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CONSTRUCTION REFORM REVIEW

As of 1 June 2026, fourteen months have passed since the entry into force of the new Construction Act No. 25/2025 Coll. and selected implementing decrees. The reform introduced significant innovations, including digitalization, new terminology, changes to the content of design documentation and permitting, and revised definitions of minor and simple structures.

Due to transitional provisions, however, many projects continue to proceed under the previous legislation. This has created a unique situation in which two legal frameworks for construction permitting coexist, potentially for the next decade. Projects currently in zoning proceedings under the old law will typically continue through permitting, construction, amendments, and occupancy approval under the previous regime. As a result, construction authorities will be required to apply both systems in parallel for several years. Given the high number of submissions filed under the old Act before April 2025, such proceedings are generally progressing more slowly than those under the new regime.

Over the past year, the new Construction Act has required substantial effort from professionals across the sector. Stakeholders, including architects, engineers, developers, and authorities, have had to adjust contractual relationships, documentation standards, and practices. Adapting to the new legal framework also means mastering the Construction Portal (Portál výstavby), the digital platform intended to centralize communication and streamline permitting processes.

Expectations for the digital system have been high. While the learning curve has been steep, this is

typical for any major digital transition. The platform now enables users to upload design documentation to a centralized repository, while architects and designers can electronically authorize their work using certified credentials. Builders can submit applications for binding opinions and statements from authorities and utility operators via standardized electronic forms. In many cases, this process works efficiently, with faster response times compared to the previous system.

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At the same time, implementation challenges persist. Responses from authorities and utility operators are delivered through multiple channels: the Construction Portal, e-government mailboxes, and even traditional post. This inconsistency causes complications, particularly in applying the

presumption of consent (fikcia súhlasu). Some construction authorities hesitate to initiate proceedings if they cannot verify whether statutory deadlines for issuing opinions have expired. This approach appears overly cautious: authorities should initiate proceedings, as affected bodies can still raise objections later in the process.

Another practical issue arises from the coexistence of digital and paper-based procedures. Some developers report that authorities still request physical submissions. While this may seem inconsistent with the goals of the reform, it partly reflects current limitations of the Construction Portal. For example, the platform does not display delivery receipt dates, certain authorities are difficult to identify due to incorrect company data, and design documentation must be downloaded rather than viewed directly online. As a result, authorities sometimes rely on parallel communication through other systems, such as e-Slovensko.

To ensure consistency, it would be beneficial to establish a clear rule: once a complete electronic submission is filed, all subsequent communication should take place exclusively through the Construction Portal. Strengthening the platform's functionality will be essential to achieving this goal.

The content and scope of project documentation have also sparked debate. Some designers note that requirements, particularly from fire safety authorities, necessitate a level of detail at the early stage of construction intention that closely resembles full construction design. This blurs the distinction between project phases and may increase the cost and complexity of preparation.



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Further discussion has focused on the regulation of design changes during construction. The new law seeks to introduce flexibility by allowing certain project modifications without requiring a formal permit amendment, provided they remain consistent with existing approvals. Such changes are to be assessed by the designer and confirmed during an extraordinary inspection, with the involvement of the construction authority.

While this solution is conceptually sound and may discourage unauthorized modifications, which was a frequent issue under the previous regime, its effectiveness will depend on practical implementation. Authorities are required to approve such changes within a short timeframe if they do not attend the inspection. However, if deadlines are missed, no presumption of consent applies. This raises concerns about whether authorities have sufficient capacity to participate in inspections and process approvals promptly.

Overall, the challenges observed in the first year are not unexpected given the scope of the reform. A central role is played by the Construction Portal, whose functionality directly influences stakeholders' willingness to adopt digital permitting processes in practice. Enhancing the system and resolving inconsistencies in communication channels will be key to realizing the reform's full potential.

Looking ahead, once the digital system reaches a sufficient level of maturity, it would be appropriate to revisit the potential integration of Environmental Impact Assessment (EIA) procedures into the construction permitting process. Such integration could significantly improve efficiency and strengthen the Slovak Republic's competitiveness compared to neighboring countries.