

# Thoughts on Perfecting Building Regulations in Construction Market

Hongli Wang

Liaoning Jianzhu Vocational College, Liaoyang, Liaoning, 111000, China

**Keywords:** Construction Market; Construction Regulations; Construction Law; Improvement

**Abstract:** The "Building Law of the People's Republic of China" has been promulgated for more than 20 years and has made outstanding contributions to the healthy and sustainable development of the construction industry, one of the pillars of China's secondary industry. During this period, a series of building laws and regulations appeared one after another. To a certain extent, these laws and regulations have played a certain role in the maintenance of the order of the construction market and the supervision of the quality and safety of construction. However, the building regulations have changed in varying degrees in terms of guidance and adaptability. Under the new situation, the construction industry is becoming more and more international. The problems hidden in China's building regulations are gradually emerging, and the improvement of China's existing building laws and regulations has become the trend of the times. Based on the above reasons, the author explored the improvement of China's building regulations. The paper mainly includes the meaning and function of building regulations, the status quo of building regulations in the construction market, and proposes relevant improvement measures.

## 1. Introduction

Before the promulgation of the Architectural Law of the People's Republic of China, China's construction industry could be described as a cluster of disorderly phenomena. The order of the construction market is very chaotic, and the accidents of the safety and quality of the buildings can not be reduced all the time. Since the implementation of the Construction Law, this phenomenon has been contained, and the construction industry has entered a stage of legal compliance. Orderly competition in the construction market was formed, the safety and quality of the building was guaranteed, and the legitimate interests of the construction subject were extended.

In recent years, under the impetus of the domestic situation, China's laws, regulations and policies have been improved and developed. This has promoted and supported the progress of building laws and regulations to a certain extent, and the building regulations have been continuously improved and improved. The promulgation and implementation of Several Opinions on Accelerating Construction Reform and Development (2005) has made the development and reform objectives of the construction industry clearer and concrete measures to achieve them. However, it has not fundamentally changed the challenges and severity of the problems faced by the building regulations.

In addition, the development of economic globalization is gradually accelerating. The challenges facing both China's society and its economy are enormous and unprecedented. At this time, building laws and regulations are required to help China's society and economy.

## 2. The meaning and function of building regulations

### 2.1 The meaning of building codes

Building regulations are formulated by state power organs or administrative agencies authorized by state power organs. The general term for laws and regulations used to construct the adjustment of the relationship between the state, social organizations, enterprises and institutions, functional departments, and citizens in administrative management or construction activities. Construction laws and regulations cover engineering professional qualification, engineering construction procedure, engineering contracting and contracting, engineering construction professional

qualification, engineering construction supervision, engineering investigation and design, construction contract management and engineering construction safety production and other related contents ["Ten Years of Storm and Storm in Water Law-Investigation Report on the Implementation of Water Law of the People's Republic of China in Shaanxi Province": Shaanxi Province Year of West Water Conservancy: 2012 Author: Xu Hao]. ]. There are many building laws and regulations in our country, which can be divided into the following three types according to the formulating organs and legal efficiency:

One is to build laws. It is formulated and promulgated by the National People's Congress and its Standing Committee. Construction law is not only the foundation but also the core in the system of building laws and regulations. It has the highest legal effect and status and belongs to the top-level law. For example, "People's Republic of China Construction Law", "People's Republic of China Bidding" and ["Status of Construction Management and Control Measures" Library: "technology rich Wizard" Year: 2014 Author: Yuan Haiwang].

The second is to build administrative regulations. It was enacted and promulgated by the heads of the State Council and the State Council's construction administrative department. The effectiveness and legal status of construction administrative regulations is lower than construction laws.

The third is to build regulations and regulations. It is formulated and issued by the province, municipality or autonomous region under the framework of the Constitution, laws and administrative regulations. For example, the "Regulations on Environmental Protection Management of Guangdong Construction Projects".

## **2.2 The role of construction regulations**

The construction industry is closely related to the lives and property of the people. Once quality or safety occurs, it will cause irreparable economic losses and social impact. The construction industry needs more systematic, sound, and scientific laws and regulations to regulate. The main performance is as follows:

### **2.3 Maintain normal order in the construction market**

From the perspective of China's current construction market, the bidding, bidding and bidding management of construction projects have been significantly strengthened. The public bidding for construction projects has been promoted everywhere, and both the project bidding rate and the bidding level have been greatly improved. The vast number of prefecture-level cities in the country have been initially established and regulated. The project construction transaction service center was established in the city one by one, and initially realized a one-stop and one-stop service for construction declaration and approval. The management of market access has been strengthened, and the examination of the qualifications of construction workers and construction enterprises has become more institutionalized and legalized. In some areas, the "three-trial system" for the qualification of construction enterprises and the party's avoidance system have been implemented. In accordance with the law, supervision units, survey and design units and construction units that do not meet the requirements of new qualifications shall be cleaned up. The professional level of construction enterprises and the quality of construction team have made great progress. At the same time, the structure of construction enterprises has been improved, and the violation of laws and regulations and disciplines has been significantly curbed. All these achievements are difficult to achieve without the promulgation and implementation of building regulations.

### **2.4 Improve building safety and engineering quality**

The administrative departments of construction at all levels make full use of the current construction laws and regulations to strengthen the supervision and management of the quality of construction projects. Promote the further clarification of the quality responsibilities of various building entities in the control work, and further strengthen the management of the engineering construction procedures. For example, in some areas, the development of large-scale public utilities projects and key projects in residential areas has been generally implemented. The side-by-side

supervision of key construction processes and key parts of the building was implemented. The system of acceptance and record keeping for group acceptance of projects has been implemented, and the examination of record materials has been more stringent. Supervisory work will also closely link the quality of the project with the quality responsibility of the main body of the construction market. The inspection and inspection of project quality have been strengthened, and related problems can be found and dealt with in time ["Research on the Social Dissipative Cost Analysis and Economic Benefit of Project Tendering and Bidding": Master's Degree Thesis of Hunan University, 2006: Author: Gong Liangying]. Construction quality reporting system has been established in most provinces, and telephone calls have been published to accept social supervision of construction safety and quality. Generally speaking, the construction quality of our country is developing in a good way.

## **2.5 Rectify the order of the construction market and punish violations of building laws and regulations**

Procuratorates, courts, and administrative departments at all levels of government have made full use of construction laws and regulations to crack down on violations of laws and regulations in the construction field. The legitimate rights and interests of the parties have been extended. Construction laws and regulations have made the level of legalization of China's construction industry more and more high. The quality of "Sangong" has generally increased, and the construction market has become more standardized. The safety production situation is becoming more and more optimistic, and the development of the construction industry is entering the fast lane. The development of the construction industry not only makes the appearance of the city more beautiful, but also improves people's living standard. At the same time, it has played an active role in promoting social employment and solving the way out for rural surplus labor force. It further promotes social progress and economic development. The contribution of building laws and regulations to the achievement of these achievements is tremendous.

## **3. Current status of building market construction regulations**

Although China's building regulations play an important role in regulating market order and ensuring project quality. But we should be soberly aware that there are still many problems in our building regulations. Need to be more complete, scientific and reasonable.

### **3.1 Systemic deficiency**

One of the most obvious defects of China's building laws is the lack of systematicness, especially in the limitations of building laws and regulations and the incompleteness of the relevant scope. The scope of construction activities is limited, which makes it difficult to apply existing building laws and regulations at some levels of the construction industry. The integrity of the building code was broken and the flaws were naturally exposed. Therefore, there are divisions and limitations in the management of building regulations.

At the same time, the systematic lack of and lack of building regulations is also manifested in varying degrees. If we look at the specific terms alone, China's building regulations have reached a relatively complete level. However, there is a lack of systemicity and connectivity between the terms. It is difficult to integrate these provisions into a sound and complete system. In this way, the phenomenon of self-governing is unavoidable. Because of the lack of links between links, the lack of coordination of building regulations in some regulatory activities is even more prominent.

### **3.2 Institutional deficiency**

The lack of institutional imperfections is also very obvious. The institutional absence of prescriptive institutions frequently occurs in the daily supervision of construction activities. At the same time, it is also very obvious in the concrete implementation of construction projects. If this problem has not been resolved for a long time, it will also affect the development trend and development prospects of China's construction industry internationalization to a certain extent. In

addition, the lack of legal system protection is also a problem in China's construction industry. Especially for those working at the bottom of the construction industry, even basic rights are difficult to be guaranteed. This has greatly reduced the attractiveness of the construction industry, which has a huge impact on the construction industry.

### **3.3 Weak Execution**

The construction industry is an integral part of the General Agreement on International Trade. If we compare China's building regulations with the legal system of the World Trade Organization, we will find the incompleteness and imperfection of China's building regulations. And outstanding performance in the implementation of building regulations is not strong. China's law and economic integration with the world has already begun since China's accession to the WTO. In this process, China has also come into contact with the more representative building regulations of the United States, Russia and other countries. In the process of contact, it is found that although there are still shortcomings and defects in the construction laws and regulations system of the above-mentioned countries. However, the systematizations, rapidity, thoroughness of its implementation and the perfection of the system are obviously superior to those of our country, which is worthy of our reference. Over the past ten years since China's entry into WTO, the phenomenon of insufficient enforcement of China's building laws and regulations has not been eliminated, but is more obvious. The main reasons are as follows: Firstly, in the past ten years, although the building laws and regulations of our country have been constantly revised and perfected, there is still a long way to go before they are completely perfected and innovated in the real sense. On the other hand, the international development situation is changing rapidly. It is difficult for the reform and improvement of architectural law to keep up with the pace of change. The old shortcomings and shortcomings have been solved, and new shortcomings and shortcomings soon appear.

## **4. Improvement of building regulations in the construction market**

Based on the above analysis, the author proposes the following suggestions for the improvement of building codes in the construction market.

### **4.1 Broaden adjustment and improve the system**

Accelerate the process of integrating China's building regulations with international regulations. Promote the improvement of the overall structure of China's building regulations and the expansion of the scope of norms. Eliminate the limitations of building regulations in different areas and geographies as early as possible. Gradually realize the integrity, coordination and integrity of China's building laws and regulations, so that the provisions of the building laws and regulations are closely related. In the mode and structure, the construction laws and regulations of our country are fundamentally adjusted and transformed. Let building laws and regulations play a more perfect coordinating and guiding role in the construction industry and even in the social and economic fields.

### **4.2 Strengthening the system**

At the national level, more attention should be paid to the legislation of building laws and regulations, and the corresponding provisions of building regulations should be continuously improved and improved. Make it more compatible with China's development trend and development prospects of the construction market, consistent with the development trend of the international political economy and the reform direction of the construction industry. By going to the shackles, China's building regulations system is more perfect. To meet the requirements of the development of the times and the construction industry to the greatest extent. Based on this, the construction industry should quickly solve the problem of system deficiency under the coordination of the government. To formulate a more comprehensive and perfect supervision system and security system to help the development of China's construction industry.

### **4.3 Widen vision and connect with international standards**

The integration of the world economy is gradually advancing, and foreign construction companies are beginning to stay in the Chinese construction market. They bring advanced building technology, building technology and management models. At the same time, it also brings a big impact to China's construction industry. Therefore, the perfection of building laws and regulations should not only be applied to the construction market of our country, but also to the world. Considering from the legal framework and system of WTO, especially in the enforcement of building laws and regulations, we should draw more lessons from the developed countries in the world. Let our country's building laws and regulations not only conform to our national conditions, but also gradually integrate with the world.

### **5. Conclusion**

With the progress of the times, the market-oriented transaction, the internationalization of economic development, and globalization are pushing forward. China's building laws and regulations to the "Building Law" as the core of the relevant areas of the legal system has basically formed. The system is very large, including the Tendering and Bidding Law, Contract Law and Construction Enterprise Qualification Management Regulations. As the basic law of the construction industry, other laws and regulations related to construction in the Architecture Law have a leading role. Not only to the construction market has been standardized, but also for the healthy development of China's construction industry plays a significant role in promoting ["building security management problems and countermeasures" Library: "Dalian University of Technology master's degree thesis" Year: 2013 Author: Peng Ben]. But we must see the situation, China's laws and regulations always lag behind China's economic and social development. Compared with other developed countries, China's construction laws and regulations are still far apart, and still need to be improved.

### **References**

- [1] Yang Bo; Wang Bo. Exploration of the Impact of Building Regulations on the Construction Market [J]. Construction Technology Development, 2018 (02). 35-42
- [2] Liang Jianguo; Wu Ti; Yang Weijun; Xu Jian; Liang Hui. Comparison of Chinese and British building technical regulations and suggestions for compiling Chinese building structural codes [J]. Sichuan Architectural Science Research, 2018 (02). 56-57
- [3] Huang Shuangmei. Discussion on the Role of Building Laws and Regulations in Improving Construction Quality [J]. Residence, 2019 (03). 102-103