



## SEGURO DECENAL

### WHO is intended to be protected by this insurance?

The Seguro Decenal became legally obligatory in May 2000 and is a 10-year warranty intended to protect later owners of a construction. Those involved in the construction process are liable towards the owner of the construction for faults and defects. As many smaller companies have weak capital bases this insurance was made obligatory. A construction is therefore not legalized by the authorities unless the Seguro Decenal was contracted prior to the construction start. Constructions to be lived in by the promoters themselves are exempt.

### WHO can be held liable?

- Architects, construction companies, technicians and anybody involved in the construction process.
- After completion of the construction process any seller of the construction.

### WHAT forms of warranties are available?

- The injured party may demand the removal of faults as well as financial compensation.
- The building owner may demand compensation for consequential damages such as alternative accommodation.
- Constructors may not be liable in the event of force majeure or if the faults result from wrongful behaviour by the building owner or a third party.
- Do faults manifest themselves during the construction process the building owner may demand immediate correction.

### Which types of defects are to be insured?

The Seguro Decenal addresses only significant defects which affect the safety of the construction. Minor issues continue to be dealt with by the building owner and those he deems to be responsible.

### WHAT documents is the insurer likely to require?

- A technical and geological survey by independent experts – DO'OCT plus the „informe geotecnico“.
- Copy of the contract between the principal (promotor) and the independent experts (DO'OCT).
- Copies of the complete construction plans (Projecto de Ejecucion) incl. all specification (Memoria de Obra).

The OC'OCT - experts will supervise the entire construction process.

### HOW high are the additional costs?

A third of the premium is due upon the start of the construction process and the remainder upon completion.