

Latvian Railway association
Certification centre

REGULATION

for procedures of construction specialist proficiency check for short-term
professional service performance in the regulated profession

2019

I. General conditions

1. The Regulation specifies the procedures by which the Certification Centre of the Latvian Railway Society (hereinafter LDzB CC) performs the examination and recognition of the qualification of the applicant for temporary provision of services in the regulated profession in conformity with 28.03.2017. Cabinet Regulation No. 168 “Procedures for the Provision of Short-term Professional Services in a Registered Profession in the Republic of Latvia” (hereinafter referred to as Cabinet Regulation No. 168).
2. LDzB CC carries out an examination of the qualifications of applicants for the following specialties and spheres of activity:
 - 2.1. design - the design of electronic communications systems and networks, the design of railway tracks, the design of railway signalling systems, the design of railway contact lines;
 - 2.2. management of construction works - the management of the construction works of electronic communication systems and networks, the management of railway track construction works, the management of railway signalling systems construction works, the management of railway lines construction works;
 - 2.3. construction supervision - supervision of electronic communication system and network construction works, supervision of railway track construction works, supervision of railway signalling system construction works, supervision of railway line construction works.

II. Content contained in the declaration for the provision of short-term services, procedures for submitting and examining of the declaration

3. Anticipating the provision of short-term services, the applicant shall notify about that LDzB CC, by submitting personally, by post (Dzirnavu Street 147/3, Riga, LV-1050, Latvia) or by e-mail zaiga.lucina@ldz.lv , if the electronic document has been prepared in accordance with the regulations regarding the design and circulation of electronic documents, the following documents, in conformity with the requirements of Cabinet Regulation No. 168:
 - 3.1. the declaration for the provision of short-term services, as referred to in Annex 2 of Regulation No 168, completed in the national language;
 - 3.2. a copy of the identity document;
 - 3.3. a copy of the document certifying the nationality of the applicant, and a translation of the document into the national language (if the nationality of the applicant is not indicated in the identity document mentioned in subparagraph 3.2 of this Regulation);
 - 3.4. documents certifying the education and professional qualifications corresponding to the profession indicated in the declaration (originals or certified copies), or notarially certified derivatives of the relevant documents (transcripts, extracts or copies), adding a translation of the document into the national language;
 - 3.5. documents (originals) of the competent authorities of the country of residence or notarially certified derivatives of the relevant documents

- (transcripts, extracts or copies), which certify the right of the applicant to perform professional activity in the relevant profession, adding a translation of the documents into the official language (valid for submission to LDzB CC for three months from the date of issue);
- 3.6. a document issued by the competent authorities of the country of residence certifying that the person has not been denied or restricted the right to perform professional activities in a profession in which temporary services will be provided, adding a translation of the document into the national language (valid for submission to LDzB CC for three months from the date of issue);
 - 3.7. if the profession or the education necessary for its acquisition is not regulated in the applicant's country of residence, a document or a notarially certified derivative of the relevant document (transcript, extract or copy), which certifies that the applicant has carried out a professional activity in the relevant regulated profession in the applicant's country of residence or another European Union Member State or in the country of the European Economic Area for at least one year during the last 10 years, adding a translation of the document into the national language;
 - 3.8. a document issued by the competent authority of the country of residence of the applicant certifying the duration and type of professional activity of the applicant in the regulated profession, in which temporary services will be provided, adding a translation of the document into the national language;
 - 3.9. documents certifying professional activity insurance, adding a translation of documents into the national language (valid for submission to LDzB CC for three months from the date of issue).
4. LDzB CC shall check the applicant's declaration and the attached documents. If the declaration is correctly completed and all necessary documents are attached to it, LDzB CC shall inform the applicant thereof. If the declaration has not been completed in conformity with the requirements referred to in Paragraph 3 of this Regulation or all the documents referred to in Paragraph 3 of these Regulations have not been submitted, LDzB CC shall request the applicant to rectify the deficiencies identified. Upon receipt of a specified or supplemented declaration from the applicant and a set of documents attached, LDzB CC shall carry out a re-examination.
 5. If necessary, LDzB CC shall address the relevant foreign competent authorities, including through the information system (IMI), in order to verify the authenticity of the documents submitted by the applicant or to clarify other issues relating to the content and duration of the education acquired by the applicant, the acquisition of professional qualifications and the right to perform professional activities in the relevant regulated profession.
 6. The deadline for taking a decision may be extended by LDzB CC in accordance with the procedures specified in the Administrative Procedure Law for a period not exceeding three months after the receipt of the declaration, if the provider of short-term professional services has not added all the necessary documents to the declaration or additional information from the applicant's country of residence has to be requested.

III. Taking a decision on the provision of short-term services and the procedures for carrying out a proficiency check

7. LDzB CC shall take a decision not to perform a proficiency check and to issue a permit if the professional qualification and education of the applicant complies with the requirements of the relevant regulated profession in the Republic of Latvia, provided that the applicant, upon receiving a short-term service performance authorisation, confirms with his or her signature that he or she has got acquainted with the legislation of the Republic of Latvia in the construction sector and will respect it.

7.1. The applicant of Ldzb SC shall be offered to attend an introductory lecture on the construction legislation for a separate fee;

7.2. If the applicant wishes to attend an introductory lecture on the construction legislation of the Republic of Latvia in a language that he or she understands, the translation services shall be a matter of a separate agreement;

8. LDzB CC shall take a decision regarding the proficiency check of the applicant and shall notify the applicant in writing within two weeks from the date of receipt of the declaration and the documents attached, if:

8.1. the level of education of the applicant is at least one of specified level lower than the level defined in Section 44, Paragraph two of the Law on Regulated Professions and Recognition of Professional Qualifications, and the total duration of the acquisition of a full-time education is at least one year shorter compared to the requirements specified for the relevant regulated profession in the Republic of Latvia.

The levels specified in Section 44, Paragraph two of the Law on Regulated Professions and Recognition of Professional Qualifications:

<i>Level 1 *</i>	<i>documents certifying the acquisition of a full-time education programme of at least four years in the higher education degree and, if necessary, supplemented by documents certifying professional qualifications;</i>
<i>Level 2 *</i>	<i>documents certifying the completion of a full-time education programme of at least three to four years in higher education degree and, if necessary, supplemented by documents certifying professional qualifications</i>

** Level 1 corresponds to the second-level professional higher education of A2 in the architecture, engineering or engineering related study programme; Level 2 corresponds to the first-level professional higher education of A1 in the engineering or engineering related study programme.*

8.2. the qualification documents of the applicant do not certify the acquisition of essential educational subjects (study courses), which are mandatory for the acquisition of the relevant professional qualification in the Republic of Latvia;

- 8.3. The regulated profession in the Republic of Latvia in which the applicant intends to provide temporary services shall include at least one or more regulated professional activities, which do not belong to a regulated or unregulated profession of such name, in which the applicant carries out his or her own professional activity in his or her country of residence, and specified amount of theoretical and professional education to be studied corresponds to the performance of these activities;
- 8.4. the qualification documents of the applicant certify the acquisition of an unregulated educational programme, the relevant profession in the country of residence of the applicant is not regulated, and the applicant does not have at least one year of professional experience in this profession in the last 10 years.
9. LDzB CC shall take a decision to perform a proficiency check if the missing theoretical knowledge and practical skills referred to in Sub-paragraphs 8.2 and 8.3 of this Regulation do not compensate the knowledge, further education and vocational training acquired by the competent authorities of the applicant's country of residence.
10. The decision on the proficiency check contains the following information:
- 10.1. the content and extent of the knowledge, skills and competences to be determined in the proficiency check, the acquisition of which is not certified by the educational and qualification certifying documents of the applicant;
 - 10.2. procedures of the proficiency check;
 - 10.3. criteria for assessment of the proficiency check;
 - 10.4. place and time of the proficiency check.
11. LDzB CC shall carry out the proficiency check shall in accordance with the proficiency check specified for the permanent professional activity (see http://www.ldzb.lv/lv/sert_darb.htm **Kandidātu/prezentu sertificēšanas process**). If the assessment of the proficiency check of the applicant is positive, the LDzB CC shall take a decision to issue the permit (certificate). The certificate is valid for one year. If the assessment of the proficiency check of the applicant is negative, LDzB CC shall take a decision on the refusal to issue the certificate.
12. A document certifying the result of the proficiency check (certificate) or a decision on the refusal to issue a certificate or to perform a proficiency check shall be sent to the applicant within one month from the date of receipt of the declaration and the documents attached.
13. LDzB CC registers the declarations submitted for the provision of short-term services in the regulated professions, as well as the certificates issued for the provision of short-term services in the regulated professions on the website of the Construction Information System (BIS) www.bis.gov.lv.
14. In accordance with Section 42, Paragraph three of the Law on Regulated Professions and Recognition of Professional Qualifications "... the declaration is renewed not less than once a year if the provider of short-term professional services intends to provide short-term professional services several times during that period. The declaration must be renewed without delay if the information provided therein has changed significantly or changes have occurred in the documents attached to the declaration".

IV. Updating of the declaration and procedures for examining the updated declaration

15. The provider of short-term services shall immediately update the declaration for the provision of short-term services if the information provided therein has changed significantly or changes have occurred in the documents attached to the declaration. To re-declaration for the provision of short-term services shall be attached only the documents which have changed compared to the documents attached to the previous declaration or which have expired.
16. On updating the declaration the provider of short-term services shall, in addition to the information referred to in paragraph 3 of this Regulation, indicate the date of the submission of the previous declaration or the permit to provide temporary services, as well as the provider shall ensure the recording of the previous period of practice into BIS system. If the short-term service provider is unable to do that or cannot do without help, it is an additional charge service.
17. If the applicant has indicated in the declaration that short-term services have been provided in the previous year, LDzB CC shall, within one month from the date of receipt of the declaration, assess the conformity of the services provided with temporary or occasional professional activity. If LDzB CC concludes that the professional activity of a short-term service provider in the Republic of Latvia during the previous period does not correspond to the characteristics of short-term services (professional activities in the relevant profession in the Republic of Latvia are limited in terms of duration, frequency and volume, the person's residence in the Republic of Latvia is not permanent and that person performs a permanent professional activity in his or her country of residence), it shall inform the short-term service provider thereof (electronically or in the form of a paper document), and shall justify the conclusions and recommend the provider of short-term services, within three months from the date of receipt of the assessment to initiate the process of recognition of professional qualifications for independent professional activity in the regulated profession.

V. Information on the provision of short-term services

18. LDzB CC on its webpage http://www.ldzb.lv/lv/sert_isl.htm shall publish information on the procedure of the provision of temporary services in the relevant regulated profession and the entry of information on the Construction Information System (BIS) website www.bis.gov.lv.
19. LDzB CC registers the declarations submitted for the provision of short-term services in the regulated professions, as well as the permits (certificates) issued for the provision of short-term services in the regulated professions. Data on the submitted declaration and the number of certificates issued in the current year shall be submitted to the coordinator for the recognition of professional qualifications by 1 December of the following year.

VI. Amount of expenses for recognition of the professional qualification of the applicant and issuance of the permit (certificate)

20. The amount of the payment shall be as follows:
 - 20.1. If LDzB CC takes a decision to carry out a proficiency check in accordance with paragraph 9 of this Regulation, the proficiency check for the provision of short-term services in the regulated professions shall be EUR 160.00;
 - 20.2. If, pursuant to paragraph 7.1 of this Regulation, the applicant wishes to attend the course on the Republic of Latvia legislation on construction, the applicant may apply for the LDzB ITA course (phone number +371 67233622 or +371 27868171) or it can be another institution providing relevant services. LDzB ITA service fee is EUR 150.00.
 - 20.3. If the applicant is unable to enter information on his own practice in the BIS system, in accordance with paragraph 16 of this Regulation, the fee for such a service shall be EUR 16.00 per practice of one certificate.
21. When submitting the documents necessary for the recognition of the professional qualification to LDzB CC, the applicant shall attach the documents certifying the performance of the payment. If the applicant submits several applications for the recognition of professional qualification in several regulated professions, documents certifying payment for each regulated profession must be attached.
22. The applicant has the right to receive back the part of the payment which is intended for the issuance of a certificate, if he or she has withdrawn an application for the recognition of professional qualification in written form (indicating also his or her bank details) within a period of one month after the initiation of the process of recognition of professional qualification in the regulated professions. In such a case, the costs of bank services shall be paid by the applicant.