

New Law on Planning and Construction

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The Establishment of the Republic Agency for Spatial Planning

A Republic Agency for Spatial Planning will be established as an independent entity to establish the conditions for implementation and promotion of planning and development, especially in the areas of spatial development strategy, development schemes, spatial plans, expert supervision, international cooperation, provision of expert assistance and information system.

Urban Plans

The Law deals with various plans (general urban plan, general development plan, general regulatory plan, detailed regulatory plan), constituent parts of urban plans, their content, and procedures for their elaboration, control and presentation to the public.

Construction Land

Construction land is defined as land on which structures have been built (including land that serves for regular usage of these structures), as well as land envisaged for construction. The Law defines two categories of such land:

- 1) **Public Construction Land** – state land on which public objects of general interest have been or will be built¹ and public areas.

Local Municipalities and the Serbian Government are responsible for defining public construction land by a general act within two years of the Law coming into force.

A Municipality may give public construction land for temporary lease until the land is put to its intended purpose

- 2) **Other Construction Land** –

Definition

This is other land which is not declared as public construction land.

Transferability

It is transferable and it can be in any type of ownership.

¹ In accordance with the plan

Undeveloped State Owned Construction Land

Land that was previously declared as urban construction land in state ownership will remain state property unless a special law (that should be adopted) determines otherwise.

Developed (built) State Owned Construction Land

Owners of structures built on state owned construction land before the date that this Law enters into force are entitled to use the existing construction parcels as long as the construction exists.

Construction Land That Had Not Been Put To Its Purpose

Land which was declared as urban construction land but not put to its purpose entirely or in greater part and does not represent an urban and functional whole with public construction land before the date this Law entered into force, may be resituted upon request of the previous owner or his legal successor.

Undeveloped (Non-Built) State Owned Construction Land

Undeveloped state owned construction land can be given for lease under special conditions prescribed by the Law.

Entities who have obtained the right to use construction land in state ownership before the enforcement of the Law, but have not started construction and for whom the deadline of three years for construction has expired, will lose the right to use such land if within two years from the day of enforcement of this Law, construction is not completed. For those entities for whom the three –year deadline has not expired, have to finish with construction within three years.

Entities who have obtained the right to use construction land in state ownership before the enforcement of the Law and have started construction, have to finish the construction within two years from the date of the Law entering into force.

Construction Rules

Construction is performed on the basis of a construction approval and it should be carried out in accordance with technical documentation. The Law specifies all documentation that should be presented with the request for construction approval and regulates the elaboration of technical documentation.

The Law deals in detail with preliminary construction activities, conditions that should be met by construction companies, expert supervision, technical inspection, probation operations, usage permits, maintenance of the structure as well as conditions for demolition of objects.

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