

Ministerial order No xx/2024
de xxx

Summary: Defining the terms under which works for the extension, alteration or reconstruction of buildings are subject to the preparation of an earthquake-vulnerability assessment report, as well as the situations in which the preparation of an earthquake-reinforcement design is required.

In accordance with Article 3(1) of the **Decree-Law No XX/2024, of (...) (...)**, the Government shall establish, by order of the member of Government responsible for the field of construction and housing, the terms under which works for the extension, alteration or reconstruction of buildings are subject to the preparation of an earthquake-vulnerability assessment report, as well as the situations in which the preparation of an earthquake-reinforcement design is required, in accordance with paragraph 2 of the same article.

Therefore:

Pursuant to Article 3 of **Decree-Law No XX/2024, of (...) (...)**, the Government orders the following, through the **Secretary of State for Housing**, exercising the powers delegated to her by the **Minister of Housing**, by means of Order No **(...)/2024, of (...) (...)**, published in the *Portuguese Official Gazette*, 2nd series, No **(...), of (...) (...)** of 2024:

Article 1

Assessment of the earthquake vulnerability of buildings

1 - They are subject to preparing a building earthquake-vulnerability assessment report establishing their resilience against seismic action defined in NP EN1998-3 for site conditions of extension, alteration or reconstruction works, provided that these are located outside an area of low seismicity or very low seismicity, as defined in NP EN 1998-1, irrespective of the date of original construction and use of the building, where one of the following conditions is met:

- a) There are clear signs of deterioration of the building's structure;
- b) Works that have the effect of altering the building's structural behaviour;
- c) Works on buildings the targeted area of which in the floor plan, taking into account the areas subject to extension, alteration and reconstruction, exceeds 25 % of the gross area of building's construction or of the building section targeted, if this consists of multiple sections;
- d) Works on buildings in importance classes III or IV, defined in accordance with NP EN 1998-1, the area of extension, alteration and reconstruction of which, measured in the floor plan, is more than 15 % of the building's gross construction area or the targeted body of that building, if this consists of multiple sections.

2 – Works of low urban-development relevance and maintenance works are excluded from the previous paragraph.

3 – The earthquake-vulnerability assessment is carried out for the final layout of the building, resulting from the extension, alteration or reconstruction works, and its overall structure, with analyses of parts of the building are not being admissible.

4 – Preparing the building's earthquake-vulnerability report is waived if the designer chooses to present a structural design of the building that includes earthquake reinforcement.

5 – Construction and reconstruction works subsequent to the demolition, in whole or in part, of a building are exempted from the earthquake-vulnerability assessment report, and should be the subject of a structural design also covering the parts not demolished.

6 – In view of the existing information on the characteristics of the building stock and the results of earthquake-vulnerability studies that ensure a satisfactory level of structural safety for 90 % of the action defined in NP EN1998-3, municipalities may identify buildings that are exempt from an earthquake-vulnerability assessment in the course of extension, alteration or reconstruction works, provided that the assumptions of the initial study are maintained, and there are no works that have the effect of altering the building's structural behaviour.

7 – It is the responsibility of the National Laboratory of Civil Engineering, I.P. to publish or approve constructive arrangements or methods of expeditious earthquake-vulnerability analysis that support the preparation of the report provided for in paragraph 1 of this article, for specific types of buildings, locations and types of intervention.

8 – In order to promote the dissemination of credible information and a greater knowledge of the earthquake vulnerability of public buildings, the earthquake-vulnerability assessment reports promoted by public bodies are sent to the municipality where the work is located, and to the National Emergency and Civil Protection Authority (ANEPC), and are available on the website of the public bodies owning the buildings.

Article 2

Building earthquake-reinforcement designs

1 – If the building's earthquake-vulnerability concludes that the building fails to meet the safety requirements for 90 % of the action defined in NP EN1998-3, it is mandatory to prepare an earthquake-reinforcement design under that standard, and taking into account the entire action defined in that standard.

2 – In buildings classified or included in classified sets, or in the process of being classified, in the national interest or in the public interest, in which an earthquake-reinforcement design is mandatory, non-harmful measures should be selected that do not jeopardise the asset value of these buildings, the progressive improvement of seismic behaviour, subject to the prior binding opinion of the Portuguese Cultural Heritage Body [Património Cultural, I.P.].

3 – In buildings, with architectural value and in an urban context, located in protection areas of immovable property in the process of classification, or property classified in the national interest or of public interest, where an earthquake-vulnerability design is mandatory, measures should be chosen that do not prejudice the architectural value and framing of these buildings, the progressive improvement of seismic behaviour, subject to the prior binding opinion of the Cultural Heritage, I.P. or the Regional Coordination and Development Commission territorially competent.

Article 3

Repeal

Decree No 302/2019 of 12 December is hereby repealed.

Article 4

Entry into force

This Ministerial Order shall enter into force from the day (...) of (...) 2024.

The Secretary of State for Housing, (...), on (...) of (...) 2024.