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AMENDMENTS TO THE URBANISM LAW

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Amendments to the urbanism law

On 21 June 2018 the Government Emergency Ordinance no 51/2018 (“GEO 51”) for amending Law no 350/2001 regarding land planning and urbanism and prolonging several deadlines was approved. GEO 51 was published with the Official Gazette no 520 of 25 June 2018 and brought the following main changes:

- 1. The prolongation of the validity terms of the general urbanism plans**
 - ◆ The validity term of the general urbanism plan may be extended until the new urbanism documentation is approved subject to the procedure for the update of the plan be initiated prior to the expiry of the initial general urbanism plan.

Previously the authorities were allowed to prolong only once the general urbanism plans and for a duration no longer than 10 years.
 - ◆ The deadline for prolonging the validity of the general urbanism plans approved prior to 2003 was extended for 31 December 2023.

Previously the public authorities were allowed to prolong the validity terms of the general urbanism plans approved prior to 2003 until the new urbanism documentation was approved but, in any event, not later than 31 December 2018.

The lawmaker argued that a prolongation of this deadline was necessary to avoid potential delays and hindrances, in the context where, at the level of several administrative units, the processes of approvals of the new general urbanism plans were significantly delayed.
- 2. Automatic prolongation of the validity of planning and urbanism documentations**

GEO 51 clarifies the instances where the validity of the planning and urbanism documentations is extended until completion of certain investments (given the initiation of such projects within the validity period), namely:

 - ◆ in cases where the building permitting process was initiated;
 - ◆ initiation of the procedures for applying the regulations regarding the transfer of land plots, delimitation of intra murros location and establishment of areas affected by public easements; and
 - ◆ initiation of investment works for modernizing and/or development of the utilities connection and urban infrastructure.
- 3. Prolongation of the deadlines for qualification of the chief architects**
 - ◆ The mandatory deadline for the qualification of the chief architects on the basis of the approved education programs in the urbanism field has been prolonged for 31 December 2023. In case the chief architects do not manage to pass the appropriate trainings and exams they will no longer be entitled to act in these positions.

Previously the deadline for the qualification of such experts was 13 July 2018.

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