

REFORMS OF THE COMMON AGRICULTURAL POLICY AND OF THE SLOVAK NATIONAL CONSTRUCTION POLICY

REFORMY SPOLOČNEJ POĽNOHOSPODÁRSKEJ POLITIKY A SLOVENSKEJ STAVEBNEJ POLITIKY

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I Introduction

Based on the Government Programme Declaration of the Slovak Republic for the years 2023–2027⁽¹⁾, under the section Transport and Construction, the Ministry

¹ Government Programme Declaration of the Slovak Republic for the years 2023–2027 (2023).

of Transport of the Slovak Republic prepared a draft of the new Construction Act to accelerate preparatory and permitting procedures, considered a key factor in supporting construction in the Slovak Republic. The Slovak Government approved this proposal by Resolution No. 676/2024.

The new Construction Act replaced Act No. 50/1976 Coll. on Spatial Planning and Building Regulations

Abstract (EN)

The article explores the interconnection between the reformed Common Agricultural Policy (CAP) for 2023–2027 and the fundamental legislative changes in spatial planning and construction in the Slovak Republic since 2022. The CAP reform introduced an integrated strategic framework that merges direct payments and rural development, requiring alignment of national strategies with the European Union's environmental and climate objectives. In Slovakia, a parallel reform of spatial planning and construction legislation has taken place, culminating in the adoption of Act No. 200/2022 Coll. on Spatial Planning and the new Construction Act No. 25/2025 Coll. The new legal provisions introduce an integrated procedure for construction intentions, digitalisation of administrative processes, and decentralisation of executive powers through the establishment of new regional offices with extended competences. The authors highlight the benefits of the new system (faster permitting processes, simplified administration) as well as potential risks (tight deadlines for municipalities, legal uncertainty post-2032). They underline the need to harmonise spatial planning tools with CAP objectives, particularly concerning land use, nature conservation, and infrastructure, in order to prevent conflicts between legislation and rural development strategies. The article also aims to analyse the challenges in implementing the environmental goals of the CAP, which are often inadequately fulfilled due to poorly designed eco-schemes and inconsistent funding. The article also includes a comparison of various EU member states' approaches to CAP implementation.

Abstrakt (SK)

Článok sa zaoberá súvislosťami medzi reformovanou Spoločnou poľnohospodárskou politikou (SPP) na roky 2023 – 2027 a zásadnými legislatívnymi zmenami v oblasti územného plánovania a výstavby v Slovenskej republike od roku 2022. Reforma SPP zaviedla integrovaný strategický rámec, ktorý spája priame platby a rozvoj vidieka, pričom vyžaduje zosúladenie národných stratégií s environmentálnymi a klimatickými cieľmi EÚ. Na Slovensku prebiehala súbežne reforma stavebnej legislatívy, ktorá vyústila do prijatia zákona č. 200/2022 Z. z. o územnom plánovaní a nového stavebného zákona č. 25/2025 Z. z. Nové právne predpisy zavádzajú integrované konanie o stavebnom zámere, elektronizáciu procesov a decentralizáciu výkonných právomocí prostredníctvom zriadenia nových regionálnych úradov s rozšírenými kompetenciami. Autori poukazujú na výhody nového systému (zrýchlenie povoľovania, zjednodušenie administratívy), ale aj na potenciálne riziká (časová tieseň pre obce, riziko právnej neistoty po roku 2032). Zdôrazňujú potrebu zosúladenia územnoplánovacích nástrojov s cieľmi SPP, najmä v oblasti využitia pôdy, ochrany prírody a infraštruktúry, aby sa predišlo konfliktom medzi legislatívou a stratégiou rozvoja vidieka. Cieľom článku bolo okrem iného aj analyzovať výzvy pri implementácii environmentálnych cieľov SPP, ktoré sú často nedostatočne napĺňané v dôsledku slabého dizajnu ekoschémy a nejednotného financovania. Zároveň sa článok venuje porovnaniu rôznych prístupov členských štátov EÚ k implementácii SPP.

Keywords (EN)

Common Agricultural Policy (CAP), spatial planning, construction legislation, reforms, Slovak construction policy

Kľúčové slová (SK)

spoločná poľnohospodárska politika (SPP), územné plánovanie, stavebná legislatíva, reformy, slovenská stavebná politika

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(which had been amended 51 times), as well as other laws adopted in 2022 and 2023 relating to the change in construction legislation (Act No. 201/2022 Coll. on Construction, Act No. 205/2023 Coll. and Act No. 272/2023 Coll.), which aimed to amend regulations affected by the adoption of the Construction Act. However, this Act did not enter into force, as it was repealed by the new Construction Act No. 25/2025 Coll., effective from 1 April 2025. We agree with the assertion that the exercise of construction competence is highly problematic, chaotic, and requires change⁽²⁾.

The Government Programme Declaration of the Slovak Republic for 2023–2027 states that the Construction Act adopted during the previous government was, in its current form as of the effective date 1 April 2025, unenforceable. The application of this legislation was unprepared, not only from a technical and organisational perspective but also in terms of related legislation.

The Slovak Government committed itself, in cooperation with representatives of self-government, to prepare a more extensive revision of the said legislation, aiming to remedy its major shortcomings. Act No. 200/2022 Coll. on Spatial Planning was not repealed by the Slovak Government and entered into force on 1 April 2024, but has already been amended eight times⁽³⁾. The government approved the new Construction Act to ensure a significant acceleration of building placement and permitting procedures.

As the Slovak Republic is a member state of the European Union, in the area of environmental impact assessment, the Slovak Government declared that it will review steps to simplify EIA processes at the national level while maintaining compliance with EU legislation.

Over the past decade, the Common Agricultural Policy (CAP) has undergone a series of reforms aimed at making rural development more strategic, environmentally responsible, and better tailored to local needs. The reform for the period 2023–2027 marked a turning point by merging the two CAP pillars – direct payments and rural development – into a unified strategic framework. This new model introduced performance-based planning and required member states to align their national strategies with EU-wide objectives, particularly in the areas of sustainability and climate action. Importantly, it provided countries with greater flexibility in shaping their own approaches while still adhering to minimum spending thresholds and environmental standards⁽⁴⁾.

The Environmental Impact Assessment Directive (EIA, 2011/92/EU and its amendments) obliges EU member states to assess the environmental impacts of projects before issuing construction and development permits for certain public or private projects (e.g. airports, nuclear facilities, motorways, roads, waste disposal installations, wastewater treatment plants), as well as for urban development projects including shopping centres and parking areas⁽⁵⁾.

The new Construction Act No. 25/2025 Coll., effective from 1 April 2025, introduces several fundamental changes aimed at reducing administrative burdens, with its primary objective being to simplify the entire construction process – from the initial project concept through to final approval.

II Materials and Methods

This article aims to present and evaluate the CAP reform process and its connections with the reform of spatial planning and building procedures in Slovakia, taking into account European Union (EU) legislation and its transposition into Slovak law.

The adoption of the new construction legislation in 2022 brought numerous substantial changes to the fields of spatial planning and building proceedings, representing the most significant overhaul of Slovakia's construction laws in the last fifty years. This article focuses on both the benefits and drawbacks of the new Slovak construction legislation, whose primary intent is to merge spatial planning and building permit procedures into a single process, streamline and accelerate that process, and introduce the digitalization of building procedures.

The article applies an analysis of the legal texts governing spatial planning and the building code that were in force up to the start of the building-code reform in 2022, as well as the new legal regulations currently valid and effective.

We compare the provisions of spatial planning and construction legislation that were in force before the reform with the newly adopted acts intended to simplify and expedite the proceedings on construction intentions. At the same time, we analyse the implementation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment within Slovakia's spatial-planning legislation.

² Slávik et al. (2010).

³ Act No. 200/2022 Coll. on spatial planning as amended.

⁴ Talavera (2023).

⁵ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (codification). (2011).

III. Results and Discussion

3.1 New Spatial Planning in Slovakia

On 27 April 2022, the National Council of SR approved Act No. 200/2022 Coll. on Spatial Planning, which repealed Act No. 50/1976 Coll. on Spatial Planning and Building Regulations in its valid wording and entered into force on 1 April 2024. During the course of the construction law reform, this Act was amended eight times.

This Act defines spatial planning as a set of activities through which the spatial arrangement of the territory is determined and regulated, including the functional use of the territory, ensuring sustainable territorial development. All these activities are carried out under conditions respecting environmental protection, nature and landscape conservation, protection of historical and cultural heritage, public health, national defence and security, as well as economic development, social development, social cohesion and territorial cohesion.

Act No. 200/2022 Coll. on Spatial Planning also implemented Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment.

Until the adoption of this Act, the ecosystem services (ES) concept, which integrates environmental and economic objectives of the landscape planning, has not been considered in any planning tools across scales. Our results indicate that spatial planning and assessment processes in Slovakia based on legislation and regulations for individual sectors are mainly contradictory in some cases, rather than encompassing integrated (landscape) planning procedures⁶.

Pursuant to Sections 6 and 7 of the new Act No. 200/2022 Coll. on Spatial Planning, which is legally interconnected with the new Construction Act No. 25/2025 Coll., the authorities of spatial planning are:

1. The Office for Spatial Planning and Construction of the Slovak Republic (hereinafter referred to as "the Office") is the central state administration authority for spatial planning, construction, and expropriation.
2. Regional Offices for Spatial Planning, Construction, and Expropriation. These offices have been established in each self-governing region of Slovakia – 8 in total – and perform their competencies for legally defined territorial districts of Slovakia – 79 in total.

3. Local self-government authorities:

- a) the municipality,
- b) the self-governing region.

In the territory of military districts, spatial planning activities are ensured by the Ministry of Defence of the Slovak Republic.

The Office, in the field of spatial planning, especially:

- prepares, negotiates, and submits for government approval the draft and concept of the Spatial Development of SR;
- ensures the operation and administration of the newly established information system designated to carry out tasks in the areas of spatial planning, construction, and other public administration activities, and makes data available to the public through its public section;
- at the request of the spatial planning authority, issues a statement on disputes arising during the negotiation of spatial planning documentation;
- reviews binding statements and, if it finds that they were issued contrary to the binding part of the spatial planning documentation, it issues a new binding statement in accordance with the binding part;
- cooperates with the competent environmental impact assessment authority in procedures under the EIA Act when performing the above-mentioned activities.

As previously mentioned, Act No. 200/2022 Coll. on Spatial Planning has been amended several times, and the currently valid and effective wording as of 1 April 2024 also established additional state administration bodies – Regional Offices for Spatial Planning, Construction and Expropriation in each region. From 1 April 2024, spatial planning and construction fall under the responsibility of these newly established regional offices (eight in total), with the Office as their superior. This expanded the Slovak public administration structure, as these regional offices assumed competencies previously held by district offices seated in regional capitals.

According to the Directive of the Ministry of the Interior of the Slovak Republic dated 25 March 2024, amending Directive No. 14/2018 of the Ministry of the Interior as amended, construction and housing policy departments of district offices were abolished and replaced with housing policy departments with their own competences established in the new regional offices. From 1 April 2024, the spatial planning portal operated under the Office began functioning, and from 2025, it will expand to include the construction sector. All relevant parties will have

⁶ Bezák et al. (2017).

access to the system according to their competencies and needs.⁽⁷⁾

This development continues with the process of digitalisation, as the Office plans to implement a digital representation of the territory and digital spatial plans of all cities and municipalities by 2032.

Self-governing regional authorities approve the Concept of Regional Spatial Development for their respective regions, while municipalities approve their own municipal spatial plans, the assignment and draft of zoning plans for specific zones.

The municipality or city, as a self-governing body, is the fundamental spatial planning authority in the area where a construction project is to be implemented – this municipality issues the binding opinion (§11 of Act No. 200/2022 Coll.) on the compliance of the project with the municipal spatial plan. If the municipality does not have a spatial plan, or the city has a special status (e.g. Bratislava, Košice), the competent authority may be the self-governing region or city magistrate.

The municipality, in agreement with the self-governing region, procures and ensures up-to-date spatial planning documentation for the preparation of a micro-regional spatial plan and ensures consistency between the zone plan and the municipal spatial plan. The municipality is also responsible for ensuring compliance between the municipal spatial plan and the regional spatial development concept.

The municipal spatial plan is a planning document of the municipality's territory in line with the Spatial Development Concept of the Slovak Republic and the Spatial Development Concept of the region. The municipality is obliged to have a municipal spatial plan. If two or more municipalities agree, they may share a joint spatial plan.

Before the adoption of Act No. 200/2022 Coll. on Spatial Planning, municipalities were not obliged to have a spatial plan⁽⁸⁾:

The Slovak planning system comprises four types of land-use plans at the national, regional, and local levels. Plans at the national and regional levels outline the spatial organisation of their respective territories. At the level of the municipality, there are the local land-use plans, which provide a comprehensive view of the territory and are more detailed in defining land uses within each planning zone. These local plans carry significant legal authority and function as local law. The Slovak planning system also recognises zonal land-use plans. These are not obliged and prepared, if needed, within municipalities, mostly in larger cities, in a delineated area that is about to be developed.

3.2 New Construction Legislation in Slovakia

Pursuant to Section 12 of the new Construction Act No. 25/2025 Coll.⁽⁹⁾, effective from 1 April 2025, the public administration authorities in the area of construction are:

- the Office for Spatial Planning and Construction of the Slovak Republic (the Office);
- regional offices established by Act No. 200/2022 Coll. on Spatial Planning, effective from 1 April 2024;
- building offices;
- specialised building offices.

The Office and regional offices (established for territorial jurisdictions within Slovak regions) are identical in terms of institutional structure under both acts, but they have different competences for:

- spatial planning under Act No. 200/2022 Coll.;
- construction proceedings (proceedings on a construction intention) under Act No. 25/2025 Coll.

In construction proceedings, the Office has the following main competencies:

- decides on regular and extraordinary legal remedies submitted against decisions of the regional offices;
- determines which building office is competent to perform actions in place of an inactive building office (inactive for at least 90 days);
- resolves, in agreement with relevant central administrative bodies, conflicts in proceedings that could not be settled by agreement between the affected authorities;
- handles complaints submitted against the activity of regional offices.

Regional offices established under Act No. 200/2022 Coll. on Spatial Planning, effective from 1 April 2024:

- serve as appellate bodies for decisions of building offices;
- record data in the construction register;
- handle complaints against building offices.

According to Section 15 of Act No. 25/2025 Coll., the building office is the municipality. The expected transfer of construction competencies from municipalities (as self-government bodies) to state authorities did not occur, despite this being proposed during the legislative consultation phase. The new Construction Act introduced a new system of a single integrated procedure – it merges spatial and building procedures into one, simplifies and accelerates processes, and introduces digitalisation.

⁷ Marišová et al. (2023).

⁸ Pissourios et al. (2025).

⁹ Act No.25/2025 Coll. on constructions as amended.

Digital building permits, while a step towards streamlining the process, introduce new complexities that demand a workforce equipped with both technical know-how and a deep understanding of sustainable development principles⁽¹⁰⁾.

Perhaps the most fundamental change is the abolition of the two-part spatial and building procedure and the introduction of a single integrated procedure, namely, the proceeding on a construction intention. Merging these two procedures is expected to prevent unnecessary delays.

In the new Construction Act⁽¹¹⁾, Section 15(5) introduced major changes to the competences of building offices. The building office shall, in particular:

- a) issue decisions on construction intentions;
- b) process notifications;
- c) verify building project documentation;
- d) issue occupancy certificates and verify as-built documentation;
- e) record data in the construction register;
- f) cooperate with municipal police and municipalities in monitoring construction activities and the technical condition of buildings in the municipality.

The new Construction Act removed from the competences of building offices the handling of construction offences and the imposition of penalties for administrative delicts in construction – these competences, pursuant to Section 14(2) of the new Act, fall under regional offices, which also serve as construction inspectorates. The construction inspection body was abolished; its powers in the area of state construction supervision were transferred to the regional offices (Section 85 of Act No. 25/2025 Coll.).

General principles of construction are established in Section 18 as follows: for each construction, modification of a completed construction, demolition, and construction alterations on a building or land plot, a decision on the construction intention is required. A notification to the building office is required only for small constructions. A decision or notification is not required for maintenance works.

The new legal regulation also directly affects participants in the proceedings. A fundamental change in this regard is the narrowing of the circle of participants. Under the new Construction Act, not everyone who claims that their rights may be directly affected by the decision may participate in the proceedings, as was the case under the previous legal framework.

Participants in the construction intention proceedings under Section 49 of Act No. 25/2025 Coll. are defined as:

- a) the developer;
- b) the owner of the building, the land on which the construction is to take place, or any person who has other rights to the building or land if they are not the developer;
- c) the owner of a neighbouring building or land, if their ownership or other rights may be directly affected by the decision on the construction intention.

The new Construction Act eliminates shortcomings of the former Construction Act (Act No. 50/1976 Coll.) and of the Construction Act (No. 201/2022 Coll.), which was due to take effect on 1 April 2025, but was not legislatively or technically prepared. It is also expected that the new legislation will shorten the unfavourably long duration of construction permitting procedures in Slovakia, as confirmed by the OECD⁽¹²⁾. It takes on average 300 days to issue a construction permit, versus 152 days in the average OECD country. The average waiting time for a building permit in OECD countries is 152 days.

As seen in Fig. 1, when comparing the timeframes for issuing building permits in other EU countries, such as the Czech Republic, Italy, and Finland, it is clear that these countries have shorter permitting durations than Slovakia⁽¹³⁾. The fastest procedure is in Finland – 65 days, followed by Italy – 189.5 days, the Czech Republic – 46 days, whereas Slovakia has the longest duration – 300 days.

Investigation into the building permit processes across 17 European countries reveals significant variability⁽¹⁴⁾. By identifying the differences and similarities within the current building permit processes, the necessity for streamlined and aligned procedures is emphasized, potentially achievable through regulatory reforms and technological advancements.

The interconnections between the new spatial and construction procedures and the reform of the Common Agricultural Policy for the period 2023–2027 are significant⁽¹⁵⁾.

The CAP reform introduces integrated rural development planning that combines agricultural production, biodiversity, climate measures, and infrastructure. The new Construction Act sets spatial regulations defining where construction is permissible – including for agricultural buildings,

¹⁰ Wildenauera et al. (2024).

¹¹ Act No. 25/2025 Coll. on constructions as amended.

¹² OECD Economic Surveys: Slovak Republic (2024).

¹³ World Bank Doing Business (2020).

¹⁴ Fauth et al. (2024).

¹⁵ The Common Agricultural Policy: 2023–27 (2023).

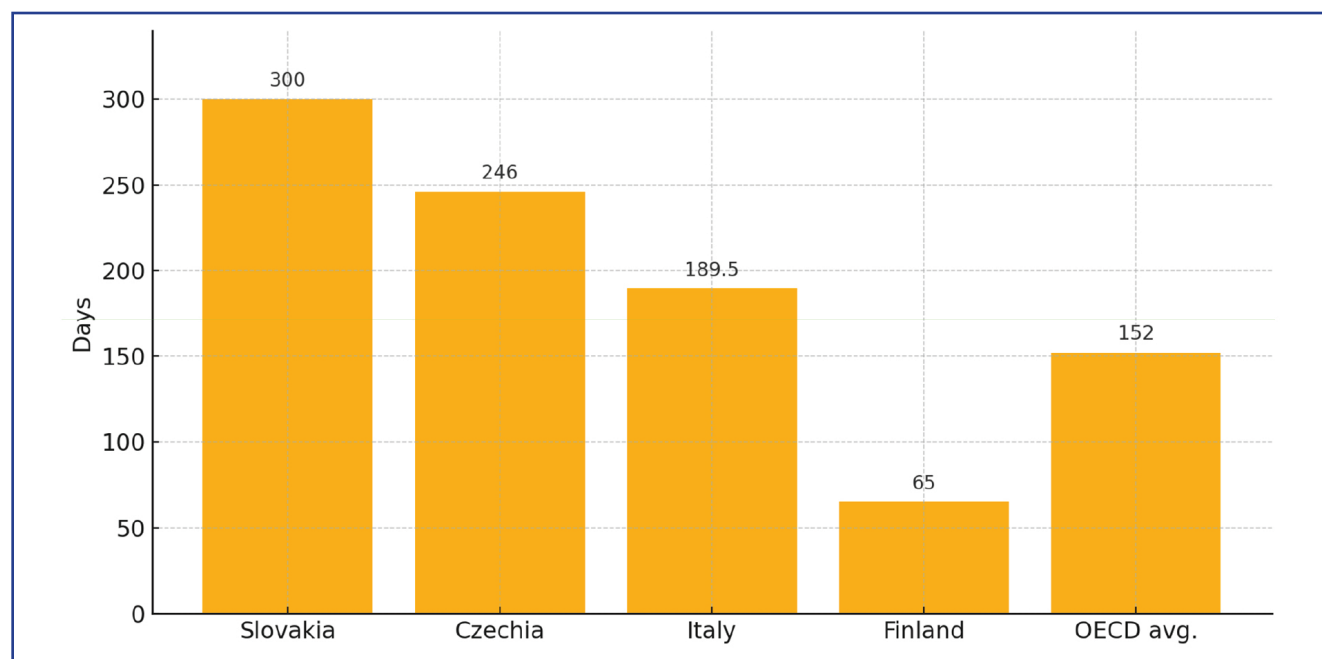


Figure 1 Time of Construction permits

Source: own calculation based on World Bank Doing Business, 2020

wind farms, ecological corridors, farmyards, etc. Conflicts may arise if spatial plans are not aligned with CAP objectives (e.g., nature protection, afforestation, biodiversity), and projects supported by the CAP may face territorial or permitting restrictions. The CAP reform supports targeted investments in less developed or environmentally sensitive areas (e.g., NATURA 2000, submontane regions). Under the new Construction Act, Slovak municipalities define where construction is permissible – if the spatial plan does not reflect or limit these areas, projects may be blocked.

However, despite the CAP's environmental ambitions, implementation often falls short due to poorly designed eco-schemes and inconsistent funding, which may further complicate alignment with national spatial planning goals⁽¹⁶⁾.

Strategic plans and new systemic solutions provide a good starting point to meet the specific needs of EU farmers and rural communities by utilising the CAP measures and tools established in the strategic framework⁽¹⁷⁾.

3.3 Benefits of the New Spatial Planning and Construction Legislation

Based on the analysis of the new legal regulations in the field of spatial planning and construction proceedings, as outlined in Sections 1 and 2 of this

article, we identify the following benefits of the spatial planning and construction legislation:

- the introduction of a single integrated procedure, which replaces the former two-step process of spatial and construction proceedings;
- under the new spatial planning and construction legislation, the discussion of the construction intention becomes the initial stage, during which a binding opinion from the spatial planning authority is also obtained;
- this approach accelerates and unifies the permitting process – that is, the coordination and collection of opinions takes place within one coordinated procedure, which forms the preparatory phase for the permitting process.

Such integration ensures that the construction is in line with the spatial plan before the actual construction proceeding begins, which can be seen as a preventive measure against unnecessary delays in the procedure on the construction intention.

Before initiating the proceeding, a so-called preparatory phase is required. This includes:

- making the project documentation available in the information system;
- submitting a request to the municipality (municipal office) pursuant to Section 20(1) of Act No. 200/2022 Coll. for the issuance of a binding opinion on whether the construction intention complies with the spatial planning documentation;

¹⁶ Cuadros-Casanova et al. (2023).

¹⁷ Nikolić et al. (2025).

- issuing of a binding opinion by the relevant authority, which is obliged to issue such an opinion within its scope of competence;
- preparing a Report on the Discussion of the Construction Intention, which summarises the binding opinions and statements of the relevant authorities (including the spatial planning authority).

The developer or the designer authorised by them submits a request to the municipality for the issuance of a binding opinion on the compliance of the construction intention with the spatial planning documentation. Until 31 March 2029, any person may submit such a request in paper form. After this date, individuals will still be able to submit documents in paper form, but legal entities will be required to use electronic means exclusively.

The Report on the Discussion of the Construction Intention is prepared by the developer or an authorised designer, in which all submitted opinions and statements are evaluated, including the name of the authority or entity that issued the comment and the method by which the comment was addressed. The report must include all supporting documents obtained.

According to Section 26 of Act No. 25/2025 Coll., the Report on the Discussion of the Construction Intention, together with the construction intention, serves as the basis for proceedings on the construction intention before the building office (municipality).

Construction may be carried out only in accordance with the binding part of the spatial planning documentation and with the interests protected by special regulations, as expressed through binding opinions issued by the relevant authorities.

The relevant authority is a public administration body – either an administrative or central government authority – that protects interests under a specific regulation and is designated as a relevant authority if such interest may be affected by the proposed construction, change to an existing building, or demolition. The Office maintains a list of relevant authorities within the information system.

The deadline for the relevant legal person to issue a binding opinion is 30 days from the date of delivery of the request; for complex constructions, this deadline may be extended to a maximum of 60 days. If the relevant legal person fails to issue a binding opinion within the deadline, it is presumed that it has no objections or justified requirements to be incorporated into the project documentation.

The administrative authority shall order an oral hearing if the Report on the Discussion of the Construction Intention indicates that, in the course of evaluating the conditions and requirements from

the binding opinions and statements of the relevant authorities, the developer and designer have not accepted the proposed conditions or requirements due to their inconsistency.

According to Section 54 of the new Construction Act, if binding opinions are mutually contradictory, the administrative authority shall lead the relevant authorities to resolve the conflict by mutual agreement. If the contradiction is not resolved through agreement at the oral hearing, the administrative authority shall request resolution from the Office. The Office shall decide on the conflict, in agreement with the relevant central state administration bodies and territorial self-governments, within 30 days from receipt of their opinions.

The standard deadline for issuing a building permit under the new Construction Act No. 25/2025 Coll. is 30 days from the date of submission of a complete application.

The new Construction Act introduces several important organisational changes affecting the jurisdiction of building authorities, as well as changes that will significantly impact the participants in the proceedings. As previously stated, the first-instance building authority remains the municipality, while the appeal body for decisions of the building authority is the Regional Office for Spatial Planning and Construction.

Under the new Construction Act, the first-instance building office shall either:

- reject the application, or
- approve the construction intention by decision.

The decision on the construction intention is valid:

- for two years from the date it becomes final,
- for three years for linear or designated structures,
- for one year for informational or modular structures.

The right to appeal⁽¹⁸⁾ against the decision on the construction intention belongs to participants in the proceedings, excluding the developer – i.e., another participant. This new provision of the Construction Act excludes the application of the Administrative Procedure Code⁽¹⁹⁾. As previously mentioned, another participant (under Section 49 of the new Construction Act – the owner of the building or land on which the construction is to take place, or someone with rights to the property, or the owner of a neighbouring property whose rights may be directly affected) may object to the contents of the binding opinion by filing an appeal against the decision on the construction

¹⁸ Act No. 25/2025 Coll. on constructions as amended.

¹⁹ Act No. 71/1967 Coll. on Administrative Procedure as amended.

intention. The appeal is decided, as mentioned above, by the competent regional office acting as a second-instance body.

The regional office also acts as the first-instance administrative authority in specific construction cases, particularly in:

- construction in a protected area covering multiple municipalities;
- construction relevant to national defence, civil protection or public safety;
- construction near borders or affecting the border area;
- other specific types of construction as defined by implementing regulations or as decided by the Office for Spatial Planning and Construction of the Slovak Republic;
- a construction intention located in one municipality but affecting a broader area (e.g., multiple cadastral territories).

According to Section 84 of the new Construction Act, the second-instance administrative authority competent to decide on remedies against decisions of a regional office is the Office.

The new Construction Act also introduces changes regarding illegal constructions. After the new law comes into force, it will no longer be possible to legalize structures that were built without a valid permit. The law also establishes a transitional regime for unauthorised constructions completed before the law entered into force, allowing for their legalisation or removal within a specified period. Responsibility for illegal construction will also extend to developers, construction supervisors, and building managers.

The transitional provisions of the new Construction Act regulate the use of “previous legal regulations”, in the wording effective until 31 March 2025, to apply to proceedings initiated before this date. This also includes the legalization of unauthorised constructions that were built without a permit before 1 April 2025.

3.4 Drawbacks of the New Spatial Planning and Construction Legislation

In our analysis of the new legislation, which introduced new procedures to simplify and speed up the process by integrating spatial and construction proceedings into a single framework, as well as by digitalising construction permitting, we have identified several shortcomings of the new spatial and construction legislation, particularly in the following areas:

- Introduction of short decision-making deadlines (e.g., 45 days for simple constructions according to Section 31 of Act No. 200/2022 Coll.) may

overburden municipalities and regional offices, which often lack sufficient capacity to meet these time limits.

- Ambiguities and complexity of regulations: The provision of detailed regulations, including new definitions, may lead to uncertainty in interpretation, requiring the precise development of methodological guidelines.
- Risk of invalidation of spatial plans: Municipalities are obliged to approve new spatial plans by 31 March 2032; otherwise, their binding nature will lapse, and permitting procedures will be limited to recommendations, which may cause legal uncertainty.
- Merging spatial and construction procedures into a single process may streamline administration, but at the same time reduces the time available for expert assessment, potentially compromising the quality of decision-making procedure.
- Digitalisation and preparedness of authorities: The introduction of electronic systems without adequately prepared portals and processes may result in deadline confusion and chaos (the Association of Towns and Municipalities of Slovakia warns of possible systemic failures starting from 1 April 2025).
- Limited possibilities for legalising “black” (unauthorised) constructions: From April 2025, it will no longer be possible to legalise unauthorised buildings retroactively – this approach may lead to an increased number of demolitions, which is causing controversy.

IV Conclusions

National interpretations of the Common Agricultural Policy (CAP) vary significantly across the EU and often reflect local political and administrative priorities rather than EU-level ecological narratives⁽²⁰⁾.

The interconnections between the new spatial and construction permitting procedures and the reform of the CAP for the period 2023–2027 are significant.

In Italy, the CAP for 2023–2027 was implemented through 21 separate regional strategies. A recent analysis categorised these into three main approaches: one strongly focused on environmental objectives, another prioritising structural investment, and a third aiming for balanced resource distribution⁽²¹⁾. This demonstrates a decentralised model in Italy. In contrast, Slovakia applies a centralised model: it has a single national CAP strategic plan that is differentiated only by territorial or

²⁰ Rac et al. (2024).

²¹ Piras et al. (2024).

agricultural management type, rather than by regional strategies⁽²²⁾. Spatial planning should therefore be aligned with the priorities of the CAP Strategic Plan; otherwise, discrepancies will arise between legislation and rural development strategies.

Changes in spatial planning in the Slovak Republic may threaten the CAP's objectives in the areas of soil protection, biodiversity, and carbon neutrality if extensive land take of high-quality agricultural land for construction occurs.

The new Construction Act introduces changes that will affect all participants in the proceedings on construction intentions. This act simplifies and accelerates procedures, introduces digitalisation, and integrates spatial and construction proceedings into a single framework. However, the true effects of the new legal regulation will only become clear in practice.

Acknowledgements

The present article was prepared with the support of the project APVV-20-0076 entitled "Waste and Construction - Modelling the Effectiveness of Alternative Options for Cooperation between Administrative Authorities".

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