

Ο περί της Σύμβασης για την Προστασία της Αρχιτεκτονικής Κληρονομιάς της Ευρώπης (Κυρωτικός) Νόμος του 1988 εκδίδεται με δημοσίευση στην επίσημη εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 165 του 1988

ΝΟΜΟΣ ΚΥΡΩΝ ΤΗ ΣΥΜΒΑΣΗ ΓΙΑ ΤΗΝ ΠΡΟΣΤΑΣΙΑ  
ΤΗΣ ΑΡΧΙΤΕΚΤΟΝΙΚΗΣ ΚΛΗΡΟΝΟΜΙΑΣ ΤΗΣ ΕΥΡΩΠΗΣ

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Σύμβασης για την Προστασία της Αρχιτεκτονικής Κληρονομιάς της Ευρώπης (Κυρωτικός) Νόμος του 1988. Συνοπτικός  
τίτλος.

2. Στον παρόντα Νόμο — Ερμηνεία.

«Σύμβαση» σημαίνει τη Σύμβαση για την Προστασία της Αρχιτεκτονικής Κληρονομιάς της Ευρώπης που έγινε στη Γρανάδα στις 3 Οκτωβρίου 1985, της οποίας το κείμενο από το αγγλικό πρωτότυπο εκτίθεται στο Μέρος Ι του Πίνακα και η ελληνική μετάφραση στο Μέρος ΙΙ του Πίνακα: Πίνακας  
Μέρος Ι  
Μέρος ΙΙ.

Νοείται ότι σε περίπτωση αντίφασης μεταξύ των δύο αυτών κειμένων θα υπερισχύει το κείμενο από το αγγλικό πρωτότυπο.

3. Με τον παρόντα Νόμο κυρώνεται η Σύμβαση, στην οποία το Υπουργικό Συμβούλιο, με την Απόφασή του αρ. 26.815 και ημερομηνία 27 Φεβρουαρίου 1986, αποφάσισε όπως η Κυπριακή Δημοκρατία καταστεί Συμβαλλόμενο Μέρος. Κύρωση της  
Σύμβασης.

ΠΙΝΑΚΑΣ

( 'Αρθρο 2)

ΜΕΡΟΣ Ι

CONVENTION

FOR THE PROTECTION OF THE ARCHITECTURAL HERITAGE OF EUROPE

The member States of the Council of Europe, signatory hereto,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose, inter alia, of safeguarding and realising the ideals and principles which are their common heritage ;

Recognising that the architectural heritage constitutes an irreplaceable expression of the richness and diversity of Europe's cultural heritage, bears inestimable witness to our past and is a common heritage of all Europeans ;

Having regard to the European Cultural Convention signed in Paris on 19 December 1954 and in particular to Article 1 thereof ;

Having regard to the European Charter of the Architectural Heritage adopted by the Committee of Ministers of the Council of Europe on 26 September 1975 and to Resolution (76) 28, adopted on 14 April 1976, concerning the adaptation of laws and regulations to the requirements of integrated conservation of the architectural heritage ;

Having regard to Recommendation 880 (1979) of the Parliamentary Assembly of the Council of Europe on the conservation of the European architectural heritage ;

Having regard to Recommendation No. R (80) 16 of the Committee of Ministers to member States on the specialised training of architects, town planners, civil engineers and landscape designers, and to Recommendation No. R (81) 13 of the Committee of Ministers, adopted on 1 July 1981, on action in aid of certain declining craft trades in the context of the craft activity ;

Recalling the importance of handing down to future generations a system of cultural references, improving the urban and rural environment and thereby fostering the economic, social and cultural development of States and regions ;

Acknowledging the importance of reaching agreement on the main thrust of a common policy for the conservation and enhancement of the architectural heritage,

Have agreed as follows :

DEFINITION OF THE ARCHITECTURAL HERITAGE

Article 1

For the purposes of this Convention, the expression "architectural heritage" shall be considered to comprise the following permanent properties :

1. Monuments : all buildings and structures of conspicuous historical, archaeological, artistic, scientific, social or technical interest, including their fixtures and fittings ;
2. Groups of buildings : homogeneous groups of urban or rural buildings conspicuous for their historical, archaeological, artistic, scientific, social or technical interest which are sufficiently coherent to form topographically definable units ;
3. Sites : the combined works of man and nature, being areas which are partially built upon and sufficiently distinctive and homogeneous to be topographically definable and are of conspicuous historical, archaeological, artistic, scientific, social or technical interest.

## IDENTIFICATION OF PROPERTIES TO BE PROTECTED

### Article 2

For the purpose of precise identification of the monuments, groups of buildings and sites to be protected, each Party undertakes to maintain inventories and in the event of threats to the properties concerned, to prepare appropriate documentation at the earliest opportunity.

## STATUTORY PROTECTION PROCEDURES

### Article 3

Each Party undertakes :

1. to take statutory measures to protect the architectural heritage ;
2. within the framework of such measures and by means specific to each State or region, to make provision for the protection of monuments, groups of buildings and sites.

### Article 4

Each Party undertakes :

1. to implement appropriate supervision and authorisation procedures as required by the legal protection of the properties in question ;
2. to prevent the disfigurement, dilapidation or demolition of protected properties. To this end, each Party undertakes to introduce, if it has not already done so, legislation which :
  - a. requires the submission to a competent authority of any scheme for the demolition or alteration of monuments which are already protected, or in respect of which protection proceedings have been instituted, as well as any scheme affecting their surroundings ;
  - b. requires the submission to a competent authority of any scheme affecting a group of buildings or a part thereof or a site which involves
    - demolition of buildings
    - the erection of new buildings
    - substantial alterations which impair the character of the buildings or the site ;
  - c. permits public authorities to require the owner of a protected property to carry out work or to carry out such work itself if the owner fails to do so ;
  - d. allows compulsory purchase of a protected property.

### Article 5

Each Party undertakes to prohibit the removal, in whole or in part, of any protected monument, except where the material safeguarding of such monuments makes removal imperative. In these circumstances the competent authority shall take the necessary precautions for its dismantling, transfer and reinstatement at a suitable location.

## ANCILLARY MEASURES

### Article 6

Each Party undertakes :

1. to provide financial support by the public authorities for maintaining and restoring the architectural heritage on its territory, in accordance with the national, regional and local competence and within the limitations of the budgets available ;

2. to resort, if necessary, to fiscal measures to facilitate the conservation of this heritage ;
3. to encourage private initiatives for maintaining and restoring the architectural heritage.

#### Article 7

In the surroundings of monuments, within groups of buildings and within sites, each Party undertakes to promote measures for the general enhancement of the environment.

#### Article 8

With a view to limiting the risks of the physical deterioration of the architectural heritage, each Party undertakes :

1. to support scientific research for identifying and analysing the harmful effects of pollution and for defining ways and means to reduce or eradicate these effects ;
2. to take into consideration the special problems of conservation of the architectural heritage in anti-pollution policies.

### SANCTIONS

#### Article 9

Each Party undertakes to ensure within the power available to it that infringements of the law protecting the architectural heritage are met with a relevant and adequate response by the competent authority. This response may in appropriate circumstances entail an obligation on the offender to demolish a newly erected building which fails to comply with the requirements or to restore a protected property to its former condition.

### CONSERVATION POLICIES

#### Article 10

Each Party undertakes to adopt integrated conservation policies which :

1. include the protection of the architectural heritage as an essential town and country planning objective and ensure that this requirement is taken into account at all stages both in the drawing up of development plans and in the procedures for authorising work ;
2. promote programmes for the restoration and maintenance of the architectural heritage ;
3. make the conservation, promotion and enhancement of the architectural heritage a major feature of cultural, environmental and planning policies ;
4. facilitate whenever possible in the town and country planning process the conservation and use of certain buildings whose intrinsic importance would not warrant protection within the meaning of Article 3, paragraph 1, of this Convention but which are of interest from the point of view of their setting in the urban or rural environment and of the quality of life ;
5. foster, as being essential to the future of the architectural heritage, the application and development of traditional skills and materials.

#### Article 11

Due regard being had to the architectural and historical character of the heritage, each Party undertakes to foster :

- the use of protected properties in the light of the needs of contemporary life ;
- the adaptation when appropriate of old buildings for new uses.

#### Article 12

While recognising the value of permitting public access to protected properties, each Party undertakes to take such action as may be necessary to ensure that the consequences of permitting this access, especially any structural development, do not adversely affect the architectural and historical character of such properties and their surroundings.

#### Article 13

In order to facilitate the implementation of these policies, each Party undertakes to foster, within its own political and administrative structure, effective co-operation at all levels between conservation, cultural, environmental and planning activities.

### PARTICIPATION AND ASSOCIATIONS

#### Article 14

With a view to widening the impact of public authority measures for the identification, protection, restoration, maintenance, management and promotion of the architectural heritage, each Party undertakes :

1. to establish in the various stages of the decision-making process, appropriate machinery for the supply of information, consultation and co-operation between the State, the regional and local authorities, cultural institutions and associations, and the public ;
2. to foster the development of sponsorship and of non-profit-making associations working in this field.

### INFORMATION AND TRAINING

#### Article 15

Each Party undertakes :

1. to develop public awareness of the value of conserving the architectural heritage, both as an element of cultural identity and as a source of inspiration and creativity for present and future generations ;
2. to this end, to promote policies for disseminating information and fostering increased awareness, especially by the use of modern communication and promotion techniques, aimed in particular :
  - a. at awakening or increasing public interest, as from school-age, in the protection of the heritage, the quality of the built environment and architecture ;
  - b. at demonstrating the unity of the cultural heritage and the links that exist between architecture, the arts, popular traditions and ways of life at European, national and regional levels alike.

#### Article 16

Each Party undertakes to promote training in the various occupations and craft trades involved in the conservation of the architectural heritage.