

CATALOGUE

THERMAL INSTALLATIONS IN BUILDINGS

XUNTA
DE GALICIA

EDIT

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THERMAL INSTALLATIONS IN BUILDINGS

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1. INTRODUCTION

LAW ON ADMINISTRATIVE SIMPLIFICATION AND SUPPORT FOR THE ECONOMIC REGENERATION OF GALICIA

The Galician Parliament has recently approved **Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia.**

The **purpose** of this law is to establish the necessary measures to facilitate the regeneration of economic activity after the crisis generated by the consequences of the Covid-19 pandemic, within the framework of the competencies of the Autonomous Community of Galicia, from a perspective of **administrative simplification that favours the establishment and operation of business initiatives in Galicia.**

Title II of the law regulates the administrative support systems for the implementation of business initiatives and is divided into three chapters. Chapter I creates the **Investment Assistance System**, as a key element to respond to the classic demand of citizens in general, and of groups linked to business in particular, regarding the existing difficulties in obtaining the information and guidance they need to start up their business initiatives, through a mentoring and information service that **offers the possibility of carrying out the administrative procedures at regional and even local level, in the cases of sign-up of the local authorities to this initiative.**

CATALOGUES

As a measure to support the implementation of business initiatives, Chapter I refers to the creation of a series of **catalogues** approved by the *Council* of the Regional Government of Galicia (*Xunta de Galicia*). Point 1 of Article 14 specifies that, through the Investment Assistance System, it will be possible to access, free of charge, the **“catalogues that clearly and chronologically list all the administrative procedures and actions required for the undertaking of business initiatives, including those of municipal competence of the local authorities that sign up to the Investment Assistance System”.**

These elements, which will need to be updated constantly, represent a great simplification for companies and, in particular, for entrepreneurs, who will be able to consult the processes required of them by the regional administration, which will make it easier to understand, plan and process the administrative part.

THERMAL INSTALLATIONS IN BUILDINGS. CONCEPT

As stipulated in Law 9/2021, each of the catalogues must include the necessary procedures for the constitution and start-up of the different business initiatives.

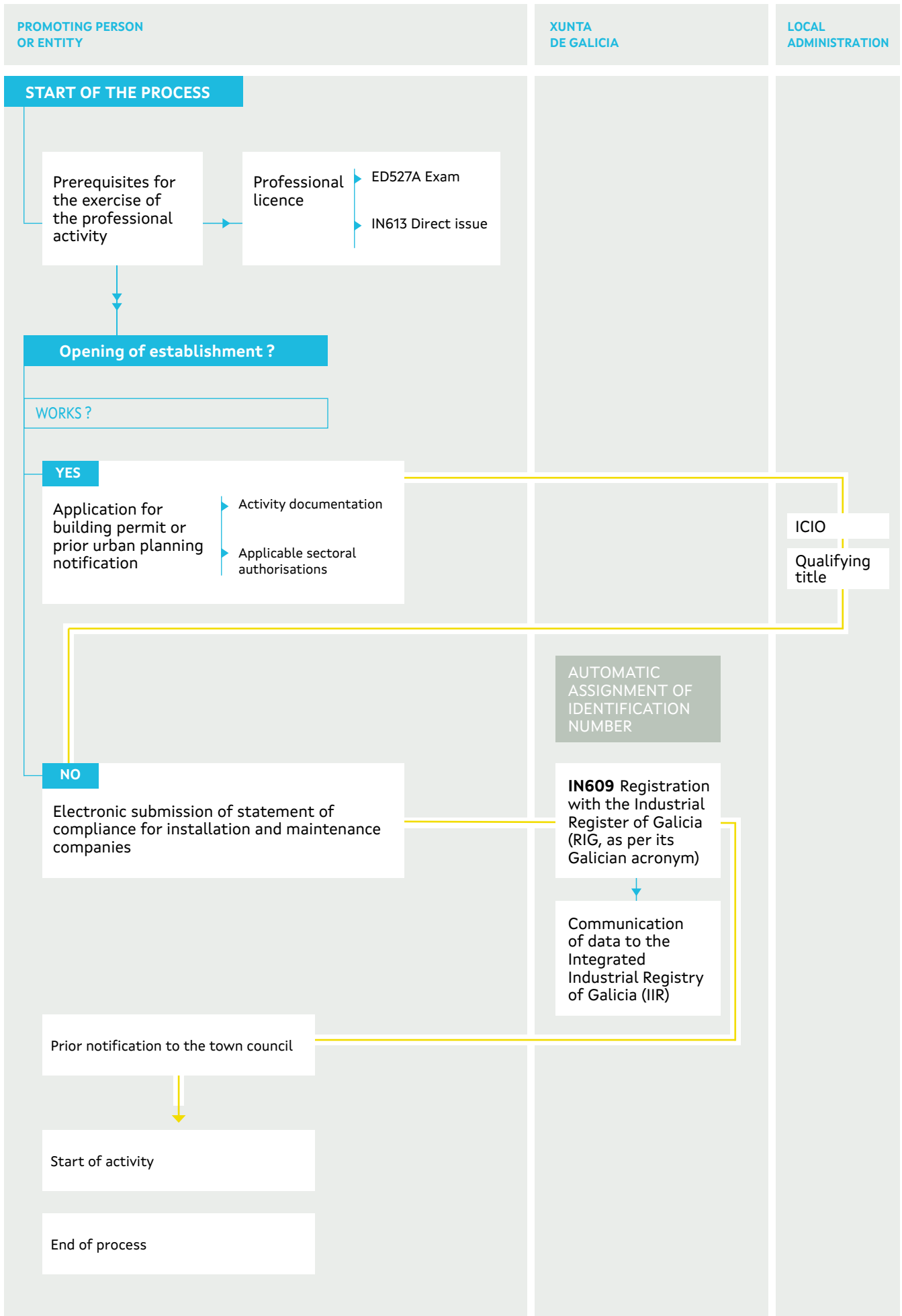
The **purpose of this document** is **thermal installations in buildings**, in the modality included in Royal Decree 1027/2007, of 20 July, which approves the Regulation of thermal installations in buildings (RITE, as per its Galician acronym).

In this catalogue, thermal installations in buildings are defined as **fixed air-conditioning installation (heating, cooling and ventilation) intended to meet the demand for thermal comfort and hygiene of persons, or installations intended for the production of domestic hot water (DHW), including interconnections to district heating or cooling networks and automation and control systems.**

RITE shall apply to thermal installations in new and existing buildings, as well as their renovation, maintenance, use and inspection maintenance, use and inspection. Reforms involve a modification of the technical design or report with which the work was registered and executed, and therefore require authorisation. According to Article 2.3 of the Regulation on thermal installations in buildings, these will be those included in the following cases:

- Incorporation of new air-conditioning or domestic hot water production subsystems or modification of existing ones.
- Replacement with another of different characteristics or extension of the number of heat or cooling generating equipment.
- Change in the type of energy used or the incorporation of renewable energies.
- Change of intended use of the building.

This activity does not include thermal installations for industrial, agricultural or other processes that are not intended to meet the thermal comfort and hygiene needs of people.



2. PROCEDURES FOR THE START-UP OF A THERMAL INSTALLATION COMPANY IN BUILDINGS. SUMMARY OF THE PROCESS

This catalogue refers to the procedure for qualification in the activity of **thermal installations in buildings**, referred to in the Regulation on thermal installations in buildings.

This catalogue does not include the formalities related to the incorporation of the company or registration as a self-employed person, which constitutes the award of legal status and the capacity to contract. These formalities, of a general nature for the incorporation of any company, refer to the legal form of the company and its legal, commercial, tax and labour security in order to be able to develop its activity. Those relating to the area of occupational risk prevention are not included.

The procedure for obtaining authorisation for the activity of thermal installations in buildings involves a single procedure:

1. Submission of an affidavit under procedure IN609E.

Both natural and legal persons who are going to start the activity and before starting it are obliged to present this affidavit. At the beginning of the affidavit, they must choose the modality under which they will operate, which may be under the regime of establishment (for companies that will habitually carry out their activity in Spanish territory), or under the regime of freedom to provide services (companies authorised in another EU Member State and that will carry out their activity on a temporary basis in this State).

The activity to be carried out must also be declared, which may be that of a thermal installation company or a thermal maintenance company, or both. The affidavit demonstrates the company's capacity to carry out this activity, alleging compliance with a series of prerequisites necessary to start it. These requirements refer to the personality of the company and its relation to social, fiscal and labour aspects, as well as to technical characteristics related to the operation of the activities.

The affidavit submitted has the effect of communication to the competent Administration in matters of industry, in this case to the Second Vice-presidency and Regional Ministry of Economy, Enterprise and Innovation, and, at the same time, that of registration in the **Register of companies installing or maintaining thermal installations in buildings, with the assignment of an identification number.**

Once this process has been completed, the company is authorised and can carry out the activity immediately, although from this point on it may be subject to the corresponding inspection work to verify the veracity of the affidavits by means of the provision of supporting documentation.

3. PREREQUISITES

The first step to be taken by the developer for the implementation of this type of activity is to check the urban planning regime applicable to the plot or building on which the activity is to be implemented.

Thus, in accordance with the provisions of Article 87.2.a) of Law 2/2016, of 10 February, on Galician land:

“Any person shall have the right to be informed in writing by the municipality concerned of the planning regime and conditions applicable to a particular piece of land or to the sector, industrial area or planning area in which it is included.

This information must be provided within a period not exceeding two months from the date of submission of the application to the municipal registry.”

Depending on the specific location of the activity and the urban classification of the land, according to the applicable urban planning and the urban development regulations in force, different requirements will result, which is why this information must be provided by the respective local authority, prior to any other procedure, in order to **determine the urban development and action feasibility.**

SECTORAL REPORTS OR AUTHORISATIONS

The information on the sectoral affectations applicable to a plot can be consulted by any interested person in the Basic Autonomous Plan of Galicia, which is a dynamic tool that is essential for reflecting the complex reality of the sectoral regulations on the territory and which allows citizens to have all the relevant information from a territorial point of view, updated and universally accessible, throughout the whole of our Autonomous Community (with the cadastral reference or specific location).

The Basic Autonomous Plan of Galicia viewer is available at the following link:

<http://mapas.xunta.gal/visores/pba/>

GENERIC REQUIREMENTS

As stated in Royal Decree 1027/2007, of 20 July, which approves the RITE, and the subsequent regulation that modifies this regulation, Royal Decree 249/2010, of 5 March, the assembly, maintenance and repair of thermal installations will be carried out by qualified companies that are registered as installation or maintenance companies.

If you wish to obtain accreditation to operate as an **installation company or as a maintenance company for thermal installations in buildings**, you must meet the following requirements and have the documentation to prove it:

- Hold the documentation identifying the provider, which in the case of a legal entity must be legally constituted and include in its corporate purpose the activities of assembly and repair of thermal installations in buildings and/or maintenance and repair of thermal installations in buildings.
- Be registered in the corresponding Social Security system and be up to date with the obligations of the system. In the case of non-EU nationals, compliance with the provisions established in current Spanish legislation on foreign nationals and immigration.
- To have taken out civil liability insurance to cover the risks that may arise from their actions, through a policy for a minimum amount of 300,000 euros, which will be updated annually, according to the variation in the consumer price index, certified by the National Institute of Statistics.
- Have at least one person on the staff with a professional licence for thermal installations in buildings.
- Where appropriate, the company must have, depending on the type of installations to be installed, repaired or maintained, personnel certified in accordance with the provisions of Royal Decree 795/2010, of 16 June, which regulates the marketing and handling of fluorinated gases and equipment based on them, as well as the certification of the professionals who handle them.
- For those companies working with thermal installations subject to this regulation and affected by Royal Decree 138/2011, of 4 February, which approves the safety regulations for refrigeration installations and its complementary technical instructions, and in accordance with Articles 9, 11 and 14, the thermal installation/maintenance company shall have the technical resources and materials reflected in the complementary technical instruction IF 13, as well as the waste management plan and, in the case of working with thermal installations that have a refrigeration circuit classified as a level 2 refrigeration installation. It must have professional civil liability insurance or another equivalent guarantee covering possible damage resulting from its activities for a minimum sum of 900,000 euros, and also have competent qualified technical personnel.

This information is included in Article 37 of the RITE, incorporating the modification introduced by Royal Decree 238/2013, of 5 April.

PROFESSIONAL LICENCE

As stated in the previous section, it is necessary that the company that wants to operate as an installer or maintenance company for thermal installations in buildings has at least one person on its staff with a professional licence for thermal installations in buildings.

Therefore, it is a profession that is regulated, insofar as the competent Administration establishes some condition that makes the exercise of the profession or the provision of the service subject to the fulfilment of certain

requirements in relation to the qualification of the persons; this is stated in Article 41.1 of the RITE in relation to the activities of installation and maintenance of thermal installations in buildings.

There are two main ways to obtain a professional licence:

1. **Examination at the Regional Ministry of Culture, Education and Universities Procedure ED527A.**
2. **Obtained directly from the Second Vice-Presidency and the Regional Ministry of the Economy, Enterprise and Innovation. Procedure IN613D.**

1. Examination at the Regional Ministry of Culture, Education and Universities Procedure ED527A.

ED527A. Registration for tests to obtain certain professional licences and qualifications. This procedure is processed by the General Secretariat of Education and Professional Training of the Regional Ministry of Culture, Education and Universities.

The Order of 16 March 2011, of the Regional Ministry of the Economy and Industry, establishes that the competent regional ministry shall regulate by order the procedure and the call for examinations to obtain both the licences and any other professional qualification required in the framework of industrial safety.

The following requirements are necessary to sit the exam:

- Be of legal age.
- Have received and passed a theoretical and practical course on basic knowledge and another on specific knowledge of thermal installations in buildings, given by an entity recognised by the competent body of the autonomous community, with the duration and content indicated in sections 3.1 and 3.2 of appendix 3 of Royal Decree 1027/2007, of 20 July. See Annex 1 for contents.
- At least three years' work experience in an installation or maintenance company (RITE) as technical personnel. For the purpose of calculating work experience, only the last ten years from the date of submission of the application shall be taken into account.

The standardised procedure ED527A, defined from the Order of 11 February 2021, specifies the following elements:

ED527A. Registration for examinations to obtain certain professional licences and professional authorisations

BODY RESPONSIBLE

General Secretariat of Education and Vocational Training of the Department of Culture, Education and University.

DESCRIPTION

Applicants for admission to the examinations to obtain the professional licence for thermal installations in buildings.

DOCUMENTATION		<ul style="list-style-type: none"> • Application form (according to template in Annex I). • Certificate of completion of the theoretical-practical course given by an entity recognised by the Second Vice-presidency and Regional Ministry of the Economy, Enterprise and Innovation. • In the event of not having completed the course, certificate of completion of a theoretical-practical course given by an entity recognised by the Second Vice-presidency and Regional Ministry of the Economy, Enterprise and Innovation. It will be necessary to present the certificate of successful completion on the day of the first part of the test. • Employment history for the accreditation of work experience, issued by the General Treasury of Social Security. • Company certification for accreditation of work experience (according to template in Annex II). • Proof of payment of fees.
MANDATORY	Yes	
DEADLINES		Variable according to the year of the call for submissions.
RESOLUTION		Automatic.
ONLINE PROCESSING	Yes	Procedure ED527A.
IN PERSON	Yes	Places and registers set out in the regulations governing the common administrative procedure.
LEGISLATION		<ul style="list-style-type: none"> • Order of 11 February 2021 calling examinations to obtain certain professional licences and professional qualifications in 2021.

REGISTRATION FEE FOR EXAMINATIONS TO OBTAIN CERTAIN PROFESSIONAL LICENCES AND PROFESSIONAL AUTHORISATIONS

BODY RESPONSIBLE		Tax Authority of Galicia.
DESCRIPTION		This procedure is subject to the payment of the fee with code 32.07.01. The sum can be consulted at the following link: Current rates of fees.
DOCUMENTATION		Form 731 or self-assessment form.
MANDATORY	Yes	
ONLINE PROCESSING	Yes	Virtual Tax Office. The procedure can be carried out through the electronic office once the registration is complete.
IN PERSON	Yes	Print the template 731 form or the blank self-assessment form and complete to make the payment in person at a collaborating financial institution.

LEGISLATION

- Law 6/2003, of 9 December, on fees, prices and regulatory levies of the Autonomous Community of Galicia.

Obtained directly from the Second Vice-Presidency and the Department of Economy, Enterprise and Innovation. Procedure IN613D.

IN613D. Direct issue of the professional licence for thermal installations in buildings. It is processed at the local head office of the Second Vice-presidency and the Regional Ministry of the Economy, Enterprise and Innovation.

According to Article 42 of Royal Decree 1027/2007, of 20 July, which approves the Regulation on thermal installations in buildings, natural persons who meet the following requirements may obtain the professional licence directly:

- Be of legal age.
- Hold a university degree that meets the Regulation on thermal installations in buildings and its complementary technical instructions.
- Hold a vocational training qualification or professional certificate included in the National Catalogue of Professional Qualifications, whose scope of competence coincides with the subjects covered by the Regulation on thermal installations in buildings and its complementary technical instructions.
- Have recognised professional skills acquired through work experience, in accordance with the stipulations of Royal Decree 1224/2009, of 17 July, on the subjects covered by the Regulation on thermal installations in buildings and its complementary technical instructions.
- Hold a certificate issued by a recognised certification body in accordance with the provisions of Royal Decree 2200/1995, of 28 December, which includes at least the contents of the Regulation on thermal installations in buildings and its complementary technical instructions.

For the contents of RITE, see Annex 1 of this document.

For the direct acquisition of the professional licence, there is a standard procedure IN613D which includes the following elements for its processing:

IN613D - Direct issue of the professional licence for thermal installations in buildings

BODY RESPONSIBLE

Local head office of the Second Vice-Presidency and the Regional Ministry of the Economy, Enterprise and Innovation.

DESCRIPTION		Procedure for the direct issue of a professional licence on the request of the person concerned. It shall be issued if it meets the requirements for obtaining it and after verification of the documentation.
DOCUMENTATION		<ul style="list-style-type: none"> • Application according to form IN613D (Annex I). • Copy of the DNI or NIE, only in the case of not authorising its consultation. • Document accrediting knowledge of the Regulation on thermal installations in buildings, only in the case of accrediting documentation other than a university or vocational training degree or in the case of not authorising its consultation. • Proof of payment of administrative fees.
MANDATORY	Yes	
DEADLINES		Throughout the year.
RESOLUTION		Four months.
NO RESPONSE		Negative.
ONLINE PROCESSING	Yes	Procedure IN613D.
IN PERSON		Places and registers established in the standard regulatory of the common administrative procedure.
LEGISLATION		<ul style="list-style-type: none"> • Order of 22 October 2015 adapting and incorporating the open-term administrative procedures of the Regional Ministry of the Economy, Employment and Industry to the electronic headquarters of the Regional Government of Galicia.

REGISTRATION FEE FOR EXAMINATIONS TO OBTAIN CERTAIN PROFESSIONAL LICENCES AND PROFESSIONAL AUTHORISATIONS

BODY RESPONSIBLE		Tax Authority of Galicia.
DESCRIPTION		This procedure is subject to the payment of the fee with code 32.07.01. The sum can be consulted at the following link: current rates of taxation.
DOCUMENTATION		Form 731 or self-assessment form.
MANDATORY	Yes	
ONLINE PROCESSING	Yes	Virtual Tax Office. From the electronic headquarters and within the IN613D application process itself.
IN PERSON	Yes	Print out the blank self-assessment form and complete in order to make the payment in person at a collaborating entity.
LEGISLATION		<ul style="list-style-type: none"> • Law 6/2003 of 9 December 2003 on fees, prices and regulatory levies of the Autonomous Community of Galicia.

4. DESCRIPTION OF THE AFFIDAVIT PROCESS AND
REGISTRATION ON THE REGISTER OF COMPANIES
INSTALLING OR MAINTAINING THERMAL
INSTALLATIONS IN BUILDINGS

Before starting their activities, companies installing or maintaining thermal installations in buildings must submit an affidavit electronically, in which the owner or legal representative declares the activities to be carried out by the company, as an installer or maintenance company, or both activities. It also states that it fulfils the conditions required for its implementation.

On presentation of the declaration, the company will be registered in the Register of companies installing or maintaining thermal installations in buildings and authorised to carry out the declared activities.

In order to carry out this action, the Galician regional administration has a standardised procedure (IN609E), which is summarised in the following tables:

IN609E. Register of installation or maintenance companies of thermal installations in buildings

BODY RESPONSIBLE		Local head office of the Second Vice-Presidency and the Regional Ministry of the Economy, Enterprise and Innovation.
DESCRIPTION		Natural and legal persons must register in this register before starting their activity under the freedom to provide services.
DOCUMENTATION		<ul style="list-style-type: none"> • Affidavit (according to Annex IV model). The affidavit must contain the following information: <ul style="list-style-type: none"> ... Details of the declarant and company. ... Company category. ... Compliance with regulatory requirements. ... That they have the documentation to prove it. ... That they commit to remaining compliant throughout the duration of the activity. ... That they are responsible for the execution of the installation in accordance with the standards and requirements established by the regulations. • Proof of payment of the corresponding fees. The process of paying the fee begins on the same form as the affidavit, but payment is made to the Galician Tax Agency.
MANDATORY	Yes	Procedure IN609E.
MANDATORY		Throughout the year.
RESOLUTION		Automatic.
ONLINE PROCESSING	Yes	
IN PERSON	No	
LEGISLATION		<ul style="list-style-type: none"> • Decree 51/2011, of 17 March, updating the regulations on industrial safety in the Autonomous Community of Galicia to adapt them to Directive 2006/123/EC (Article 4). • Resolution of 12 December 2011, of the Directorate General of Industry, Energy and Mines, on the exclusively electronic processing of various procedures.

PROCEDURE FEE IN609E

BODY RESPONSIBLE	Galician Tax Agency.
DESCRIPTION	<p>This procedure is subject to payment of the fee:</p> <ul style="list-style-type: none"> • Start of activity: code 32.07.22. • Modification or cessation of activity: code 32.07.23. <p>The sum can be consulted at the following link: Current rates of taxation.</p>

DOCUMENTATION		Form 731 or self-assessment form.
MANDATORY	Yes	
ONLINE PROCESSING	Yes	<p>Virtual Tax Office.</p> <p>The procedure must be carried out through the electronic office once the registration has been made.</p> <p>Payment can be made by debiting the bank card, by debiting the bank account or by payment in person at a collaborating financial institution using a payment letter with NRC that can be generated from the same procedure.</p>
IN PERSON	No	
LEGISLATION		<ul style="list-style-type: none"> • Law 6/2003 of 9 December 2003 on fees, prices and regulatory levies of the Autonomous Community of Galicia.

Once the declaration form IN609E has been completed and the fees have been paid, the affidavit will be electronically signed and submitted to the Administration. The company is immediately authorised to operate with the assignment of an identification number.

The company is automatically registered on the Industrial Register of Galicia and its data will be passed on to the Integrated Industrial Register.

5. MUNICIPAL PROCEDURES

POSSIBILITY OF SUBMITTING PRIOR CONSULTATIONS TO THE LOCAL AUTHORITY

With regard to the municipal formalities to be carried out by the developer, the first thing to bear in mind, as mentioned at the beginning, is the need to consult, in advance, the regulations that have been approved by the local authority where the activity is to be carried out, in the exercise of its regulatory powers.

In order to ensure that the necessary documentation for the start of the activity is presented correctly, the developers have the opportunity to make written enquiries to the local authority, which must be accompanied by all the data and documents that allow them to clearly identify the information they require.

PAYMENT OF ANY APPLICABLE TAXES

It is particularly relevant at this point to **consult the tax by-laws** of the local authority in order to satisfy the taxes related to the establishment of the activity which, if applicable, would have been subject to the taxation agreement, and the following must be highlighted:

Payment of the fee for granting a licence/presentation of prior notification

PROCESSED BY	Local government.
DESCRIPTION	<p>Local entities may establish fees for any provision of services or administrative activities of local competence, and in particular for the following:</p> <ul style="list-style-type: none"> • Granting of urban planning licences required by land and urban planning legislation or carrying out administrative control activities in cases where the licence requirement is replaced by the presentation of an affidavit or prior notification. • Granting of licences for the opening of establishments or the completion of administrative control activities in those cases in which the requirement for a license is replaced by the presentation of an affidavit or prior notification. • Other cases linked to the provision of services or the performance of administrative activities of local competence. <p>The applicable local regulations should be consulted in all cases.</p>
DOCUMENTATION	Settlement document or self-assessment (where applicable).
MANDATORY Yes	In those municipalities where its imposition is agreed..
ONLINE PROCESSING Yes	Through the municipal electronic offices (or those of the Provincial Council, if applicable)
LEGISLATION	<ul style="list-style-type: none"> • <u>Royal Legislative Decree 2/2004, of 5 March, approving the revised text of the Law regulating local finance.</u> • Tax ordinances of the municipality.

Payment of the tax on constructions, installations and works (ICIO)

PROCESSED BY	Local government.
DESCRIPTION	<ul style="list-style-type: none"> • The ICIO is an indirect tax, which may be levied at the discretion of the local authority, on the completion, within the municipality, of any construction, installation or work for which the corresponding building or urban planning licence must be obtained, whether or not said licence has been obtained, or for which the submission of an affidavit or preliminary notification is required, provided that the issuing of the licence or the control activity corresponds to the local authority concerned. • The tax is payable by the owners of the construction, installations or works, whether or not they are the owners of the property on which the construction, installation or work is carried out, i.e., whoever bears the expenses or the cost of carrying out the construction, installation or work. • The taxable base of the tax is constituted by the real and effective cost of the construction, installation or work (material execution cost), in the terms set out in the local finance regulations, and the tax rate will be set by each local authority, although this rate may not exceed 4 %. • The municipality may establish optional rebates on the rate of this tax, including, if so regulated in the municipal tax by-laws, of a rebate of up to 95% of the tax in favour of construction, installations or works that are declared to be of special municipal interest or utility due to circumstances linked, among other factors, to the creation of employment. • The municipality may require self-assessment by the taxable subject or their proxy. <p>The applicable local regulations should be consulted in all cases</p>
DOCUMENTATION	Settlement document or self-assessment (where applicable).
MANDATORY Yes	In those municipalities where its imposition is agreed.
ONLINE PROCESSING Yes	Through the municipal electronic offices (or those of the Provincial Council, where applicable).
LEGISLATION	<ul style="list-style-type: none"> • Royal Legislative Decree 2/2004, of 5 March, approving the revised text of the Law regulating local finance. • Tax ordinance of the municipality concerned.

However, the developer should consult, for their own knowledge, the elements of other municipal taxes related to the subsequent exercise of the activity, which are not addressed in this catalogue, such as business tax or property tax, among others.

WORKS INTENDED FOR THE DEVELOPMENT OF AN ACTIVITY

In most cases, the commencement of the activity will require works to enable it to be carried out, or to adapt the physical establishment where it is to be carried out to the characteristics of the activity. In this case, the first thing the developer should know is that all acts of transformation, construction, building and use of land and subsoil

require, for their lawful exercise, **the granting of a municipal licence or the presentation of a prior notification to the local authority**, depending on the act in question.

Application for a municipal building permit

PROCESSED BY

Local government.

DESCRIPTION

The following acts shall be subject to **municipal licensing**, without prejudice to the authorisations arising from the applicable sectoral legislation:

- The acts of construction and use of land and subsoil which, in accordance with the general building regulations, requires a construction design.
- Interventions on properties declared to be of cultural interest or listed due to their unique cultural, historical, artistic, architectural or landscape characteristics or value.
- Demolitions, except those arising from resolutions of proceedings for the restoration of urban planning legality.
- Earth retaining walls, when their height is equal to or greater than one and a half metres.
- Major earthworks and levelling works.
- Parcelling, segregation or other acts of division of land on any class of land, when they do not form part of a reparcelling project.
- The first occupation of buildings.
- The establishment of any installation for residential use, whether temporary or permanent.
- The cutting of tree masses or shrub vegetation on land incorporated into urban transformation processes and, in any case, when such cutting arises from legislation for the protection of the public domain, except for those authorised on rural land by the competent forestry bodies.

All acts of occupation, construction, building and use of land and subsoil not mentioned above are subject to the system of **prior urban planning notification**.

DOCUMENTATION

The licence application shall contain the following information and documents:

- Identification details of the natural or legal person developing the project and, where applicable, of the person representing it, as well as an address for the purpose of notifications.
- Sufficient description of the characteristics of the act in question, detailing the basic aspects of the act, its location and the building or property concerned, as well as its cadastral reference.
- Proof of payment of municipal taxes.
- Applications for licences referring to the execution of works or installations must be accompanied by a complete design drawn up by a competent technician, in the form and with the content indicated in the applicable regulations.
- Designs shall be accompanied by the corresponding design management document, which shall identify the technical personnel to whom they were entrusted
- Where technical design is not required, the application shall be accompanied by a descriptive and graphic report defining the general characteristics of the work and the building on which it is intended to be carried out.
- In the case of applications for a licence for first occupation of buildings, a certificate of completion from a competent technician stating that the works have been fully completed and comply with the licence granted
- Environmental assessment document, if required for the intended use of the works.
- Copy of the environmental authorisation or report, along with other sectoral authorisations, concessions or reports where legally required.
- If applicable, the certificate issued by the municipal conformity assessment bodies.

Given that the purpose of the work is the development of an activity, this circumstance shall be expressly stated and, together with the application for the licence, the documentation required in relation to this shall be submitted.

This information should be supplemented by consulting the local regulations applicable in each case.

DEADLINE

Licence applications will be resolved within 3 months of submission of the application with complete documentation at the local authority registry. However, when an application for planning permission is accompanied by a certificate of conformity, the time limit for the resolution of the procedure may be 1 month from the submission of the application with the complete documentation, including the certificate of conformity, at the registry of the local authority. This period may be reduced to 15 calendar days in certain cases¹.

MANDATORY Yes

In cases where it is mandatory depending on the act to be carried out.

ONLINE PROCESSING Yes

Through the municipal electronic offices.

LEGISLATION

- Law 2/2016, of 10 February, on the land of Galicia.
- Decree 143/2016, of 22 September, approving the Regulations of Law 2/2016, of 10 February, on land of Galicia.
- Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia.
- Applicable municipal by-laws.

Prior notification for completion of works

PROCESSED BY

Local government.

DESCRIPTION

All acts of occupation, construction, building and use of the land and subsoil that are not subject to a licence are subject to the prior urban planning notification system. In particular, they are subject to the prior notification regime:

- The execution of minor works or installations.
- The use of land for the development of commercial, industrial, professional activities or services or other similar activities.
- The use of air rights over buildings and installations of any kind.
- Modification of the use of part of the buildings and installations, in general, when they are not intended to change the characteristic uses of the building or to introduce a residential use
- The extraction of granulates for construction and quarrying, even if it takes place on public land and is subject to concession or administrative authorisation.
- Extraction of minerals, liquids and any other matter, as well as discharges into the subsoil.
- The installation of greenhouses.
- The placing of posters and billboards visible from the public highway, provided they are not in enclosed premises.
- The enclosure and fencing of land.

1 / Articles. 54.3 and 55.2 Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia.

DOCUMENTATION

The notification must be accompanied by the following documentation:

- Identification details of the natural or legal person promoting the project and, where applicable, of the person representing it, as well as an address for the purpose of notifications.
- Technical description of the characteristics of the act in question or, where applicable, legally required technical design.
- Express manifestation that the prior notification submitted complies in all its terms with the applicable urban planning regulations.
- Copy of the authorisations, administrative concessions or sectoral reports when they are legally required of the applicant, or accreditation that their concession was requested. For these purposes, in the event that the reports have not been issued within the legally established period, this circumstance shall be accredited.
- Authorisation or environmental assessment document if required under the intended use of the works.
- Proof of payment of the compulsory municipal taxes.
- If applicable, certificate issued by the municipal conformity assessment bodies provided for in these regulations.
- Document formalising the transfer, where applicable.
- Start and completion date of works

Given that the purpose of the work is the development of an activity, this shall be expressly stated and, together with the prior notification, the documentation required in relation to this shall be submitted.

This information should be supplemented by consulting the local regulations applicable in each case.

MANDATORY

In the case of prior urban planning notifications, the developer, prior to the execution of the act in question, shall notify the local authority of their intention to carry out the act at least 15 working days before the date on which they intend to commence execution.

Within 15 working days following the notification, the local authority, without prejudice to the verification of compliance with the requirements, may declare the documentation submitted to be complete or require that any deficiencies be remedied, adopting in this case, in a reasoned manner, the provisional measures deemed appropriate, communicating them to the interested party by any means that allows acknowledgement of receipt.

In general terms, once the 15 working day period has elapsed, the presentation of the prior notification, complying with all the necessary requirements, constitutes authorisation for the commencement of the acts of use of the land and subsoil subject to this, without prejudice to the subsequent powers of verification, control and inspection by the respective local authority.

When an urban planning notification is presented together with a certificate of conformity, it will enable, with immediate effect from its submission to the register of the local authority, the performance of the act that constitutes the purpose, without prejudice to the subsequent powers of verification, control and inspection by the respective local authority².

MANDATORY

Yes

In cases where a licence is not required for the works to be carried out.

ONLINE PROCESSING

Yes

Through the municipal electronic offices.

LEGISLATION

- Law 2/2016, of 10 February, on the land of Galicia.
- Decree 143/2016, of 22 September, approving the Regulations of Law 2/2016, of 10 February, on land of Galicia.
- Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia.
- Applicable municipal by-laws.

Before submitting the application for the planning permission or the prior urban planning notification, the developer must take into account the following aspects:

- When the acts of building and use of land and subsoil are carried out on land in the public domain, the developer will be required to have the prior authorisations or mandatory concessions granted by the owner of the public domain.
- A licence may not be granted, or a prior urban development communication may not be presented without the prior concession of urban development or sectoral authorisations from other public administrations, where applicable.

When the actions to be carried out affect material or immovable assets protected for their cultural value and their protective environments and buffer zones, prior authorisation or a favourable report must be obtained from the competent administration in matters of cultural heritage. Likewise, in the event that the interventions affect intangible assets protected for their cultural value, the competent cultural heritage administration must be informed.

In addition, as the purpose of the works is the development of an activity, a specific regime is established³ which determines that the developer **must expressly state this circumstance** and, together with the application for the building permit or with the prior notification, submit the following documentation:

- The identifying details of the natural or legal person developing the activity or establishment and, where applicable, the person representing that person, and an address for the purpose of notifications.
- An explanatory report on the activity to be carried out, detailing its basic aspects, its location and the establishment where it is to be carried out.
- Proof of payment of the compulsory municipal taxes.
- A declaration by the owner of the activity, where applicable, signed by competent technical personnel, stating that all the requirements for the activity are met and that the establishment complies with the health and safety and other conditions established in the urban development plan.
- The design and the technical documentation required by the nature of the activity or installation, drawn up and signed by the competent technical person.
- The environmental authorisation or declaration, where applicable.
- Any other sectoral authorisations and reports that may be required.
- If applicable, the certificate issued by a municipal conformity assessment body.

Thus, in cases in which these two circumstances concur - the performance of the activity and the execution of works for the exercise of this activity - the municipal powers of verification, control and inspection will be exercised, at first, in relation to the activity for which the work is intended, suspending all administrative action in relation to this, until the interested party duly provides proof compliance with the legal requirements for the exercise of the activity.

Once the work has been completed, the **prior notification for the commencement of the activity or the opening of the establishment** shall be submitted, with no further requirements other than the identifying details of the

³/ Article 24.2 of Law 9/2013, of 19 December, on entrepreneurship and economic competitiveness in Galicia; article 11.2 of Decree 144/2016, of 22 September, which approves the Single regulation of integrated control of economic activities and opening of establishments; and article 364 of Decree 143/2016, of 22 September, which approves the Regulation of Law 2/2016, of 10 February, on Galician land.

owner and the reference of the prior notification or the urban planning licence that covered the work carried out and the certificate of completion of the work signed by the competent technician or technician, and, where appropriate, the acoustic certificate⁴.

Prior notification for the commencement of the activity after execution of works

PROCESSED BY		Local government.
DESCRIPTION		When the activity requires the execution of works or installations, the activities may not begin or develop until the works or installations are completely finished and the corresponding prior notification is presented to the local authority.
DOCUMENTATION		<ul style="list-style-type: none"> • Identifying data of the holder. • Reference of the prior notification or planning permission that covered the work carried out. • Final work certificate signed by a competent technical person. • Acoustic certificate (where applicable). <p>This information should be supplemented by consulting the local regulations applicable in each case.</p>
MANDATORY	Yes	The submission of a prior notification that fulfils the necessary requirements authorises the commencement of the activity or the opening of the establishment to which it refers, without prejudice to the verification and subsequent control actions established by the local authority.
ONLINE PROCESSING	Yes	Through the municipal electronic offices.
LEGISLATION		<ul style="list-style-type: none"> • Decree 144/2016, of 22 September, approving the single regulation of integrated regulation of economic activities and opening of establishments. • Law 9/2013, of 19 December, on entrepreneurship and economic competitiveness in Galicia. • Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia. • Applicable municipal by-laws.

SUBMISSION OF NOTIFICATION PRIOR TO THE COMMENCEMENT OF THE ACTIVITY WITHOUT CARRYING OUT WORKS

In cases where it is not necessary to carry out works to start the activity, after completing the appropriate sectoral procedures depending on the type of activity in question, the developer should be aware that, in general, the installation, implementation or execution of any economic, business or professional activity **requires the submission**

⁴ / Article 11 of decree 106/2015, of July 9, on noise pollution in Galicia.

on the part of the owner of the activity of a prior notification to the local authority where the activity is to be carried out or the establishment is to be opened.

Prior notification for the commencement of the activity without prior construction work

PROCESSED BY

Local government.

DESCRIPTION

The installation, implementation or exercise of any economic, business, professional, industrial or commercial activity, and the opening of establishments destined for this type of activity, requires the submission on the part of the owner of the activity of a prior notification with the following exceptions:

- The exercise of activities and the opening of establishments subject to another regime of administrative intervention by the applicable sectoral regulations.
- The exercise of activities that are not linked to a physical establishment.

DOCUMENTATION

The notification must be accompanied by the following documentation:

- The identifying details of the natural or legal person who owns the activity or establishment and, where applicable, the person representing that person, as well as an address for the purpose of notifications.
- An explanatory report on the activity to be carried out, detailing its basic aspects, its location and the establishment or establishments where it is to be carried out.
- Proof of payment of the compulsory municipal taxes.
- A declaration by the owner of the activity or establishment, where applicable, signed by competent technical personnel, that all the requirements for the exercise of the activity are met and that the establishment complies with the health and safety and other conditions set out in the urban development plan.
- The design and the technical documentation required according to the nature of the activity or installation. For these purposes, design is defined the set of documents that define the actions to be developed, with the content and detail that allows the Administration to ascertain its purpose and determine its suitability for the applicable town planning and sectoral regulations, as regulated in the applicable regulations. The design and the technical documentation shall be drawn up and signed by a competent technical person.
- The environmental authorisation or declaration, if applicable.
- The rest of the authorisations and sectoral reports required.
- If applicable, the certificate of conformity issued by the municipal conformity assessment bodies provided for in this regulation.

If the development of the activity or the opening of the establishment requires building work to be carried out, the above documentation shall be submitted with the prior notification provided for in the urban planning regulations or with the application for a building permit.

This information should be supplemented by consulting the local regulations applicable in each case.

MANDATORY

Yes

In the case of the opening of establishments, a stamped copy of the prior notification shall be displayed in a visible and easily accessible place.

In any case, the owner of the activity must have a stamped copy of the prior notification and show it when required to do so by an administrative inspection or by any person for whom the activity is carried out.

ONLINE PROCESSING

Yes

Through the municipal electronic offices.

The submission of a prior notification, which complies with the requirements, authorises the commencement of the activity or the opening of the establishment to which it refers, or from the date that the interested party expressly indicates therein, without prejudice to the powers of the local councils for the establishment and planning of the subsequent verification and control actions.

Upon receipt of a prior notification, the municipality shall verify ex officio:

- Their own competence.
- If it is the means of intervention legally indicated for the activity or establishment.
- Whether the prior notification contains the required data and documentation.

If the data or documentation submitted with the prior notification is incomplete or has any other deficiency that can be remedied the local authority will grant the person who submitted it a period of 10 days to remedy it. However, in the event that the deficiencies detected cannot be remedied or are not remedied within the period granted, or when the local authority determines that it is not competent to receive the prior notification or that the activity or establishment to which it refers is subject to another system of administrative intervention, the procedure for declaring the prior notification ineffective will be initiated ex officio.

This verification action will be optional for the local authority in those cases in which the documentation provided includes a **certificate of conformity issued by a municipal conformity assessment body**, without prejudice to the possibility of conducting, at any time, ex officio or at the request of the interested party, the inspection and control actions of the activity or establishment that may be necessary to verify compliance with the requirements established in the applicable regulations.

Certificates issued by municipal conformity assessment bodies

BODY RESPONSIBLE

Municipal Conformity Certification Bodies (Eccom).

DESCRIPTION

These are private law entities that, after being authorised by the autonomous administration, with full capacity to act and acting under its responsibility, are set up for the purpose of carrying out certification, verification, inspection and control activities throughout the territory of the Autonomous Community of Galicia to ensure the conformity of installations, establishments and activities with the applicable regulations at the municipal level.

The contents of certificates of conformity are not binding for the municipal technical services or for the municipal bodies with competence in the matter, and under no circumstances do they replace the public powers of inspection, verification, control and sanction.

MANDATORY

No

Persons interested in submitting a prior notification or a licence application to the municipal administration may contact the entity of their choice from among those authorised to carry out municipal conformity assessment activities in the territory of the Autonomous Community of Galicia, in order to request the conformity assessment function with regard to the installation, establishment, activity or work that is to be the subject of the prior notification or licence application.

The relationship between the persons requesting the performance of the conformity assessment function and the municipal conformity assessment bodies shall be subject to private law.

CONSULT

Register of Municipal Conformity Certification Bodies of the Autonomous Community of Galicia.

LEGISLATION

- Decree 144/2016, of 22 September, approving the single regulation on the integrated regulation of economic activities and opening of establishments.
 - Law 9/2013, of 19 December, on entrepreneurship and economic competitiveness in Galicia.
 - Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia.
-

CHANGE OF OWNERSHIP OF THE ACTIVITY OR ESTABLISHMENT

The change of ownership of the activity or establishment must be communicated in writing to the local authority, so that, in this case, without prejudice to that determined by the local regulations applicable in each case, the prior notification must only include:

- The identifying details of the new owner.
- The reference of the initial authorisation and, where applicable, of those processed for subsequent changes of ownership or modifications of the activity or establishment.

Responsibility for compliance with the administrative requirements to which the activity or establishment is subject shall be transferred to the new owner from the moment the change of ownership becomes effective, regardless of the date on which the change of ownership is notified.

6. VERIFICATION PROCEDURE FOR THE AFFIDAVIT

Thermal installation in buildings is a service provision activity that is not subject to prior authorisation but **has the counterpart that the Administration can check at any time** that the content of the affidavit required for the start of the activity is complied with.

The Second Vice-presidency and Regional Ministry of the Economy, Enterprise and Innovation will be responsible for verifying *a posteriori* the developer's declarations. This verification is carried out through the inspection function. The verification shall refer to those aspects implicit in the application submitted, with the aim of verifying what has been declared in relation to the developer and the entity itself.

Procedure for verifying compliance with requirements

BODY RESPONSIBLE	Local head office of the Second Vice-Presidency and the Regional Ministry of the Economy, Enterprise and Innovation (inspection function).
DESCRIPTION	<p>Failure to comply with the requirements will result in the automatic termination of the provision of services, unless an error correction procedure can be initiated, without prejudice to any penalties that may arise from the seriousness of the actions carried out.</p> <p>An informative file shall be opened for the owner of the establishment.</p>
MANDATORY	The person concerned shall have fifteen calendar days from the date of the notification to provide the corresponding evidence or disclaimers.
EFFECTS	<ul style="list-style-type: none">• Temporary disqualification and/or cessation of activity.• De-registration from the Industrial Register of Galicia and notification to the Spanish Ministry of Industry, Tourism and Trade to update the data in the Integrated Industrial Register.
LEGISLATION	<ul style="list-style-type: none">• Title V of Law 21/1992 of 16 July 1992 on industry (for the purposes of sanctions).

7. ANNEX

RELATED PROCEDURES

IN622B: Registration or modification of thermal installations in buildings. To register those installations or alterations for which registration is compulsory.

<https://sede.xunta.es/detalle-procedimiento?codCons=IN&codProc=622B&procedimiento=IN622B>

TRAINING REQUIREMENTS FOR THE PROFESSIONAL LICENCE

A) Training requirements for access to the examination:

The RITE establishes the need for a theoretical and practical course on basic knowledge and another on specific knowledge of thermal installations in buildings in order to obtain the professional licence, to be delivered by an entity recognised by the competent body of the Autonomous Community. The content and duration are indicated in points 3.1 and 3.2 of Appendix 3. This appendix indicates:

1. Basic knowledge of thermal installations in buildings. **Contents:**

- Basic knowledge.
- Heating installations and equipment and domestic hot water production.
- Air-conditioning and ventilation installations and equipment.
- Use of renewable energies in thermal installations.
- Carrier fluid transport networks.
- Terminals and air handling.
- Regulation, control, measurement and metering of consumption for thermal installations.
- Basic knowledge of electricity for thermal installations.

Minimum duration of the course on basic knowledge of thermal installations in buildings: 180 hours (120 hours of theoretical subjects + 60 hours of practical subjects).

2. Specific knowledge of thermal installations in buildings:

- Execution of the assembly of thermal installations.
- Maintenance of thermal installations.
- Energy operation of the facilities.
- Measurement techniques in thermal installations.
- Testing and commissioning of thermal installations.
- Safety in the assembly and maintenance of equipment and installations.
- Quality in the maintenance and assembly of thermal equipment and installations.
- Technical documentation of thermal installations: technical report.
- Regulation of thermal installations in buildings.

Minimum duration of the course on basic knowledge of thermal installations in buildings: 270 hours (150 hours of theoretical subjects + 120 hours of practical subjects).

Therefore, the theoretical and practical training received must be a minimum of 450 hours.

B) Training requirements for the direct award of the professional licence:

1. UNIVERSITY DEGREE

Hold a university degree that meets the Regulation on thermal installations in buildings and its complementary technical instructions.

2. VOCATIONAL QUALIFICATION

Hold a vocational training qualification whose scope of competence coincides with the subjects covered by the Regulation on thermal installations in buildings and its complementary technical instructions.

The requirement is fulfilled by simultaneously holding two of the following qualifications:

- Heat Production Installations Technician. Intermediate Level Training Cycle / Professional Family of Installation and Maintenance (RD 1792/2010).
- Refrigeration and Air Conditioning Installations Technician. Intermediate Level Training Cycle / Installation and Maintenance Professional Family (RD 1793/2010).

In addition, the training requirement is met if you have one of the following qualifications:

- Higher Technician in Maintenance of Thermal and Fluids Installations. Higher Vocational Training Cycle / Professional Family Installation and Maintenance (RD 220/2008).
- Technician in Assembly and Maintenance of Cooling, Air Conditioning and Heat Production Installations. Intermediate Level Training Cycle / Professional Family Maintenance and Production Services (RD 2046/1995).
- Higher Technician in Maintenance and Assembly of Building and Process Installations. Higher Vocational Training Cycle / Professional Family Maintenance and Production Services (RD 2044/1995).
- Higher Technician in Energy Efficiency and Solar Thermal Energy. Higher Vocational Training Cycle / Energy and Water Professional Family (RD 1177/2008).
- Specialist Technician in Installations. Vocational Training Second Grade, Construction and Works branch (Law 14/1970).
- Specialist Technician in Harnessing Solar Energy. Vocational Training Second Grade, Electricity and Electronics branch (Law 14/1970).
- Specialist Maintenance Technician in Solar Energy and Air Conditioning. Vocational Training Second Grade, Electricity and Electronics branch (Law 14/1970).
- Specialist Technician in Heating, Cooling and Air Conditioning. Vocational Training Second Grade, Electricity and Electronics branch (Law 14/1970).
- Specialist Plumbing Technician. Vocational Training Second Grade, Construction and Works branch (Law 14/1970).
- Industrial Refrigeration Technician. Vocational Training Second Grade, Electricity and Electronics branch (Law 14/1970).
- Specialist Technician in Refrigeration and Air Conditioning Installations. Vocational Training Second Grade, Electricity and Electronics branch (Law 14/1970).
- Specialist Technician in Solar Energy Installations. Vocational Training Second Grade, Electricity and Electronics branch (Law 14/1970).
- Specialist Technician in Auxiliary Process Thermal Installations. Professional Module Level 3, Electricity and Electronics branch (Law 14/1970).
- Specialist Technician in Refrigeration and Air Conditioning Installations. Professional Module Level 3, Electricity and Electronics branch (Law 14/1970).
- Specialist Technician in Maintenance of Service and Auxiliary Installations. Professional Module Level 3, Electricity and Electronics branch (Law 14/1970).
- Higher Technician in Thermal and Fluids Installations Project Development.
- Advanced Technician in Fluids, Thermal and Maintenance Installations Project Development.

3. CERTIFICATE OF PROFESSIONALISM OR CERTIFICATE OF PROFESSIONAL COMPETENCE ACQUIRED THROUGH WORK EXPERIENCE.

Hold a professional certificate included in the National Catalogue of Professional Qualifications, whose scope of competence coincides with the subjects covered by the Regulation on thermal installations in buildings and its complementary technical instructions.

Have recognised professional skills acquired through work experience, in accordance with the stipulations of Royal Decree 1224/2009, of 17 July, on the subjects covered by the Regulation on thermal installations in buildings and its complementary technical instructions.

These requirements are fulfilled when both of the following two certificates are held simultaneously:

- Assembly and Maintenance of Heating Installations: IMAR0408, established by Royal Decree 715/2011. Professional family: Installation and Maintenance. Level of professional qualification: 2. Reference professional qualification: IMA368_2 (RD 182/2008).
Units of competence that make up the certificate of professionalism:
... UC1156_2: Assembly of heating installations.
... UC1157_2: Maintenance of heating installations.
- Assembly and maintenance of air-conditioning and ventilation-extraction installations: IMAR0208, established by Royal Decree 1375/2009. Professional family: Installation and Maintenance. Level of professional qualification: 2. Reference professional qualification: IMA369_2 (RD 182/2008).
Units of competence that make up the certificate of professionalism:
... UC1158_2: Installation of air-conditioning and ventilation-extraction systems.
... UC1159_2: Maintenance of air-conditioning and ventilation-extraction installations.

4. CERTIFICATION AWARDED BY AN ACCREDITED BODY FOR THE CERTIFICATION OF PERSONS.

Hold a certificate issued by a recognised certification body in accordance with the provisions of Royal Decree 2200/1995, of 28 December, which includes at least the contents of the Regulation on thermal installations in buildings and its complementary technical instructions.

OTHER ASPECTS THAT NEED TO BE TAKEN INTO ACCOUNT

In relation to the additional training required for installers of air conditioning installations, it is necessary to indicate that they must have a personal certificate of competence for handling fluorinated greenhouse gases when they use them in their installations.

In relation to the old professional licences for heating and domestic hot water (DHW) and air conditioning installers and maintainers, it is necessary to say that the validity of the licences is still recognised, which remain with the same professional attributions with which they were issued, although they are not sufficient to authorise companies or self-employed workers in the scope of the Regulation, as for this purpose it is necessary to have the RITE licence.

This document was drawn up, for purely informative purposes, by the General Vice-Secretariat for Business Support of the Second Vice-Presidency and Regional Ministry of Economy, Enterprise and Innovation, as a means of consultation and simplification of the applicable regulations, and its content is therefore not binding.

All the information contained in this catalogue is taken from the legislation in force at the time of its publication, and must always be construed in accordance with it, therefore the catalogue is a document subject to continuous evolution.

