

### Scope

3. This Order applies to residential developments related projects that were substantially completed and whose individual unit / plot was held or may be held separately and enjoys comfortable enjoyment as unit / plot, until December 31, 2014:

It means that, for developments that are not used for residential purposes, the provisions of Decree KDP 334/2011 apply.

Provided further that, if the competent authority considers that essential work is carried out in residential developments, which are not covered by this Order, it is possible to issue a certificate of unauthorized works.

### Interventions

4. If the project intervention in foreign real property, on the road, the street plan, a pedestrian street, in a green area in Beach Protection Zone, in the State Land, the competent authority shall issue a certificate of unauthorized works.

### Infrastructure

5. For operations involving infrastructure projects and are described below: (a) non-road construction (including all works of roads); (b) non-manufacture of pavement/pedestrian square, etc.; (c) non-configuration/landscaping green space; the competent authority shall issue a certificate of unauthorized works. Means that, for project consisting of several units/pieces, where comfortable and independent enjoyment and satisfactory access are secured, the competent authority shall issue a certificate in accordance with the provisions of Article 10(B) of the Law: provided further, that the competent authority shall immediately take all necessary preventive measures for the safety of civilians (e.g. appropriate marking , sump protection, etc.) and the completion of the remaining tasks.

### Fire safety

6. In case of non-compliance with the conditions set by the Fire Service, the competent authority shall issue a certificate of unauthorized works.

### Change of use or Public Health Issues

7. In case of change of use of the building or non-compliance with the permit conditions which substantially affect public health, the competent authority shall issue a certificate of unauthorized works.

### Other tasks essential to building

8. For a building for which they have not met the minimum distances from the border and/or there is any difference in height fence or barrier, the competent authority shall issue a certificate of unauthorized works:

Provided that in case where the safety and functionality of the building is ensured and the facilities of third parties are not affected, the competent authority shall issue a certificate in accordance with the provisions of Article 10B of the Law:

Provided further that, in cases of unlicensed additional units, or of increasing the number of storeys or otherwise locating the building from sanctioned projects or non-compliance with conditions of planning permission for listed buildings and ancient monuments, the competent authority shall not issue a certificate in accordance with the provisions of Articles 10, 10B and 10C of the Law and inform the Director of Lands and Surveys Department.

#### Excess build/coverage rate for buildings used as dwellings

9. In case where the building factor/cover of the plot is exceeded, the competent authority shall issue a certificate of unauthorized works:

Provided that, if the excess affects the 2 % of the total allowable area or 15 square meters per unit licensed any increase is greater, the competent authority shall issue a certificate in accordance with the provisions of Article 10B of the Law:

Provided further that the rate of overrun shall be disregarded for purposes of determining the percentage of ownership in cases of co-owned building and not cumulatively added to any other incentives or measures providing excess rate.

#### Work completion certificate

10. For cases residential developments licensed after the application of the Streets and Buildings (Amendment) Law of 1999(N.81/99) and for which a certificate of attesting the completion work as provided in subsection (3) of Article 10 of the Law, has been submitted by the supervising engineer, the competent authority shall issue a certificate of unauthorized works:

Provided that the competent authority while applying the provisions of Article 23 of the Law.

#### Specific provisions

11. (1) For the insurance of certificate of unauthorized operations in accordance with paragraphs 4, 6, 7, 8 and 9 and to paragraph 5 of this Order, the competent authority shall immediately apply the provisions laid down in Articles 20, 21 and 28 of the Law.

(2) If the essential tasks set forth in this Order do not cover all the units/plots, certificate of unauthorized works issued only for units/plots affected.

#### Entry into force

12. This Order is effective from the date of publication in the Official Gazette.

Held on June 3 2016