



Berlin - Design for all

Accessible Public Buildings

Overview on legal regulations on accessible public buildings in Berlin

Social Legislation	Building Regulations	Buildings
Basic Law for the Federal Republic of Germany Article 3 para. 3, 1994	Building Regulations for Berlin (BauOBl), 2005	Regulation on the Use of Physical Structures (Operating Regulation – BetrVO), 2007
Constitution of Berlin, Article 11, 1995	List of Technical Building Regulations (AV LTB), 2012	Restaurant Licensing Act (GastG), 2007
State Equal Rights Act (LGBG), 1999	Technical Codes	Restaurant Regulations (GastV), 2005
Equal Treatment for People with Disabilities Act (BGG), 2002	Accessible public buildings DIN 18040 Part 1 2010	Implementing Regulation on Article 50 of the BauOBl on Parking Spaces (AV Stellplätze), 2007
General Equal Treatment Act (AGG), 2006	Residential Buildings DIN 18040 Part 2 2011	
UN Convention on the Rights of Persons with Disabilities (CRPD), 2009	Streets, squares, paths, public traffic and transport facilities, green spaces and playgrounds DIN 18024 Part 1 1998	
Social right to equal function, aesthetics and sustainability		
Manual <i>Berlin-Design for all: Accessible Public Buildings</i> , 2012		
Manual <i>Berlin-Design for all: Public Outdoor Space</i> , 2011		
Circular SenStadt VI A Nr. 03/2010		
Circular SenStadt VI A Nr. 03/2011 (Public outdoor space)		

Legal sources for regulations on accessible public buildings in Berlin

Social Legislation	Construction Regulations
Basic Law for the Federal Republic of Germany, Article 3 para. 3 *1), May 1949 as last amended on 21 July 2010, BGBl. I p. 944 Ban on discrimination against people with disabilities (in accordance with BGBl. I p. 3146, 15 November 1994)	Building Regulations for Berlin (BauOBln) *3) September 2005 in particular Articles 39, 50 and 51 as last amended on 29 June 2011, GVBl. p. 315
Constitution of Berlin, Article 11, November 1995	List of Technical Building Regulations (AV LTB) *3) Mai 2012 OJ p. 986
State Equal Rights Act (LGBG)*1) Law on Article 11 of the Constitution of Berlin Mai 1999 GVBl. p. 178 and modifications Creation of equal living conditions for people with and without disability	Technical Codes Accessible public buildings *4) DIN 18040 Part 1, 2010-10 (replaces DIN 18024 Part 2, 1996-11)
Equal Treatment for People with Disabilities Act (BGG) *1), April 2002 BGBl. I p. 1467, 1468 and modifications Ban on discrimination against people with disabilities	Residential Buildings DIN 18040 Part 2, 2011-09 (replaces DIN 18025 Part 1, 1992-12 and DIN 18025 Part 2, 1996-12)
General Equal Treatment Act (AGG) August 2006 Anti-discrimination law BGBl. I p. 1897 and modifications	Streets, squares, paths, public traffic and transport facilities, green spaces and playgrounds DIN 18024 Part 1, 1998-01
UN Convention on the Rights of Persons with Disabilities (CRPD), *2) Ratified by Germany on 1 January 2009 United Nations Convention on the Rights of Persons with Disabilities	
Social right to equal function, aesthetics and sustainability	
<i>Berlin- Design For All: Accessible Public Buildings</i> (Manual), Berlin Senate Department for Urban Development 2012 (updated)	
<i>Berlin-Design For All: Public Outdoor Space</i> (Manual), Berlin Senate Department for Urban Development November 2011	
CIRCULAR SenStadt VI A Nr. 03/2010 *3) General Directive for planning and realisation of construction work in Berlin – Construction Directive (Abau), Barrier-free construction	
CIRCULAR SenStadt VI A Nr. 03/2011 *3) General Directive for planning and realisation of construction work in Berlin – Construction Directive (Abau), Barrier-free construction – Public outdoor space	

Buildings
Regulation on the Use of Physical Structures (Operating Regulation – BetrVO) *5) Oktober 2007 as last amended on 18 June 2010, GVBl. p. 349
Restaurant Licensing Act (GastG) November 1998 as last amended on 7 September 2007, BGBl.I. p. 2246
Restaurant Regulations (GastV) Dezember 2005 as last amended on 14. December 2005, GVBl. p. 754
Rundschreiben II E Nr. 4/2006 Barrier-free access in restaurants
Implementing Regulation on Article 50 of the BauOBln on Parking Spaces (AV Stellplätze), Dezember 2007 OJ p. 3398

*1) Section I, 3.1

*2) Section I, 3.1

Law on the United Nations Convention on the Rights of Persons with Disabilities from 13 December 2006 on the rights of people with disabilities, German ratification, 2009
Purpose of the present Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.

*3) Section I, 3.2

Building Regulations for Berlin (BauOBln)
*The Building Regulations for Berlin, in particular Article 51, establish the foundations for barrier-free construction requirements. **Regulations for public outdoor spaces should be applied to the grounds surrounding of the building**

*Note: the brochure *Informationsbroschüre zur Bauordnung* published by the Berlin Senate Department for Urban Development and the Environment provides an overview of building law under the terms of the Building Regulations for Berlin.

*The BauOBln applies for all Berlin construction work and regulates minimum standards; however, it does not establish quality standards.

*The **List of Technical Building Regulations (AV LTB)** applies to the building permit process (BauOBln Article 3 para. 3). The regulations entered on this list are considered legally binding.

*Beyond the standard building codes, public building projects in Berlin are subject to the additional quality standards outlined in this manual, *Berlin-Design for all: Accessible Public Buildings*.

*These standards are legally binding for Berlin state building projects as stipulated in the Circular SenStadt VI A No. 03/2010 - Construction Directive (ABau)

For all other publicly accessible buildings that are in private ownership, the use of this manual is strongly recommended in light of current social policy goals (State Equal Rights Act)

*4) Section I, 3.3

*5) Section I, 3.3

The Regulations on the Use of Physical Structures (Operating Regulations - BetrVO) contains numerous regulations relevant to barrier-free construction. A few sections are of particular importance:
Part I: Article 1 Publicly accessible structural works
Part IV: Paragraph 2: Hotels and accommodations; Articles 16,17
Paragraph 3: Garages; Article 21
Paragraph 4: Places of public assembly; Article 26
Part V: Article 40 Administrative offences