

Law No. 187 of 2023

By issuing a reconciliation law for some building violations and codifying their status

**In the name of the people,
The President of the Republic,**

The people's Assembly has approved the following law, it is hereby enacted:

(Article I)

Without prejudice to the cases for which a decision was issued to accept reconciliation in accordance with the provisions of Law No. 17 of 2019 regarding reconciliation in some building violations and codifying their status, and taking into account what was specifically stated in this regard in the Public shops Law promulgated by Law No. 154 of 2019, the provisions of this law and the law accompanying it regarding reconciliation of some building violations and codifying their status shall be implemented.

(Article II)

The aforementioned Law No. 17 of 2019 is repealed, as is every provision that contravenes the provisions of this law and the law accompanying it.

Requests for reconciliation and legalization of the situation and grievances that were submitted in accordance with the provisions of Law No. 17 of 2019 referred to, and have not been decided upon or the dates for their examination have not passed, as the case may be, shall be referred to the resolution and grievances committees formed in accordance with the provisions of the attached law, provided that they are considered in accordance with the provisions and procedures contained therein, taking into account the following:

- 1- Failure to pay a new inspection fee or a fee for the seriousness of the reconciliation, if they were paid before.
- 2- If the request for reconciliation and legalization of the situation or the grievance is accepted, the price of a flat meter will be at the same prices that were approved in accordance with the provisions of Law No. 17 of 2019 referred to, and the reductions that occurred thereon.
- 3- Continuing to suspend the consideration of cases related to the violation, and to suspend the implementation of the rulings, decisions and procedures issued regarding the violating actions that

are the subject of these requests until they are decided or the grievance is decided, as the case may be.

3 Official Gazette - Issue No. 50 bis (A) on December 17, 2023

The concerned parties whose requests for reconciliation and legalization of their status were rejected in accordance with the provisions of Law No. 17 of 2019 referred to, and the period prescribed for filing a grievance against them has not yet passed, may submit their grievances to the grievances committees formed in accordance with the provisions of the attached law within thirty days starting from the effective date of its executive regulations.

All of this is without prejudice to the rights of the concerned parties whose requests for reconciliation and legalization of their statuses were rejected in light of the implementation of the provisions of Law No. 17 of 2019 referred to, to submit requests for reconciliation and legalization of statuses in accordance with the provisions of the attached law.

(Article III)

In violations that included poles or walls, poles and walls, or poles and ceilings only, and for which reconciliation and legalization of the situation were accepted in light of the provisions of Law No. 17 of 2019 referred to, the decision may be amended without any fees by adding a permit to complete the floor works within the same area that has been agreed upon and at the same height, in accordance with the controls set forth in the executive regulations of the attached law.

(Article IV)

The Prime Minister shall issue, after the approval of the Council of Ministers, the executive regulations of the attached law within three months from the date of its implementation, based on a joint presentation by the Minister concerned with housing, facilities and urban communities' affairs and the Minister concerned with local development affairs.

(Article V)

This Law shall be published in the Official Gazette, and shall be effective as of the day following the date of its publication.

This law shall be affixed by the seal of the State, and shall be enforced as one of its Laws.

**Issued by the Presidency of the Republic on Jumada al-Akhirah 4, 1445 AH
(Corresponding to December 17, 2023 AD).**

Abdel Fattah Sisi

The law of reconciliation

In some building violations and legalizing their conditions

Article (1)

For the purposes of the application of the provisions hereof, the following terms shall have the meanings set out for each term hereunder:

Competent administrative authority: Governorates and other administrative authorities concerned with planning and organizing affairs in accordance with Article 4 of Law No. 119 of 2008 promulgating the Building Law.

Competent authority: The governor or the head of the competent authority, as the case may be.

Request for reconciliation: A request submitted by the concerned parties to the competent administrative authority in accordance with Article (6) of this law to reconcile and regularize the situation in some building violations.

Article (2)

The competent administrative authority may reconcile building violations that were committed in violation of the provisions of the laws regulating construction issued before the provisions of this law came into effect and which do not prejudice the structural safety of the building in accordance with the provisions of this law.

The competent administrative authority may also reconcile building violations that occurred before the provisions of this law were implemented in the following cases and under the following controls:

- 1- Change of use in areas that do not have approved detailed plans.
- 2- The encroachments occurring on the approved planning lines, with regard to encroachments occurring before the approval of the planning line, or occurring on planning streets that are not implemented on the ground, or located on planning streets whose implementation on the ground has not been completed.
- 3- Violation of the legally established easement rights, provided that there is an agreement between the applicant for reconciliation and the owners of the easement rights, as indicated in the executive regulations of this law, the aforementioned agreement condition excludes breach of easement rights by all owners of easement rights.

- 4- Violations committed against buildings and facilities of a distinctive architectural style stipulated in Article 2 of Law No. 144 of 2006 regarding the regulation of the demolition of buildings and facilities that are not at risk of collapse and the preservation of architectural heritage, in accordance with the following conditions:
 - (A) That the violations occurred before the building or establishment was registered in the inventory register of buildings and establishments with a distinctive architectural style.
 - (B) The violation must not include an increase or addition to the property registered in the inventory register.
 - (C) That the violations do not affect the building or cause it to lose its registration in the inventory register.
 - (D) Approval of the National Organization for civilizational Coordination.
- 5- Violations committed in real estate located within the boundaries of areas of distinguished value issued by a decision of the Supreme Council for Planning and Urban Development in accordance with the Building Law promulgated by Law No. 119 of 2008, and in accordance with the following two conditions:
 - (A) The violations do not affect the urban fabric of areas of distinguished value.
 - (B) Approval of the National Organization for civilizational Coordination.
- 6- Exceeding the altitude restrictions established in accordance with the provisions of the Civil Aviation Law promulgated by Law No. 28 of 1981, provided that it does not affect air traffic and the Ministry concerned with civil aviation affairs approves of that, or exceeding the requirements of state defense affairs if the Ministry of Defense agrees to that.
- 7- Building on state-owned lands when the request to legalize the laying of hands in accordance with the laws regulating this.
- 8- Changing the use of real estate in areas for which detailed plans approved by the administrative authority have been issued, provided that the use for which reconciliation is requested does not conflict with the uses authorized in the area.
- 9- **Construction outside the approved urban estate, in the following cases:**
 - (a) Violations in exceptional cases referred to in clauses (a) and (b) of Article Two of Law No. 119 of 2008 referred to.

- (b) Government projects and projects of public benefit.
- (c) The blocks built close to the urban estates of cities, villages and satellites, based on the proposal of the Minister responsible for agricultural and land reclamation affairs and the approval of the Council of Ministers, within the limits of the violations in which the description of blocks is met, meaning blocks that enjoy basic facilities, are occupied by residential or non-residential activity, and are built on areas that have lost agricultural potential until aerial photography on 15/10/2023 based on a report issued by the competent agencies of the Ministry of Agriculture and Land Reclamation.

The executive regulations of this law specify the documents and other conditions that must be provided for reconciliation and legalization of building violations.

Article (3)

Without prejudice to the provisions of the Water Resources and Irrigation Law promulgated by Law No. 147 of 2021, reconciliation and legalization of the situation are prohibited within the scope of applying the provisions of this law to any of the following structural violations:

- 1- Acts that violate the structural safety of the building.
- 2- Construction on lands subject to the Antiquities Protection Law promulgated by Law No. 117 of 1983, and Law No. 48 of 1982 regarding the protection of the Nile River and waterways from pollution.
- 3- Changing the use of spaces designated for parking cars (garages).

Article (4)

It is permissible by a decision of the Council of Ministers, based on a proposal from the Minister concerned with Housing, Utilities and Urban Communities Affairs, or the Minister concerned with Local Development Affairs and the Minister concerned with the presented case, as the case may be, to accept reconciliation and legalize the situation for any of the building violations stipulated in the provisions contained in Article (2) of this law, with the exception of Clause (4) thereof, if the legally stipulated reconciliation conditions are not met, and it is impossible or difficult to remove them or complete their documents.

The reconciliation price per flat meter, in any of these cases, shall be three times the price specified in accordance with the provisions of Article (8) of this law, and the Council of Ministers may, in cases of necessity, determine a reconciliation price per flat meter in any of these cases at prices less than the mentioned price and not less than the price specified in accordance with the provisions of Article (8) of this law.

The executive regulations of this law specify the conditions and other controls necessary for reconciliation and legalization of the situation in any of the cases referred to, and if the violation occurred within the spatial scope of one of the state's entities, the required documents shall be accompanied by evidence of the entity's response within a specified period of legalizing the situation in accordance with the regulating law if this is permitted, or a report in exchange for a benefit, as the case may be.

Article (5)

By decision of the competent authority, one or more technical committees shall be formed from among the employees of the competent administrative authority, or from those not working therein, provided that its membership includes a representative of the General Administration of Civil Protection affiliated with the Ministry of Interior.

The executive regulations of this law specify the rules and criteria for selecting the chairman and members of the committee, and the procedures and controls it follows in exercising its powers.

By decision of the Prime Minister, the formation and work of these committees may be assigned within the scope he determines to any of the competent administrative authorities.

Article (6)

The reconciliation request shall be submitted to the competent administrative authority within a period not exceeding six months from the effective date of the executive regulations of this law, after paying an inspection fee paid in cash or by any non-cash payment means stipulated in the law regulating the use of non-cash payment methods issued by Law No. 18 of 2019, not exceeding five thousand pounds, and paying in exchange for the seriousness of reconciliation and legalization of the situation at a rate not exceeding (25%) of it, the executive regulations of this law determine the categories of fees and percentages in exchange for the seriousness of reconciliation and legalization of the situation.

By decision of the Prime Minister, after the approval of the Council of Ministers, the period referred to in the first paragraph of this article may be extended for other similar periods, not exceeding a total of three years.

The competent administrative authority must give the applicant for reconciliation a certificate stating that he has submitted it, on the form specified by the executive regulations of this law, bearing his number, date of registration, and documents attached to it.

Submitting this certificate to the court or the competent authorities, as the case may be, shall result in stopping the consideration of lawsuits related to the violation, and halting the implementation of the rulings, decisions, and procedures issued regarding the violating actions that are the subject of this request until it is decided upon or the grievance is resolved, as the case may be.

The reconciliation request shall be considered as if six months had not passed since the applicant for reconciliation received the aforementioned certificate and had not completed the prescribed documents and procedures.

Article (7)

The committees stipulated in Article (5) of this law must do the following:

1- Addressing the parties referred to in Articles (2 and 4/last paragraph) of this law, according to the circumstances.

2- Review the documents attached to the reconciliation request, including:

- (a) An engineering report from one of the consulting engineering offices registered in the Engineers Syndicate, or research centers, or engineering colleges, or from a consulting engineer registered in the Syndicate, on the structural safety of the violating building, and a report from an engineer registered in the union is sufficient if the area of the building subject to the violation does not exceed two hundred square meters and its height does not exceed three floors, and all of this is taking into account the provisions of Articles (2/last paragraph, 4) of this law, and the aforementioned engineering report is considered an official document within the scope of applying the provisions of the Penal Code.

- (b) An acknowledgment from the applicant for reconciliation on the form specified by the executive regulations of this law of the validity of the documents attached to the application and the data attached to it, including the area and number of floors. The competent administrative authority may not conduct a field inspection to confirm the accuracy of these data and documents with reality after the expiration of a period of five years from the date of issuance of the decision to accept the reconciliation.
- 3- Ensure compliance with the requirements of the Egyptian Code for design principles and implementation requirements to protect facilities from fire.

The committee must complete its work within a period not exceeding three months from the date of submitting the reconciliation request, complete with the required documents. The applicant shall be notified of the committee's conclusions by registered letter with acknowledgment of receipt or by any other means specified by the executive regulations of this law.

In all cases, the committee may not complete its work until it has finished examining all the requests submitted to it during the period specified for submitting reconciliation requests in accordance with Article (6) of this law.

Article (8)

The competent authority shall issue a decision to determine the reconciliation fee and legalize the situation on the basis of the value of the price per meter for each area according to the urban and cultural level and the availability of services, provided that the reconciliation fee per flat meter is not less than fifty pounds and does not exceed two thousand five hundred pounds, guided by what was previously determined by the committees referred to in Article Five of Law No. 17 of 2019 referred to.

Payment of the remainder of the reconciliation fee shall be completed within sixty days from the date of notifying the applicant for reconciliation of the approval of the reconciliation request by the committee stipulated in Article (5) of this law. It is permissible, by a decision of the Prime Minister, to grant a reduction percentage not exceeding (25%) of the total reconciliation consideration, in the event of immediate payment of the reconciliation consideration.

It is also permissible to pay the remainder of the reconciliation consideration in installments over a period not exceeding five years, provided that a return is due not exceeding (7%) as determined by the executive regulations of this law, from the date of maturity until the date of payment, if the installment period exceeds three years.

The deduction of what has been previously paid is taken into account in judicial rulings related to the violations in question.

Article (9)

The competent authority, or whomever it delegates, shall issue a decision accepting reconciliation and legalizing the situation, as the case may be, after the approval of the committee stipulated in Article (5) of this law.

The applicant for reconciliation shall be notified of the decision by registered letter with acknowledgment of receipt or by any other means specified by the executive regulations of this law, and its issuance shall result in the following:

- 1- Ending the lawsuits related to the subject of the violation in whatever state they are, and preserving the investigations into these violations if they have not been disposed of.
- 2- Suspending the implementation of the adjudicated penalty, in the event that a decisive ruling is issued on the subject of the violation, and the Public Prosecution orders the suspension of the implementation of the penalty if reconciliation occurs and the situation is legalized during its implementation.

The decision to accept reconciliation and legalize the situation is considered a license that produces all its effects, and the effect of this decision does not extend to any other actions that were not in place when the request for reconciliation was examined, nor does it prejudice the property rights of the concerned parties, or any other entitlements to the state stipulated in other laws.

It is not permissible, under any circumstances, to make a change or amendment to the violating works that are the subject of the reconciliation request after the issuance of the decision to accept the reconciliation and legalize the situation regarding them, except through the procedures established by law.

In all cases, reconciliation and legalization of the situation may not be accepted except after the completion of painting the entire existing and unfinished facades of the building subject to the violation, as indicated in the executive regulations of this law, with the exception of villages and satellites.

Article (10)

The competent administrative authority must notify the authorities in charge of utility affairs of the decision issued accepting reconciliation and legalizing the situation within the fifteen days following its issuance to take the necessary action in this regard.

The conciliator may apply alone to these parties, submitting a statement of acceptance of the conciliation.

It is prohibited to connect utilities to the violating property for which a reconciliation request has not been submitted or the request submitted in its regard has been rejected, and if this property has previously been supplied with utilities, the value of the consumption of services provided by the entities in charge of utility affairs shall be accounted for at cost price without applying any form of support. It is also not permissible to take any measures to publicize or register it in accordance with the laws regulating that.

Article (11)

A percentage (3%) of the amounts collected in accordance with the provisions of this law shall be transferred to the competent administrative authority, each according to the scope of its jurisdiction, to reward members of the committees stipulated in this law, and other employees of the competent administrative authority, and in local units, agencies and bodies, and the competent authority shall issue a decision determining the prescribed percentage of what each of the aforementioned categories is entitled to.

The remainder of the proceeds shall be transferred to the state's general treasury, provided that the following percentages shall be allocated for the benefit of the authorities:

- (a) A percentage of (25%) in favor of the Social Housing and Real Estate Finance Support Fund.
- (b) A percentage of (39%) in favor of the administrative authority in whose jurisdiction the violating party is located and the subject of reconciliation for infrastructure projects, such as sanitation, drinking water, and other development projects, based on a decision from the Prime Minister, based on a proposal from the Minister responsible for planning and economic development.

Article (12)

The competent authority shall issue a reasoned decision to reject reconciliation and legalize the situation, or to consider the decision to accept the reconciliation and legalize the situation as if it had not occurred, depending on the circumstances, in the following cases:

- 1- The rejection of the reconciliation request by the committee stipulated in Article (5) of this law, the missing deadlines for grievances, or the grievances committee's support of the committee's decision to reject.
- 2- Failure to pay the full amount of the reconciliation fee within sixty days from the date of notifying the applicant for reconciliation of the committee's approval of the request, in cases of immediate payment.
- 3- Failure to pay two of the installments due in exchange for reconciliation.
- 4- A change or modification occurs in the subject of the reconciliation.
- 5- Inaccuracy of documents or data related to the reconciliation request compared to reality.

The decision must include completing the necessary legal and executive procedures, or correcting the violating works in accordance with the provisions of the aforementioned building law. Suspended cases and investigations will be reviewed and the rulings and decisions issued regarding the violating works will be implemented.

The applicant for reconciliation shall be notified of the decision by registered letter accompanied by acknowledgment of receipt or by any other means specified by the executive regulations of this law.

Article (13)

The executive regulations of this law determine the method of returning the amounts paid as consideration for the seriousness of reconciliation and legalizing the situation in accordance with Article (6) of this law, to those whose request for reconciliation was rejected.

Article (14)

The applicant for reconciliation may file a grievance against the rejection decision, or against the reconciliation consideration, within thirty days from the date of his notification of it.

One or more committees shall be responsible for examining grievances, which shall be formed by decision of the competent authority, at the headquarters of the competent administrative authority, headed by counselor from one of the judicial authorities and with membership of:

- 1- A consulting engineer specializing in civil engineering with no less than five years of experience as a consultant.
- 2- Three engineers, provided that two of them have at least ten years of experience, and one of them specializes in civil engineering, and the other in architectural engineering, and is registered with the Engineers Syndicate.

The committee's meeting shall not be valid unless the majority of its members are present, including the president. Its decisions shall be issued by a majority of the votes of those present, and in the event of a tie, the side of the president shall prevail.

The committee must decide on the grievance within sixty days from the date of its submission, and the applicant for reconciliation shall be notified of the decision by registered letter with acknowledgment of receipt or by any other means specified by the executive regulations of this law.

The executive regulations of this law state the rules and procedures for the committee's work.

Printed by the General Authority for Al-Amiriya Printing Affairs

Chairman of Board of Directors

Accountant/Ashraf Imam Abdel Salam

Deposit number at the Book House 65 of 2023

25593/2023 - 18/12/2023 - 709

