

constructions - draft laws published in December 2017

The legislative proposal for amending Law no. 50/1991 regarding the authorization of construction works and Law no. 350/2001 on land management and zoning was registered and published on the website of the Romanian Senate on 19 December 2017.

The legislative initiative came as a result of the rejection of land book extracts released in electronic form by some local public authorities in the applications for issuance of zoning certificates, as well as of the existence of a non-uniform practice regarding the content of the related documentation. In this respect, the proposed draft aims at simplifying the procedure for the issuance of zoning certificates and building permits by introducing obligations and sanctions on behalf of local public authorities.

Thus, according to the legislative initiative, the documentation requested by the public authorities for issuing the zoning certificate will be strictly limited by the methodological norms for the application of the Law no. 50/1991. Moreover, the request for additional documents upon the application for issuance of the zoning certificate will represent a misdemeanor on the part of the public authorities and such may be fined from RON 5,000 to 30,000.

Also, in order to reduce the time required to issue zoning certificates, if the methodological norms for applying Law no. 50/1991 stipulate the obligation to request documents issued by other public authorities or institutions, the authorities tasked with issuing zoning certificates will be obliged to accept the documents sent directly by the respective public authorities or institutions by electronic means of communication.