

REPUBLIC



OF CYPRUS

84(I) of 2023

**THE FACILITATION OF STRATEGIC DEVELOPMENT  
PROJECTS LAW, 2023**

*(English translation)*

**Office of the Law Commissioner  
Nicosia,  
June, 2025**

**ΓΕΝ (Α) – L.204  
6**

**ISBN 978-9925-623-13-**

NICOSIA

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PRINTED AT THE PRINTING OFFICE OF THE REPUBLIC OF CYPRUS

**Price:**



**CONTENTS**

	<b>Page</b>
Note for the Reader .....	iii
The Facilitation of Strategic Development Projects Law, 2023 (L.84(I)/2023)(EnglishTranslation).....	1

## **NOTE FOR THE READER**

The publication of the Office of the Law Commissioner is an English translation of Law No.84(I) of 2023 enacted in Greek.

However useful the English translation of the Law is in practice, it does not replace the original text of the Law since only the Greek text of the Law published in the Official Gazette of the Republic of Cyprus is authentic.

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# **A LAW TO PROVIDE FOR THE FACILITATION OF STRATEGIC DEVELOPMENT PROJECTS**

## **Section**

1. Short title.

## **ARRANGEMENT OF SECTIONS**

### **PART I**

#### **INTRODUCTORY PROVISIONS**

2. Interpretation.
3. Principles governing the licensing procedures of a strategic development project.
4. Competent bodies for handling and processing of applications.

### **PART II**

#### **COMPETENCES AND POWERS OF THE MINISTER**

5. Competences and powers of the Minister.

### **PART III**

#### **PROCEDURE FOR DESIGNATION OF A DEVELOPMENT AS A STRATEGIC DEVELOPMENT PROJECT**

##### **CHAPTER I**

##### **SUBMISSION OF APPLICATION FOR DESIGNATION OF A DEVELOPMENT AS A STRATEGIC DEVELOPMENT PROJECT**

6. Submission of application for designation of a development as a strategic development project and management fee.
7. Eligible persons.

## CHAPTER II

### EXAMINATION OF APPLICATION FOR DESIGNATION OF A DEVELOPMENT AS A STRATEGIC DEVELOPMENT PROJECT

8. Evaluation criteria for assessing of application for designation of a development as a strategic development project.
9. Establishment of the Strategic Development Sector.
10. Procedure for designation of a development as a strategic development project.
11. Catalogue for the issuance of a permit for a strategic development project.

## PART IV

### LICENSING PROCEDURE OF A STRATEGIC DEVELOPMENT PROJECT

## CHAPTER I

### SUBMISSION OF PERMIT APPLICATION AND TIME LIMITS FOR EXAMINATION BY ADMINISTRATIVE AUTHORITIES

12. General licensing provisions.
13. Time limits for the examination of the licensing application.
14. Applicant obligations.
15. Rescission of strategic development project designation.

## CHAPTER II

### GRANTING OF BUILDING PERMITS

16. Competency for granting of building permits for a strategic development project.
17. Procedure for granting of planning permit and time limits.
18. Procedure for granting of building permit and time limits.
19. Administrative review.

## CHAPTER III

### ENVIRONMENTAL IMPACT ASSESSMENT

20. Environmental studies
21. Procedure for the examination of environmental studies.

## CHAPTER IV

### ISSUANCE OF RESIDENCE PERMITS TO FOREIGNERS FOR THE IMPLEMENTATION OF A STRATEGIC DEVELOPMENT PROJECT

22. Issuance of residence permits for staff from third countries.

## PART V

### DUTIES AND COMPETENCES OF THE PROJECT MANAGER

23. Duties and competences of the Project Manager.
24. Management arrangements.

## PART IV

### FINAL PROVISIONS

25. Regulations.

26. Obligation of confidentiality for the protection of trade secrets and confidential information.
27. Application of provisions of this Law.
28. Communication by electronic means.
29. Entry into force of the present Law.



**No.84(I)of 2023**

**A LAW TO PROVIDE FOR THE FACILITATION OF STRATEGIC  
DEVELOPMENT PROJECTS**

The House of Representatives enacts as follows:

Short title. 1.This Law may be cited as the Facilitation of Strategic  
Development Projects Law, 2023.

**PART I**

**INTRODUCTORY PROVISIONS**

Interpretation. 2.In this Law, unless the context otherwise provides-

158(I) of 1999  
99(I) of 2014  
28(I) of 2020. “administrative authority” has the meaning assigned to this term by  
the General Principles of Administrative Law, Law;

“applicant” means the entity submitting an application for  
designation of a development as a strategic development project  
and a permit application;

“application for designation of a development as a strategic  
development project” means the written application submitted to  
the Strategic Development Sector by any entity which declares  
itself as an eligible person, pursuant to the provisions of section 7,  
and which desires that the development mentioned in the  
application be designated as a strategic development project, in  
accordance with the provisions of section 8;

“entity” means a person who intends to submit an application for  
designation of a development as a strategic development project  
to the Strategic Development Sector;

“building permit” shall have the meaning assigned to it by the

## Streets and Buildings Regulation Law;

Cap.96.

14 of 1959  
67 of 1963  
6 of 1964  
65 of 1964  
12 of 1969  
38 of 1969  
13 of 1974  
28 of 1974  
24 of 1978  
25 of 1979  
80 of 1982  
15 of 1983  
9 of 1986  
115 of 1986  
199 of 1986  
53 of 1987  
87 of 1987  
316 of 1987  
108 of 1988  
243 of 1988  
122 of 1990  
97(I) of 1992  
45(I) of 1994  
14(I) of 1996  
52(I) of 1996  
37(I) of 1997  
72(I) of 1997  
71(I) of 1998  
35(I) of 1999  
61(I) of 1999  
81(I) of 1999  
57(I) of 2000  
66(I) of 2000  
73(I) of 2000  
126(I) of 2000  
157(I) of 2000  
26(I) of 2002  
33(I) of 2002  
202 (I) of 2002  
101(I) of 2006  
21(I) of 2008  
32(I) of 2008  
47(I) of 2011  
77(I) of 2011  
131(I) of 2011  
152(I) of 2011  
34(I) of 2012  
149(I) of 2012  
66(I) of 2013  
40(I) of 2015  
19(I) of 2016  
111(I) of 2017  
143(I) of 2017  
143(I) of 2018  
17(I) of 2019  
53(I) of 2021  
132(I) of 2022.

“building permits” means the planning permit and the building permit issued in accordance with the provisions of sections 16 to

18;

“competent bodies” means the Council of Ministers, other administrative authorities which are competent for the issuance of a permit for strategic development projects and any competent officer who exercises the powers specified in this Law;

“Board for the Examination of Deviating Applications” has the meaning assigned to this term by the Town and Country Planning (Deviations) Regulations;

Official  
Gazette,  
Third  
Supplement(I):  
10.12.1999  
11.3.2005.

“criteria” means the criteria provided by section 8 which the development must meet in order to be designated as a strategic development project;

“development” means any investment activity which an entity intends to undertake and is the subject of the application for designation of a development as a strategic development project, as well as of the permit application submitted by the applicant after the approval of the first application;

“Environmental Impact Assessment Study” has the meaning assigned to this term by the Environmental Impact Assessment from Certain Plans and Programmes Law;

“Head of Strategic Development Sector” means the Director of the Department of Town Planning and Housing;

“licensing authority” means the competent authority granting a

permit as provided in the legislation in force for the time being;

“permit application” means the application which an applicant is entitled to submit to the Strategic Development Sector for the licensing of a strategic development project, in accordance with the licensing procedure provided for in this Law;

“licensing procedure of a strategic development project” means the procedure commencing with the approval of the application for designation of a development as a strategic development project, following a decision of the Council of Ministers and completed with the granting or issuance of the required permits for the implementation of the strategic development project and by all the relevant administrative authorities, as provided by the relevant legislation in force for the time being;

“catalogue for the issuance of a permit for a strategic development project” means the catalogue of all other required permits and views and/or opinions of administrative authorities which are required during the licensing procedure of a strategic development project;

“member state” means a member state of the European Union;

“Minister” means the Minister of Interior;

“person” means any natural or legal person with or without legal personality or a group of such persons or their duly authorised representatives;

90 of 1972  
56 of 1982  
7 of 1990  
28 of 1991  
91(I) of 1992  
55(I) of 1993  
72(I) of 1998  
59(I) of 1999  
142(I) of 1999  
241(I) of 2002  
29(I) of 2005  
135(I) of 2006  
11(I) of 2007  
46(I) of 2011  
76(I) of 2011  
130(I) of 2011  
164(I) of 2011  
33(I) of 2012  
110(I) of 2012  
150(I) of 2012  
20(I) of 2013  
65(I) of 2013  
120(I) of 2014  
39(I) of 2015  
134(I) of 2015  
24(I) of 2016  
142(I) of 2018  
16(I) of 2019  
75(I) of 2021.

“planning permit” has the meaning assigned to this term by the  
Town and Country Planning Law;

1 of 1990  
71 of 1991  
211 of 1991  
27(I) of 1994  
83(I) of 1995  
60(I) of 1996  
109(I) of 1996  
69(I) of 2000  
156 (I) of 2000  
4 (I) of 2001  
94 (I) of 2003  
128 (I) of 2003  
183 (I) of 2003  
31 (I) of 2004  
218 (I) of 2004  
68 (I) of 2005  
79 (I) of 2005  
105 (I) of 2005  
96 (I) of 2006  
107 (I) of 2008  
137 (I) of 2009  
194(I) of 2011  
78(I) of 2013  
7(I) of 2014  
21(I) of 2014  
100(I) of 2015  
148(I) of 2017  
151(I) of 2017  
152(I) of 2017  
98(I) of 2020

“public officer” has the meaning assigned to this term by the Public  
Service Law;

136(I) of 2020  
1(I) of 2022  
113(I) of 2022  
120(I) of 2022  
59(I) of 2023  
64(I) of 2023  
78(I) of 2023.

127(I) of 2018  
23(I) of 2021.

“project” has the meaning assigned to this term in the Environmental Impact Assessment from Certain Plans and Programmes Law;

“Project Manager” means the person who has the duties and competences concerning the administration of an application for designation of a development as a strategic development project and/or the licensing procedure of a strategic development project, deriving from the provisions of this Law;

“strategic development project” means a development for which the Council of Ministers is satisfied that it meets the criteria provided by section 8;

“Strategic Development Sector” means the sector of the Department of Town Planning and Housing which has the powers and competences deriving from this Law.

Principles governing the licensing procedures of a strategic development project.

**3.** The competent bodies and the administrative authorities involved in the procedures for designation and issuance of a permit for strategic development projects, shall, in accordance with the provisions of this Law, treat all persons intending to proceed to an investment activity equally and without any discrimination during the procedure for designation of a development as a strategic development project and shall act efficiently within the framework

of the principle of legality during the licensing procedure of a strategic development project, based on the public interest.

Competent bodies for handling and processing of applications.

4.-(1) Without prejudice to the provisions of this Law, the competent bodies shall, within the framework of their competences and powers or duties, have the power and the duty to handle and process any application submitted for designation of a development as a strategic development project and any permit application submitted, in accordance with the procedure established pursuant to the provisions of this Law.

37(l) of 2022  
28(l) of 2023  
74(l) of 2023.

(2) Notwithstanding the provisions of the Streets and Buildings Regulation Law, the Local Government Organizations Law and of any other Law regarding the granting of planning permits and building permits, the competences and powers of the administrative authorities which are responsible for the issuance of other permits concerning the implementation of the strategic development project shall be specified in accordance with the relevant legislation in force for the time being.

## **PART II**

### **COMPETENCES AND POWERS OF THE MINISTER**

Competences and powers of the Minister.

5.-(1) The Minister shall exercise the powers and competences assigned to him pursuant to the provisions of this Law.

(2) Without prejudice to the generality of subsection (1), the Minister shall have the following competences and powers in respect of the licensing procedure of strategic development projects:

(a) Submits to the Council of Ministers recommendations for the

purpose of specialising the criteria referred to in section 8, which are regulated by Regulations made pursuant to the provisions of section 25;

- (b) makes orders and circulars and submits recommendations to the Council of Ministers for the making of Regulations with a view to the better implementation of this Law;
- (c) suggests to the Council of Ministers, by a fully reasoned suggestion, the approval or rejection of an application for classification of a development as a strategic development project, taking into account the report of the Head of the Strategic Development Sector;
- (d) approves, for each development separately, the Project Manager and the catalogue for the issuance of a permit for a strategic development project and obtains information on the work performed by the administrative authorities involved in the licensing procedure of the strategic development project, so as to ensure compliance with the provisions of this Law;
- (e) suggests to the Council of Ministers, the granting of any permit which is required within the framework of the licensing procedure of a strategic development project or the reasoned rejection of an application for the granting of such permit;
- (f) submits to the Council of Ministers, a report on any problems encountered during the licensing procedure of a strategic development project and proposes reforms on matters concerning the relevant legislation in force for the time



being.

### **PART III**

## **PROCEDURE FOR DESIGNATION OF A DEVELOPMENT AS A STRATEGIC DEVELOPMENT PROJECT**

### **CHAPTER I**

## **SUBMISSION OF APPLICATION FOR DESIGNATION OF A DEVELOPMENT AS A STRATEGIC DEVELOPMENT PROJECT**

Submission of application for designation of a development as a strategic development project and management fee.

**6.-(1)** The entity which intends to the inclusion of a development in the licensing procedure of a strategic development project shall submit an application for designation of a development as a strategic development project, together with the payment of a management fee, to the Head of the Strategic Development Sector, in accordance with the provisions of this Law.

(2) The application mentioned in subsection (1) may be submitted by the applicant or by their authorised representative, in the prescribed form.

(3) The application form and the information included therein shall be prescribed and published by the Ministry of Interior.

(4) Without prejudice to the provisions of subsection (3), the application shall include at least the following data:

(a) A business plan including, *inter alia*, a description of the kind and nature of the development, with special reference to the aspects concerning its particularities, such as, *inter alia*, the promotion of innovation, the development of new technologies, social welfare and the protection of the environment;

(b) a preliminary report in respect of the proprietary and planning characteristics of the immovable property which

the proposed development concerns including a Masterplan, as well as, in respect of the proposed uses of the development and the activities and services provided, the number and description of the permanent and seasonal job positions created and also an analysis of the cost and of the time limit for implementing the development;

- (c) an analysis of the structure and the financial sources for the development from which it follows that the financing is secured by at least fifty per cent (50%) either by own funds or by banking commitments;
- (d) any additional data from which it follows that the criteria provided for in section 8 are met;
- (e) a preliminary analysis of the cost and of the economic viability of the development and/or a techno-economic viability study, according to the size and cost of the development;
- (f) a solemn declaration, the form of which shall be prescribed by the Ministry of Interior, which shall mention therein that:
  - (i) all data included in the application are complete and true;
  - (ii) the applicant is an eligible person, in accordance with the provisions of subsection (1) of section 7;
  - (iii) consent is granted for the verification and check of the data as well as for conducting due diligence by the Strategic Development Sector:

Provided that, the Project Manager as well as the Strategic Development Sector may verify the content of the solemn declaration and request from the interested person to submit supplementary data, if such would be deemed necessary during the study of the application;

- (iv) consensus is granted for the publishing of data in respect of the development and of the progress of its implementation, as well as of the relevant decisions issued pursuant to this Law:

Provided that, the entity of the strategic development project may indicate in the application any data which are considered confidential and notification thereof shall be allowed exclusively to a competent entity and only to the extent that it is necessary for the issuance of a permit for the strategic development project in accordance with the provisions of this Law, as well as data which fall within the definition of “trade secret”, as such term is defined in section 2 of the Protection of Confidential Know-how and Business Information (Trade Secrets) Against Unlawful Acquisition, Use and Disclosure Thereof, Law.

164(I) of 2020.

- (5) The management fee shall amount to at least ten thousand euros (€10,000) and shall be increased incrementally, according to the amount of the total budget and the kind of the development, payable in two (2) installments, as follows:

- (a) The first installment shall amount to ten thousand euros (€10,000) and shall be paid with the submission of the

application for designation of the development as a strategic development project;

- (b) the second installment shall concern the remaining amount and shall be paid with the submission of the first application which is submitted within the framework of the licensing procedure of the strategic development project.

(6) The management fee shall be paid to the Head of the Strategic Development Sector and shall be specified in Regulations made in accordance with the provisions of section 25.

Eligible persons.

.....  
**7.-(1)** Eligible person for the submission of an application pursuant to section 6 shall be any person, legal or natural, excluding-

20(I) of 2014  
123(I) of 2016  
133(I) of 2016  
159(I) of 2017.

(a) economic operators and General Government entities within the meaning assigned to these terms by the Fiscal Responsibility and Financial Framework Law;

(b) any entity who-

- (i) is under bankruptcy proceedings or has been adjudicated bankrupt or is in the process of liquidation or their affairs are being managed by the court or has entered into an arrangement with creditors or has suspended its business operations or is in any respective situation arising from similar procedure, which is provided for in accordance with the legislation of another member state or of the third country in which the entity of the development is a resident or in accordance with the legislation of the Republic in force

for the time being;

- (ii) constitutes the subject of proceedings for declaration of bankruptcy or for an order for compulsory liquidation or management by the court or arrangement with creditors or any other similar procedure, which is provided for in accordance with the legislation of another member state or of the third country in which the entity of the development is a resident or in accordance with the relevant legislation of the Republic in force for the time being;
- (iii) was sentenced, by a decision having the force of res judicata for an offence concerning its professional conduct;
- (iv) does not fulfil their obligations, including the obligations of their associated companies, in respect of the payment of social insurance contributions in accordance with the legislation of other member state or of the third country in which the entity of the development resides or in accordance with the relevant legislation of the Republic in force for the time being;
- (v) does not fulfil their obligations, including the obligations of their associated companies, in respect of the payment of taxes in accordance with the legislation of another member state or of the third country which the entity of the development resides or in accordance with the relevant legislation of the Republic in force for the time being.

(2) For the purposes of due diligence audit, following a proposal by the Minister, the Council of Ministers may make Regulations in accordance with the provisions of section 25.

**CHAPTER II  
EXAMINATION OF APPLICATION FOR  
DESIGNATION OF A DEVELOPMENT AS A STRATEGIC  
DEVELOPMENT PROJECT**

Evaluation criteria for assessing of application for designation of a development as a strategic development project.

**8.-(1)** The applicant, in order to have the development designated as a strategic development project, shall be obliged to prove that it concerns a productive economic activity, as well as that its implementation substantially contributes to the viable development of the economy, by fulfilling the following objective criteria:

- (a) Investment of capital, with a minimum investment amount which shall be prescribed in Regulations made pursuant to the provisions of section 25; or
- (b) creation of new permanent job positions, as prescribed in Regulations made pursuant to the provisions of section 25; or
- (c) investment of capital and creation of new permanent job positions, as prescribed in Regulations made pursuant to the provisions of section 25; or
- (d) investment of an anchor company.

.....  
(2) The fulfilment of the objective criteria referred to in subsection (1) shall be substantiated through a business plan.  
.....

(3) Notwithstanding the provisions of subsection (1), the designation as strategic development projects shall exclude developments prescribed in Regulations made pursuant to section 25 and concern, inter alia, the following:

- (a) Pure real estate development;
- (b) pure financial activities;
- (c) morally controversial developments or prohibited by the legislation in force for the time being;
- (d) developments which increase the environmental impact and, to its greatest degree, such impact is not mitigated or compensated.

Establishment of  
Strategic  
Development  
Sector.

**9.** The Minister shall ensure the establishment of the Strategic Development Sector within the Department of Town Planning and Housing and the director of the said department shall head such sector, which shall-

- (a) act as the central organ which facilitates the issuance of permits for developments falling within the framework of application of this Law;
- (b) be responsible for the preparation of standards and methodologies for the management of developments and for the provision of guidelines in respect of the procedures which the Project Managers ought to follow;
- (c) inform the Minister on the progress of any licensing procedure of a strategic investment project, in accordance

with the provisions of this Law;

- (d) supervise, assess and control the Project Managers as regards any development assigned to them:

Provided that, the Head of the Strategic Development Sector may propose different persons as Project Managers for the examination phases of an application for designation of a development as a strategic development project and for the licensing of a strategic development project;

- (e) propose, assess and maintain a catalogue of individuals who declared an interest and whom he deems appropriate to be appointed as Project Managers, in accordance with selection criteria including, inter alia, qualifications and provisions for the avoidance of conflict of interest and which shall be prescribed in Regulations made in accordance with the provisions of section 25:

Provided that, the catalogue may include staff of the Department of Town Planning and Housing, staff of the public and the wider public sector which is on secondment to the Department of Town Planning and Housing and persons who come from the private sector and are selected after the carrying out of a public competition, in accordance with the provisions of the Regulation of Public Procurement Procedures and Related Matters Law.

73(l) of 2016  
205(l) of 2020  
74(l) of 2022.

Procedure for designation of a development as a strategic development project.

**10.-(1)** The Minister shall study the report submitted before him by the Head of the Strategic Development Sector, in accordance with the provisions of paragraph (a) of subsection (2) of section 23, which includes information on the appointment of the Project Manager, and thereafter, he shall recommend to the Council of



Ministers, with a complete and adequate reasoning, the approval or rejection of the application for designation of a development as a strategic development project.

(2) The Minister shall recommend the approval of the application, provided it is certified that the applicant constitutes an eligible person in accordance with the provisions of section 7 and that their application is consistent with the provisions of section 8.

(3) The recommendation of the Minister to the Council of Ministers for the approval or rejection of an application for designation of a development as a strategic development project shall be submitted within a time limit of fifteen (15) working days from the date on which the report provided in paragraph (a) of subsection (2) of section 23 shall be delivered to the Minister by the Head of the Strategic Development Sector.

(4) The development shall be designated as a strategic development project or the application for designation of a development as a strategic development project shall be rejected, following a decision of the Council of Ministers.

Catalogue for the issuance of a permit for a strategic development project.

**11.-(1)** The Strategic Development Sector shall inform the applicant of the decision taken and, in case where the development shall be designated as a strategic development project, it shall prepare a catalogue for the issuance of a permit for the strategic development project.

(2) The catalogue provided for in subsection (1) shall-

- (a) specify the administrative authorities which are competent for the licensing procedure of a strategic development project and for consultation;
- (b) set out specific time lines for the granting of the required permits by the administrative authorities, for the purpose of implementation and operation of the development;
- (c) set out specific time lines for the submission of additional data by the applicant;
- (d) include a full list of the required studies for the permit application of a strategic development project;
- (e) include an opinion as to the necessity for submitting an application for the granting of a planning permit by way of derogation of the provisions of a development plan in force, in accordance with the provisions of subsection (2) of section 26 of the Town and Country Planning Law.

(3) The time limit referred to in paragraph (b) of subsection (2) may not exceed twelve (12) months in total:

Provided that the said time limit shall not include the time periods during which the applicant is expected to submit additional data or documents or amending plans which an administrative authority would consider necessary for an application to be deemed complete, within the prescribed time limits referred to in the licensing catalogue:

Provided further that, the above time limit shall not include the time periods required for the granting of permits by administrative

authorities which concern the operation of the development and for which the completion of infrastructure projects is a prerequisite:

Provided even further that, the time limit provided for, shall include the time period within which the procedure which may be required for the purposes of leasing state land, is completed.

## **PART IV**

### **LICENSING PROCEDURE OF A STRATEGIC DEVELOPMENT PROJECT**

#### **CHAPTER I**

#### **SUBMISSION OF PERMIT APPLICATION AND TIME LIMITS FOR EXAMINATION BY THE ADMINISTRATIVE AUTHORITIES**

General licensing  
provisions.

**12.-(1)** The applicant, upon receipt of the decision notifying him of the approval of the application for designation of a development as a strategic development project and in consultation with the Project Manager, as deemed necessary, may proceed to the submission of a permit application provided that he pays to the competent administrative authorities the required fees and/or charges provided for in the relevant legislation in force for the time being for the issuance of a permit and additionally pays the remaining part of the administration fee, in accordance with the provisions of subsection (5) of section 6.

(2)(a) The file of the permit application shall be forwarded to the Project Manager who shall check its completeness and shall inform the applicant accordingly in case the submission of additional data and/or documents is required.

(b) The Project Manager shall forward the application with all required documents of the application, as the case maybe, to the

head of each competent administrative authority included in the catalogue for the issuance of a permit for a strategic development project, who shall be obliged to appoint a person from the service he presides over as the competent person to issue the required permits and/or opinions and/or for the consultation provided for by the relevant legislation in and shall ensure that the staff of the said service shall proceed without any further delay to the actions required for this purpose, in accordance with their competences provided therefor:

Provided that, the applicant, prior to the submission of the permit application, may choose to consult with the administrative authorities involved in the procedure for the purpose of granting the required permits, which are included in the catalogue for the issuance of a permit for a strategic development project:

Provided further that, in case where opinions are taken from the administrative authorities which are included in the catalogue for the issuance of a permit for the strategic development project before the submission of the permit application, the licensing authority, provided that the data taken into account by the said authorities do not differ from the data included in the permit application, shall not consult anew with them during the procedure for the granting of permits, except of the procedure provided for in Chapter III of Part IV.

(c) The administrative authorities shall be obliged to provide the Project Manager with every necessary information, written or oral, regarding the stage at which the relevant procedures are, any deficiencies of the file and the manner of completion thereof, as well as the reasons for delay or the inability to provide the permits or approvals applied for.

Time-limits for examination of the licensing application.

**13.-(1)** Immediately upon receipt of the permit application submitted to the administrative authority by the Project Manager, it shall proceed to a preliminary examination, within fifteen (15) working days from receipt thereof, as to the inclusion therein of all necessary documents, in accordance with the relevant legislation in force for the time being.

(2) If the permit application referred to in subsection (1) is complete, the administrative authority shall proceed to its examination without further delay and shall be obliged to issue its decision or formulate and notify its final views within the time limit prescribed in the catalogue for the issuance of a permit for the strategic development project.

(3) In case where the application is not complete, the administrative authority may request the applicant, through the Project Manager, to complete it himself, thereby submitting any additional information or providing to it the required supplementary clarifications, through the Project Manager.

4(a) The examination of all applications which are complete, including the consultation procedure with other authorities, which is prescribed on the basis of a Memorandum of Collaboration entered into by the Minister, should be completed within the time limit defined in the catalogue for the issuance of a permit for the strategic development project.

(b) The time limit, in the case of an incomplete application, shall be calculated from the date of submission of the required supplementary information and additional clarifications by the applicant and, in case a review of the proposal is necessary before the taking of a final decision, from the date of submission of the revised planning.

(5) In case where the procedure for the examination of a permit application for the issue of a decision or for the formulation of final views cannot be completed within the prescribed time limit, the administrative authority shall be obliged to submit an application to the Minister before the expiry of the time limit, through the Project Manager, for a reasonable extension of time justifying specifically the failure to comply with the said time limit.

(6) Unless the consent of the Minister shall be obtained for an extension of the prescribed time limit for completion of the examination of the application, the failure of any administrative authority to comply with its obligation provided for in subsection (4) shall be notified by the Project Manager to the Minister as well as to the competent minister for further actions.

Obligations of applicant.

**14.-(1)** Following the decision of the Council of Ministers for approval of the application for designation of a development as a strategic development project, the applicant shall deposit with the Strategic Development Sector the complete data, as such shall be required by the relevant legislation in force for the time being, for approval and issuance of the required permits for the implementation of the development to which the permit application concerns, as provided by section 12.

(2) The applicant shall ensure that the data submitted to the services which are, by law, competent for issuance of a permit are complete, accurate and true and shall be obliged to cooperate with the Strategic Development Sector, the Ministry of Interior and the administrative authorities, if requested to do so, in order for any missing data to be completed.

(3) Any permit granted by the administrative authorities to the applicant shall not be transferable, unless the consent of the Council of Ministers is obtained in advance.

.....

Rescission of  
strategic  
development  
project  
designation.

**15.** By a reasoned decision of the Council of Ministers and following a relevant recommendation of the Minister, the designation of a development as a “strategic development project” may be rescinded, in cases where-

- (a) upon expiry of the validity of the permits of the development, no applications for renewal thereof were submitted and the commencement of implementation of the strategic development project did not materialise;
- (b) it is ascertained that the applicant did not fulfil his obligations in accordance with the provisions of section 14;
- (c) during the procedure for examination of the applications for the granting of the permits, it emerged that the strategic development project could not be implemented; and/or
- (d) it is ascertained that the applicant does not provide the information required pursuant to the provisions of this Law or makes false declarations during the provision of such information.

## **CHAPTER II**

### **GRANTING OF BUILDING PERMITS**

Competency for granting building permits for a strategic development project.

**16.-(1)** Notwithstanding the provisions of the Town and Country Planning Law and of the Local Government Organizations Law, for the purposes of this Law, the Head of the Strategic Development Sector shall be appointed as the competent authority for the granting of the planning permit.

(2) Notwithstanding the provisions of the Streets and Buildings Regulation Law and of the Local Government Organizations Law, competent authority for the purpose of implementation of the Streets and Buildings Regulation Law, shall be the Head of the Strategic Development Sector.

Procedure for the granting of planning permit and time limits.

**17.-(1)** The application for the purposes of granting a planning permit shall be received by the Head of the Strategic Development Sector and shall be forwarded for handling to the Project Manager.

(2) The application shall be forwarded without further delay to all competent administrative authorities, in accordance with the catalogue provided for in paragraph (a) of subsection (2) of section 11.

(3) Each administrative authority, immediately after receiving the application within the framework of consultation for the granting of a planning permit, which is submitted to it by the Head of the Strategic Development Sector, shall proceed to a preliminary examination of the application within five (5) working days from its receipt, as to whether it contains all the necessary documents in accordance with the legislation in force for the time being.

(4) If the application for the granting of a planning permit is complete, the administrative authority shall proceed to its examination without further delay and shall be obliged to formulate and notify its final views to the Head of the Strategic Development Sector within fifteen (15) working days.



(5) In case where the aforementioned application is not complete, the administrative authority, through the Head of the Strategic Development Sector, may request the applicant to complete it while submitting any additional information or providing to it the necessary supplementary clarifications.

(6) (a) The applicant shall be obliged to submit the necessary supplementary information and additional clarifications provided for in subsection (5) to the administrative authority, through the Project Manager.

(b) The administrative authority shall, upon confirming that the application is considered complete, inform the Head of the Strategic Development Sector, within fifteen (15) working days, of its final views.

(7) The timeline provided for in subsections (4) and (6) shall not apply as regards the procedure for the issue of an opinion by the Environmental Authority, for which the provisions of sections 20 and 21 shall apply.

(8) On the basis of the catalogue for the issuance of a permit for the strategic development project, the Head of the Strategic Development Sector and the Director of the Department of Environment shall specify the administrative authorities which-

(a) shall be called to a consultation by the Head of the Strategic Development Sector and the Director of the Department of Environment in parallel;

(b) shall be called to a consultation only by the Head of the Strategic Development Sector;

- (c) shall be called to a consultation only by the Director of the Department of Environment, in accordance with the procedure provided for in Chapter III of Part IV.

(9) The Head of the Strategic Development Sector shall request the views of the administrative authorities provided for in subsection (8), while clarifying that the administrative authorities referred to in paragraph (c) of subsection (8) are obliged to submit exclusively to the Director of the Department of Environment their views regarding the environmental matters for the purposes of the procedure provided for in Chapter III of Part IV, whereas any other views shall be submitted exclusively to the Head of the Strategic Development Sector, for the purposes of granting the planning permit.

(10) The administrative authorities which are obliged to submit views to the Strategic Development Sector in accordance with subsection (8) shall be obliged to follow the procedure provided for in subsections (3) to (6).

(11) (a) Upon submission to the planning authority of the views of all the administrative authorities within the framework of the procedure provided for in subsections (1) to (6), the duly authorised representatives of the administrative authorities, including the appropriate local authority as well as the Project Manager, shall participate in a meeting which may be convened by the licensing authority in order to discuss with the applicant the requirements for the granting of a planning permit.

(b) The meeting shall be called within ten (10) working days, the latest, following completion of the procedures provided for in subsections (1) to (6).

(12) Upon adoption by the applicant, in the planning of the study, of the requirements laid down within the framework of the discussion referred to in subsection (11) and which the Head of the Strategic Development Sector intends to include in the conditions of the planning permit or to require that they are implemented prior to the granting of same, the applicant shall submit a revised proposal.

(13) Upon completion of the meeting referred to in subsection (11) and the ratification of its minutes which shall be approved within ten (10) working days, no additional views may be submitted nor any additional requirements be imposed within the framework of evaluation of the planning permit by the administrative authorities unless such arise from the revised planning or from additional data submitted by the applicant in respect of the planning permit.

(14) In any case, provided any required supplementary data shall be submitted by the applicant in accordance with the provisions of subsection (6) as well as of subsections (12) and (13), where applicable, the administrative authorities shall inform the planning authority, within fifteen (15) working days, of their final views, in accordance with the procedure provided for in subsections (1) to (6) as well as in subsections (11) to (13), where applicable, whereas the views shall be notified to the appropriate local authority.

(15) After the expiry of the time limit of fifteen (15) working days provided for in subsection (4) for the submission of final views, unless the Head of the Strategic Development Sector consents to an extension thereof, it shall be presumed that the said administrative authority agrees with the granting of a planning permit without laying down any other conditions.

(16) In case where, within the time limit provided for in subsections (4) and (6) a local authority, having a development planned within its administrative boundaries, shall lay down conditions for the granting of a planning permit which are consistent with a general decision or policy of the said local authority taken or adopted at least six (6) months before the receipt of the application for designation of a development as a strategic development project, the said conditions shall be a mandatory part of the final conditions of the planning permit.

(17) The taking of a decision or the adoption of a policy by the local authority referred to in subsection (16) shall be confirmed by official minutes of the meeting of the appropriate competent entity.

(18) Upon completion of the procedure provided for in Chapter III of Part IV, where required, and provided the positive opinion of the Environmental Authority is given, the Head of the Strategic Development Sector-

(a) shall decide, the latest within fifteen (15) business days from completion of the procedure provided for in subsection (14) or the latest within fifteen (15) working days from completion of the procedure of Chapter III of Part IV, on the granting of a planning permit, on conditions or not, or on the rejection of the application for the granting of a planning permit;

(b) if it is required to submit an application for the granting of a planning permit by way of derogation from the provisions of a development plan in force, in accordance with subsection (2) of section 26 of the Town and Country Planning Law, shall send without any further delay, a substantiated report to the Council for the Study of

Deviations, as provided for in paragraph (8) of Regulation 13 of the Town and Country Planning (Deviations) Regulations.

(19) In case of submission of an application for the granting of a planning permit by way of derogation of the provisions of the development plan in force, in accordance with Regulation 13 of the Town and Country Planning (Deviations) Regulations, the study of the application by the Council for the Study of Derogations and the submission of a report to the Council of Ministers shall be completed within a time limit of three (3) months from the date of dispatch of the substantiated report provided for in paragraph (b) of subsection (18) to the Council for the Study of Derogations, as provided for in paragraph (8) of Regulation 13 of the Town and Country Planning (Deviations) Regulations:

Provided that, in case where it is required to conduct a public hearing in accordance with Regulation 16 of the Town and Country Planning (Deviations) Regulations, the submission of a report to the Council of Ministers shall be completed within a time limit of fourth (4) months:

Provided further that, the time for the study of the planning application by way of derogation shall be extended in conjunction with the time for the taking of a decision by the Council of Ministers.

Procedure for  
granting a  
building permit  
and time limits.

**18.-(1)(a)** Upon submission of an application by the applicant to the Head of the Strategic Development Sector, for the purpose of granting a building permit, such application shall be forwarded to the competent officer for handling.

(b) The Head of the Strategic Development Sector, if deemed necessary, shall request within five (5) working days the latest, the

submission of a revised proposal due to the non-adoption of conditions laid down in the planning permit.

(2) On the basis of the catalogue for the issuance of a permit for the strategic development project, the Head of the Strategic Development Sector shall request updated information from the administrative authorities within five (5) working days, as to whether any supplementary information and/or additional clarifications from the applicant and/or a revised application are required from the applicant, so that such would be considered complete to the extent that it contains all the necessary documents in accordance with the legislation in force for the time being.

(3) Upon the applicant submitting the necessary supplementary information and additional clarifications, as provided for in subsection (2), and the application being considered complete, the duly authorised representatives of the administrative authorities and the Project Manager shall participate in a meeting which may be convened by the Head of the Strategic Development Sector for discussion in respect of the granting of a building permit.

(4) Provided the applicant adopts, in the design of their study, the requirements laid down within the framework of the discussion during the meeting referred to in subsection (3) and which the Head of the Strategic Development Sector intends to include in the conditions of the building permit or demand that they be implemented prior to the granting of same, the applicant shall submit a revised proposal and the Head of the Strategic Development Sector may convene a second meeting, with the participation of duly appointed authorised representatives of the administrative authorities for discussion of the final requirements, if existing, for the granting of the building permit.

(5) Upon completion of the meeting referred to in subsection (4) and the confirmation of the minutes which shall be approved within ten (10) working days, no additional views may be submitted nor any additional requirements may be imposed within the framework of evaluation of the building permit by the administrative authorities, unless such arise from the revised design or from additional data submitted by the applicant in respect of the building application.

(6) In any case, the administrative authorities shall inform the Head of the Strategic Development Sector, within fifteen (15) working days, of their final views:

Provided that, in case where a meeting shall be convened by the Head of the Strategic Development Sector in accordance with subsection (3), the period of fifteen (15) working days shall commence from the completion of the procedures provided for in subsections (4) and (5).

(7) Upon expiry of the time limit of fifteen (15) working days provided for in subsection (6) for the submission of final views, unless the Head of the Strategic Development Sector shall consent to its extension, it shall be presumed that the said administrative authority agrees with the granting of the building permit without laying down any conditions.

(8) In case where, within the time limit provided for in subsection (6), a local authority, having a development planned within its administrative boundaries, shall lay down conditions for the granting of the building permit which shall be consistent with a general decision or policy of the said administrative authority taken or adopted at least six (6) months prior to the receipt of the application for designation of a development as a strategic

development project, then the said conditions shall be a mandatory part of the final conditions of the building permit.

(9) The taking of a decision or the adoption of a policy by the local authority, as provided for in subsection (8), shall be confirmed by the official minutes of the meeting of the relevant competent entity.

(10) Upon completion of the procedure provided for in this section, the Head of the Strategic Development Sector shall issue a building permit or shall reject the application, within the time limit included in the catalogue of issuance of a permit for the strategic development project, following completion of the procedures provided in subsections (4) and (6).

Administrative  
review.

**19.—(1)** Notwithstanding the provisions of the Town and Country Planning Law and of the Streets and Buildings Regulation Law, in case the permit application of a strategic development project is rejected or when a permit with conditions has been granted, the applicant, if they deem that their legitimate interests are compromised by the rejection or granting of the permit with conditions, in accordance with the provisions of sections 16 to 18, may file an administrative review against the decision of the Head of the Strategic Development Sector, to the Council of Ministers, within twenty-one (21) working days:

Provided that, in case where the applicant deems that their legitimate interests are prejudiced by the decision rejecting the granting of a permit due to a negative opinion of the Environmental Authority or by the granting of a permit with conditions which derived from inclusion of material conditions in the opinion of the Environmental Authority, in accordance with the provisions of subsections (10) and (12) of section 21, there shall apply section



48 of the Environmental Impact Assessment from Certain Plans and Programmes Law.

(2) If an administrative review shall be exercised in accordance with the provisions of subsection (1), the Council of Ministers may–

(a) confirm the contested decision;

(b) cancel the contested decision;

(c) cancel or amend any part of the contested decision; or

(d) deal with the application as if such had initially been submitted to the Council of Ministers.

(3) The Council of Ministers shall examine each administrative review exercised pursuant to subsection (1) and shall provide a right of hearing to the affected party or shall give him the opportunity to support further the reasons on which the administrative review is based, by doing so in writing.

(4) The Council of Ministers shall decide on each administrative review and shall document its decision, which shall be issued within ninety (90) working days from the date of exercise of the administrative review and be notified to the applicant and to the Head of the Strategic Development Sector.

(5) The decision of the Head of the Strategic Development Sector, for rejection of the permit application of a strategic development project or for the granting of a permit with conditions, shall not become enforceable before the expiry of the time limit provided for in subsection (1) for the exercise of an administrative review and, in case of exercise of an administrative review, before the issue of

the decision of the Council of Ministers, which shall be issued in accordance with the time limit provided for in subsection (4).

### **CHAPTER III**

#### **ENVIRONMENTAL IMPACT ASSESSMENT**

Environmental  
studies.  
153(I) of 2003  
131(I) of 2006  
113(I) of 2012  
67(I) of 2015.

**20.-(1)** The Head of the Strategic Development Sector, within the framework of examination of the application for the granting of a planning permit, shall request the applicant to conduct and deposit an Environmental Impact Assessment Study, in accordance with the provisions of the Environmental Impact Assessment from Certain Plans and Programmes Law as well as a Specific Ecological Assessment Study, if the proposed development concerns a project which may affect an area of the Natura 2000 Network, in accordance with the provisions of the Nature and Wildlife Protection and Management Law:

Official  
Gazette,  
Third  
Supplement(I):  
8.4.2022.

Provided that the applicant shall pay to the Environmental Authority the fees provided for in the Environmental Impact Assessment from Certain Plans and Programmes (Fees and Charges) Order.

(2) The content of the studies provided for in subsection (1) shall be prescribed in writing by directives of the Environmental Authority as to their scope and content and for this purpose the Strategic Development Sector, within the framework of preparation of the catalogue for the issuance of a permit for the strategic development project, in accordance with subsection (1) of section 11, shall submit to the Environmental Authority an application accompanied by the following:

- (a) Spatial plan indicating the immovable property in which the development shall be performed;
- (b) summary description of the nature, type, extent and volume of the strategic development project;
- (c) the possible impact on the environment;
- (d) any other relevant information which the applicant may deem appropriate or necessary.

(3) The Environmental Authority shall examine the application and shall provide the relevant directives as to the scope and detail of the information required to be included in the studies, within fifteen (15) working days from receipt of the application:

Provided that the Environmental Authority, following receipt of the application provided for in the provisions of subsection (2), may consult with the Strategic Development Sector and request any additional information in respect of the development or in respect of any impact which its performance and operation may cause to the environment.

(4) The content of the studies provided for in subsection (1), which is submitted by the applicant, must be consistent with the provisions of the Environmental Impact Assessment from Certain Plans and Programmes Law and, in particular, with the provision on public consultation and public presentation on behalf of the applicant, as well as with the provisions of the Nature and Wildlife Protection and Management Law.

**21.-(1)** Irrespectively of any procedures provided for in the Environmental Impact Assessment from Certain Plans and Programmes Law, the Department of Environment shall examine, without delay, whether the information contained in the Environmental Impact Assessment Study and the Specific Ecological Assessment Study is sufficient and, if it deems that such is not sufficient, it may, within ten (10) working days, through the Director of the Department of Environment, request the applicant, with notification to the Project Manager, to deposit within a reasonable period of time, any additional information in respect of the strategic development project or the impact which it may cause to the environment.

(2) The applicant shall be obliged, simultaneously with the submission of the studies provided for in subsection (1) of section 20, to proceed to a publication of notification of the application in at least two (2) daily newspapers circulated within the Republic.

(3) All the information deposited by the applicant within the framework of the Environmental Impact Assessment Study shall be posted on the website of the Department of Environment and shall be available in the archives of the Department of Environment and the latest within twenty (20) working days from the above publication any person may submit to the Director of the Department of Environment any views or representations on its content or in respect of the impact which the performance or operation of the project may cause to the environment and the said views or representations shall be taken into account for the evaluation of the Environmental Impact Assessment Study, as well as for the issuance of the relevant opinion.

(4) Where the Director of the Department of Environment shall ascertain that the information laid down before him is sufficient, he

shall proceed, without further delay, to an evaluation of the Environmental Impact Assessment Study and of the Specific Ecological Assessment Study:

Provided that, in case the Environmental Impact Assessment Study, which is prepared and evaluated in accordance with the provisions of the Nature and Wildlife Protection and Management Law, indicates irreversible impact on the Natura 2000 protected areas network, the project shall be rejected.

(5) According to the type of the project, the characteristics of the environment in which the project is located and the expected impact on it, the Director of the Department of Environment shall request, as the case may be, the following:

(a) The expert knowledge of the competent services and, in particular, of the Department of Labour Inspection, the Forestry Department, the Water Development Department, the Department of Geological Survey, the Department of Fisheries and Marine Research and the Game and Wildlife Service;

(b) the views of the local authorities, organised groups, non-governmental organizations and/or qualified individuals.

(6) The Director of the Department of Environment may request an update from the competent authorities provided for in subsection (5), within five (5) working days from dispatch of the views, for any required additional information.

(7) The expert knowledge and views may be requested electronically, through a letter, or within the framework of a meeting and shall be deposited to the Department of Environment within

fifteen (15) working days from the date the said expert knowledge or views are requested.

(8) As regards the submission of views in accordance with the provisions of paragraphs (a) and (b) of subsection (5) the time limit provided for in subsection (7) is required to be observed, unless the Director of the Department of Environment shall expressly consent to a fully reasoned request for extension on behalf of the competent authority at any time.

(9)(a) The Director of the Department of Environment, after having taken into account the recommendations of the expert services and any views and/or representations, subject to the provisions of subsection (8), shall proceed to an evaluation and shall prepare a relevant and fully reasoned opinion which he shall forward to the Head of the Strategic Development Sector within one (1) month from the date of completion of the procedure provided for in subsections (5) to (7).

(b) If the project affects an area of the Natura 2000 Network, the opinion shall be prepared within two (2) months from the date of completion of the procedure provided for in subsections (5) to (7):

(c) The Head of the Strategic Development Sector may consent to an extension of the time limits provided for in this subsection, following submission of a reasoned request by the Director of the Department of Environment and shall notify the said extension to the Minister.

(10) With the above-mentioned opinion, the Director of the Department of Environment may suggest that the strategic development project-

- (a) be not performed, due to the significant impact on the environment which is impossible to be reduced or eliminated by the taking of management measures through the imposition of conditions; or
- (b) be performed, on specific conditions and measures, the observance of which shall ensure the elimination or reduction of the impact which the performance or operation of the project could cause to the environment:

Provided that, the Director of the Department of Environment may specify in its opinion the material conditions which the Town and Planning Authority may lay down to be implemented by the applicant.

(11) The opinion of the Department of Environment shall be posted on its website and shall be available in the archives of the above department.

(12) Upon receipt of the opinion of the Department of Environment, the Head of the Strategic Development Sector-

- (a) if the opinion of the Environmental Authority is positive, may proceed to the granting of a planning permit, as provided for in section 17, by incorporating therein the conditions and measures which shall necessarily include the material conditions of the opinion and, for the purposes of ensuring the correct implementation of the said conditions, the provisions of section 43 of the Environmental Impact Assessment from Certain Plans and Programmes Law shall apply in respect of the execution of an audit by an external environmental auditor;

- (b) subject to the provisions of subsection (14), if the opinion

of the Environmental Authority is negative, the provisions of the Environmental Impact Assessment from Certain Plans and Programmes Law shall apply.

(13) Upon completion of the procedure provided for in this section, the Head of the Strategic Development Sector shall proceed to take a decision in accordance with subsection (18) of section 17.

(14) If the opinion of the Environmental Authority shall concern a project which indicated a negative impact on the area of the Natura 2000 Network and is negative, the procedure provided for in subsections (12) and (13) shall not apply and the Head of the Strategic Development Sector, through the Project Manager, shall notify the applicant that a permit cannot be issued and the latter, if they so wish, may modify the project, so that the negative and irreversible impact on the area of Natura 2000 Network is eliminated.

#### **CHAPTER IV**

##### **ISSUANCE OF RESIDENCE PERMITS TO FOREIGNERS FOR THE IMPLEMENTATION OF A STRATEGIC DEVELOPMENT PROJECT**

Issuance of  
residence permits  
for staff from third  
countries.

**22.-(1)** For the cases of developments which are designated as strategic development projects, following a decision of the Council of Ministers in accordance with the provisions of section 10, residence permits of citizens of third countries may be granted in accordance with the strategy prescribed by the Council of Ministers, following a relevant proposal of the Minister.



(2) The proposal referred to in subsection (1) shall include, inter alia, details of the number of staff from third countries for which the issuance of residence permits per applicant is allowed, as well as the categories of posts.

## **PART V**

### **DUTIES AND COMPETENCES OF THE PROJECT MANAGER**

Duties and competences of the Project Manager.

**23.**-(1) The Project Manager shall be nominated by the Head of the Strategic Development Sector, from a register kept by the said sector and shall be approved by the Minister, to perform the duties and to exercise the competences prescribed in subsection (2).

(2) The duties and the competences of the Project Manager are the following:

(a) Study of the application for designation of a development as a strategic development project and preparation of a report which shall be submitted to the Minister, within a period not exceeding ten (10) working days after receipt of the completed file of the application, through the Head of the Strategic Development Sector:

Provided that, the Project Manager, within a time limit of five (5) working days from the date of submission of the application, shall inform the applicant of the strategic development project of whether the submission of additional data, information and clarifications is required, which he considers necessary for the due examination and correct evaluation of the submitted application:

Provided further that, the purpose of evaluation is to ascertain whether the applicant constitutes an eligible person pursuant to the provisions of section 7 and the proposed development meets the criteria for evaluation and approval of an application for designation of a development as a strategic development project, in accordance with the provisions of section 8;

- (b) communication with the applicant for any information, guidance and support in relation to the promotion of the licensing procedure of the strategic development project;
- (c) preparation of the catalogue for the issuance of a permit for the strategic development project;
- (d) provision to the applicant, to the extent necessary, of any necessary assistance and guidance for the purpose of the due preparation and correct submission of the permit application;
- (e) examination as to whether the permit application may be examined in parallel by more than one administrative authority and, if it is ascertained that there are no legal or other practical administrative impediments which would render impossible its parallel examination, coordination for the purpose of completion of the parallel procedures;
- (f) application of an efficient follow-up system of the examination progress of a permit application and coordination of the administrative authorities involved;
- (g) preparation of an evaluation report of the licensing procedure and provision of feedback to the Head of the Strategic Development Sector after the end of the procedure.

**24.-(1)** The Strategic Development Sector shall enter into memoranda of cooperation with the administrative authorities involved in the licensing procedure, which, if approved by the Minister, shall be submitted for approval to the Council of Ministers; these memoranda shall describe the consultation and licensing procedures and shall include a list of officers whom the head of each administrative authority shall consider appropriate to be involved during the licensing procedure, so that-

- (a) one of the appropriate and available officers be selected for the examination of the applications, in consultation with the head of each administrative authority;
- (b) the manner of cooperation be specified, in order to ensure that it can be carried out uninterrupted outside the working hours, without affecting the work of the officer during the working hours;
- (c) the system for the follow up and observance of time lines be implemented, by securing the resources necessary for this purpose.

(2) For each application submitted in accordance with section 12, upon payment of the amount provided for, the Head of the Strategic Development Sector shall be responsible for the management of an equivalent fund for the following purposes:

- (a) Payment of the cost for the services of the Project Manager, in case where he comes from the private sector and has been selected following a relevant public competition, as well as for the consultancy services which may be deemed necessary for the evaluation of

the application for designation of a development as a strategic development project and during the licensing procedure of the development;

- (b) granting of the required resources which arise in accordance with subsection (1), including any overtime compensation;
- (c) payment of any hospitality and travelling expenses which relate to the licensing procedure and completion of the development;
- (d) payment of other costs which may be deemed necessary in relation to the development:

Provided that, the Minister may at any time request a detailed statement of the fund and prescribe further measures or restrict its use:

Provided further that, the Minister may approve, following a request of the Head of the Strategic Development Sector, additional credits to the specific fund.

(3) The procedures for the management of the fund, as well as the audit mechanism applied, shall be prescribed by the Head of the Strategic Development Sector, in cooperation with the Treasury and the Audit Office of the Republic of Cyprus, respectively.

(4) A separate fund shall be kept for each development, which shall be cancelled after the end of the purpose for which it was created.

## **PART VI**

### **FINAL PROVISIONS**

Regulations.

**25.**-(1) The Council of Ministers may make Regulations for prescribing or regulating any matter which is required or may be prescribed and in general for the better implementation of this Law.

(2) Without prejudice to the generality of subsection (1), these Regulations may regulate the following:

- (a) The implementation procedures of this Law;
- (b) the due diligence audit, in accordance with subsection (2) of section 7;
- (c) the determination of criteria for classification of a development as a strategic development project, in accordance with the provisions of section 8;
- (d) the determination of criteria for the selection of Project Managers;
- (e) the administration fee imposed.

Obligation of confidentiality in respect of trade secrets and confidential information.

**26.**-(1) The competent bodies and other public officers receiving knowledge, due to their post or during the exercise of their official duties, of trade secrets and confidential information shall have the obligation to observe confidentiality and are obliged not to communicate and publish them, save to the extent imposed for implementing the provisions of this Law.

(2) Subsection (1) shall apply also to any natural or legal person receiving knowledge of such information by virtue of the

provisions of this Law according to the procedures provided for in this Law.

(3) Without prejudice to the provisions of subsection (4), a breach of the obligation, under this section, to observe confidentiality shall constitute, as far as a public officer is concerned, a disciplinary offence and the provisions of sections 73 to 86 of the Public Service Law shall apply to such person.

(4) Any person who breaches the obligation to observe confidentiality, as provided for in this section, shall be guilty of an offence and on conviction shall be liable to imprisonment not exceeding one (1) year or to a fine not exceeding three thousand five hundred euro (€3500) and/or to both such penalties.

Application of the provisions of this Law.

**27.** Unless otherwise therein provided, the provisions of this Law shall apply notwithstanding the provisions of any other special or general law of the Republic in force for the time being.

Communication by electronic means.

**28.** Subject to the provisions of the General Principles of Administrative Law, the licensing procedure of strategic development projects may be carried out by electronic means, including the submission of applications, the exchange of electronic messages, teleconference or other audiovisual means.

Entry into force.

**29.** This Law shall come into force on a date to be prescribed by the Council of Ministers upon notification thereof to be published in the Official Gazette of the Republic.<sup>1</sup>

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<sup>1</sup> By an Order of the Council of Ministers, published in the Official Gazette of the Republic, [P.I.377/2023, Suppl.III(I), No377, dated 29.11.2023], Law84(I)/2023 came into force on the 1<sup>st</sup> December, 2023.

