

**Regulation**  
**of the Federal State Government of Upper Austria amending the Upper Austrian**  
**Construction Engineering Regulation 2013**  
**(Upper Austrian Construction Engineering Regulation Amendment 2025)**

On the basis of Sec. 86 of the Upper Austrian Construction Engineering Act 2013, Federal State Law, Provincial Law Gazette No 35/2013, as amended by Federal State Law, Provincial Law Gazette No 21/2025, as well as by Sec. 29 paragraph 4 of the Upper Austrian Building Code 1994, Provincial Law Gazette No 66/1994, as amended by Federal State Law, Provincial Law Gazette No 21/2025, the following is hereby ordered:

**Article I**

The Upper Austrian Construction Engineering Regulation 2013, Provincial Law Gazette No 36/2013, as amended by Regulation, Provincial Law Gazette No 17/2024, is amended as follows:

*1. Sec. 1, including its heading, reads as follows:*

**"Sec. 1**  
**Mechanical strength and stability**

The requirements set out in Sec. 4 of the Upper Austrian Construction Engineering Act 2013 are met if the following directives of the Austrian Institute of Construction Engineering are observed:

1. Directive 1 "Mechanical strength and stability" of May 2023;
2. Guideline "Determination of the load-bearing capacity and suitability of use of existing structures" of May 2023."

*2. In Sec. 2 paragraph 1, Sec. 3 paragraph 1, Sec. 4 paragraph 1 and Sec. 14 paragraph 1, the text "April 2019" is replaced by the text "May 2023".*

*3. In Sec. 2 paragraph 2 clause 2, the words "Points 4.1 to 4.6 shall apply" are replaced by the words "Point 4 shall apply".*

4. In Sec. 4 paragraph 2 clause 2, the website "<http://www.bmdw.gv.at>" is replaced by the website "<http://www.bmaw.gv.at>".

5. In Sec. 4 paragraph 2, the following clause 3a is inserted after clause 3:

"3a. Point 2.4.2 shall not apply."

6. Sec. 5, including its heading, reads as follows:

**"Sec. 5  
Sound insulation**

(1) The provisions of Sections 32 to 34 of the Upper Austrian Construction Engineering Act 2013 are met if, subject to paragraph 2, Directive 5 of the Austrian Institute of Construction Engineering on "Sound insulation" of May 2023 is observed.

(2) The directive referred to in paragraph 1 shall apply with the exception of point 5. The provisions of the Upper Austrian Air Pollution Control and Energy Technology Act 2002 shall remain unaffected."

7. In Sec. 8 paragraph 2, the reference "Federal Law Gazette I No. 100/2018" is replaced by the reference "Federal Law Gazette I No 56/2024".

8. In Sec. 9 paragraph 1, the passage "Fax: +43/1/533 64 23," is deleted.

9. Sec. 9 paragraph 2 reads as follows:

"(2) The documents "OIB Directives – Definitions" and "OIB Directives – Cited standards and other technical regulations" of the Austrian Institute of Construction Engineering, of May 2023, which are relevant to the directives referred to in Secs. 1 to 5, are hereby declared binding. Paragraph 1 shall apply, mutatis mutandis."

10. In Sec. 9, the following paragraph 3 is inserted after paragraph 2:

"(3) The documents "OIB Directives – Definitions" and "OIB Directives – Cited standards and other technical regulations" of the Austrian Institute of Construction Engineering, of April 2019, which are relevant to the directive referred to in Sec. 6, are hereby declared binding. Paragraph 1 shall apply, mutatis mutandis."

*11. Sec. 16 paragraph 2 clause 1 reads:*

"1. Dwellings (except for residential buildings with no per 60 m<sup>2</sup> of the total more than three dwellings – Sec. 44 paragraph 1 of floor space of all the Upper Austrian Construction Engineering dwelling units" Act 2013)

*12. In Sec. 19, the words "covered parking spaces for motor vehicles of more than 100 m<sup>2</sup> and" are deleted.*

*13. In Sec. 21 paragraph 3 clause 6, the references "Sec. 25 paragraph 1 clause 1 letter b" and "Sec. 25 paragraph 1 clause 1 letter c" are in each case replaced by the reference "Sec. 24a".*

## **Article II**

(1) This Regulation shall come into force on .....

(2) This Regulation has been subject to an information procedure within the meaning of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codified text), OJ L 241, 17.9.2015, p. 1 et seq.

For the Upper Austrian Federal State Government:

Deputy Federal State Governor