

PROPOSAL FOR A LAW AMENDING THE LAW ON THE REGULATION OF ROADS AND BUILDINGS

OR Parliament of Representatives votes as follows:

Short title .

Chap.
96

14 of 1959

67 of 1963

6 of 1964

65 of 1964

12 of 1969

38 of 1969

13 of 1974

28 of 1974

24 of 1978

25 of 1979

80 of 1982

15 of 1983

9 of 1986

115 of 1986

199 of 1986

53 of 1987

87 of 1987

316 of 1987

108 of 1988

243 of 1988

122 of 1990

97(1) of 1992

45(1) of 1994

14(1) of 1996

52(1) of 1996

37(1) of 1997

72(1) of 1997

71(1) of 1998

35(1) of 1999

61(1) of 1999

81(1) of 1999

57(1) of 2000

66(1) of 2000

73(1) of 2000

126(1) of 2000

157(1) of 2000

26(1) of 2002

33(1) of 2002

202(1) of 2002

101(1) of 2006

21(1) of 2008

32(1) of 2008

47(1) of 2011

77(1) of 2011

131(1) of 2011

152(1) of 2011

1. This Law shall be cited as the Roads and Buildings Regulation (Amendment) (No. 2) Law of 2025 and shall be read together with him on Road Regulation and Buildings Law (where in following will be referred to as "the basic law").

131(1) of 2011
 152(1) of 2011
 34(1) of 2012
 149(1) of 2012
 66(1) of 2013
 40(1) of 2015
 19(1) of 2016
 111(1) of 2017
 143(1) of 2017
 143(1) of 2018
 17(1) of 2019
 53(1) of 2021
 132(1) of 2022
 89(1) of 2024
 113(1) of 2024
 145(1) of 2024
 3(1) of 2025.

Amendment of
 Article 2 of basic
 law .

2. Article 2 of the basic law is amended by adding in the appropriate alphabetical order the following new terms and their interpretation :

"potentially dangerous building" means a building and/or part of a building which shows any wear and/or damage and/or damage and/or conversions and/or additions in such a degree that may make it a dangerous building in a short time , for the faces where they reside and/or they work in her and/or in any neighboring building and/or for their passing through, so much via her of this building , as well as during the passage and/or movement of the public near it and/or for neighboring buildings-

" dangerous building " means a building and/or part of a building that shows signs of wear and/or damage and/or deterioration and/or alterations and/or additions that make the risk to its safe use visible , for the persons residing or working in it or in any neighboring building or for passersby , both as a building itself, as long as and against the transit and or circulation of public near it, due to, among other things , old age and/or lack of maintenance and/or damage due to an incident and/or poor foundation and/or poor quality or composition of materials and/or poor workmanship and/or poor construction and/or structural defects and/or excavation and/or corrosion and/or

fire protection deficiencies, resulting in it not presenting , in its entirety or in part, the required for the loads that intended to bring security and/or constitutes a threat for the health or the hygiene or the safety of persons who reside or they work in her or him any neighboring building or those passing by or neighboring buildings :

that the term does not include the assessment of the seismic adequacy of the building, which requires the preparation related c: specific study-» .

Modification
of article 3 of
basic law .

3. The verse (2) of article 3 of basic law modified as follows :

(a) by replacing the period with a colon at the end of paragraph (b) of the proviso and adding, immediately thereafter , the following new paragraph :

"(c) for any other category of development • deems appropriate ."

(b) with the addition of following new v ; reserves immediately after the end of the reservation:

"It is further understood that , for the purposes of implementing the provisions of this Law relating to dangerous and/or potentially dangerous infrastructure , the Director of Development Licensing of the respective Provincial Local Government Organization may delegate the powers conferred has as competent authority , according to defined- in this Law , to the Building Licensing Sector Officer or the His/her actions Enforcement Sector , or the Director Technicians Services of ,. each time Provincial

Local Government Organization, in accordance with the provisions of the Provincial Local Government Organizations Law . »

"It is further understood that , when the Director of Development Licensing delegates the powers he has as a competent authority to any of the persons referred to in this subsection, that person shall be deemed to be the competent authority , for purposes implementation of provisions of Law concerning the powers delegated to him."

Replacement of articles 15A , 158 and 15D of basic law . 4. The articles 1SA , 158 and 1SD of basic law are replaced from the following news articles 15A, 158 and 15D:

Potential 1SA Dangers Buildings .-(1) In case where or competent principle afterwards optical inspection finds that any building, or part thereof , it is in such situation so that becomes potentially dangerous and that it is necessary to take preventive measures to eliminate such a risk, this competent authority may issue a relevant decision in this regard , subject to the following provisions :

(a) The competent authority shall inform the owner of the decision taken, as well as of the reasons supporting this decision and shall call upon him , within a period specified in the notice , to:

(i) To appoint a consultant to prepare a relevant report and/or study for the repair of the building and to submit it to the competent authority , and/or

(ii) to repair, to removes , to protect or fence the building and generally take all the preventive measures specified in the notice , which in its opinion competent authority are considered sufficient for the repair of the building

It is understood that the notification of the competent authority includes the measures that may be taken in accordance with article 15B , in the event that the building becomes dangerous ;

(b) The owner and/or occupant of this building may, within thirty (30) days from the notification of the notice, submit their views in writing to the competent authority

(2) For the purposes of present article-

"Court" means the Provincial Court her province in which the building is located ;

"notification " is deemed to have been given if a relevant notice is delivered to the owner or his heirs or his administrator or if such notice is sent to them by post to their last known postal address in the Republic and is posted in a visible part of the building and published on the website of the relevant competent authority for at least two (2) days:

It is understood that the competent authority may , in addition, publish such notice in at least two (2) daily newspapers . newspapers , the which are circulating in the province

in the which is located or building and/or to inform the local authority accordingly.

the term " owner " has the meaning assigned to it by section 9A of this Law ;

the terms "heir" and " administrator " they have the meaning attributed to them by the Wills and Succession Law .

Chapter
19 5
75/1970
100/1989
96(1) /2015 .

Dangerous
buildings

15B . -(1) In case or competent authority following a visual inspection, it is established that any building , or part thereof , is in such a condition that it becomes a dangerous building and that it is necessary to take measures to eliminate such a risk , this competent authority may-

(a) to inform the owner of the decision made , as well as the reasons supporting it the decision she and to call him as such , within a period specified in the notice , which in no case shall be less than three (3) days from its notification to-

(i) appoint a consultant to prepare and immediately submit to the competent authority a relevant report and/or study in which the measures and/or conditions that should be implemented will be clearly recorded be taken either to be fulfilled immediately by the owner , for the removal of the hazard and the repair of the building , which may include the total or partial demolition of the building:

It is understood that the said measures are deemed by the designer to be sufficient so that the building does not become dangerous again in a short period of time , and/or

- (ii) repair , remove, demolish, protect , seal or fence the building or part thereof and generally as received all necessary measures specified in the notice to remove any risk arising from such construction :

is understood that the competent authority may additionally request measure for the lifting her risk:

It is further understood that the competent authority may inspect the building at any time. and after the completion of meters the which are specified in the notice and in the event that subsequently optical inspection finds that or building or part thereof is dangerous, to take action based on the provisions of article 15B ,

- (b) to inform the owner and/or the persons residing therein of the decision taken as well as and for their reasons who support this decision and call on them to, within a deadline where is determined in the notification , or which, especially in the case where the building or part thereof is in danger of collapse, shall not exceed fourteen (14) days, to abandon and evacuate the building or part thereof :

Think about it. that , in case where face where resides in her refuses to abandoned and to evacuate the building , or competent principle requests the issue

Court order issued following a procedure where begins with unilateral request (ex. part) which registered by the competent authority. for the removal of persons and evacuation of the building:

It is understood further that , with the evacuation of construction or competent principle can to take care for the sealing it to prevent third parties from entering it .

It is understood that , in the event that a dangerous building is identified by the local authority , which is located in the area of its jurisdiction of , the local authority must immediately inform the competent authority.

(2) In the event that the owner fails to take the necessary actions described in the notification of the competent authority based on the provisions of paragraph (a) of subsection (1) , informs the competent authority in writing , within three (3) days from the notification her notification of the competent authority , for the reasons for which it cannot to respond to predicted in the notification .

(3) , after informing the owner , he does not comply within the specified period with the requirements contained in the notice , the competent authority may -

(a) to inform the owner of the intention to impose an administrative fine in accordance with the provisions of article 15E , and/or

(b) to proceed in vacation her supply water in the building , and/or

- (c) to submit to the Distribution System Operator an order to disconnect the electricity supply , and the Distribution System Operator must take such action for reasons of public interest, and/or
- (d) to take care of for the conduct such projects as they deemed appropriate for repair, removal, total or partial demolition , protection or fencing or for the carrying out the measures specified in the notice and the costs thereof, including and any expenses for the appointment of a consultant to prepare a relevant report and/or study , are paid by the owner , and may be recovered through legal action as a civil debt:

It is understood that the competent authority , by a relevant decision, proceeds to certification of the expenses, which is recorded in the his books District Land Office on the affected property and this is considered a real encumbrance on the real property in accordance with the provisions of the Transfer and Mortgage of Real Estate Law :

N. 9/1965
 9 of 1965
 51 of 1970
 3 of 1978
 6 of 1981
 181(1) of 2002
 59(1) of 2006
 122(1) of 2007
 52(1) of 2008
 26(1) of 2010
 120(1) of 2011
 142(1) of 2014
 197(1) of 2014
4(1) of 2015
 27(1) of 2015
 32(1) of 2015
 42(1) of 2015
 46(1) of 2015
 53(1) of 2015

- 75(1) of 2015
- 76(1) of 2015
- 133 (1) of 2015
- 139(1) of 2015
- 198 (1) of 2015
- 87(1) of 2018
- 118(1) of 2019
- 138 (1) of 2019
- 61(1) of 2020
- 195(1) of 2020
- 212(1) of 2020
- 98(1) of 2021
- 185(1) of 2021
- 82 (1) of 2022
- 147 (1) of 2022
- 173 (1) of 2022
- 204 (1) of 2022
- 10 (1) of 2023
- 65 (1) of 2023
- 66(1) of 2023
- 76 (1) of 2023
- 155 (1) of 2 023
- 4(1) of 2024 .

It is further provided that , the risk-reduction measures taken by the competent authority are limited to those strictly necessary for the purpose of eliminating the immediate risk of causing bodily harm to third parties or damage to third party property, such as sealing , appropriate marking with place warning signs signs and/or

distress signals fencing , shoring , or support , partial total demolition and

removal dangerous structural elements, and or choice of meters taken from the competent authority is based on the most economical solution , including a comparison between the implementation of rescue measures and demolition :

It is further understood that , it is not possible to take any measure under the paragraph (d) of the present paragraph , relative with building or which

used as a residence , without a court order the which is issued afterwards process that begins with unilateral application (ex parte) that registered by the competent authority, which allows entry into such a building and the taking the measures that are proposed; this decree is issued following a procedure initiated by a request by summons in accordance with the relevant procedural rules .

(4) Regardless of the provisions of subsection (1), the competent authority can, for public reasons interest, to ex officio enter the building and/or the area surrounding it and take all necessary measures to remove the immediate risk of causing bodily harm or damage to the property of third parties , which, among other things , include appropriate marking by placing warning signs and/or danger signs, fencing , shoring, bracing , total or partial demolition and or removal of dangerous structural elements , in the presence of a police officer, in the event that it has reasonable cause to believe that it will be obstructed in the exercise of its powers or in the performance of its duties.

Law 23/1983

23 of 1983
 51 of 1983
 39 of 1984
 79 of 1986
 94 of 1986
 135 of 1988
 51 of 1989
 138 of 1991
 67(1) of 1992
 100(1) of 1992
 2(1) of 1993
 102(1) of 1995
 70(1) of 1999
 109(1) of 1999

(5) Regardless of the provisions of the Tenancy Law , the use and/or rental of a building or part of a building which is decision of competent authority has been designated as dangerous .

119(1) of 1999
16(1) of 2001
20(1) of 2001
150(1) of 2002
171(1) of 2003
99(1) of 2006
128 (1) of 2007
173(1) of 2013
3(1) of 2020
54(1) of 2023 .

(6) Owner who wishes to settle his debt for the expenses where was burdened by competent principle, with pursuant to paragraph (d) of subsection (3), submits an application to the competent authority , in the form prescribed by the Minister by notice published in the Official Gazette of the Republic and or competent authority examines each request for regulation as soon as possible after receiving it and notifies the applicant of the her decision for the amount due , the total amount of the debt, the corresponding additional fee that may not exceed 2% of the total cost , the number of monthly installments of the arrangement and the amount of each monthly installment:

understood that the debt settlement is made in equal monthly installments , the number whose not older than thirty-six (36) months.

(7) If, despite the agreement to settle the debt with If, pursuant to subsection (6), three (3) months have passed without the specified installment being paid, then the competent authority may demand the amount of the debt through court proceedings as a civil debt.

(8) For their purposes of present article , the terms "Court", "information" and "owner" have the interpretation where their attributed from the provisions of paragraph (2) of article 15A.

Offenses
and
penalties

15D.-(1) Face the which is updated from the competent authority in accordance with the provisions of paragraph (a) of subsection (1) of article 158, but does not take the appropriate actions for implementation of necessary work within the a specified deadline, commits an offense and subject to-

- (a) In the event of a first conviction, to imprisonment for a period not exceeding one (1) year or to a fine where not exceeds the twenty thousands euros (€20,000) or and at two penalties together, and
- (b) in case second or later conviction, in imprisonment for period where not exceeds the two (2) years or to a fine not exceeding forty thousands euro (€40,000) or and at two sentences together.

(2) Offense where falls under at provisions of paragraph (1) of this article and concerns the failure to implement fencing or sealing dangerous construction according to with notification of the competent authority provided for in article 158 of this Law, may be subject to out-of-court settlement and the the amount of the extrajudicial fine imposed is proportionate with the seriousness of offense.

(3) For their purposes her extrajudicial regulation where referred to in subsection (2), a person authorized by the competent authority, who is an employee of the competent authority, may with decision her competent beginning to impose extrajudicial fine and to this works to the person who he believes that committed the offense relevant notice, in the which is determined the offense, the year committing of and the monetary amount where the face is called to pay.

(4) Subject to the provisions of subsection (3), if the amount of money referred to in subsections (2) and (3) is paid within a period of forty- five (45) days from the date of issue of the notice, a receipt shall be issued and no criminal prosecution shall be brought in respect thereof. with the commission of related offense.

(5) Subject to the provisions of subsection (3), after the extrajudicial regulation of offense, the payment of amount and the issue her proof such as is mentioned in subsection (4), no further criminal proceedings shall be instituted in this regard. with the offense and or adduction in Court of the proof that referred to in subsection (4) constitutes full proof of the facts stated therein and entails the exemption of accused.

(6) The out-of-court settlement of an offense and the payment of the relevant amount in accordance with the above provisions is not considered as conviction. in case but conviction for committing another offense of a similar nature, the court may take into account the above events for purposes measurement her penalty.

(7) In the event that a person on whom a notice has been served where is mentioned in paragraph (3) not pay the out-of-court settlement fine where is mentioned in she within in forty- five (45) days from the date of its publication, the competent principle, receives the necessary actions for continuation of criminal prosecution of the offender before of Court.

Modification of
article 1 SE of
basic
law .

5. The article 15E of basic law is modified with the replacement of subsection (1) with the follower new paragraph (1):

Enforcement of 15E.-(1) Independently from the criminal responsibility
or the criminal
administrative
fine prosecution anyone face, or competent principle

may impose an administrative fine not exceeding forty thousand euros (€40,000) on a person who, while receiving notification as specified in provisions of article 158, not takes the appropriate actions to implement the necessary work within the specified deadline.

Modification of article 20 of the basic law.

6. The article 20 of basic law is amended by replacing the phrase "(b) and (c)" in paragraph (h) of subsection (1) thereof, with the phrase "(a) and (b)".

Inception power.

7. The provisions of this Law shall come into force upon publication in the Official Gazette . Republic Newspaper .

Justification

Target of proposed legislative settings it is or treatment of the serious risks where cause in public safety and health the dangerous buildings where are located at urban areas and especially in historically senior centers Municipalities. The weak legislative frame where is located today in power, set brake in the effective management of dangerous construction, resulting in to are noted regularly demolish in part of construction and to be threatened or safety so much of residents as long as and of passing by. Purpose of the proposed changes is the • amendment of existing legislation with new regulations.

Member of Parliament Electoral Region Nicosia