.

These amounts are reduced by the 50 kuna that were paid when the application was submitted. The same fees apply for issuing a certificate on amendments and/or additions to the final building plan, the building permit, and order on amendments and/or additions to the building permit.

In the course of issuing a certificate of approval of the final building plan, it will be determined:

- whether the final building plan was drawn up in accordance with the location permit;
- whether the final building plan was drawn up in accordance with the provisions of the Act on Physical Planning and Construction and regulations made thereunder and any other relevant regulations;
- whether the application for a certificate of approval has all required documentation attached.

Moreover, an inspection will be carried out in order to ascertain the arrangement of the building plot, and the final building plan will be submitted to the town or municipality in order to calculate utility contributions, and to the Croatian Water Company to calculate water contributions.

Note:
The administrative fee for issuing the order on amendments and/or additions to the building permit and the certificate of approval of the amendments and/or additions to the final building plan, for building works that will change the size of an existing or an approved building, is paid on the difference between the gross building area of the approved building and the area for which amendments and/or additions are being requested.
HOW LONG IS A CERTIFICATE OF APPROVAL OF THE FINAL BUILDING PLAN VALID FOR?

A certificate of approval of the final building plan ceases if the investor does not commence building within TWO YEARS from the date of its issue. The investor can apply once only for an extension of a further two years provided the conditions that were determined in accordance with the Act on Physical Planning and Construction have not changed, nor any regulations upon which the granting of approval was based. The administrative fee for an extension of the validity of the certificate of approval of the final building plan is 200 kuna.

WHAT IF THE INVESTOR WANTS TO MAKE CHANGES DURING THE PROCESS OF CONSTRUCTION?

If the investor wants to make changes during construction which would affect compliance with the location conditions, the investor must first obtain an amendment to the location permit, and once this has been done, obtain an amendment to the certificate of approval of the final building plan.

If the investor wants to make changes which might affect fulfilment of any of the essential conditions for building works, but which would not affect compliance with the preliminary building plan, such changes can be made on the basis of an amended final building plan.

WHAT IF THE INVESTOR CHANGES DURING CONSTRUCTION?

If the investor changes during construction, the new investor is obliged, within 30 days of the change, to request from the ADCEEP an amendment to the certificate of approval of the final building plan which refers to the change in the name of the person or company of the investor. With the application for an amendment, the new investor must provide proof of the right to build on the property, or that the investor is the rightful owner of the building in relation to which the certificate of approval was granted. The administrative fee for issuing an order of amendment of the certificate of approval of the final building plan in relation to a change of the name or company of the investor is 200 kuna.

Building works

Once the ADCEEP has issued a certificate of approval of the final building plan, the investor can commence building works. Before commencing building works it is necessary to give notice of commencement of building works to the ADCEEP, to the Building Inspectorate, and to the Labour Inspectorate. After 8 days of giving notice building works may commence.
When can the building begin to be used or begin to operate?

Use permit

The building can begin to be used or to operate, and an order to carry out activities under special regulation can be issued, once a use permit has been issued by the ADCEEP.

The application form for a use permit is available from the ADCEEP – its headquarters and area offices, and from its website at www.graditeljstvo.pgz.hr.

Together with the application the applicant must submit the following:

• a copy of the certificate of approval of the final building plan or a copy of the final building permit;
• information about the parties to the building works;
• contractor’s written statement about the completed building works and the maintenance conditions of the building;
• final report of the supervising engineer about the construction of the building.

Procedural steps:

• A competent authority requests the presence of parties to the building works for a technical inspection, whose presence is required for this inspection. The parties to the building works are obliged to respond to and to cooperate with the committee;
• The chairperson of the committee for technical inspection prepares minutes which contain the opinion of the committee members as to whether the constructed building is fit for use, or whether specified deficiencies need to be rectified prior to the issuance of the use permit.

The requirements for the issuance of the use permit are as follows:

• that the application is accompanied by all requisite documentation;
• the geodetic draft of the actual situation; for the constructed building it must conform with the document which, as part of the geodetic survey, has been verified by the cadastral registry;
• certificate of conformity, or proof of quality of a part of the building issued by an authorised body, where a certificate of conformity or a proof of quality is required by legislation, or any special regulations or planning document;
• approval of the technical inspection from all members of the committee and their assessment that the building is fit for use;
• the administrative fee for the technical inspection of the building (new or reconstructed) for the issuance of a use permit is the same as the fee for the issuance of a certificate of approval of the final building plan, or for the building permit.
Where the requested use permit is for a building which had been granted a building permit under previous regulations, the administrative fee will be equal to that of the fee for the issuance of the building permit.

If the technical inspection is carried out outside the town where the headquarters or the area office of the government administrative body are located, or the headquarters of any legal person involved with the inspection, the investor is required to reimburse the government authority or the person in question for travel and subsistence expenses for members of the committee.

**Special cases**

- A building that was built prior to and including 15 February 1968 is deemed to have been built on the basis of a lawful building permit or other appropriate order by an authorised body.
- For a building that was built on the basis of a building permit or other appropriate document issued by a competent authority prior to and including 19 June 1991 there is no need for a use permit.

**Certificate of use of the building**

- For buildings which have been built in accordance with a building permit issued between 20 June 1991 and 1 October 2007, instead of a use permit the ADCEEP, upon the application of the investor, can issue a certificate of use which establishes that the building has been built in accordance with the permit in respect of the external dimensions of the building and its purpose. The external dimensions include outer dimensions of all above-ground and underground parts of the building, the shape and size of the building plot, and the location of the building on the building plot.

With the application the applicant must submit the following:

- the final building permit;
- land registry extract where the owner of the building has changed;
- administrative fee of 20 kuna for the application and 50 kuna for the certificate, which is valid if the application is not successful.

The fee for the issuance of a certificate of use for a building is as follows:

- for a building whose gross building area is not more than 400m², or a building whose sole purpose is agricultural activity and whose gross building area is not more than 600m²: 400 kuna
- for all other buildings: 800 kuna
This fee is paid by the investor if the application is successful and a certificate of use is issued. In such a case the investor must pay the fee less 50 kuna already paid prior to taking up the certificate (that is, 350 or 750 kuna).

Procedure:

• During the procedure an inspection is carried out in the field to determine whether the external dimensions and purpose of the building are in accordance with the building permit.

Condition of issuance:

• It is a condition of issuance that the building is in compliance with the building permit in respect to the external dimensions and purpose.

Certificate of dates of the building

The cadastral registry or the central office of the State Geodetic Administration is responsible for issuing a certificate in relation to the recorded dates of a building built prior to and including 15 February 1968 on the basis of information which is considered proof that the building was built prior to and including that date. (Examples of documentary proof include cadastral registry documentation, cadastral plans, deeds, Croatia Basic Map, aerial photographs). Where there is not sufficient documentary proof for the cadastral registry or the State Geodetic Administration to issue a certificate, responsibility then passes to the ADCEEP to issue a certificate.

The application for a certificate of dates of a building is made on a form which is available from the ADCEEP – its headquarters and area offices, and from its website at www.graditeljstvo.pgz.hr.

With the application the applicant must submit the following:

• photographic evidence of the current state of the building;
• copy of cadastral map on which the building is marked out, or a geodetic draft of the actual state of the building on the building plot;
• administrative fee of 20 kuna for the application and 50 kuna for the certificate which is valid if the application is not successful. The administrative fee for the issuance of a certificate of dates of a building is determined as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
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<tbody>
<tr>
<td>for a building whose gross building area is not more than 400m² or a building whose sole purpose is agricultural activity and whose gross building area is not more than 600m²</td>
<td>400 kuna</td>
</tr>
<tr>
<td>for all other buildings</td>
<td>800 kuna</td>
</tr>
</tbody>
</table>
The fee is paid by the investor where the application is successful and a certificate of dates of a building is issued. In such a case the investor will pay the fee less the 50 kuna already paid (that is, 350 or 750 kuna).

Registration of the building at the cadastral registry

After completion of construction and the granting of use documentation, the investor will register the building at the cadastral registry. Registration is based on the following:

• use permit;
• certificate of use.

In addition, a building can be registered on the basis of the following:

• final report of the supervising engineer;
• confirmation from a state body responsible for construction matters that the building does not require a certificate of use.

Buildings built on the basis of a building permit, or other appropriate order from a regulatory body, which was issued prior to and including 19 June 1991 can be registered at the cadastral registry upon application accompanied by a final building permit and a certificate stating that no building inspection procedure is pending in relation to the building.

Registration of the building at the land registry

Once a building has been registered at a local cadastral registry, part of the documentation which is required for registration at the land registry is submitted to a competent court.

When registering the building, the court makes a use entry on the register as a record of the fact that use documentation has been filed. A building which is registered without a use entry is deemed to be a building which has been constructed without proper documentation relating to authorisation to commence building works and in relation to its use, and it will be necessary to provide proof of the legality of the building.

According to the Act on Physical Planning and Construction, the Act on Procedures and Building Requirements for Investment Promotion, and the Act on Procedures Relating to Illegally Constructed Buildings, the documentary evidence required to prove that a building is lawful includes all regulatory documents issued in relation to construction, use, or the legalisation of a building issued in accordance with these acts or in accordance with previous laws.

Building documents:

• building permit;
• building conditions order;
• approval of final building plan;
• building order;
• location permit which authorises the construction of a building;
• building permit for simple buildings;
• town planning order.

Legalisation documents:

• order on the actual state of building (pursuant to the Act on
  Procedures Relating to Illegally Constructed Buildings);
• order on actual state of building (pursuant to the Act on Physical
  Planning and Construction);
• approval of actual state of building (pursuant to the Act on Physical
  Planning and Construction).

Regulatory documents which confer lawful status on previously
unlawful buildings:

• declaration by the local cadastral registry or the Central Office of
  the State Geodetic Administration that the building was
  constructed prior to and including 15 February 1968;
• declaration from a state body responsible for construction matters
  that the building was constructed prior to and including
  15 February 1968.
Determining individual functional units (the subdivision of the building)

Where the owner wants to register ownership of certain parts of a building at the land registry, he will request the ADCEEP to issue a certificate stating that a particular part of a building, an apartment or other rooms in a particular building and on a particular plot of land, or a tourist facility intended exclusively for accommodation (villa etc.), is a self-contained unit.

Application for this certificate is made on a form which is available from the ADCEEP – its headquarters and area offices, and from its website at www.graditeljstvo.pgz.hr.

With the application the applicant must submit the following:

- schedule and description of specific parts of the property, or a ‘building subdivision plan’ by an authorised person (authorised construction engineer, authorised architect, authorised geodesist);
- land registry extract (no more than 6 months old);
- copy of cadastral plan;
- administrative fee of 20 kuna for the application and 20 kuna for the certificate.

For buildings drawn up in the cadastral registry prior to and including 25 July 2006, the certificate must include a schedule and description of the specific parts of the property and a statement as to whether any parts of the property were built without proper building documentation or in contravention of such documentation.

For buildings drawn up in the cadastral registry after 25 July 2006, a certificate will be issued if the specific parts of the building were constructed in accordance with the building documentation issued by a competent authority.

During the course of this procedure, an inspection will be carried out to ascertain whether the actual state of the property conforms to the schedule and description of specific parts, to the ‘building subdivision plan’, and to the building documentation.
What if you want to change the purpose of a building or a part thereof without carrying out building works?

Order for a change of a building’s purpose

A change of purpose of an existing building or any of its functional units, which does not include carrying out building works that would require special building documentation, will be approved by the order for a change of the building’s purpose.

Application is made on a form which is available from the ADCEEP – its headquarters and area offices, and from its website at www.graditeljstvo.pgz.hr.

With the application the applicant must submit the following:

- proof of ownership of the building or a functional part thereof;
- proof that the building is an existing building, including the final building plan in accordance with which it was built, and a record of the actual state;
- certificate of use or other documentary evidence that the building can be used;
- administrative fee of 20 kuna for the application and 50 kuna for the certificate.

An order for a change of purpose will be granted where the applicant has submitted all the above documents with the application and where it is established that the new purpose of the building or a functional unit thereof does not contravene physical planning regulations and that it meets any conditions laid down under regulations specifically applicable to the new purpose.

In order to determine whether the building or a functional unit thereof meets the conditions laid down under regulations specifically applicable to the new purpose, the competent authority will carry out an inspection to which it will invite any authority or person authorised under special regulations in the process of granting a location permit in order to establish any special conditions. In addition, all interested parties are invited to attend in order to provide clarification.
What if you have an existing building on a plot of land which has not been registered as a building plot or as a parcel of land necessary for the regular use of a building?

Order for the establishment of a building plot

If you have an existing building on a plot of land which has not been registered as a building plot or as a parcel of land necessary for the regular use of a building, or if you have a legal duty to register the land or plots thereon under special regulations, or if you want to change the shape or the size of the plot of land on which the building is constructed in accordance with the physical plan, it is necessary to obtain an order for the establishment of a building plot.

The order for the establishment of a building plot is issued by the ADCEEP.

Application is made on a form which is available from the ADCEEP – its headquarters and area offices, and from its website at www.graditeljstvo.pgz.hr.

An order for the establishment of a building plot will be granted:

- if, on the same cadastral plot, two or more buildings have been built which are not a single unit in terms of construction or functionality, or in any technical or technological sense;
- if the building is constructed on two or more cadastral plots;
- if the building is built on a cadastral plot whose area is smaller or is bigger than that prescribed by the physical plan;
• if the existing cadastral plot, on which the building is constructed, is such that it cannot be considered as a parcel of land necessary for the regular use of the building;
• if this is a building for which the order on actual state has been issued on the basis of a special regulation relating to the legalisation of illegally constructed buildings, and for which the state or a local or regional self-government is legally obliged, upon request by the investor, to sell the land at a market price without a public tender.

With the application the applicant must submit the following:
• copy of cadastral plan;
• proposed shape and size of the building plot drawn onto the copy of the cadastral plan;
• proof of legal interest of the applicant;
• proof of the existence of the building (building permit, certificate of approval of final building plan, certificate of the actual state of works, order on conditions for building, order of completion of works for existing buildings);
• administrative fee of 20 kuna for the application and 50 kuna for the certificate which is valid if the application is not successful. The administrative fee for the issue of a certificate for the establishment of a building plot is 200 kuna, which is paid by the investor where the application is successful and a certificate is issued. In that case, the investor pays 150 kuna, that is, less the 50 kuna that has already been paid.

During the procedure for establishing a building plot it must be determined:
• that the proposed plot is in accordance with the physical plan and any special regulations, and with professional norms where the building plot is established in a way that its shape and size enable the regular use of a building;
• that the application is accompanied by all documentation prescribed by legal provisions.

To determine these facts the following is required:
• to ascertain by inspection the condition of the land on which the building plot is to be established;
• to request interested parties to make any declarations in relation to the requested building works in the area.
After the granting of an order on the establishment of a building plot it is necessary to have a land subdivision plan drawn up by an authorised geodetic surveyor.

In a separate procedure carried out by the ADCEEP you need to obtain a certificate of conformity of the land subdivision plan with the order for the establishment of a building plot. This will be issued where:

- the land subdivision plan is drawn up by an authorised person;
- the land subdivision plan has been drawn up in accordance with the order for the establishment of a building plot;
- the land subdivision plan conforms with professional norms;
- all necessary documentation is attached to the land subdivision plan (which is the responsibility of the geodetic surveyor);
- an administrative fee of 20 kuna is paid for the application and 45 kuna for the certificate of land subdivision plan.

The certified land subdivision plan is then forwarded to the State Geodetic Administration, local cadastral registry, for further procedures.

IMPORTANT!

The ADCEEP is obliged to issue a certificate for the establishment of a building plot once all conditions have been fulfilled, all the described procedures have been carried out, and the investor has paid the required administrative fees.
Building order

With the aim of encouraging investments up to 31 December 2011 in the construction industry and pursuant to the Act on Procedures and Building Requirements for Investment Promotion, for buildings which require, under the Act on Physical Planning and Construction, a location permit and a certificate of approval of the final building plan, only one document shall be issued: a building order.

This shall not apply in the following cases:

- where the investor cannot produce proof that he has the right to build;
- for a building which is to be constructed in a protected area of nature;
- for a building where building works commenced without appropriate documentation from an authorised body.

The application for a building order is made on a form which is available from the ADCEEP – its headquarters, area offices, and its website at www.graditeljstvo.pgz.hr.

With the application the applicant must submit the following:

- three copies of the final building plan;
- written report on inspection of the final building plan where the final building plan requires inspection;
- proof that the investor has the right to build on the building plot, on the land which will form the building plot, on the land which is within the scope of the building works, or on the existing building;
- where the final building plan has been based on geotechnical and/or other research surveys, including technical, transport and other surveys, copies of such surveys;
- administrative fee of 20 kuna for the application and 50 kuna for the certificate which is valid if the application is not successful.

Where the application is successful, the applicant is required to pay the following administrative fee prior to taking up the certificate:

<table>
<thead>
<tr>
<th>Building Area</th>
<th>Administrative Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not more than 1000 m²</td>
<td>- 0.50 ‰ of the costs of construction</td>
</tr>
<tr>
<td>Between 1000 m² and 5000 m²</td>
<td>- 0.35 ‰ of the costs of construction</td>
</tr>
<tr>
<td>Greater than 5000 m²</td>
<td>- 0.25 ‰ of the costs of construction</td>
</tr>
<tr>
<td>All other buildings</td>
<td>- 0.25 ‰ of the costs of construction</td>
</tr>
</tbody>
</table>

*building costs are determined according to the costs estimate which forms part of the final building plan.

These amounts are reduced by the 50 kuna already paid.
In the course of issuing a building order the following needs to be determined:

- that the final building plan was completed in accordance with the physical plan, special conditions, and regulations relating to the preparation of a final building plan;
- that the building plot has been prepared in accordance with the Act on Physical Planning and Construction, i.e. access to traffic areas, sewage systems, prescribed number of parking spaces in accordance with planning documentation;
- that all documents required by the Act were submitted with the application.

In order to establish these facts it will be necessary to do the following:

- review the final building plan to determine that it has been drawn up in accordance with the Act and planning documentation;
- ascertain by inspection that the building plot has not been built-up and that it has been prepared in accordance with the Act;
- request the relevant authorities and/or persons designated under regulations to inspect the final building plan in order to obtain special conditions and certificates required by special regulations;
- request interested parties to review the final building plan and make any declarations about the requested building works;
- request from the Croatian Water Company a calculation of water contributions and a calculation of utility contributions from the town/municipality on whose land the building will be built.

**IMPORTANT!**

The deadline for issuing a building order is 45 days from when the application is duly submitted provided all legal requirements are complied with.

**Note:**

The investor can, prior to an application, contact the ADCEEP to request information about special conditions that are required for building. The application is submitted in writing on a form that is available from the ADCEEP – its headquarters, area offices, and its website at www.graditeljstvo.pgz.hr.

The administrative fee for this application is 20 kuna.
What if a building or part thereof has been constructed without proper authorising documentation or in contravention of such documentation?

Order on the actual state of building

On the basis of the Act on Procedures Relating to Illegally Constructed Buildings, and with the aim of legalising an illegally constructed new building or a reconstructed part of an existing building between 15 February 1968 and 21 June 2011 without proper authorising documentation or in contravention of such documentation, and which has been recorded by digital orthophoto map (DOF5) on a scale of 1:5000 by the State Geodetic Administration on the basis of the aerial photograph recording of the Republic of Croatia dated 21 June 2011, an order on the actual state of building will be issued.

This Act applies only to buildings and does not include infrastructure or structures permanently connected to the ground such as caravans, containers, barracks etc.

The process of legalisation applies to the following:

- Illegally constructed buildings which, in relation to size, purpose, and location on a building plot, have been constructed in accordance with the physical plan which was valid when this Act came into force;
- Illegally constructed buildings which, in relation to size, purpose and location on a building plot, have not been constructed in accordance with the physical plan which was valid when this Act came into force.

Application for an order on the actual state of building is made on a form which is available from the ADCEEP – its headquarters, area offices, and its website at www.graditeljstvo.pgz.hr.

With the application the applicant must submit the following:

- a geodetic survey for recording data about buildings, certified by a competent cadastral registry;
- three copies of the architect’s report prepared by an authorised architect;
- evidential proof prepared by an authorised civil engineer that essential requirements relating to mechanical resistance and stability have been met;
• confirmation from a police department that the illegally constructed address was the permanent residence of the applicant prior to 21 June 2011. This applies to applicants for legalisation of the following types of building:
  • residential buildings, agricultural buildings, and family farms which are located in a protected coastal area up to 70 metres from the sea, where applicants can prove that the buildings were used for the said purpose prior to 21 June 2011;
  • a residential building up to 400m² which is the only property in Croatia of the applicant and members of his/her family and which is not located in location zone I.;
  • a building whose sole purpose is agricultural activity.
• evidence required in order to calculate the fee for owning an illegal building in the area (extract from land registry or other relevant evidence of a right to build – court ruling, contract, agreement of co-owners, evidence about the date of construction);
• administrative fee of 20 kuna for the application and 50 kuna for the order.

An order on the actual state of building of an illegally constructed building which has been constructed in accordance with the physical plan will be issued where:
• the application has all legally required documentation attached;
• the architect’s report conforms with the actual state of the building;
• the building has access to a traffic area;
• utility fees and water payments have been paid, or the first instalments thereof where applicable;
• the fee for owning an illegal building in the area has been paid, or the first instalment thereof where applicable.

In order to determine the facts of a case it will be necessary to carry out an inspection on the building plot, and to request all parties to examine the geodetic survey for recording data on buildings, or the special geodetic map, architect’s report, or other documents, and to make a declaration.

The fee for owning an illegal building in the area is determined by a fee order issued by the ADCEEP, once it has been established that regulatory conditions for the issuing of such an order have been met.
In the case of an illegally constructed building which has been constructed in contravention of the physical plan, an order on the actual state of building will be issued where:

- all conditions have been met and the stipulated procedure has been carried out;
- a public authority has issued a certificate stating that the building is not in contravention of special regulations;
- a lawful party has consented to the issuing of the order.

**IMPORTANT!**

The ADCEEP is obliged to issue an order on the actual state of building once all legal requirements have been met.

After an order on the actual state of a construction for a building or its reconstructed part has been issued, it is registered at the cadastral registry. After that, the order and certain documents as specified in special regulations relating to registration at the land registry will be sent to the appropriate court.
Types of buildings which can be constructed or types of building works which can be carried out without authorising documentation

The following types of building can be built without authorising documentation:

1. Ancillary buildings built on the building plot of an existing building for the use of that building, such as:
   - water cistern and septic tank with a capacity of up to 27m³;
   - underground or above ground fuel tank with a capacity of up to 10m³;
   - garden arbour or shed with a surface area of up to 15m²;
   - pool with a surface area of up to 24m² and a maximum depth of 2m²;
   - solar collectors and photovoltaic cells.

2. Connection structures which enable an existing building to be connected to infrastructure installations (low voltage electrical and telecommunications networks, water supply, sewage, gas, heating, cable television);

3. Fence up to 1.6m in height and/or supporting wall of up to 1m measured from the lowest point of the fitted out and finished ground floor level up to the highest point of the fence or wall.

4. Playground.

5. Buildings in public areas such as:
   - kiosk and other prefabricated structures with a gross building area of up to 12m²;
   - public transport shelter;
   - monument or religious building with a gross building area of up to 12m² and a maximum height of 4m measured from the level of the surrounding ground;
   - advertising bill board with a surface area of up to 12m²;
   - communal facilities (benches, bins, shelters, platforms for open terraces etc.).

6. Mausoleums and cemetery monuments and other buildings pursuant to Article 2 of the Regulations on Simple Constructions and Building Works (Official Gazette 21/09).
The following types of building works can be carried out without authorising documentation:

1. Building works on an existing building provided such works do not affect compliance with any conditions of the location conditions or fulfilment of other special requirements;

2. Building structures on a building plot of an existing building such as paths, platforms and staircases whose whole surface area rests directly on the ground together with accompanying handrails, garden pool or pond with a gross building area of 12m² and a maximum depth of 1m, an open fireplace with a gross building area of up to 1.5m² and up to 3m in height, fixed play facilities;

and other building works pursuant to Article 3 of the Regulations on Simple Constructions and Buildings Works.

The following building works are allowed without the location permit but in accordance with other authorising documentation:

- reconstruction of a building which does not change the conditions of the location permit of the original building;
- reconstruction of a building in order to replace an existing heating and hot water system with a heating and hot water system which exploits the thermal energy of soil with the use of heat pumps provided any heat exchangers connected thereto do not constitute a trespass on neighbouring building plots;
- completion of a specific part (functional unit) of a residential, commercial or residential-commercial building up to a certain level of construction.

The following building works are allowed without an order on conditions of building works provided such works are carried out in accordance with the final building plan:

- reconstruction of a building which does not change the conditions of the location permit of the original building;
- reconstruction of a building in order to replace an existing heating and hot water system with a heating and hot water system which exploits the thermal energy of soil with the use of heat pumps provided any heat exchangers connected thereto do not constitute a trespass on neighbouring building plots;
- building works on an existing building for business purposes which are carried out in order to enable the building to be used for activities which differ from those specified in the original building or use documentation, provided such building works do not change the conditions of the original location permit.

In order to commence building works on buildings specified in this section either a final building plan is required or other documentation pursuant to special regulations relating to municipal economic activity. The investor and the contractor are obliged to comply with all regulations and professional codes of practice, and the building must not be designed or constructed in contravention of physical planning documentation.
What if you want to remove an existing building?

1. **Without a permit to remove** the owner is allowed to remove a building whose gross building area is not more than 400m² or a building whose sole purpose is agricultural activity and whose gross building area is not more than 600m², and a simple building.

2. **Where it is necessary to remove previously constructed buildings or parts thereof** prior to commencing building works, such removal can be based on an order on conditions of building works, or an approval of the final building plan, or a building permit based on a location permit.

**Removal permit**

3. **For all other cases**, one has to submit an application to the ADCEEP for a removal permit. The form is available from the ADCEEP – its headquarters, area offices, and the website at www.graditeljstvo.pgz.hr.

With the application the applicant must submit the following:

- three copies of the removal project plan;
- proof of ownership of the building;
- certificate from authorised persons or authorities delegated by special regulations where the removal poses a threat to the public interest (e.g. public protection and safety, environmental protection, protection of buildings of cultural interest, protection of public utilities and other infrastructure etc.);
- confirmation that the removal project plan meets required standards relating to stability and resistance where the method of removal and/or demolition of the building impacts surrounding land and other land or interferes with rights relating to surrounding buildings or other buildings;
- administrative fee of 20 kuna for the application and 50 kuna for the certificate which is valid if the application is not successful. The administrative fee for a removal permit is 800 kuna, which is to be paid by the investor if the application is successful and a permit is issued. If this is the case the applicant will pay 750 kuna because of the 50 kuna already paid.

During the procedure an inspection will be carried out and all interested parties will be able to make observations.
And finally...

Please do not submit incomplete applications as this creates unnecessary backlogs. Before applying please inform yourself, check, and make sure you are prepared. This will avoid repetition of certain procedures or having to start a procedure from scratch, and will avoid waste of time and money.

We hope this brochure has been of assistance.
BUILDING LAND

Building land is an area, either inside or outside a building area, that is either being built upon or that has been assigned in a physical plan as a land whose purpose is the construction of buildings and/or the landscaping of public land.

Prepared building land is that part of a building area which has been prepared for building according to a physical plan.

The fitting out of building land provides proper conditions for building and for connection to public infrastructure, which will enable building and the use of the land in accordance with its purpose as specified in the physical planning documentation.

BUILDING PLOT, BUILDING SITE

A building plot is a parcel of land with access to a traffic area which is being built upon or which, in accordance with a physical plan, it is planned to be formed (in size and shape) from one or more plots of land or parts thereof, and then be built upon or landscaped.

A building site is a parcel of land or a building, including other surface areas which are temporarily occupied, which is required for the execution of building works or the application of appropriate building technology and/or safety procedures and where building, construction, removal or maintenance works can be carried out.

PUBLIC LAND

Public land is all land which has been allocated for use by all persons equally and under equal conditions (e.g. public roads, streets, squares, markets, playgrounds, car parks, cemeteries, parks and green areas in towns, recreational areas etc.).

TRAFFIC AREA

A traffic area is any public land, non-classified road, land in possession of the owner of a building plot, or land on which a right of way of passage has been established in order to provide access to a building plot.

TYPES OF BUILDINGS

A building is a structure created by building works which is permanently fixed to the ground and which was purposely built from building materials, with shared installations and infrastructure, or a structure with built-in facilities or equipment as a technical-technological unit, or individual plants which are connected to the ground, or a structure fixed to the ground that was not created by building, where such structure alters the way an area is being used.

An engineering building is one that consists of a construction (e.g. dams, bridges, roads, railways, runways, installations, pipelines, drainage etc.), or was created from a process of dredging, earthworks, or geotechnical processes, but excluding any site buildings or site works attached thereto.

An existing building is one built in accordance with a building permit or other appropriate regulation and any other building which complies with such legislation.

A replacement building is a new building which has been built in the same place as, or in the immediate proximity of, a previously removed building and within the same building plot, and which does not substantially change the purpose, appearance, size, or impact on the surrounding environment of the previously removed building.

A building complex is a collection of many functionally and technologically connected buildings.

A building with an impact on the surrounding environment is any building which requires an environmental impact assessment in accordance with environmental protection regulations.

An individual building is a closed or covered building intended as a residence for people or accommodation for animals or storage of plants or other items. Individual buildings within the system of utility infrastructure (e.g. substations, underpasses, bridges or similar structures) are not considered to be individual buildings.

A building whose gross building area is not greater than 400m², and a building whose sole purpose is agricultural activity and whose gross building area is not greater than 600m², are buildings whose gross building area shall include the areas of all other buildings if they are being built or have been built on the same building plot.

PARTS (STOREYS) AND THE HEIGHT OF A BUILDING

Parts (storeys) and the height of a building

The ground floor (G) is that part of a building which is situated on, or up to 1.5 metres above, the fitted and finished ground level measured at the lowest point of the front of the building, or which is situated above the cellar and/or basement (under the floor of a storey or the roof). The basement (B) is that part of a building whose area is situated under the floor of the ground floor and where up to 50% of the area volume is buried into the fitted and finished ground at the front of the building, where at least one of the basement facades is above the level of the ground. A cellar (C) is that part of the building whose area volume is buried, either completely or by more than 50%, into the fitted and finished ground, and which is situated under the ground floor or the basement. A storey (S) is that part of a building situated between two ceilings above the ground floor.
A loft (L) is that part of a building which is situated above the top storey and immediately under a sloping or rounded roof.

The height of a building is measured from the fitted and finished ground level at the front of the building at its lowest point up to the uppermost part of the ceiling structure of the top storey or the highest point of the loft wall where that wall is no more than 1.2 metres in height.

The total height of a building is measured from the fitted and finished ground level up to the highest point of the roof.

The gross building area of a building is the sum of the surface area sizes measured at the floor level of all parts of the building (G, B, C, S, L) including the surface areas of any lodges, external staircases, balconies and terraces as determined by the dimensions of the outside wall, including coverings, curtain walls, parapets and fences.

Fittings are all specific items of equipment, machines, installations and other items which form part of a facility or which are individually built into a building for the purposes of technological or other process for which the building has been designated. A facility is an assembly of functionally connected fittings for carrying out technological or other processes for which the building has been designated.

BUILDING WORKS

Building works include the implementation of building and other works (preparation works, earthworks, structural works, installation works, building completion works, and installation of building products, facilities or equipment) for the purpose of building new buildings, or the reconstruction, removal, or maintenance of existing buildings.

Preparation works are the building of temporary structures and the execution of other works with the aim of preparing and fitting out a building site and of enabling the application of appropriate building technology.

Reconstruction is carrying out building and other works to an existing building in order to meet essential requirements for that building and/or to change the compliance of the existing building with the location conditions in accordance with which it was built (e.g. extensions, upgrades, removals of external parts, works in order to change the purpose of the building, technological processes, etc.).

Maintenance is carrying out building and other works in order to maintain the essential requirements for the building as long as it exists, and which do not change its compliance with location conditions in accordance with which it was built.

Installation is carrying out building and other works which combine building products, installations, fittings or facilities, in such a way that they become an integral part of the building and cannot be disconnected from the building without being demolished, or without interfering with the essential requirements for the building.

Removal of a building or a part thereof is carrying out removal works to the building or a part thereof and removal from its location, including the disposal of waste found in the building and on the building plot, and any building materials and waste created in the process of removal, and the restoration of the building plot and any land on which the building was built to a workmanlike standard.

GEODETIC DOCUMENTS

A proper geodetic survey comprises cartographic material (a digital orthophotograph with altitude display, contour lines and spot heights, together with a cadastral plan or a topographic plan with cadastral plan) made in a proper scale and certified by the appropriate authorities for state surveys and land registries.

A stake-out survey is a survey carried out in order to establish how buildings are being staked out on a site and to establish what methods were used to stabilize certain points in a proposed building. A stake-out of a building is a geodetic transfer of data relating to the layout of a proposed building or axis route of a proposed building which it is permitted to build on a site within the building plot.

A geodetic draft of the actual state of a building that has been built is a draft which, in accordance with established norms for topographical surveys and cadastral registries, was carried out by an authorised person for state surveys and cadastral registries under specific regulations relating thereto.

BASIC REGULATORY DOCUMENTS RELATING TO PHYSICAL PLANNING AND CIVIL ENGINEERING

A location permit is a document that has established location conditions for building works and/or reconstruction works and/or for any intervention in the environment or building.

An order on building conditions is a document that is issued for building works and/or reconstruction works relating to a building.

A certificate of the land subdivision plan is a document issued in relation to the formation of a building plot.

A certificate of the final building plan is a document issued in relation to the building works and/or reconstruction works on buildings for which a location permit has been issued.

A use permit is a document issued in relation to the use of a building after completion of the building works.

PARTIES IN BUILDING WORKS

An investor is a legal or natural person on whose behalf the building is built.

A planner is a natural person who has the right to use the professional title of a licensed architect or a licensed engineer.

A contractor is a person that builds or carries out individual works on a building.

A supervising engineer is a natural person who implements the supervision of building works on behalf of an investor and who is not allowed to be the employer of the contractor in relation to the same building works.
## DIRECTORY OF THE ADMINISTRATIVE DEPARTMENT FOR CIVIL ENGINEERING AND ENVIRONMENTAL PROTECTION (ADCEEP)

<table>
<thead>
<tr>
<th>Location</th>
<th>Opening times for public</th>
<th>Tel.</th>
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<tbody>
<tr>
<td><strong>Rijeka</strong></td>
<td></td>
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<tr>
<td>Riva 10, 1st floor</td>
<td>Mondays from 12.00 to 15.30</td>
<td>351-202</td>
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<td>Wednesdays from 8.30 to 11.00</td>
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<td>Administrative office: weekdays from 8.30 to 16.00</td>
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<tr>
<td><strong>Crikvenica</strong></td>
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<tr>
<td>Kralja Tomislava 85, Crikvenica</td>
<td>Mondays from 12.00 to 15.30</td>
<td>351-362</td>
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<td>Wednesdays from 8.30 to 11.00</td>
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<tr>
<td><strong>Delnice</strong></td>
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<tr>
<td>Ante Starčevića 4, Delnice</td>
<td>Mondays from 11.00 to 14.30</td>
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<td>Wednesdays from 7.30 to 10.00</td>
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<td><strong>Krk</strong></td>
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<tr>
<td>Trg bana Jelačića 3, Krk</td>
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<td><strong>Mali Lošinj</strong></td>
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<tr>
<td>Riva lošinjskih kapetana 7, Mali Lošinj</td>
<td>Mondays from 12.00 to 15.30</td>
<td>351-342</td>
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<td><strong>Opatija</strong></td>
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<tr>
<td>Maršala Tita 4, Opatija</td>
<td>Mondays from 12.00 to 15.30</td>
<td>351-382</td>
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<td><strong>Rab</strong></td>
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<tr>
<td>Palit 71 (“Merkur” building, “Mali Palit” business centre)</td>
<td>Mondays from 12.00 to 15.30</td>
<td>351-302</td>
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<td>Administrative office: weekdays from 8.30 to 14.00</td>
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Full directory of the ADCEEP officials is available on the website of the County of Primorje and Gorski kotar at [http://www.pgz.hr/adresar_pgz.html](http://www.pgz.hr/adresar_pgz.html).
**INFORMATION ABOUT OTHER BODIES RELATED TO THE ADCEEP IN PROCEDURES FOR ISSUING RELEVANT BUILDING PERMITS**

This list contains information about the bodies related to the work of this department. In addition to their addresses, the list includes the documents, certificates, approvals, and special conditions which they issue:

| For the headquarters of the ADCEEP in Rijeka | - issues special building conditions relating to sanitary protection and noise protection  
- participates in the work of the commission for technical inspection in procedures for issuing use permits |
| --- | --- |
| Ministry of Health and Social Welfare  
Directorate for Sanitary Inspection  
Office for County sanitary Inspection  
Department of Istria and Primorje, Section of the County of Primorje and Gorski kotar |  
Rijeka, Riva 10, tel. 354-122, 354-106 (head of the department) |

| For the area office in Crikvenica | - issues special building conditions relating to sanitary protection and noise protection  
- participates in the work of the commission for technical inspection in procedures for issuing use permits |
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<tr>
<td>Crikvenica, Ul. kralja Tomislava 85a, tel. 354-697</td>
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</table>
For the area office in Delnice  
Delnice, Trg 138 brigade HV 4, tel. 354-636 |

| For the area office in Mali Lošinj | - issues special building conditions relating to fire protection  
- participates in the work of the commission for technical inspection in procedures for issuing use permits |
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<tr>
<td>Mali Lošinj, Riva lošinjskih kapetana 7, tel. 354-667</td>
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</table>
For the area office in Opatija  
Opatija, M. Tita 4, tel. 354-684 |

| For the area office in Krk | - issues special building conditions relating to sanitary protection and noise protection  
- participates in the work of the commission for technical inspection in procedures for issuing use permits |
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<tr>
<td>Krk, Trg bana Jelačića 3, tel. 354-358</td>
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</table>
For the area office in Rab  
Rab, Trg Municipium Arba 2, tel. 354-606 |

| For the headquarters of the ADCEEP in Rijeka and area offices in Crikvenica, Delnice, Mali Lošinj and Opatija | - issues special building conditions for buildings or areas that are registered as cultural or historical sites  
- participates in the work of the commission for technical inspection in procedures for issuing use permits |
| --- | --- |
| Ministry of the Interior  
Police Administration for Primorje and Gorski kotar  
Section of administrative, inspection and civil protection affairs |  
Rijeka, Žrtava fašizma 3, tel. 438-333  
For the area office in Krk  
Police station Krk  
Krk, Kralja Tomislava 10, tel. 439-210  
For the area office in Rab  
Police station Rab  
Rab, Palit 144/a, tel. 439-810, 724-092 |

| For the headquarters of the ADCEEP in Rijeka and all area offices | - implements inspection and supervision of building works and all the parties in building projects  
- issues certificates necessary for registering buildings in the land register  
- gives notice that no inspectional procedures are pending for a particular building |
| --- | --- |
| Ministry of Environmental Protection, Physical Planning and Construction  
Directorate for inspectional affairs  
Section for supervisory inspection |  
Area office in Rijeka  
Rijeka, Blaža Polića 2/I, tel. 325-760 |

| For the headquarters of the ADCEEP in Rijeka and all area offices | - issues orders about the amount of water contribution and receipts for payment of due amounts  
- determines special building conditions relating to water supply and sewage  
- participates in the work of the commission for technical inspection in procedures for issuing use permits |
| --- | --- |
| Hrvatske vode (Croatian Water Company)  
Water management department Rijeka |  
Rijeka, Dure Šporera 3, tel. 666-400 |
For the headquarters of the ADCEEP in Rijeka
HEP - Operator distribucijskog sustava d.o.o. (Electricity Company)
Elektroprimorje Rijeka
Rijeka, V. C. Emina 2, tel. 204-111

For the area office in Crikvenica
Section Crikvenica
Crikvenica, Vinodolska bb, tel. 780-111

For the area office in Delnice
Section Skrad
Skrad, Goranska 11, tel. 815-111

For the area office in Mali Lošinj
Section Cres-Lošinj
Mali Lošinj, Kalvarija bb, tel. 654-999

For the area office in Opatija
Section Opatija
Opatija, M. Tita 73/1, tel. 202-555

For the area office in Krk
Section Krk
Krk, Ulica braće Juras 11, tel. 654-777

For the area office in Rab
Section Rab
Rab, Palit 142, tel. 750-111

For the headquarters of the ADCEEP in Rijeka
Energo d.o.o.
Rijeka, Dolac 14, tel. 353-006

- identifies opportunities and methods for grid connection, and
- in agreement with the investor – specifies general requirements for electricity supply
- participates in the work of the commission for technical inspection in procedures for issuing use permits

For the headquarters of the ADCEEP in Rijeka
Vodovod i kanalizacija d.o.o.
Rijeka, Dolac 14, tel. 353-222

For the area office in Crikvenica
KTD Vodovod Žrnovnica d.o.o.
Novi Vinodolski, S. Mažuraniča 1, tel. 403-520
GKTD Murvica d.o.o. Crikvenica
Trg Stjepana Radiča1/II, tel. 455-500
GKTD Ivanj Novi Vinodolski
Trg Ivana Mažuraniča 1, tel. 245-774

For the area office in Delnice
Komunalac d.o.o.
Delnice, Supilova 173, tel. 829-340, 829-348
Komunalac d.o.o.
Vrbovsko, Željeznička 1a, tel. 875-121
Komunalno društvo Čabranka d.o.o.
Čabar, Narodnog oslobodenja 2, tel. 821-459, 821-460

For the area office in Mali Lošinj
Vodovod i čistoća Cres Mali Lošinj d.o.o.
Cres, Peškera 2, tel. 571-134

For the area office in Opatija
Komunalac d.o.o.
Opatija, Stubište Lipovica 2, tel. 701-230

For the area office in Krk
Ponikve d.o.o.
Krk, Vršanska 14, tel. 654-666

For the area office in Rab
Vrelo d.o.o. za komunalne djelatnosti
Rab, Palit 68, tel. 724-031
Vrutak d.o.o.
Lopar, Lopar bb, tel. 775-366

- issues special building conditions relating to gas supply and concludes a connection contract with the investor
- participates in the work of the commission for technical inspection in procedures for issuing use permits

- issues special building conditions relating to the method and possibility of connection to municipal infrastructure
- concludes a contract with the investor for the connection to the municipal infrastructure
- participates in the work of the commission for technical inspection in procedures for issuing use permits
<table>
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<tr>
<th>Location</th>
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<tbody>
<tr>
<td><strong>For the headquarters of the ADCEEP in Rijeka</strong></td>
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<tr>
<td><strong>State Geodetic Administration</strong></td>
<td>Local cadastral office in Rijeka&lt;br&gt;Rijeka, Riva 10, tel. 354-111</td>
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<tr>
<td><strong>For the area office in Crikvenica</strong></td>
<td>Local cadastral office Rijeka&lt;br&gt;Real estate cadastre Crikvenica, Crikvenica, Tomislavova 85a, tel. 784-657</td>
</tr>
<tr>
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<td>Real estate cadastre in Novi Vinodolski&lt;br&gt;Trg Vinodolskog zakona 5, tel. 792-072</td>
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<tr>
<td><strong>For the area office in Delnice</strong></td>
<td>Local cadastral office Rijeka&lt;br&gt;Real estate cadastre in Delnice&lt;br&gt;Delnice, Tina Ujevića 1, tel. 812-176</td>
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<td>Real estate cadastre in Vrbovsko&lt;br&gt;Vrbovsko, I. G. Kovačića 20a, tel. 875-270</td>
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<td>Real estate cadastre in Čabar&lt;br&gt;Čabar, Narodnog oslobodjenja 2, tel. 821-680</td>
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<tr>
<td><strong>For the area office in Mali Lošinj</strong></td>
<td>Local cadastral office Rijeka&lt;br&gt;Office Cres, Creskog statuta 15, tel. 571-171</td>
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<td>Office Mali Lošinj&lt;br&gt;Riva lošinjskih kapetana 7, tel. 520-259</td>
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<tr>
<td><strong>For the area office in Opatija</strong></td>
<td>Local cadastral office Rijeka, area office Opatija&lt;br&gt;Opatija, M. Tita 4, tel. 741-232</td>
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<tr>
<td><strong>For the area office in Krk</strong></td>
<td>Local cadastral office Rijeka&lt;br&gt;Real estate cadastre Krk&lt;br&gt;Krk, Trg bana Jelačića 3, tel. 880-354</td>
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<tr>
<td><strong>For the area office in Rab</strong></td>
<td>Real estate cadastre Rab&lt;br&gt;Rab, Biskupa Draga 2, tel. 772-570</td>
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<tr>
<td><strong>For the headquarters of the ADCEEP in Rijeka</strong></td>
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<tr>
<td><strong>Municipal Court in Rijeka</strong></td>
<td>Land registry department&lt;br&gt;Rijeka, Zadarska 1, tel. 660-200, 660-250</td>
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<tr>
<td><strong>For the area office in Crikvenica</strong></td>
<td>Municipal Court in Crikvenica&lt;br&gt;Land registry department Crikvenica&lt;br&gt;Ulica kralja Tomislava 85a, tel. 780-481</td>
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<td></td>
<td>Land registry department in Novi Vinodolski&lt;br&gt;Tel. 245-706</td>
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<td><strong>For the area office in Delnice</strong></td>
<td>Municipal Court Delnice&lt;br&gt;Land registry department&lt;br&gt;Delnice, Tina Ujevića 1, tel. 814-460</td>
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<td>Land registry department Vrbovsko&lt;br&gt;G. Kovačića 20a, tel. 875-251</td>
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<tr>
<td></td>
<td>Land registry department Čabar&lt;br&gt;Narodnog oslobodjenja 2, tel. 821-122</td>
</tr>
<tr>
<td><strong>For the area office in Mali Lošinj</strong></td>
<td>Municipal Court in Mali Lošinj&lt;br&gt;Land registry department&lt;br&gt;Riva lošinjskih kapetana 14, tel. 661-000</td>
</tr>
</tbody>
</table>
For the area office in Opatija
Municipal Court Opatija
Land registry department
Opatija, M. Tita 4, tel. 701-081

For the area office in Krk
Municipal Court Krk
Land registry department
Krk, Bodulska bb, tel. 222-905

For the area office in Rab
Municipal Court in Rab
Land registry department
Rab, Bobotine 1, tel. 724-061

Units of local self-government
For the headquarters of the ADCEEP in Rijeka
Town of Bakar, Town of Kastav, Town of Kraljevica, Municipality of Čavle, Municipality of Jelenje, Municipality of Kliana, Municipality of Kostrena and Municipality of Viškovo

For the area office in Crikvenica
Town of Crikvenica, Town of Novi Vinodolski and Municipality of Vinodol

For the area office in Delnice
Town of Delnice, Town of Vrbovsko and Town of Čabar

For the area office in Mali Lošinj
Town of Cres and Town of Mali Lošinj

For the area office in Opatija
Town of Opatija, Municipality of Matulji, Municipality of Lovran and Municipality of Mošćenička Draga

For the area office in Krk
Town of Krk, Municipality of Baška, Municipality of Dobrinj, Municipality of Malinska-Dubašnica, Municipality of Omišalj Municipality of Punat, Municipality of Vrbnik

For the area office in Rab
Town of Rab, Municipality of Lopar

- issues the order about the determined amount of municipal contributions and receipts for payment of due amounts
- participates in the procedure of location permit in relation to determining special conditions
- on request gives statement on municipal infrastructure available on the plot of land

In certain procedures the following institutions are involved:

HEP - Operator prijenosnog sustava d.o.o. (Electricity Company)
Transmission area Rijeka
Opatija, M. Tita 166

HAKOM Croatian Post and Electronic Communications Agency
Zagreb, Jurišićeva 13, tel. 01/4896-000

Hrvatske ceste d.o.o. (Croatian Roads Company)
Maintenance department, Area office Rijeka
Rijeka, Nikole Tesle 9/X, tel. 323-570

Hrvatske šume d.o.o. (Croatian Forests Company)
Zagreb, Lj. Farkaša Vukotinovića, tel. 01/4804-111

HŽ - Hrvatske željeznice (Croatian Railways), Development and investments, Section for review of technical documentation, Commission for review of technical documentation
Zagreb, Mihanovićeva 12

Ministry of the Sea, Tourism, Transport and Development
Harbour master’s office Rijeka
Rijeka, Senjsko pristanište 3, tel. 214-031

PLINACRO d.o.o.
Zagreb, Savska cesta 88a

Priroda Public Institution
Rijeka, Grivica 4, tel. 352-400

Road Administration of the County of Primorje and Gorski kotar
Rijeka, Nikole Tesle 9/X, tel. 323-570
WHAT IS REQUIRED IF AN INVESTOR WANTS TO BUILD OR RECONSTRUCT A BUILDING

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