CASE STUDY OF THE REFORMS ON LAWS FOR THE CADASTER IN THE REPUBLIC OF KOSOVO

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CADASTRE SERVICES DEVELOPMENT

UNMIK Regulation 2001/19 on establishment temporary institutions on interim management in Kosovo;
Law no. 2002/4 on Mortgage;
Law no.2002/5 on establishment of the Real estate right register; and
Law No. 02/L-96 on Cadastre, amended by law no.04/L-013

By the law on Property righte register
a. Immovable property;
b. Mortgage;
c. Servituedes; and
d. Right of use of the social and state property.

Law no.03/L-040 on the local selfgovernment, and
Law no.03/L-049 on local government finance
Registration made in accordance to

a. Final Court Decision;
b. Decision of the state authority (state institutions);
c. Contract on transference of the immovable property right verified by the public authorities (Public Notary);
d. Decision or Contract issued for the Kosovo Privatization Agency;
e. Decision made by Commission on Reconstruction Cadaster Information;
f. Decision by the Land Consolidation Commission; and
g. Other document, regulated by the special law for cadastre registration.

Development of DELEGATED RIGHTS

Standards for Kosovo;
Contact Group;
Ahtisarit Statement;
Declaration on independence of Rep. of Kosovo.

a) Cadastre Data;
b) Civil registration;
c) Registration of voters;
d) Business registration and licencing;
e) Distribution of the payments of the social support; and
f) Forestry protection.
OBSTACELS

- Delegated competences to the Municipalitys, and creating opportunities for political management on Cadastre Sec.;

- Different level of providing services; and

- Different development of the Cadastre Sectors on municipalities, without coordination of the incomes from fees, and using it in interest of departments.

Proposal for new integrated Law on Cadaster

Content of the new Law on Cadaster

Proposal:
- Vertical organization of Cadastrel services;
- Sustainable selffinancing sistem.

Benefits:
Better coordination, and approximation with good practices;
Facilitation of the Kosovo budget; and
Sustainable and uniform development of the Cadaster.
PRINCIPALES

- Principal of registration;
- Principal of publicity;
- Principal of trust;
- Principal of legality;
- Principal of priority; and
- Principal of formality.

Conclusion

Draft Law on Cadaster (integrated Law on Mortgage, Law on Property Rights Register).

1. Organisation of the cadastral services in vertical scheme, with self-financing.

2. Organisation of the cadastral services in vertical scheme, financed by the Kosovo Budget; and

3. Organisation of the cadastral services in vertical scheme, financed mixed, incoms from the fees and state budget.
Thank you for Your attention!