

## Building laws and their impact on architecture and urbanism in Egypt: an applied study for Law No. 119\_2008

Dr. Abd Alla Ali Ismail Kormed

Lectuerer in Department of Architecture Engineering. Higher Nile Institute for Engineering and Technology - El Mansoura.

[dr.eng.kormed@gamial.com](mailto:dr.eng.kormed@gamial.com)

### Abstract:

After the appearance of the "Decreto" in 1889, that organized construction work and urban areas, which were counted under the most complex aspects in the Arab Republic of Egypt, then building laws began to change and were characterized by pluralism on an ongoing basis, and pluralism continuously, until the Unified Building Law No. 119 of 2008 was issued to put an end to such changes and its complications had a negative impact on architecture and urbanization, and this impact was directly reflected on the citizen. With the application of this law, gaps appeared that caused the problems of architecture and urbanization to inflate instead of finding solutions to them. Despite that, building violations increased until it reached to two million and 800 thousand violations throughout the Republic. The violations study is attributed to the supervisory authorities on construction work, and those authorities did not realize the seriousness of the consequences of violations in the future, and they used to turn blind eyes to some violations, especially in times when there was turmoil in the security services. From the foregoing, the state saw that there is an urgent need to find a law that corrects these kinds of errors and limits the prevailing random expansion. Therefore, Law No. 17 of 2019 and its amendments is appeared in Law No. 1 of 2020, and its new executive regulations issued by Resolution No. 800 of 2020. This law represents an important positive opportunity to organize and control many of the conditions of architecture, urbanization and real estate wealth, raise the value of real estate and legalize the status of violating buildings while giving them a sound legal existence with the reorganization of the urban map in each region and the development of the infrastructure system. In this context, the research presented the strengths and weaknesses of Law No. 17 of 2019, the research is also dealt with the problem of applying the occupancy Law No. 140 of 1956 and its conflict with Law No. 119 of 2008, and reviewed the problems of the maximum permissible height of buildings, especially in line with air traffic, and the research concluded to a set of recommendations emphasizes the importance of amending Law No. 17 of 2019, and its sales, and the research also ended with a set of recommendations, including those related to the administrative authorities concerned with re-planning and regulation, including those that are within the competence of the Ministry of Justice and legislative bodies.

### KEYWORDS:

law, Modified, Organizing, Randomness, Re-planning.

#### ▪ Research Methodology:

1. The inductive aspect: It is represented in permanent access to the relevant legal references that are developed in the law, and within them it turns into a circular office for local development work, the Urban Development Authority, its circulation, the oceans, and browsing the Internet sites interested in this regard.

2. The practical side: a study of the reflection of the shortcomings in the application of Law No. 119 of 2008 and the extent of its impact on the archaeological and civilized random form.
3. The deductive aspect: which the researcher followed in the logical explanation of the existing problems and deducing ways to deter violators in construction work, as well as what is for the convenience of citizens, as well as the shortcomings in Law No. 17 issued on April 8, 2019, and this will be explained in the body of the research.

▪ **Research Objectives:**

1. Amending some aspects of Reconciliation Law No. 17 issued on April 8, 2019 and its amendments issued by Law No. 1 of 2020, and its new executive regulations by Resolution No. 800 of 2020, according to which it allowed for those who built in violation of Law No. 119 of 2008 to be applied by the administrative body entrusted, it has to consider requests for reconciliation in order to legalize the request for reconciliation.
2. Structuring a technical/administrative/security control system that limits citizens' encroachment by building on state-owned lands, on the right-of-roads, or on the sanctuary of the river, and in the desert hinterland.
3. Failure to consider the reconciliation request for the real estate that is found to be in violation of the licensing terms, especially the modification and change of skylights spaces.
4. Tight reception and non-building with floors above the floor that was built in violation, and I found that to be ideally, following the construction regulations on top of the floor in its favor.
5. As for the real estate located within the old residential block or within the urban space, it is not permissible to consider the request for reconciliation for the real estate that was built in violation and exceeded in its height the maximum permissible height based on the width of the street from a planning point of view (according to the organization maps and detailed plan).
6. Failure to consider the reconciliation request for the buildings that were erected close to the sanctuary of the archaeological areas, whose height obscures the view of the antiquity, which negatively affects the value of the historical monument. Ashour (a palace that was built on the architectural style of Abdeen Palace in Cairo and is located in the village of Darin belonging to the local unit in Baruwa - the center and city of Mansoura), and the same case for the residential area adjacent to the Nour Mosque (under the control of the Egyptian Antiquities Authority) in the village of Tawila, which is affiliated with the center and city of Mansoura.
7. Failure to consider the request for reconciliation for the buildings that were erected in violation, and it was proven during the committee's on-site inspection that they have a structural defect, and its issue must be referred to the dilapidated installations committee to implement its affairs in this regard.
8. The necessity for the Reconciliation Committee to review the property contracts and to reveal the determination or separation of the boundary between public and private property in the event that the property is located on the Nile River or next to the main roads, secondary roads, or state property.
9. Ensuring that the property subject to the reconciliation is not located within the restricted area of the medium and high-pressure lines.
10. Protecting the properties of the Ministry of Irrigation from the settlement of violators and not enabling them to legalize their seizure of irrigation properties.

11. Legalization of the construction of telecommunication network towers inside and outside the residential block.
12. Legalization of the maximum permitted height of the buildings in proportion to the movement of air.
13. Amending some articles of Law 119 of 2008 and its executive regulations so that in the event of the death of the violator and the division of the inheritance, the public prosecution and judicial authorities must notify the administrative/technical authority of the names of the heirs, which in turn considers them an extension of the violator because they are beneficiaries of the offending eye, to prevent circumvention of the law and escape punishment for the heirs which would have fallen on the deceased, and a lawsuit by administrative/technical for completion of the violation procedures against the heirs and obligating the heirs to pay fines determined by the administrative authority, holding the heirs accountable for the administrative aspect of the violation and erasing the penalty for the criminal aspect.

### ▪ **Introduction:**

Some citizens who describe the reconciliation law as a tax law may be mistaken. Rather, we must look at it with a more comprehensive and realistic view, as it has put an end to the random construction work that has cost the state huge sums of money for so long, and even reached the limit to the intervention of European countries in the advancement of slums in the Republic Arab Egypt, such as the German “Eldad” institution, which contributes to the development of slums in the "Ezbet Al-Safieh" area in Mansoura. On the other hand, the Reconciliation Law contributed to taking into account the social dimension of citizens, as it reduced the price per square meter in the villages, and the sums collected as a result of this law are only a part of what the state spends on Infrastructure, service sectors and utilities that have suffered from the burden of extraneous services (drinking water and sewage networks) which was not an excessive load that was taken into account in the initial designs, but it became an excess of the design capacity and a burden on the current networks to the extent that maintenance work is not feasible, but the fact of these networks is that they need modernization and comprehensive development to accommodate the services of these extended and developed urban areas (one of the aspects of Prof. Dr. Ahmed Khaled Allam’s vision in his description of random growth in the absence of municipalities).

The buildings were built, even in violation, and do not pose a danger and damage to their structures and the surrounding urban environment. The state must assist their owners in employing and operating them in accordance with their suitability for the activity. The citizen is not punished by preventing him from equipping the architectural unit that he actually built and spent money on, but the punishment escalates by depriving him from connecting all utilities to it and not exploiting, benefiting from it and investing it and to meet its main needs to compensate for what was spent on it during its construction.

The above is exposed, and recently the state realized the importance of addressing the shortcomings that occurred in the authorities concerned with controlling the illegal construction works and how to limit this phenomenon, so it issued Law 17 of 2019 and subsequent amendments, especially those contained in Law 1 of 2020, which greatly eased the burden on citizens, instead of adopting specific consultants for reconciliation files, it was sufficient to prepare the reconciliation file by a certified union engineer to give those who built a building

in violation the opportunity to legalize the status of his property, and the state specified the conditions, controls and standards of the court to obtain a reconciliation decision.

▪ **Research topic:**

**1. Occupancy Law No. 140 of 1956 and its relationship to Law 119 of 2008 and Law 17 of 2019:**

The Occupancy Law No. 140 of 1956 was in place long before the issuance of the Unified Building Law, but in fact it was only activated in major cities and the capital, and it was not activated in all villages, except for some villages that were subjected to the organizing law, and the majority of citizens believe that the aspects of its application are limited. On the road occupancy caused by street vendors and also leaving cars in the streets, this belief is only a limited vision of the aspects of law enforcement, but there are many aspects in the application of the law that must be taken into account, for example: existing buildings and also aspects of current construction, especially the infringement of the owners, residents and officials of government agencies on the street is a clear infringement represented in the construction of stairs that infringe on the width of the street. In most cases, the construction of the stairs overlaps with the construction system of the licensed building, whether intentionally or unintentionally. Sometimes the violator raises the level of the land in front of the property for a specific area, trespassing in the sanctuary of the street and does not respect the legally prescribed offers for the streets and contained in the organizational charts, and the Occupancy Law “No. The competent authority may remove it by the administrative way at the expense of the violator if this occupancy is in violation of the requirements of regulation, public security, health, traffic, public morals, or the beauty of city coordination). (Decision of Dakahlia Governor No. 210 of 3013), which was based on what was stated in Articles 59 and 60 of Law No. 119 of 2008, which authorized the administrative authority to issue a decision to remove the violation through the administrative route at the expense of the violator, so that the violator will not be able to develop it or complete it, and there are other forms of infringement by which citizens who obtain building permits are defrauded by building on a part of the street, represented by the owner not leaving the area of retraction from the original ownership limit to apply the width of the street. The approved organization is in accordance with the detailed plans, but it makes use of the legal setback area that was left behind and which is scheduled to widen the street by constructing concrete and iron stairs and barriers and not leaving it for the public benefit.

This is a scene that we see daily and is repeated in front of officials, and strict measures are not taken about it. Here the responsibility for decision-making lies with the region’s engineer and his direct head, as well as the administrative body, as it is the organization of work within the institution (this was explained by Dr. Suleiman Muhammad Al-Tamawi in the book Al-Wajeez in Administrative Law).

**2. Reducing the air cube in the street space:**

The legislator has allowed the protrusion in the upper floors, and this protrusion affects the movement of air vortices that run between the properties and some of them in a way that creates compatibility and control with the surrounding environment in order to provide a healthy and balanced environment for the beneficiary of the residential unit. Many of them have infringements and non-compliance with the requirements of Law No. 119 of 2008, so the

research believes that based on the theory of the citizen's eligibility to make an appearance, whether by erecting towers or balconies, it is possible to allow a citizen, upon obtaining a license, to build stairs at the entrance to his main property, provided that the total visibility is on the horizontal dimension of the stairs is 50% of the permitted overhang of the upper floors, some may wonder if this trend will cause urban planning to lose one of its goals and components? The research answers that, in fact, street displays at the international and local levels did not take their share of the total width determined and approved by the Urban Development Authority, due to several considerations, the most important of which are:

2.1. The Urban Development Authority's lack of interest in raising the citizens' culture and creating a spirit of respect and the importance of urban planning in our lives and developing his awareness through modern means of communication, so he builds stairs in the legal return area on the street.

2.2. Institutions and bodies based on environmental affairs view the environmental dimension as unimportant, and therefore this is reflected through the behavior of citizens and do not take into account the importance of the spaces represented in street displays and between real estate and some of them, and the emergence of the roles above the ground floor and the extent of the impact of air vortexes on the building occupants, especially in terms of health and energy investment.

2.3. The planner neglected to specify the share of the sidewalks from the street widths and to sign them on the planning maps, leaving the width of the street without details specifying the different paths and their functions.

2.4. Not specifying the share of cars in parking spaces on the streets, especially in cities and villages.

2.5. Granting building permits to citizens without a written warning in writing for staircases outside the boundaries of ownership or areas of legal setback.

From the last point mentioned above, the research indicates that the reality of our societies shows that each house has a staircase, part of which is people private property and overlapping with public property by encroaching on the width of the street and in violation of Law No. 140 of 1956. Between the planning thought and the citizen's need and the application of the human dimension, the research finds that there is an urgent need to legalize this situation through joint cooperation between the administrative/technical body based on organization and occupancy affairs, starting from the specialists' examination of each case on the ground, then a database is prepared, it is carried out by a team from the management of the Information Technology Center, led by one of the urban planning department engineers and occupancy technician) to clarify all fixed and other occupancy in front of each property. For example: the stairs in front of the main entrances of the real estate is to meet an urgent need and not impede the flow of movement with obligating the citizen to pay the value of occupancy at a price estimated at the value of the currency at the time of the decision. The private entrance is provided that the entrance is prepared to serve people with special needs. Rather, the state must consider the street appearance, prepare the sidewalks, and prepare the movement paths in them to ensure that this category reaches their places of residence and their workplaces without trouble, and with regard to other occupations, whatever they are, they are removed by a decision of the competent governor. This decision is not subjected to appeal, and the removal is carried out at the expense of the violators.

### 3. Study and analysis of the strengths, weaknesses, and potential risks of the law of reconciliation:

The potential risks	Weak points	Strength point
<ul style="list-style-type: none"> <li>▪ Approval of the construction safety report of the property from a union engineer who has no legal force as if it was approved by a specialized engineering consultant.                             <ul style="list-style-type: none"> <li>□ The owner may become a victim when the existing buildings in the future bear the upper floors.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ The adoption of the reconciliation file was limited to a select group of consulting engineers with the knowledge of the governor, each within his governorate.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Approval of the reconciliation file from a certified union engineer.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Confuse the elimination machine.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The period for deciding on requests for reconciliation has not been specified, and thus, the lawsuits filed and related to the violation will be suspended for an unknown period.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The applicant for reconciliation obtains the approved Form 3, which serves as a certificate he obtains, and submits it to the judiciary to stop the lawsuits filed and related to the violation.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Overburdening the state in finding services that meet the needs of those communities.                             <ul style="list-style-type: none"> <li>□ The treatment of these slums can only be achieved through urban planning (treated) and is not new.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ With regard to state property, the consideration of reconciliation requests must be postponed until the building constructed on state property is legalized and the citizen has finished paying the last installments of purchasing the land on which the building is located in.                             <ul style="list-style-type: none"> <li>□ In a holistic view from the standpoint of urban planning, we find that the state recognizes informal urban communities that have been planned with the knowledge of citizens.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Codifying the status of violations committed under Law 119 of 2008.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Wasting huge sums of money not collected from violators.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The lack of organization of work before the Reconciliation Law, so that committees must</li> </ul>	<ul style="list-style-type: none"> <li>▪ The illusion of impunity.                             <ul style="list-style-type: none"> <li>□ The failure to hold the administrative authority</li> </ul> </li> </ul>

<p>□ Accountability of countless engineers and technicians who were assigned to monitor construction work after the application of Law 119 of 2008.</p>	<p>be formed to review the lists of buildings constructed before the implementation of Law 119 of 2008, as well as the lists of real estate taxes and the lists of payment of cleaning fees, as well as the lists of entry of all these facilities to accurately reach the date of construction of the properties that were built before work by Law 119 of 2008, after collecting the data, real estate is inspected on the ground. It will become clear which real estate was built before the law and what was established under the law. In this case, the competent administrative authority must take the necessary legal measures regarding these buildings and compel citizens to come forward for reconciliation.</p>	<p>accountable for its disregard and the failure to release legal procedures for the violations that took place under Law 119 of 2008, and this omission established the belief among the violators that they had escaped punishment and had become safe, and there was no need for them to submit requests for reconciliation.</p>
<p>▪ Deterioration of the surrounding urban environment.</p>	<p>▪ In the event of canceling the criminal part, what is the fate of the administrative part, which is the total or partial removal or correction of the works?</p>	<p>▪ The Reconciliation Law abolished the criminal aspect of imprisonment resulting from committing building violations without a permit.</p>
<p>▪ Finding complex solutions for the architectural and construction angle, and this naturally weakens the structural elements of the building and reduces the life span of the building.</p>	<p>▪ The structural elements of the reconciled house will not, in any way, correspond to the future ramp that the citizen wishes to build, and the architectural design of the role will not be compatible with the erected buildings.</p>	<p>▪ Each property that has been reconciled receives the approved Form No. 10 stating that its status has been legalized and the owner has the right to obtain elevation licenses if the condition of the property in terms of construction allows the delivery of facilities and services to all its units and the registration of the property in the real estate registry, thus increasing the</p>

		economic value of the property.
<ul style="list-style-type: none"> <li>▪ The possibility of causing damage during removal to the other part of the building, and in the event that the encroaching part remains in the regulation lines, it will negatively affect public health and street traffic.</li> </ul>	<ul style="list-style-type: none"> <li>▪ If the part of the property intended for a full floor, there is no problem, but if the part to be reconciled is structurally connected with another part to the contrary, let it be trespassing buildings on the planning line (case study of the property owned by the citizen / Nahed Hassan Salim Amer in the district of Kafr Seranga village - Mit Ghamr - Dakahlia) Please see Figure No. (1.(</li> </ul>	<ul style="list-style-type: none"> <li>▪ Reconciliation over part of the role or part of the property.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Pollution of the residential built environment.</li> <li>□ The work of industrial and commercial projects, contrary to what was stated in the strategic plan.</li> <li>□ The work of industrial and commercial projects, contrary to what was stated in the strategic plan. <ul style="list-style-type: none"> <li>□ Fatigue of the beneficiaries in reaching these institutions and the consequent residency of the students.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Legalizing the placement of worrying industrial facilities within the residential block as well as commercial ones that the residential area does not need.</li> <li>□ Reconciliation on private schools, colleges, institutes and universities in areas where the surrounding community's need for such services is unthinkable, and because they are not included in the maps of the general strategic plan.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Reconciliation of non-residential buildings.</li> <li>□ Reconciliation of educational facilities.</li> </ul>

#### 4. Final recommendations:

##### a. Special recommendations in the field of planning:

- i. Giving priority to legalizing streets from a planning point of view, in which buildings were built in violation, and their owners submit for reconciliation. This requires the formation of a committee whose members are from the engineering affairs in the area in which the real estate is located, the Urban Planning Department and the Roads and Irrigation Authority to consider



the legality of the street before deciding on the reconciliation requests, due to the lack of Adopting the randomness of planning that took place in several regions in the Republic, for example: the Agami area in Alexandria, the King Mariout area, and the Manshiet Nasser area in Cairo.

- ii.2.1.4 Amending the regulatory requirements that explain the detailed plans of streets dedicated to real estate service, which are opposite to the end of the residential block. As for the corresponding ones, they do not enjoy any organizational advantages at all, and all legal measures are taken against those who violate this when building and in accordance with the provisions of Law 119 of 2008.
- iii.3.1.4 The departments concerned with regulatory affairs are prohibited from giving violators any official letters or copies of approved regulatory maps except on the basis of a permit from the judiciary and so as not to be used as a means of exonerating the violator and impunity.
- iv. 4.1.4 Since the detailed plan issued in February 2017 did not expose the characteristics of the sidewalks and their widths, the research believes that there is a necessity to clarify the proportions of the sidewalks from the widths of the streets and to clarify them on the maps.
- v.5.1.4 With regard to Law 17 of 2019 and its rates and subsequent dependencies, the research finds that one of the advantages of this law is that it recognized and codified the presence of the architectural unit officially, which was constructed in violation, whether inside or outside the urban space or on agricultural land, but one of the consequences of this fact that it brought about the importance of forcing the planner to recognize the slums, especially the buildings located inside the agricultural land, which formed an architectural block of twenty to fifty properties, agricultural lands from all sides and these buildings in the event of legalization of their status, the state will be forced to connect all facilities to them and build the streets connecting them, and from here interspersed spaces are generated between the buildings and some of them and this phenomenon has negative consequences. It is necessary for the Ministry of Housing to set controls commensurate with each of the areas benefiting from them, for the beneficiary of those streets to pay sums of money in return for his use of the new streets, it is paid to the governorate treasury, and it is not like the fees currently in force, and a higher financial value is added to it, estimated by a committee formed by the governor.
- vi.6.1.4 For real estate that was built on agricultural land and does not have streets, upon accepting the reconciliation request, the owner must pay for the construction of a street and its infrastructure, and the cost is estimated according to criteria determined by a committee from the Urban Planning and Development Authority, and when re-approving the detailed plan for the area in which the real estate is located, it is not permissible to consider the agricultural land confined between the nearest road leading to the new street as intersections.

#### **b. Special recommendations in the field of regulation:**

- i. The research calls on the legislative authority to reconsider and amend what is stated in the executive regulations of Law No. 119 of 2008 by Article (95) regarding the requirements to be followed in the areas of permitted expansion of yards of all kinds, and the need to modify them to become larger than they are now and to allow to easily creating air vortices that contribute to reducing energy consumption and making the beneficiary feel comfortable and also to ensure that sunlight enters the lower floors when completing the work of raising the upper floors, especially those that reach four floors or more reducing the surface of the

illuminator will provide him with an area through which he will increase the flat of the residential unit (commercial vision) and commensurate with the environmental and health dimension.

- ii. What was stated in Chapter Two of the Executive Regulations of Law No. 119 of 2008 with regard to the general building requirements in Article (88) and codified for the minimum internal heights of buildings, "The minimum net internal height of a single floor measured from the level of the final surface of the floor to the lining of its apparent roof in all floors, 2.70 meters." The researcher believes that the current prevailing reality does not agree with the internal environment of the architectural unit, which can provide a healthy climate for the beneficiary, especially in light of unstable climatic variables. Natural resources such as the sun in the winter, and also limit the proportion of renewable air in residential and non-residential units during the summer season, if we urgently need to legalize the minimum height of the floor in a way that guarantees the beneficiary the existence of air vortexes necessary for a healthy life. The legislator's vision of the economic reality and the rise in real estate prices may be one of the reasons for which he turned to this direction in order to find a solution to the problem of overcrowding and to make the minimum floor height reaches 2.70 meters, but we must take a more comprehensive view of the surrounding environment and the current climatic and environmental influences that affect the structural elements, which in turn are reflected on the beneficiary (especially since thermal insulation standards are not applied in our facilities) and this affects the architectural units and what it is adjacent to, especially in areas with high temperatures. From this fact, the researcher calls upon the legislators to reconsider making the minimum height of the floor to become 3.25 meters, in order to create an internal environment that interacts with external influences positively and becomes suitable for human living and to save part of the energy.
- iii. Dividing the street widths into lanes to ensure the fluidity of traffic in each lane and not to leave the slums to flourish and occupy the road and cause negatives and daily problems that cost the state a lot to solve, while reconsidering the study of the importance of creating movement paths and entrances and exits for people with special needs from the public street to the entrances to the buildings with clarifying its specifications and technical characteristics and the necessity of its conformity with international engineering standards in order to show our full respect for the human dimension.
- iv. The research calls on legislators to reconsider the regulatory and building requirements for plots of land located on two streets, for example: one of them is 6 meters wide and the other is 20 meters wide in order to achieve environmental requirements and public health to serve the beneficiaries of real estate located in the streets with less width, provided that the owners of Real estate located on the widest street, by regressing inward after completing the permissible height of the less wide street, and as shown in Figure No. (2).



**Figure No. (2) Shows a building built according to the requirements of Law 119 of 2008, and the other has a gradation of duty to be followed in modern licenses to ensure that adjacent and opposite neighbors enjoy natural resources to provide a good healthy environment.**

- v. The researcher believes that there is a great importance of the presentation of Law No. 1 of 2020, and its executive regulations for encroachment work on the building of the highways and secondary campuses, as well as construction work under bridges, and no reconciliation request is accepted for those who build under bridges or in the precincts of bridges, whether they are government agencies or private.
- vi. The necessity of amending the Reconciliation Law No. 17 issued on the eighth of April of 2019 and its amendments in order not to consider and decide on the request for reconciliation for the property in which lofts were built without taking into account the citizen's legal regression by making a protrusion represented in balconies exceeding the permissible limit according to the width of the street. Therefore, the researcher believes that it is not permissible to consider the request for reconciliation in which these violations are rejected.
- vii. For real estate that was built in violation and for which reconciliation requests have been accepted, the reconciliation committee must ensure that there are parking spaces for each housing unit, and assess the needs of commercial, administrative, educational, and industrial facilities according to their density.
- viii. With regard to real estate erected on the Nile Bridge, the Conciliation Committee must pay attention to the condition of the building and ask the citizen applying for reconciliation to clarify that the building is far from the river's refining line and not a boundary separation as being common. During the inspection, the committee must also ensure that there is no overlap of private property with irrigation properties.
- ix. The Conciliation Committee shall examine the location of the property subject of the conciliation to ensure that it is not located within the restricted area for medium and high pressure lines, and the spacing distance is estimated between 13: 18 meters on the horizontal level measured from the axis of the transmission line circuit (depends on the line voltage transmission, meaning that the greater the effort, the greater the horizontal distance mentioned above).
- x. In the event that a building permit is issued in accordance with Law No. 119 of 2008 and its executive regulations, the construction of telecommunication network towers inside and outside the residential block must be legalized, so that the license to construct them on real estate is attached to the building permit, as it burdens the structural elements of the building and foundations and exposes the building to the resulting danger of wind pressure, which is usually a violation of the aviation law.

- xi.Reconsidering the restructuring of Law No. 119 of 2008 and its executive regulations in a manner commensurate with each Egyptian region, city, and village, due to the different environmental conditions of each of them, as there is a cultural dimension to groups of the people and also to their social and economic conditions, which must be taken into account before generalizing the application of the law is uniform.
- xii.The Reconciliation Committee shall examine the property which is the subject of the conciliation well and ensure that the openings in the property are not exposed to neighbors and achieve the desired privacy for the community and the surrounding built environment.

**c. The Reconciliation Committee shall examine the property subject of the conciliation well and ensure that the openings in the property are not exposed to neighbors and achieve the desired privacy for the community and the surrounding built environment.**

- i.The researcher also recommends the necessity of amending the executive regulations of the Reconciliation Law No. 17 of 2019 and its amendments, to clarify in its content how to implement the removals for the roles that have not been reconciled or to be removed, and on the other hand, to clarify the way to implement the removals in the parts that infringe on state property at the same time, it is structurally intertwined with the buildings built on private property, and the executive regulations should clarify the implementation plan for removal and the time required (as the implementation time may require evacuating the property from the occupants and returning them after implementing the partial removal) with the removal plan paired with a safety plan for citizens and also for the part denominator by law, and also clarifies how to preserve the neighboring buildings, and the administrative/technical/judicial steps must be clarified in the event that the owners fail to implement the removal and in the case of entrusting the implementation of the removal, and in the event that a contract to implement the removal is concluded with a contractor or a specialized company, a clause related to determining who is responsible in the event of damages to others as a result of the wrong implementation that causes harm to others or causes dangers to passers-by, neighbors, and occupants of other floors, and who will bear the burden of compensation for those who are affected.
- ii.The researcher also recommends that in order to achieve the principle of equality between everyone who did the building and against whom violating measures were issued after Law No. 119 of 2008 and everyone who was not taken by the administrative/technical authority against whom any measures were taken, the Ministry of Housing, Utilities and Urban Development should set controls through which buildings are counted Citizens, against whom the concerned authorities did not take any action, and presented them to committees formed by the Minister of Housing, whose conditions are legalized, and they are fined financially with fines estimated by those committees and the status of each case, with the accountability of all those who contributed from the concerned authorities in covering up those violations.

**References:**

▪ **Arabic references:**

- [1] Law No. 119 of 2008 (the Unified Building Law) Cairo - The General Authority for Emiri Press Affairs.
- [2] The executive regulations of Law No. 119 of 2008 and its amendments.

- [3] Law No. 140 of 1956 Concerning Public Road Works.
- [4] Law No. 106 of 1976 regarding directing and regulating construction works, as amended by Law No. 101 of 1996 and its executive regulations issued by the Resolution of the Minister of Housing and Utilities No. 268 of 1976 and related decisions, first edition, amended - Cairo - General Authority for Amiri Press Affairs, 1997.
- [5] Law No. 17 of 2019 and its executive regulations, which was amended by Law No. 1 of 2020 and its executive regulations issued in March of 2020 regarding reconciliation over violating construction works.
- [6] Law No. 1 of 2020 and its executive regulations on reconciliation, issued by Prime Ministerial Decree No. 800 of 2020 on 3/31/2020.
- [7] Law 7 regarding some provisions relating to state property (1991).
- [8] Resolution 800 of 2020 on the Reconciliation Law for Building Violations.
- [9] Case No. 199 of the constitutional year 32 demanding the unconstitutionality of Articles (38/1, 39/1, 102/1) of Law 119 of 2008 regarding the Unified Building Law.
- [10] Law No. 17 of 2019 and its executive regulations, which was amended by Law No. 1 of 2020 and its executive regulations issued in March of 2020 regarding reconciliation over violating construction works.
- [11] Law No. 1 of 2020 and its executive regulations on reconciliation, issued by Prime Ministerial Decree No. 800 of 2020 on 3/31/2020.
- [12] Law 7 regarding some provisions relating to state property (1991).
- [13] Resolution 800 of 2020 on the Reconciliation Law for Building Violations.
- [14] Case No. 199 of the constitutional year 32 demanding the unconstitutionality of Articles (38/1, 39/1, 102/1) of Law 119 of 2008 regarding the Unified Building Law.
- [15] Administrative Judiciary of Dr. Suleiman Muhammad Al-Tamawy (Professor at the Faculty of Law, Ain Shams University and Beirut Arab University)  
Publisher, Arab Thought House - for the year 1968.
- [16] Principles of Administrative Law by Dr. Suleiman Muhammad Al-Tamawy (Professor at the Faculty of Law, Ain Shams University and Beirut Arab University), publisher Dar Al-Fikr Al-Arabi - for the year 1973.
- [17] Ahmed Khaled Allam and Abdel Ghani Shaaban Abdel Azim (2000): Urbanism and Urban Governance in Egypt, Anglo Library, Cairo.
- [18] Ahmed Khaled Allam, Mohamed Ibrahim Qashouh - 1995 Helwan University Library Physical Planning and Building Laws.
- [19] Ahmed Khaled Allam: (1986) The first annual conference for planning cities and regions - random growth in the absence of municipalities, Cairo University - Library of the Faculty of Urban Planning.
- [20] Ahmed Khaled Allam, Yahya Shadeed and Majed Muhammad Al-Mahdi (1997): Renewing the Neighborhoods, Anglo Library, Cairo.
- [21] Abdel Rahim Qassem Qinawy: (2013) Slums problems and solutions, Anglo Library, Cairo.
- [22] Consultant Engineer / Mohamed Noshay Gharib: (1986) Random Growth and the Policy of Upgrading it, Egyptian Society of Engineers - Planning Society, Cairo University - Faculty of Urban Planning Library.

[23] Dr. Noha El-Sayed Hamed Fahmy: (1986) The First Annual Conference on Urban Planning and Regions, Random Growth on Residential Compounds in Egypt - Social and Economic Aspects and Their Relationship to Unplanned Growth, Library of the Faculty of Urban Planning, Cairo University.

[24] Ahmed Amin Mokhtar: (1986) The First Annual Conference for Town and Region Planning - Planning to Reduce Unplanned Growth, Library of the Faculty of Urban Planning, Cairo University.

[25] An applied study on the development of slums in southern Cairo - prepared by / Mohamed El-Khouly, senior researcher at the Ministry of Housing and Utilities for the year 1994.

[26] Periodic Book No. 1 of 2013 regarding violations of the provisions of the Unified Building Law 119 of 2008.

[27] Decision of the Minister of Housing, Utilities and Urban Development No. (397) for the year 2010.

[27] Circular No. 32 of 2012 issued regarding the organization of work in engineering departments within the Ministry of Local Government.

#### ▪ Foreign references:

5. Prof. Arch. Mussinelli Elena Germane – BEST - Politecnico di Milano, Stromenti, Metodi e linee guida per la programmazione Pianificazione e gestione dei sistemi ambientali e paesaggistici - 2006.

6. Prof. Arch. Mussinelli Elena Germane – BEST - Politecnico di Milano, Il piano strategico di Mantova - 2006.

7. Processi e Tecnologi per valorizzazione dei sistemi ambientali e paesaggistici (Andrea Tartaglia) Dip: BEST - Politecnico di Milano 2006.

8. Prof. Arch. Luca Scacchetti, Plitecnico di Milano, Elementi dell'Architettura Urbanistica 1997.

#### ▪ Websites:

1 <http://kambota.forumarabia.net/t4-topic> (سبتمبر ٢٠٢٠)

2 <https://www.bbc.com/arabic/middleeast-53930927> (سبتمبر ٢٠٢٠)

3 <http://www.seoudi-law.com/forums/showthread.php?t=7496> (أكتوبر ٢٠٢٠)

4 <http://trakhes.com/tra/showthread.php?t=7921> (أكتوبر ٢٠٢٠)

5 <https://www.mohamoon-ju.com/Default.aspx?action=EGPortal&Type=4&PFID=288&PPFID=5932>