

CADASTRAL PROCEDURES AND WORKFLOW  
AT MCOS



## Preface

Land is economic wealth, and as such is recognized as one of the key mechanisms for the creation of wealth. As a rare resource that is, the land should be used well in both urban and rural environments. Therefore, it is the states responsibility to ensure the right on property and to administer the land, aiming at improving the quality of life of citizens and future generations.

Kosovo Cadastral Agency (KCA) is responsible for land management and it is competent body for preparing the laws and issuing guidelines on all cadastral activities. Founded in 2000, and recently settled in the ministry of environment and spatial planning (mesp), KCA has responsibility for administering the state computerized cadastre system, which collects, processes and distributed cadastral data.

Maintenance of records and registration of immovable property it is executed by the municipal cadastral offices (MCO), which despite being organized by the municipal assemblies, but in the professional level it is monitored by KCA. Since it's founding, the agency so far has achieved considerable results in the development of cadastre and the creation of cadastral information system. For these achievements great contribution has given the Government of Kosovo and donors from Norway, Sweden, Switzerland, Germany and the World Bank.

For further development of cadastre in the republic of Kosovo, Kosovo Cadastral Agency has clear objectives and strategies, which will be fulfilled in close cooperation with the government, municipalities, MCOs and donors. They will be achieved through:

- Amend the current legislation on property;
- Improvements of manuals, unification of guidelines, regulations and procedures for maintenance of all cadastral data;
- Training of MCO staff for maintenance of cadastral data;
- Training KCA staff for quality control and monitoring;
- Operating with the centralized system CISLK (cadastral information system for land in Kosovo), administered by KCA;
- Promote and support private sector licensed for cadastral work;
- Define and implement standards for the national system of spatial data (NSDI), etc.

One of the main objectives of the Kosovo Cadastral Agency is to create advanced institutions for land administration, customer oriented ones and with modern management, efficient working procedures, quality management, internal monitoring, etc.

Municipal cadastral offices, which are responsible for the registration of immovable property, should be able to provide efficient and transparent services to all citizens. The efficiency of MCOs it is foreseen to be achieved through increasing the professional capacity, as well as through reconstruction of the existing cadastral offices, this by creation of the model with front and back office.

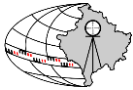
Kosovo Cadastral Agency has so far implemented concrete projects due to which three MCO were reconstructed (Prishtina, Prizren and Ferizaj), where office space were renovated and client premises where created by the front and back office model. Also the MCO staff was trained and this manual is created so the new procedures could be easy implemented.

This manual for cadastral procedures and work in the MCO will help in unifying the working procedures of all MCOs in the country, integrating these procedures into daily work flow of MCOs.



These procedures describe the flow of work from the receipt by the client request at MCO office reception, through processing of application in office work, to the final product provided to customers.

Finally, we would like to express our appreciation to those who helped in making this handbook, highlighting the support from the World Bank which helped financially and professionally into the developing of this manual. Also, a great contribution has given Prof. Dr. Murat Meha, chief executive of the Kosovo Cadastral Agency, Gavin Adlington, head of land administration program at the World Bank, and professional staff of the Kosovo Cadastral Agency and the World Bank.

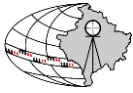


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## 1 INTRODUCTION

World Bank's BETA project has financed the re-engineering of two municipal cadastral offices (MCOs) in Prishtina and Ferizaj. As part of the re-engineering a draft operational manual has been produced to describe standardised procedures from the first stage of the work admission in the front office (information and applications), up to the work distribution in the back office.

This document presents an updated version of the operational manual. The draft manual has been reviewed and finalised. The views of Kosovo Cadastral Agency (KCA), MCOs and private surveying sector are also incorporated. Proposals of above mentioned partners are taken into the consideration and they can be also found in the following text.

Kosovo Cadastral Agency (KCA) is the authority for cadastre, geodesy, and mapping in Kosovo, organised under the ministry of environment and spatial planning.

According to applicable law on cadastre and the law on establishing immovable property right register, the Kosovo Cadastral Agency (hereinafter: Agency) shall be responsible for the cadastre and have the authority to constitute and maintain the overall official evidences on immovable properties pursuant to the recorded dates of register and land cadastres and has the authority to make the overall supervision of cadastral activity as well as issuing of the other sub normative acts regarding to cadastral activity. KCA are also in charge of administrative reviewing of all MCO's decisions when finding them to be in collision with the law.

KCA also provides professional support, including training and certifying of municipal officers that operate with IPRR, in terms of measurements and graphical part of cadastre.

KCA, however, have no mandate for making decisions over the organisation inside MCOs, especially for staff selection, which are part of municipal administration, but can request MCOs and municipal administration to be better and most suitably organised in order to meet their responsibilities.

MCO's duties are: preparation and immovable property rights registration and cadastral registrations, under supervision of KCA (textual part of cadastre – so called IPRR/KCLIS), and cadastral units formation by means of cadastral surveys (measurements), as well as updating of cadastral maps (cadastre graphical part – so called cadastral plans).

Cadastre textual and graphical parts are organised within cadastral zones (CZ). One municipality may have one to n CZ. One CZ may have one to n parcels. There are 38 MCOs in Kosova at the moment.

Below the work and flow of information are visualised by process diagrams (IDEF0 diagrams) in chapter 4 and each process are verbally described in Chapter 5.



Processes are described; their dependencies are shown (input and output) together with personnel involved.



## 2 TERMINOLOGY AND ABBREVIATIONS

### 2.1 Terminology

<i>Client</i>	Person visiting an MCO asking for information. This person might be a private person (e.g. Parcel owner) or a licensed surveyor/licensed surveying company operating on behalf of a private person.
<i>Back office</i>	Work distribution and further processing of applications are made in the back office of the MCO
<i>Front office</i>	The first stage of the work admission is in the front office of the MCO (information and applications)
<i>Information desk</i>	First desk in the front office, where MCO clients make their first contact with the MCO staff.
<i>Power of attorney</i>	Signed document allowing a private person, licensed surveyor or licensed surveying company to operate on behalf of a parcel owner.

### 2.2 Abbreviations

<i>AI</i>	Administrative instruction
<i>GL</i>	Guideline
<i>IPRR</i>	Immovable property rights register
<i>KCLIS</i>	Kosovo cadastre land information system
<i>KCA</i>	Kosovo Cadastral Agency
<i>LS/LSC</i>	Licensed surveyor and/or licensed surveying company
<i>MCO</i>	Municipal cadastral office
<i>MPA</i>	Ministry of public administration
<i>MPS</i>	Ministry of public services. Predecessor of mpa.
<i>PofA</i>	Power of attorney.
<i>QC</i>	Quality control





### 3 LEGAL FUNDAMENT FOR SERVICES DELIVERED BY MCO'S

#### 3.1 The service and the process of immovable property registration in cadastral registers

The service and immovable properties' registration in cadastral registers are organised by MCO's at each and every municipality. The entire activity is based on laws and administrative instructions as well as on work guidelines. The service at MCO's itself, has to initially check the legal documents, that are the contracts, as well as all technical documents produced when carrying out cadastral surveys (measurements).

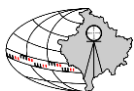
##### 3.1.1 Carrying out cadastral surveys (measurements)

Cadastral surveys must comply with the law on cadastre and administrative instruction as well as with the work guidelines. The surveys must be reported to MCO's within a legal timeframe (30-day deadline). This document is called either survey study or survey file or case study, and should contain all necessary documents, as provided by the law on cadastre 2003/25 and administrative instructions of MPS 2004/08 on implementing the law on cadastre (article 9.5, article 10.4, article 11.4 and article 17.1).

Cadastral surveys must be carried out by surveying experts employed at MCO's (this will not be a case in the future, as cadastral surveys will be fully entrusted to private surveying sector) or by private sector's licensed surveyors. Under the law on cadastre and administrative instruction, duties and responsibilities of cadastral surveying private sector are as follows: *administrative instruction on licensing surveyors and surveying companies* (ministry of public services 2007/04) makes it possible or provides for establishing private cadastral surveying sector for field surveys, maintenance and cadastre information reconstruction.

Definition of the duties of private and public sectors' key actors, leaves no room for conflict of interests in cadastral works. Upon requests (applications) of both licensed surveying companies and surveyors, MCO is obliged to provide data and records based on fees and charges pricelist. Currently, the timeframe (deadline) for provision of data is 10 days following submission of application in writing (article 12.1 of administrative instruction no. MPS 2007/04 and MPS 2008/06).

- In case where MCO does not provide response to either licensed surveying companies or licensed surveyors within a legal timeframe (deadline), they (licensed surveyors and companies) can seek help from KCA.
- KCA shall ask MCO to provide response to licensed surveying companies and surveyors. If this attempt fails, then respective municipal management staff should be asked to take further steps.
- In case where MCO have no available data, applied for by licensed surveying company or surveyor, or in case where MCO does not provide data within a legal timeframe (deadline), they/he/she can apply to KCA directly.



- For the purpose of citizens' information, MCO shall make public and post a list of all licensed surveying companies and surveyors at MCO's public notifications' board (article 12.2 of ai no. MPS 2007/04 )
- Following hand over of the case/elaborate to MCO, the latter shall proceed with qc of received data. If the survey (measurement) complies with the law on cadastre and other by-laws, the same shall be accepted and entered into register within a legal timeframe, within 3 days. If a case/elaborate does not comply with the law, MCO shall object acceptance of survey and shall ask respective licensed surveying company or surveyor for completion of case in question. After entering the data into register, MCO shall release certain documents (certificate or copy of the plan/map) if applied for by a client or licensed company/surveyor.
- Disputes between licensed surveying companies/surveyors and MCOs, arising out of a certain case/elaborate, shall be solved and decided by KCA within 30-day legal timeframe. The KCA's decision shall be deemed as a final in administrative procedure. KCA's decision may be challenged at competent court.
- Communication between MCOs and licensed surveying companies or licensed surveyors shall be done by e-mail.

### 3.1.2 Property rights registration

Below are the rights that shall be recorded in IPRR textual part:

1. Ownership
2. Mortgage
3. Servitude
4. Leaseholds and the rights of use
5. Encumbrances
6. Restraints and various encumbrances

#### 3.1.2.1 Ownership registration

Normally, ownership registration is done through transfer of ownership right to another person, and by creating a new property (i.e. A new building that is registered for the first time). Ownership transfer may be done through sale, purchase, gift, inheritance and other ownership transfers. When registering transfers such as: sale, purchase, gift, inheritance and other ownership transfers, the MCO shall record names and ownership quota shares (if known) of all co-owners (when it comes to co-ownership).

#### 3.1.2.2 Mortgage registration

Mortgage shall be recorded into the register box dedicated for encumbrances. Mortgage registration shall include: name, id and debtor's address, mortgager, mortgagee, and business number of business register, business's home office number (in case the mortgager or mortgagee are legal entities), description of mortgaged property, debt's amount, payment of debt timeframe, description and value of mortgaged property (if any) and priorities. Applying for mortgage registration is done based on application form. (see annex of this manual).



### 3.1.2.3 Servitude registration

Servitudes shall be recorded into the register for both servant and dominant parts of immovable property. Servitude registration shall include servitudes' types and terms, if any. If servitude affects only a portion of servant immovable property unit, the affected part shall be identified by registration. Applying for mortgage registration is done based on application form. (see annex of this manual).

### 3.1.2.4 Leasehold and the right of use registration

Leasehold and the right of use shall be recorded into the register. The rights that shall be registered into the register are as follows:

- Lifelong use right
- More than 3-year use right
- Construction right, and
- Other use rights.

For registration of the leasehold rights and use rights, the following data should be recorded:

- The date of leasehold or use right;
- The date of leasehold or use right expiration, if known at the time of registration;
- The names of both leasser and leaseholder, or the name of use right holder;
- Use right legal bases.

### 3.1.2.5 Registration of restraints

Restraints shall be recorded in the part of the register dedicated for encumbrances and shall include the date of restraint establishment, restraint's nature short description and the restraint's term, if known at the time of registration.

### 3.1.2.6 Restraints and various encumbrances registration

Each and every condition, restraint or other encumbrance established in compliance with applicable law, may be recorded in the part of the register dedicated for encumbrances. Registration shall include the date, time and term, if any, of establishment of the condition.

## 3.2 Legal bases for property rights registration

Under administrative instruction, article 5.1, no. MPS 2004/03, immovable property right registration shall be based on:

1. Valid document released by the competent court (court ruling that acknowledges the ownership subject to court of law procedures or litigation, inheritance



- decision, agreement made at the court, restraint order/security measure, decision on establishing a servitude, decision on foreclose procedure etc);
2. Final decision made by an administrative body (decision on property compulsory purchase/expropriation for public interest, decision on giving for use public or municipal property, decision on concession, Kosovo property agency decisions etc.);
  3. Legal transaction that complies with provisions of the law in force (sale's contract, contracts on gift, exchange, leasehold, leasehold contracts entered into with Kosovo privatisation agency, mortgage contract, servitude contract etc.)

### 3.3 Submission of registration application

Registration application may be submitted by the owner himself/herself, owner's authorised person or by a person who has any interest in registration. Application form can be found in annex of this manual. Each application should be supplied with the following data:

1. The name, address, applicant's id number (either owner's or owner's authorised person). In case where the applicant is legal person/entity: name, address, personal id and power of attorney granted to the person who is applying on behalf of a legal person/entity, home office address and business number of that legal person/entity;
2. Id number and exact address as well as other necessary data related to the property or properties indicated in application form;
3. The rights sought to be registered (activities to be taken in response to application such as ownership change, lease/leasehold registration, use rights registration, possession right, mortgage, servitude, encumbrances, caveat or previous rights cancellation, appeal etc.
4. List of documents/evidences supporting application;
5. Applying date;
6. Applicant's signature;
7. Other data required for supplying application form

#### 3.3.1 Application preliminary review/check

MCO processes applications for registration continuously, by the order of submission (in time-submission bases) (ai, MPS 2004/03, article 7/1).

Following receipt of an application, the front desk officer shall conduct preliminary review/check of the same in order to make sure that:

1. Application form has been supplied with all required information (personal id shall not be required for non-residents of republic of Kosova, copy of the passport is sufficient);
2. Immovable property unit/s, indicated in application form, is/are identified accurately (with property id);
3. Registration fee has been paid; and



4. Application contents all necessary supporting documents, and, if required by the law, all documents should be authenticated by the court of law or by any authorised body.

If the application is supplied by all above-mentioned data, the officer shall admit the application and shall record it in a logbook pursuant to the IPRR/KCLIS model. Once the data have been recorded in a logbook database, the officer shall make a print out of the application receipt (see annex of this manual). If computerised database does not work at that time, the officer shall do this manually. The officer shall sign and stamp a receipt and shall hand it over to the applicant.

If the application does not meet abovementioned requirements, the officer will provide assistance to the applicant when filling out the application. If even after provision of assistance by the officer, the application still does not meet requirements, the officer shall recommend the applicant to supply the application form with the data and submit it as required. In case where the applicant submits application despite officer's advice, decision regarding that application shall be made in due course of application review procedure pursuant to IPRR law, article 3.

### 3.3.2 MCO decisions' timeframe

As required by the IPRR law, article 3.6, the application and supporting documents shall be reviewed (scrutinised) and MCO shall come up with decision regarding registration acceptance or rejection within fifteen (15) days from the date the application was received.

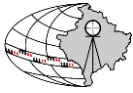
### 3.3.3 Preparation for official review

For each and every received application, the officer shall open e file that contents application form and supporting documents as well. The file shall content all papers subject to reviewing. The officer shall hand the file over to the head of department, who shall make official review of the application.

### 3.3.4 Official review

Following receipt of the application file, the head of department or officer in charge shall conduct official review of the application. The steps of official review shall be as follows:

- Application review in order to determine whether it is completed properly;
- Checking out whether supporting documents, attached to the application, have been authenticated by the court of law or by any authorised body, as required by the applicable law and AI, no. MPS 2004/03, article 5 and 6;
- Verifying if a public notification, referred to in article 3.3 b of the law on IPRR, has been effected, and if so, that no claim was filed;
- If the registration relates to a building or part of the building (flat), MCO shall then make an enquiry to the relevant branch of the Kosovo property agency to



determine whether a claim against the building or part of the building (flat) has been filed, as required by IPRR law, article 3.3c, as well as whether there is any evidence that can stop registration; and

- Reviewing of the register by referring to immovable property unit, which has been affected by application, in order to establish whether immovable property units have been identified with property ids accurately;
- Checking out whether in the mean time (namely period of time covering a moment when relevant documents were authenticated by the court, or by any other relevant body, till a moment when the head of department starts official application's reviewing) a change in the register occurred, which can affect transaction specified in application (i.e. Whether the owners, recorded in the register, are the same owners indicated in application form; whether the documents have been duly signed by the owners; whether any restraint order for transaction has been recorded).

Following official review completion, the head of department shall decide to:

- Ask for additional documents or information,
- Reject registration, or
- Accept registration.

### 3.3.5 Request for clarification

In case where the head of department assesses that supporting documents or information supplied in application form are insufficient, he/she may request the applicant (through requisition form) to provide additional documents or information. Request for additional documents or information shall be made through requisition form (see annex of this manual), which specifies insufficiency of supplied information or documents. Request for clarification shall specify a timeframe (deadline) within which the applicant must solve a problem and must submit necessary documents. The timeframe shall not be longer than five (5) working days following receipt of request for additional documents or information. This timeframe (deadline) will give MCO sufficient time to review additional documents or information and to decide about acceptance or rejection of the application within fifteen days, as provided by the law on IPRR, article 3.6. If the applicant fails to comply with this timeframe (deadline), MCO will reject the application for registration.

In case where MCO requests clarification or additional documents, the same shall record request for clarification into the register. Once application's deficiencies (irregularities) have been solved, the property right shall be registered and shall be effective from the date and time the application has been submitted. Following the property right registration, the recorded request for clarification or for additional documents shall be cancelled.

### 3.3.6 Rejection



Under the law on IPRR, article 3.4, the head of department shall reject application for registration for one of the reasons bellow:

- Essential information (document) for registration is missing (the application has not been supplied with or attached to);
- Immovable unit or units, subject to registration application, have not been identified properly or have not been formed as separate immovable property units, in compliance with applicable law and procedures;
- New information resulting from public notification, which information is foundation for registration rejection;
- Subject of registration is a building or a flat, a claim with Kosovo property agency has been filed for, and is still unsettled;
- Inconsistency between register data and application's supporting documents, and
- Other reasons provided by the law on IPRR and administrative instruction no. MPS 2004/03

If the head of department rejects registration application, he/she shall confirm a status "rejected application" in the database. As a result, the system will display rejection notification form to be completed by the head of department. Rejection notification form can be found in annex of this manual and shall contain information as follows:

- Name, address, id number, and if the applicant is legal person: name, address, id number and power of attorney granted to the person who is applying on behalf of the legal person, business number and home office number;
- Id and address of the property or properties subject to registration application;
- Action applied for (i.e. Change of ownership, leasehold registration, use right, possession right, mortgage, servitude, restraint or cancelation of previous rights);
- Application logbook date and number;
- Rejection reasoning;
- Head of department's signature.

Under the law on IPRR, article 4.1, rejection notification shall serve for informing the applicant on his/her rights in order for the same person to ask MCO for reviewing of its own decision. Rejection notification shall specify timeframe (deadline) for submission of application for review. Timeframe shall be thirty-day (30) from the date rejection notification was received.

### 3.3.7 Public notification

By the end of each working day, pursuant to the law on IPRR, article 3.3.b, the officer shall make a print out of the list of all applications lodged with MCO that day, and shall affix it to the MCO public notifications board. See public notification form in the annex of this manual. Public notification form contents:

- Applicant's name;
- Address/addresses as well as id number/numbers of immovable property /properties subject to registration application;



- Name/names of the current owner/owners of the property/properties in question;
- Name/names of the person/persons who will acquire property right/rights by this registration;
- The right that shall be registered or cancelled; and
- Timeframe (deadline) for submitting (challenging registration) objection regarding MCO's registration (this timeframe should be at least five working days following publishing of the first notification on MCO notification board).

In the end of every working day, the officer shall remove MCO's objection-deadline-expired notifications out of notification board.

### 3.3.8 Verification by Kosovo property agency

If MCO receives flat registration applications, the officer shall print out a registration form for each and every flat or building registration application every working day by the end of working hours. See the application form in annex of this manual. The application forms then shall be sent to a Kosovo property agency that have jurisdiction over affected-by-applications flats and buildings. Application form itself, shall ask Kosovo property agency to provide response as to whether a claim regarding a flat or a building has been lodged with this agency, and if yes, the way of it's settling. Data verification may also be done in some other ways, subject to agreement with Kosovo property agency.

### 3.3.9 Approval

- If the head of department approves registration, he/she shall record relevant changes in order to reflect a new registration in the database. The head of department may complete data entering form (see annex of this manual), which will provide instructions to the officer/responsible person when making changes in the database.
- Prior to entering changes into central database, the head of department shall check written changes, in terms of possible errors and accuracy as well. Once the head of department has checked whether the changes are correct, he/she shall check a status mark "signed in the register" in the database. It will put in motion printing out of a new register copy by the system, as well as replicating of register data in KCA's central database. The head of department shall sign and verify a copy of the new register, which will be handed over to the applicant.

### 3.3.10 Reconsideration of the previous decisions

Under the law on IPRR, article 4.2, party unsatisfied with registration rejection decision is entitled to file reconsideration appeal. Every reconsideration appeal shall be forwarded to the head of MCO along with all relevant documents, including original application supporting documents. The head of MCO shall scrutinise relevant material





and shall decide whether to make a change in the register or to support previous registration rejection decision.

If the head of MCO decides to approve registration, he/she shall instruct the officer or the head of department to enter a new record in the register.

If the head of MCO decides to reject the registration, he/she shall produce notification in writing on reconsideration rejection. Notification on reconsideration rejection shall contain data as follows:

- Reasoning for reconsideration rejection;
- Notification for the applicant that he/she can file an appeal with KCA with regard to reconsideration rejection; and
- Head of MCO's signature.

### 3.4 Correction of the register

Each and every employee, in due *ex officio* course, and every party with interest in registration, is entitled to report a possible (alleged) error to MCO. A possible error shall be reported to the head of MCO. The head of MCO shall decide if the alleged error is really an error, and if so, whether is technical or material.

Technical errors do not affect someone's immovable property rights. For instance, technical errors may be cadastre-topographical errors, misspellings of the names or id number error.

Material errors do affect someone's immovable property rights. The examples of material errors include: registration of a wrong person as the owner of immovable property unit, or failing to register immovable property rights of an owner or co-owners.

If an error is of a technical nature, the head of MCO shall make sure that the register's error is corrected.

If an error is of material nature, the head of MCO shall record a caveat, restraint to into register, which indicates possible error. The head of MCO shall release and send notification in writing to all persons whose rights may be affected by this error, and shall ask them to submit relevant documents, under the law on IPRR. If despite all efforts the error could not be corrected, the matter shall be forwarded to the court of jurisdiction, Kosovo property agency or any other responsible body. The restraint shall remain in the register pending decision of responsible authority.

### 3.5 MCO's set up and equipment

MCO's are obligated to provide clean, secure and efficient environment for register's maintenance and for rendering services to the public. Each and every MCO shall have a front office and a front desk where the clients can stay till completion of their work. Public part of the front desk shall contain:



1. A poster/board on which all fee rates of MCO's and private licensed surveyors' services and products shall be published;
2. Registration procedure guidelines;
3. MCO's services' application forms;
4. List of licensed surveyors and surveying companies;
5. MCO's working hour's notification.

Each and every MCO shall have public notifications board, as provided by the law on IPRR, article 3.3.a. Public notifications board shall have 1 x 1 meter dimension and must be visible for all during MCO's working hours. Public notifications board shall have plastic jacket or window frame, so no unauthorised person, other than MCO's personnel, may remove notifications.

### 3.6 Access to the register

All officers and managers are authorised to have access to both hard and digital register information. To be able to have access to digital data, each and every officer and manager shall be assigned unique "user name" and "password".

If adequate security measures were met, each MCO, with prior KCA's consent in writing, may allow public access to the register information through MCO's computer terminals. Public computers terminals shall not be able to copy, print out or otherwise change register information.

### 3.7 Activities and other MCOs working procedures

If during a normal MCOs work, either at front offices or at back offices, some new matters not covered by this manual appear, separate guidelines shall be produced for the cases covered by legislation such as the law on IPRR, the law on cadastre and by administrative instruction. Initiative for release of work guidelines may be taken by MCOs or KCA when visiting/monitoring MCOs. The work guidelines shall describe detailed procedures for successful case solving or the way of rendering services. Work guidelines produced for sorting out of one or more cases, shall be annexed to this manual.

In cases where there is requirement for sorting out particular issue covered by legislation, but which issue needs to be addressed more concretely by separate administrative instruction, the same shall be drafted and be sent to the ministry for approval and signature. Later on, the ai shall be detailed by work guidelines and be annexed to this manual.



### 3.8 Applicable laws and their supplementing

Applicable laws, administrative instructions and work guidelines are listed below. These laws stipulate procedures for rendering cadastral services and for immovable property rights registration and property registration as well. These laws stipulate terms and conditions for cadastral services provision. These terms can be amended as the laws and administrative instructions are amended. Therefore, every amendment to the laws or to administrative instructions shall affect this manual. As a consequence, this manual shall be amended in order to update MCO staff about changes. If substantial changes emerge, the manual itself shall be changed by producing its new consolidated text.

Below find an overview of relevant laws, administrative instructions and guidelines. Previous documents are referred to in parentheses.

#### 3.8.1 Relevant laws

2009/03-1-154	Law on property and other real rights
2009/03-1-091	Law on use, management and maintenance of building joint ownership
2007/02-1-96	Law on amendments and additions to Law no. 2003/25 on cadastre
2002/05	Law on the establishment of an immovable property rights register
2002/04	Law on mortgages
2003/13	Law on amendments and additions to Law no. 2002/5 on the establishment of the immovable property rights registry
2003/25	Law on cadastre

#### 3.8.2 Relevant administrative instructions

MPS 2008/06	AI for assessment of unique tax level for the cadastral services executed by the cadastral offices, survey companies and licensed surveyors (2004/4)
KCA 2004/01	AI on implementation of the law on establishment of an immovable property right register 2002/5, 2003/13 regarding procedures and applications for registration (2002/22, ai MPS 2004/03)
MPS 2004/03	AI on the law on the establishment for an immovable property rights register
Mshp 1/2009	AI for determination of prices for the products and services provided by KCA
MPS 2006/09	AI on determination of taxes for products and services offered by KCA



KCA 2007/01	AI on duties and responsibilities of commission for cadastre reconstruction projects
KCA 2006/01	AI on application of law on establishment of immovable property right register no. 2002/5, 2003/13 on determination of payment level for finished payment on registration of immovable property rights
MPS 2004/08	AI on the establishment of the law on cadastre
MPS 2007/04	AI for licensing of geodetic companies and geodesists

### 3.8.3 Relevant guidelines

KCA 2005/01	GL for reconstruction of cadastral information
KCA 2005/02	GL for handling of area differences
KCA 2005/03	GL for maintenance of cadastral information
KCA 2005/04	GL for the 3 <sup>rd</sup> order and local reference network
KCA 2005/05	GL for the use of total stations
KCA 2005/06	GL for traverse and detail measurements
KCA 2005/07	GL for edm calibration of official control basis
KCA 2006/08	GL for georeferencing of maps
KCA 2005/09	GL for vectorization of parcels in geomedia/geospro
KCA 2005/10	GL for vectorization of surface ceiling
KCA 2005/11	GL for quality control of vectorized data
KCA 2005/12	GL for backup of vectorized data
KCA 2005/13	GL for transformation of cadastral data
KCA 2005/14	GL for drawing up gws and warehouses
KCA 2005/15	GL for the use of mutation software geospro
KCA 2005/16	GL for the 2 <sup>nd</sup> order reference network
KCA 2005/17	GL for maintenance of geodetic instruments
KCA 2009/01	GL for registration of buildings and parts of buildings (replaces KCA 2007/01)



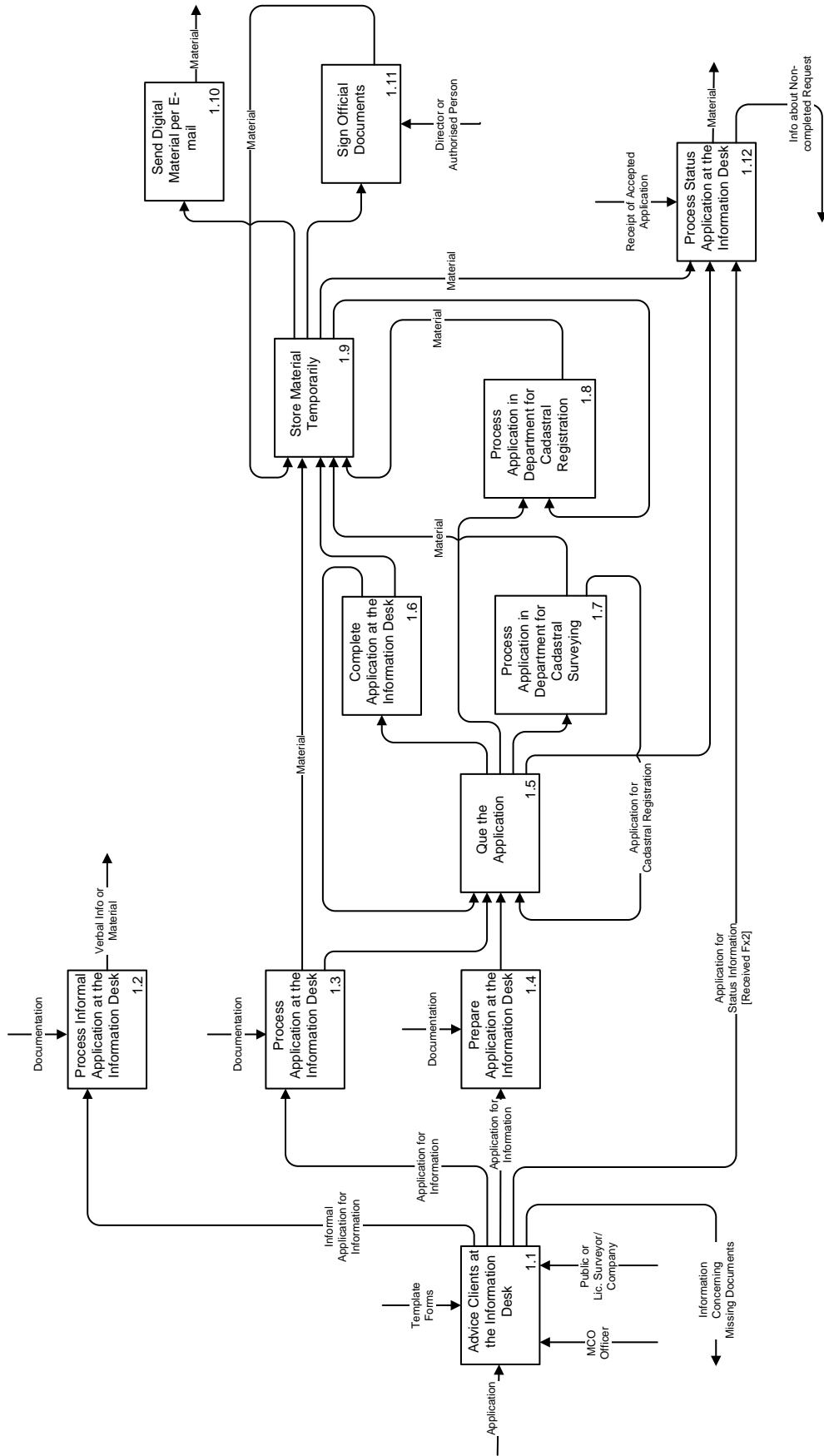
#### 4 PROCESS DIAGRAMS

On the next pages find nine IDEF0 process diagrams describing the work processes in the MCOs. The different processes are described verbally in chapter 5.

Refer to chapter 6 for a description of the IDEF0 standard.

**1 Overview of Cadastral Procedures and Workflow in MCOs**

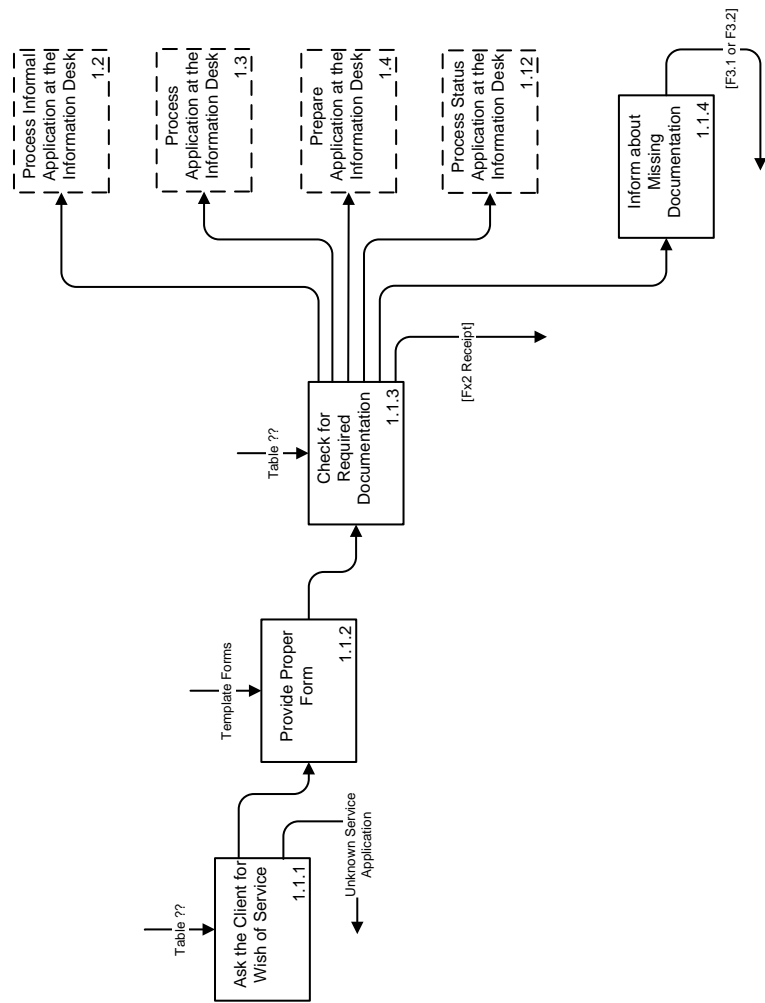
This Diagram is Produced According to the Standard Integration Definition for Function Modelling (IDEFO). For further details please refer to the website: <http://www.idef.com>





This Diagram is Produced According to the Standard:  
Integration Definition for Function Modelling (IDEFO).  
For further details please refer to the website:  
<http://www.idef.com>

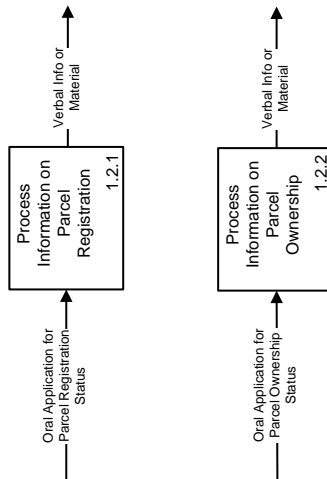
### 1.1 Advice Clients at the Information Desk





This Diagram is Produced According to the Standard:  
Integration Definition for Function Modelling (IDEF0).  
For further details please refer to the website:  
<http://www.idef.com>

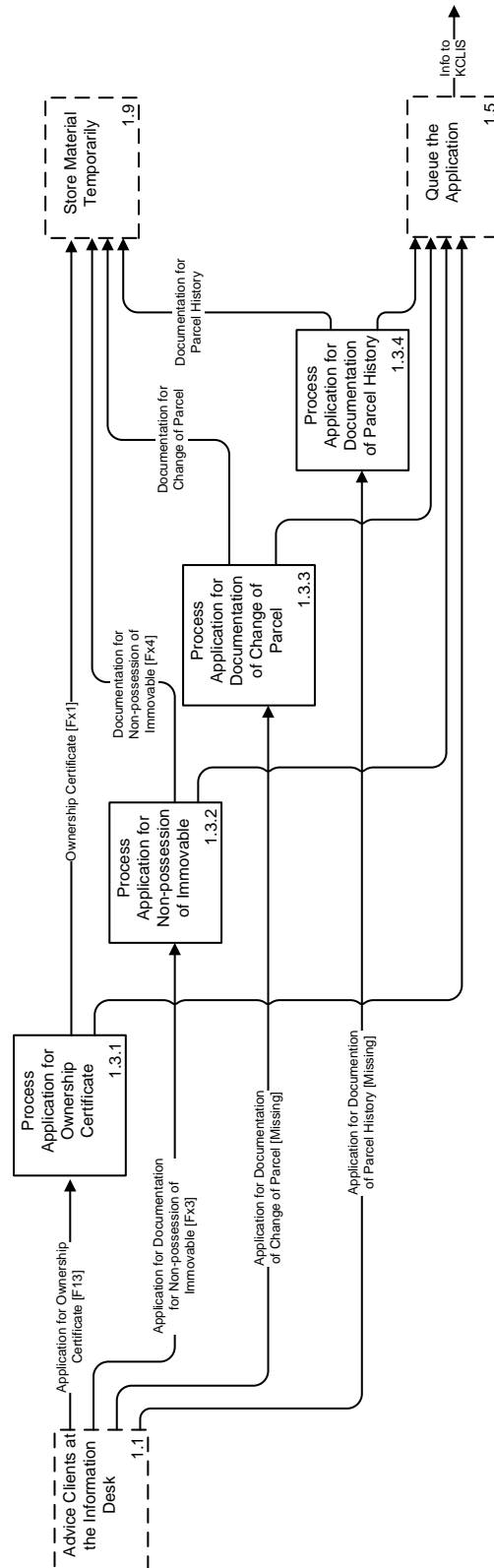
### 1.2 Process Informal Application at the Information Desk (Front Office)





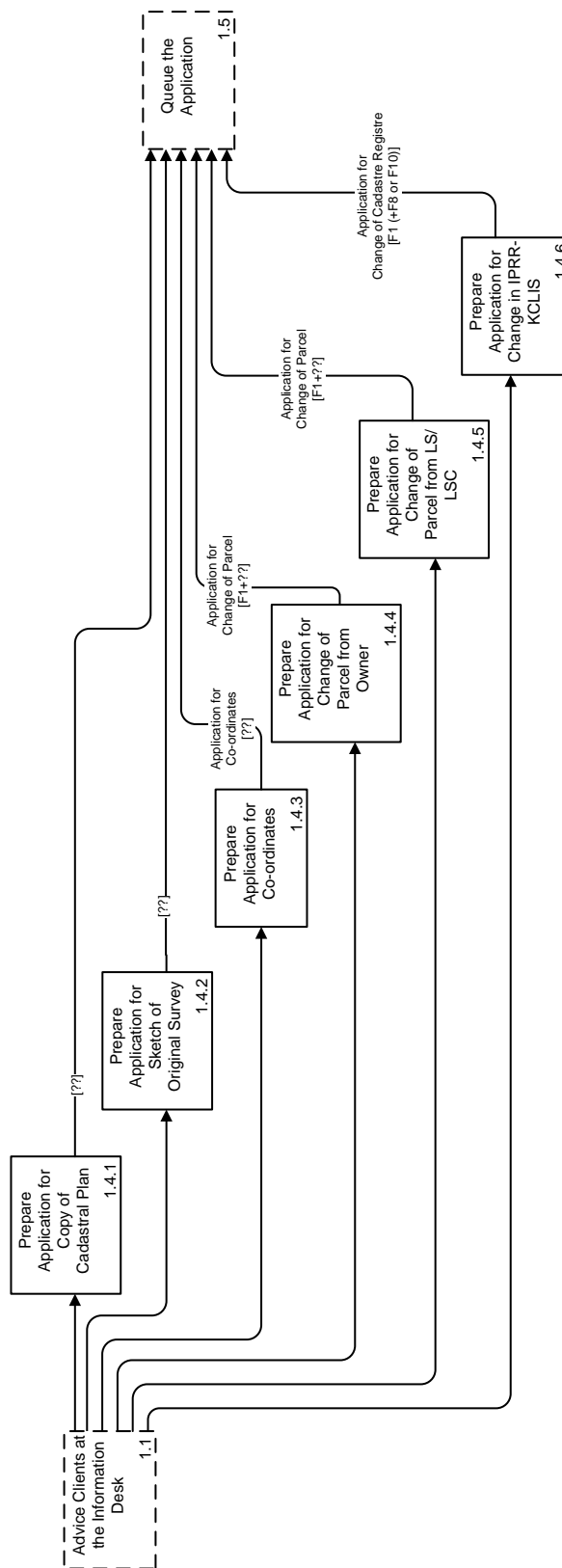
This Diagram is Produced According to the Standard:  
Integration Definition for Function Modelling (IDEF0).  
For further details please refer to the website:  
<http://www.idef.com>

### 1.3 Process Application at the Information Desk (Front Office)



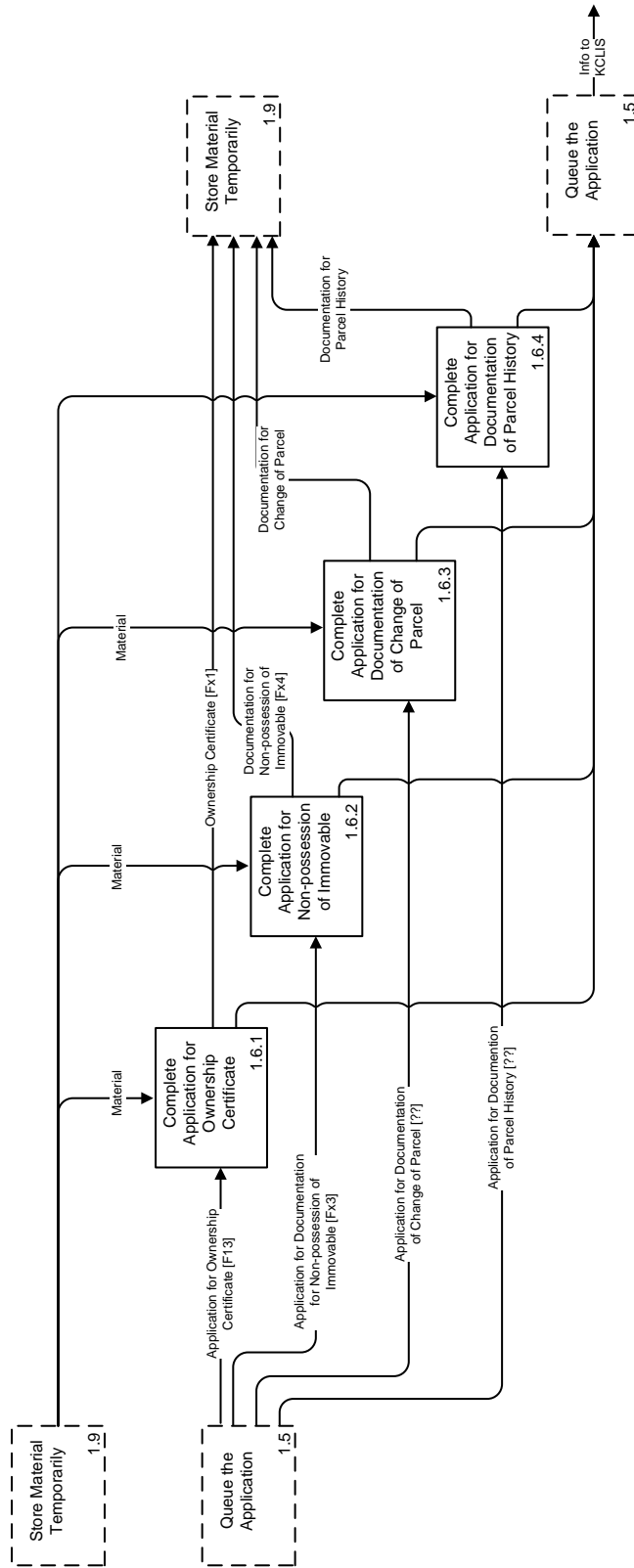
This Diagram is Produced According to the Standard:  
Integration Definition for Function Modelling (IDEFO).  
For further details please refer to the website:  
<http://www.idef.com>

### 1.4 Prepare Application at the Information Desk (Front Office)



This Diagram is Produced According to the Standard: Integration Definition for Function Modelling (IDEFO). For further details please refer to the website: <http://www.idef.com>

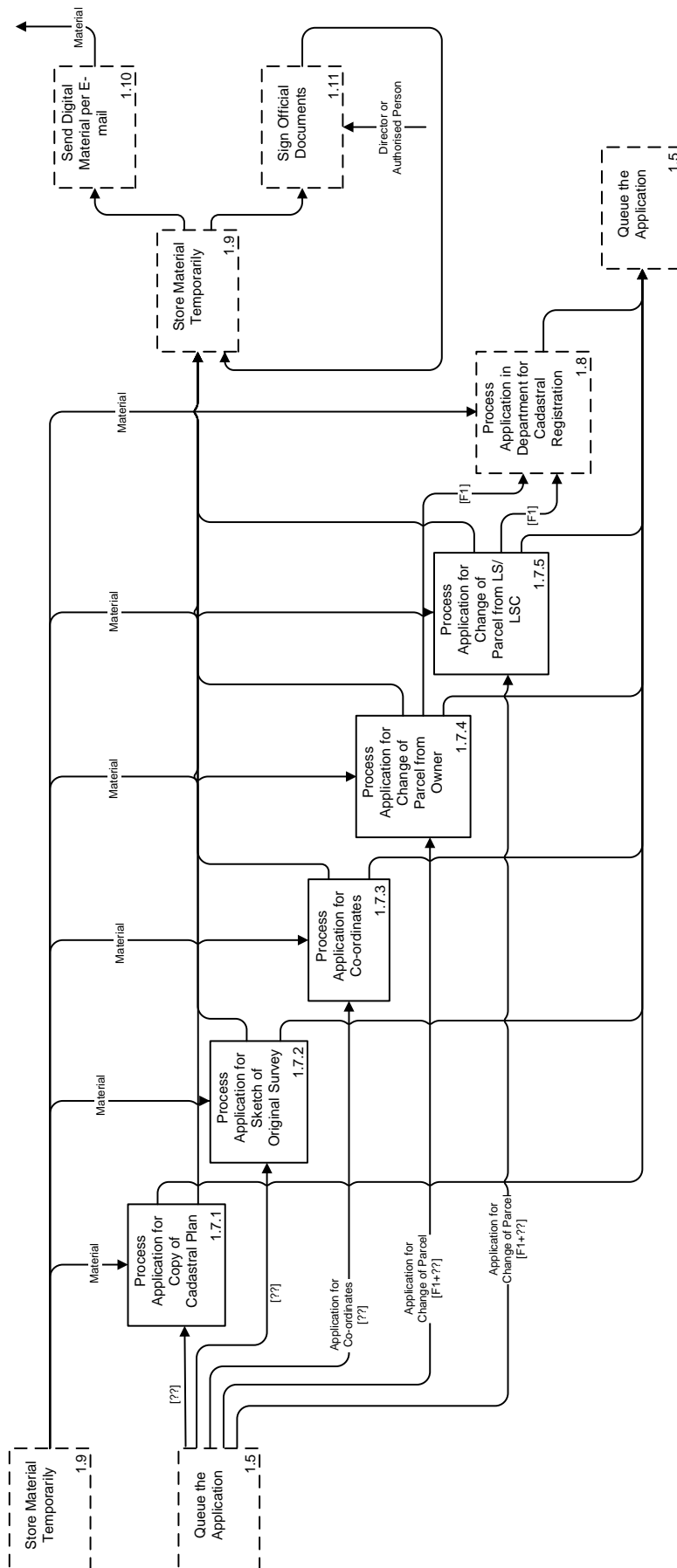
**1.6 Complete Application at the Information Desk (Front Office)**





This Diagram is Produced According to the Standard: Integration Definition for Function Modelling (IDEFO). For further details please refer to the website: <http://www.idef.com>

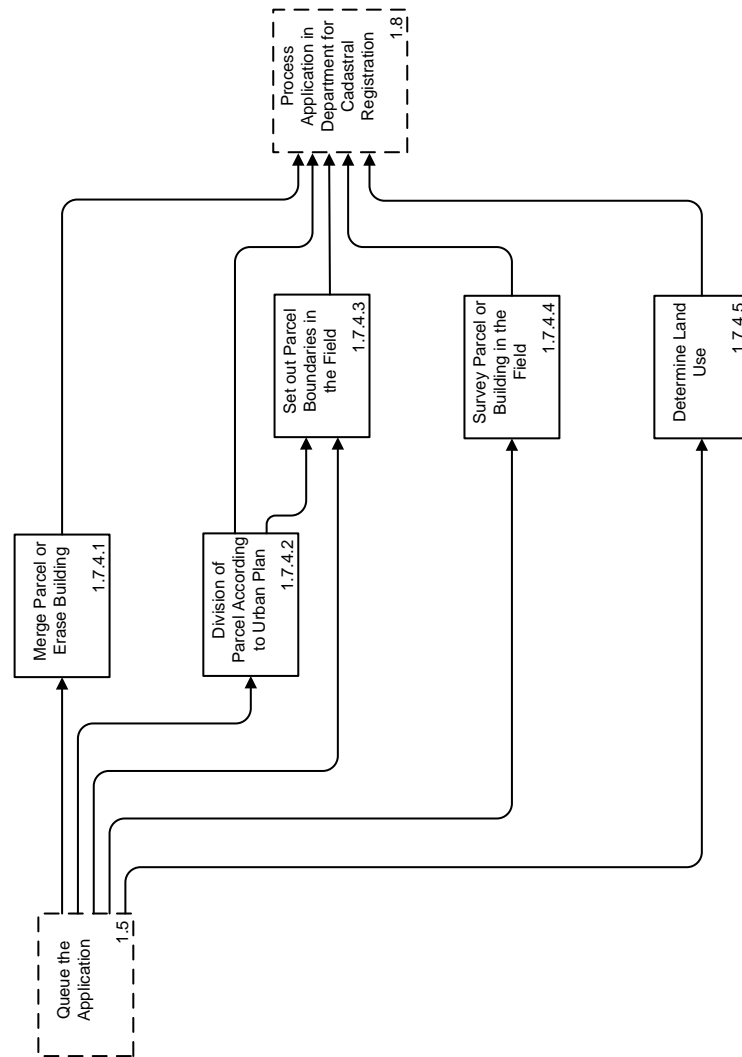
### 1.7 Process Request in Department for Cadastral Surveying





This Diagram is Produced According to the Standard: Integration Definition for Function Modelling (IDeFM). For further details please refer to the website: <http://www.idfm.com>

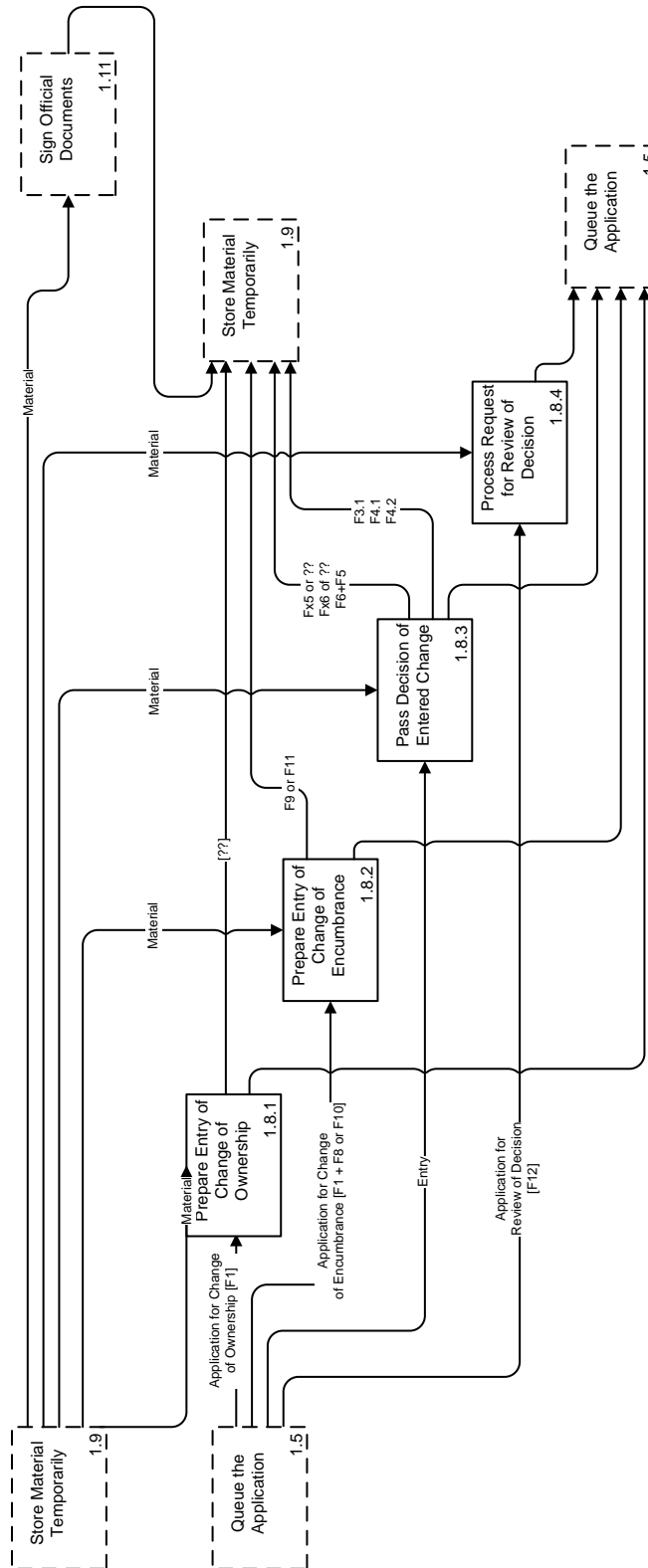
1.7.4 - Process Application for Change of Parcel from Owner





This Diagram is Produced According to the Standard: Integration Definition for Function Modelling (IDEFO). For further details please refer to the website: <http://www.idef.com>

1.8 Process Application in Department for Cadastral Registration





## 5 PROCESS DESCRIPTIONS

Chapter 4 contains IDEF0 diagrams where each process (box) is given a process number. In this chapter there are references to these boxes made by the process numbers, however the process number is initiated with a “p” to distinguish them from the chapter numbers, e.g. P1.2.1 refers to process 1.2.1, not chapter 1.2.1.

### 5.1 Background

#### 5.1.1 Role of the front office

The front office is where clients make contact with the MCO, where applications are lodged and recorded, and where clients obtain some information and pick up the results of their applications. Clients are typically owners, licensed surveyors/companies representing owners or other administrative units of the municipality. The clients will be provided with all necessary information about their property in graphical and textual form. The front office organises meeting with MCO staff in order to clarify in detail the owners’ applications if needed. The basic tasks of the front office are to receive clients’ applications within the scope of work of the departments for cadastral surveying and cadastral registration within the back office and to issue required documents and information returned from the back office.

#### 5.1.2 Role of the back office

The back office consists of two departments, the department for cadastral surveying and the department for cadastral registration.

In the back office the applications will be processed on requests. All applications for changes in the graphical part of the cadastre or in the register have been entered in the immovable property rights register (IPRR) directly at the front office. Every case gets a protocol number and using this number it is possible to examine the status of the case, i.e. Stage of processing, responsible person, case finished or not.

The employees of the department for cadastral surveying process the applications. They are dealing with the graphical part for the purpose of maintaining cadastral maps, i.e. establishing a property, registration into the respective registers and preparation of the data to be registered into the immovable property rights register. The preparation of the extracts from cadastral maps is executed for interested clients.

The department for cadastral registration is also dealing with owners’ applications. For each application a decision should be taken to register it in the IPRR, and after public announcement the decision on rights for property registration can be issued. The electronic registration will be done after the decision of the MCO is enacted. The department for cadastral registration issues all extracts from the official cadastral register. Property and other certificates which are issued by the cadastral office will be verified first from a certified operator of the MCO, thereafter they are verified, signed



and stamped by the MCO director. The stamp of MCO is located at director's office or with any other authorised officer.

## 5.2 P1.1 - Discuss application at the information desk

The information desk is the place where a customer makes his/her work admission and is given information and support in preparation of applications.

The information desk is located in the so-called front office and is usually the first desk reached when visiting a MCOs.

The clients are also fetching requested material at the information desk which is issuing documents and information prepared in the back office.

### 5.2.1 P1.1.1 – Ask the client for wish of service

With reference to the table below select process based on wish of service.

Wish of service	Process no.	Process name
Information on parcel registration	P1.2.1	Process information on parcel registration
Information on parcel ownership	P1.2.2	Process information on parcel ownership
Application for ownership certificate	P1.3.1	Process application for ownership certificate
Application for non-possession of immovable	P1.3.2	Process application for non-possession of immovable
Application for documentation of change of parcel	P1.3.3	Process application for documentation of change of parcel
Application for documentation of parcel history	P1.3.4	Process application for documentation of parcel history
Application for copy of cadastral plan	P1.4.1	Prepare application for copy of cadastral plan
Application for sketch of original survey	P1.4.2	Prepare application for sketch of original survey
Application for co-ordinates	P1.4.3	Prepare application for co-ordinates
Application for change of parcel from owner	P1.4.4	Prepare application for change of parcel from owner
Application for change of parcel from licensed surveyor or licensed company	P1.4.5	Prepare application for change of parcel from licensed surveyor or licensed company
Application for change in cadastre register	P1.4.6	Prepare application for change in cadastre register
Process status request at the information desk	P1.11	Process status request at the information desk
Unknown service		

If the service requested is not available try to guide the client to e.g. another municipal body etc.





## 5.2.2 P1.1.2 – Provide proper form

The following template forms are available (for detailed forms refer to chapter 7):

Template form no.	Template form name
F1	IPRR application form
F3.1	Conclusion, need for missing information
F3.2_m	Application for clarification
F4.1	Decision to refuse registration
F4.2	Notice of rejection
F5	Decision of registration
F6_m	Public notification of implementation of changes in IPRR
F8	Application for mortgage registration
F9	Determination of permit for mortgage registration
F10	Application for servitude registration
F11	Determination of permit for servitude registration
F12	Application for review
F13	Application for certificate form IPRR
Fx1_m	Certificate for immovable property rights
Fx2_m	Receipt for application for registration
Fx3_a	Application for non-possession
Fx4_a	Certificate for non-possession
Fx5_a	Public notification of mortgage
Fx6_a	Documentation of cancellation of mortgage

Note: the following naming conventions are used:

Fxn	unnumbered form (fx) given the number n in its filename
_m	available in multilingual version (Albanian, Serbian and English)
_a	available in Albanian version only



Use the following table to determine the form to be used:

Process no.	Process name	Form no.
P1.2.1	Process information on parcel registration	No form required
P1.2.2	Process information on parcel ownership	No form required
P1.3.1	Process application for ownership certificate	F13
P1.3.2	Process application for non-possession of immovable	Fx3
P1.3.3	Process application for documentation of change of parcel	??
P1.3.4	Process application for documentation of parcel history	??
P1.4.1	Prepare application for copy of cadastral plan	??
P1.4.2	Prepare application for sketch of original survey	??
P1.4.3	Prepare application for co-ordinates	??
P1.4.4	Prepare application for change of parcel from owner	??
P1.4.5	Prepare application for change of parcel from licensed surveyor or licensed company	??
P1.4.6	Prepare application for change in cadastre register	F1 (+ f8 or f10)
P1.12	Process status application at the information desk	Received fx2

Note: for p1.3.3 to p1.4.5 “??” Means that no specific form has been found. Different forms might be used in MCO.

For p1.4.6: if the application covers application for mortgage registration or servitude registration, f8 or f10 shall be annexed to f1.

For p1.11: the “form” to be presented is fx2 received when the application was presented.



5.2.3 P1.1.3 – Check for required documentation

Use the following table to decide if all required documentation (called essential documents) is present:

Process no.	Process name	Template form	Essential documentation							
			Identity card or power of	Ls/lsc license	Certificate of ownership	Cadastral map	Certificate on paid tax	Cash payment or bank receipt for payment	Receipt for delivered	Receipt for received material
P1.2.1	Process information on parcel registration	No form required						Free		
P1.2.2	Process information on parcel ownership	No form required	Yes					Free		
P1.3.1	Process application for ownership certificate	F13	Yes				Yes	Yes		
P1.3.2	Process application for non-possession of immovable	Fx3	Yes				Yes	Yes (exception)		
P1.3.3	Process application for documentation of change of parcel	??	Yes				Yes	Yes		
P1.3.4	Process application for documentation of parcel history	??	Yes				Yes	Yes		
P1.4.1	Prepare application for copy of cadastral plan	??	Yes				Yes	Yes		
P1.4.2	Prepare application for sketch of original survey	??	Yes				Yes	Yes		
P1.4.3	Prepare application for co-ordinates	??	Yes	Yes	Yes		Yes	No		
P1.4.4	Prepare application for change of parcel from owner	??	Yes		Yes	Yes	Yes			
P1.4.5	Prepare application for change of parcel from licensed surveyor or licensed surveying company	??	Yes	Yes						Yes + bank receipt for p1.4.3
P1.4.6	Prepare application	F1 (+f8)	Yes				Yes			



	for change in cadastre register	or f10)					s			
P1.11	Process status application at the information desk	Received fx2							Ye s	



In addition the table below details some additional documents required for application *for change in cadastre register* (p1.4.6):

Type of change	Documentation	Source
Transfer of ownership	Notarised sales contract of sale or gift	Notary or court
Inheritance	Documented proof of inheritance, or executors right to entry as owner	Estate trustee or court
Mortgage	Notarised mortgage contract	Notary or mortgagee
Discharge of mortgage	Instrument terminating the mortgage due to obligation being satisfied.	Mortgagee
Lease agreement	Lease agreement	Government or lessee/lesser
Termination of lease		Lesser
Servitude	Notarised agreement for easement; cadastral survey sketch if servitude applies to part only	Notary and surveyor
Termination of servitude	Notarised agreement court order	Notary, court or parties
Court order	Court order	Court
Change of owner name	Death certificate; marriage license	Court or government

The officer has to calculate the fee for the application. All applications require payment of a fee except for p1.2.1, p1.2.2 or p1.11. The fees are defined in *administrative instruction on determination of taxes for products and services offered by KCA* (MPS 2006/09). If the fee is 10 eur or less it is paid at the information desk in cash.

If the fee is higher it must be paid in beforehand in a bank and a *bank receipt for payment* must be presented to the officer.

The fee for processing of p1.4.3 - *application for co-ordinates* is paid afterwards.

Original documents (essential documentation) are copied and filed together with the application.

If:

- All formal documentation is present, fill in fx2 receipt for application for registration and proceed with the relevant process for the client's application, i.e. One of the processes p1.2, p1.3, p1.4 or p1.11.
- Any formal documentation is missing; proceed to p1.1.4 below.



5.2.4 P1.1.4 – Inform about missing documentation

Inform the client about the documentation missing and where to get hold of such documentation.



The following forms should be used:

Template form no.	Template form name
F3.1	Conclusion, need for missing information
F3.2_m	Application for clarification

Round off the inquiry.

### 5.3 P1.2 – Process informal application at the information desk

#### 5.3.1 P1.2.1 – Process information on parcel registration

Based on parcel number given by the client, the officer at the information desk searches by parcel number in IPRR and checks if the parcel is registered or not and provides information verbally to the client about area, parcel name and kind of use.

If the client wants to obtain the information in printed form, the officer will print it out with the remark “copy”. The printout is thus not an official document.

#### 5.3.2 P1.2.2 – Process information on parcel ownership

Based on the name of the client the officer at the information desk searches by name in IPRR and checks if the client is registered or not and provides the information about parcels belonging to him/her verbally. The name must coincide with the client’s identity card or power of attorney; however this is already prepared in p1.1.3.

If the client wants to obtain the information in a printed form the officer will print it out with the remark “copy”. The printout is thus not an official document.

### 5.4 P1.3 – Process application at the information desk

#### 5.4.1 P1.3.1 – Process application for ownership certificate

The officer has to check and complete the form together with the client supplying:

Name, address, cadastral zone, parcel number

The officer enters the application into IPRR and specifies the time for delivery. A receipt for application is printed and handed over to the client.

The officer is rounding off the inquiry informing that the client must bring the receipt for application when coming back to fetch the document.

If:



- There is no client waiting at the information desk, the officer can print the document at once and *store the material temporarily* (p1.9).
- There is no time for printing immediately, *store the material temporarily* (p1.9).

The following form should be used:

Template form no.	Template form name
Fx1	Certificate for immovable property rights

#### 5.4.2 P1.3.2 – Process application for non-possession of immovable

The officer has to check and complete the form together with the client supplying:

Name, address

The officer enters the application into IPRR and specifies the time for delivery. A receipt for application is printed and handed over to the client.

The officer is rounding off the inquiry informing that the client must bring the receipt for application when coming back to fetch the document.

If:

- There is no client waiting at the information desk, the officer can print the document directly, sign it at once and *store the material temporarily* (p1.9).
- There is no time for printing immediately, *store the material temporarily* (p1.9).

The following form should be used:

Template form no.	Template form name
Fx4	Certificate for non-possession

#### 5.4.3 P1.3.3 – Process application for documentation of change of parcel

The officer has to check and complete the form together with the client supplying:

Name, address, cadastral zone, parcel number

The officer enters the application into IPRR and specifies the time for delivery. A receipt for application is printed and handed over to the client.

The officer is rounding off the inquiry informing that the client must bring the receipt for application when coming back to fetch the document.

If:





- There is no client waiting at the information desk, the officer can print the document at once and *store the material temporarily* (p1.9).
- There is no time for printing immediately, *store the material temporarily* (p1.9).

The following form should be used:

Template form no.	Template form name
??	As an annex

#### 5.4.4 P1.3.4 – Process application for documentation of parcel history

The officer has to check and complete the form together with the client supplying:

Name, address, cadastral zone, parcel number

The officer enters the application into IPRR and specifies the time for delivery. A receipt for application is printed and handed over to the client.

The officer is rounding off the inquiry informing that the client must bring the receipt for application when coming back to fetch the document.

If:

- There is no client waiting at the information desk, the officer can print the document at once and *store the material temporarily* (p1.9).
- There is no time for printing immediately, *store the material temporarily* (p1.8), and it will be printed later.

The following form should be used:

Template form no.	Template form name
??	As an annex

#### 5.5 P1.4 – Prepare application at the information desk

##### 5.5.1 P1.4.1 – Prepare application for copy of cadastral plan

The officer has to check and complete the form together with the client supplying:

Name, address, cadastral zone, parcel number  
Phone and e-mail if available

The officer enters the application into IPRR and specifies the time for delivery. A receipt for application is printed and handed over to the client.



The officer is rounding off the inquiry informing that the client must bring the receipt for application when coming back to fetch the document.

The officer stores the application - *store the material temporarily* (p1.9).

The application will be further handled in *process application in department for cadastral surveying* (p1.7).

The following form should be used:

Template form no.	Template form name
??	As an annex

#### 5.5.2 P1.4.2 – Prepare application for sketch of original survey

During the conflict original survey records were removed from quite some MCOs and moved to Serbia. Sketch of original survey, i.e. Historical records, can thus not be delivered to owners of parcels belonging to such MCOs.

The officer has to check and complete the form together with the client supplying:

Name, address, cadastral zone, parcel number  
Phone and e-mail if available

The officer enters the application into IPRR and specifies the time for delivery. A receipt for application is printed and handed over to the client.

The officer is rounding off the inquiry informing that the client must bring the receipt for application when coming back to fetch the document.

The officer stores the application - *store the material temporarily* (p1.9).

The application will be further handled in *process application in department for cadastral surveying* (p1.7).

The following form should be used:

Template form no.	Template form name
??	As an annex



### 5.5.3 P1.4.3 – Prepare application for co-ordinates

The officer has to check and complete the form together with the licensed surveyor or a licensed surveying company authorised to represent the owner through a power of attorney supplying:

Name and address of owner of parcel(s), cadastral zone, parcel number(s)  
Phone and e-mail to LS/LSC

The officer enters the application into IPRR and specifies the time for delivery. A receipt for application is printed and handed over to the client. The fee cannot be calculated before the dataset is prepared (number of points to be delivered). The bank receipt for payment must be presented before the *application for change of parcel from licensed surveyor or licensed surveying company* (p1.4.5) is presented after the surveying has been carried out.

The officer is rounding off the inquiry informing that the client will receive the co-ordinates per e-mail and underlines that the delivery is for the ls/lsc and cannot be transferred to third party.

The officer stores the application - *store the material temporarily* (p1.9).

The application will be further handled in *process application in department for cadastral surveying* (p1.7).

The following form should be used:

Template form no.	Template form name
??	As an annex

### 5.5.4 P1.4.4 – Prepare application for change of parcel from owner

The application for implementation of changes on parcel(s) might be submitted by the owner or an authorised representative the owner through a power of attorney. The types of changes carried out by the department of surveying are:

- Merge of parcels
- Erase of buildings in graphical and textual part
- Division of parcels according to the town plan
- Field survey
- Enter building(s) into the cadastral map
- Presentation of boundaries according to available cadastral data
- Record change of land use of plots



The officer has to check and complete the form together with the owner or the representative supplying:

Name, address, cadastral zone, parcel number(s)  
Phone and e-mail if available  
Type of change(s)

The officer enters the application into IPRR and specifies the time for delivery. A receipt for application is printed and handed over to the client.

The officer is rounding off the inquiry informing that the client must bring the receipt for application when coming back to fetch the documents describe the change of parcel(s).

The officer stores the application - *store the material temporarily* (p1.9).

The application will be further handled in *process application in department for cadastral surveying* (p1.7) and, for most of the changes, *process application in department for cadastral registration* (p1.8).

The following forms should be used:

Template form no.	Template form name
F1	IPRR application form
As an annex	Template form for application for change of parcel (as an annex)

#### 5.5.5 P1.4.5 – Prepare application for change of parcel from licensed surveyor or licensed surveying company

The application for implementation of changes on parcel(s) might be submitted by a licensed surveyor or a licensed surveying company authorised to represent the owner through a power of attorney. The types of changes carried out by the ls/lsc are:

- Merge of parcels
- Erase of buildings in graphical and textual part
- Division of parcels according to the town plan
- Field survey
- Enter building(s) into the cadastral map
- Presentation of boundaries according to available cadastral data
- Record change of land use of plots

The officer has to check and complete the form together with the licensed surveyor or licensed surveying company supplying:

Name and address of owner(s), cadastral zone, parcel number(s)  
Phone and e-mail of the LS/LSC  
Type of change(s)



The officer enters the application into IPRR and specifies the time for completed implementation of change(s) in the registers. A receipt for application is printed and handed over to the client. The fee cannot be calculated before the dataset is prepared (number of points to be delivered). The bank receipt for payment must be presented before the *application for change of parcel from licensed surveyor or licensed surveying company* (p1.4.5) is presented after the surveying has been carried out based on the delivered co-ordinates.

The officer is rounding off the inquiry repeating the need for bringing the bank receipt for payment when informing that the client must bring the receipt for application when presented before the *application for change of parcel from licensed surveyor or licensed surveying company* (p1.4.5)

The officer stores the application - *store the material temporarily* (p1.9).

The application will be further handled in *process application in department for cadastral surveying* (p1.7) and, for most of the changes, *process application in department for cadastral registration* (p1.8).

The following forms should be used:

Template form no.	Template form name
F1	IPRR application form
??	As an annex for application for change of parcel

#### 5.5.6 P1.4.6 – Prepare application for change in cadastre register

The officer has to check and complete the form together with the client supplying:

Name and address of owner, cadastral zone, parcel number  
Phone and e-mail if available (or of representative)

The officer enters the application into IPRR and specifies the time for delivery. A receipt for application is printed and handed over to the client.

The officer is rounding off the inquiry informing that the client must bring the receipt for application when coming back to fetch the document.

The officer stores the application - *store the material temporarily* (p1.9).

The application will be further handled in *process application in department for cadastral registration* (p1.8).

The following forms should be used:

Template form no.	Template form name
F1	IPRR application form
F8	Application for mortgage registration (in addition to f1 for mortgage



	registration)
F10	Application for servitude registration (in addition to f1 for servitude registration)

## 5.6 P1.5 – Queue the application

This is done automatically by entering applications in IPRR and checking status of applications. This queue of applications is also used when the applications are further processed at the:

- Information desk (p1.6)
- Department for cadastral surveying (p1.7)
- Department for cadastral registration (p1.8)

Or the following processes are carried out:

- Send digital material per e-mail (p1.10)
- Sign official documents (p1.11)
- Process status application at the information desk (p1.12)

## 5.7 P1.6 – Complete application at the information desk

The following processes may not have been completed when processing the application:

- P1.3.1 – process application for ownership certificate
- P1.3.2 – process application for non-possession of immovable
- P1.3.3 – process application for documentation of change of parcel
- P1.3.4 – process application for documentation of parcel history

If these processes are not completed they have been queued for completion in IPRR.

The processes for completion are:

- P1.6.1 – complete application for ownership certificate
- P1.6.2 – complete application for non-possession of immovable
- P1.6.3 – complete application for documentation of change of parcel
- P1.6.4 – complete application for documentation of parcel history

The officer is carrying out these tasks by asking IPRR for information, printing the documentation and signing them. IPRR must be updated.

Thereafter a document is stored (p1.9 - *store the material temporarily*) and is ready for official signature (p1.11 - *sign official documents*) and delivery (p1.12 - *process status application at the information desk*).

The following forms should be used:

Template form no.	Template form name
-------------------	--------------------



Fx1	Certificate for immovable property rights (p1.6.1)
Fx4	Certificate for non-possession (p1.6.2)
As an annex	As an annex (p1.6.3) (as an annex)
As an annex	As an annex (p1.6.4) (as an annex)

## 5.8 P1.7 – Process application in department for cadastral surveying

### 5.8.1 P1.7.1 – Process application for copy of cadastral plan

An officer processes the application, signs and stores the document (p1.9 – *store material temporarily*). Thereafter the document is signed by the director or an authorised person (p1.10 – *sign official document*).

### 5.8.2 P1.7.2 - Process application for sketch of original survey

Copies of original survey records can be delivered in MCOs where historical records were not removed to Serbia during the conflict.

An officer processes the application, signs and stores the document (p1.9 – *store material temporarily*). Thereafter the document is signed by the director or an authorised person (p1.10 – *sign official document*).

### 5.8.3 P1.7.3 - Process application for co-ordinates

Co-ordinates for parcel boundary points are ordered by licensed surveyors or licensed surveying companies in connection with accomplishment of private owners' application for change of parcel.

The officer is selecting co-ordinates for parcel boundary points for the parcels in question, prepares the co-ordinate in a file which might be returned to the surveyor or company by e-mail (p1.10 – *send digital material per e-mail*). The coordinates should be given within 2 days.

The officer also has to calculate the fee for the number of points delivered and produces a note on the amount. A bank receipt for payment of this amount must be presented before the *application for change of parcel from licensed surveyor or licensed surveying company* (p1.4.5) is being executed at a later stage.

### 5.8.4 P1.7.4 – Process application for change of parcel from owner

Work for private owners is carried out both as office work and field work. The head of department for cadastral surveying is responsible for organising the work and schedule the field visit when the owners are present in the field.



#### 5.8.4.1 P1.7.4.1 – Merge parcel or erase building

No field work is necessary for carrying out this activity. The officer can make the change directly in the cadastral map. Application for change in the register is made in p1.7.6 – *process application for change in cadastre register*.

#### 5.8.4.2 P1.7.4.2 – Division of parcel according to urban plan

No field work is necessary for carrying out this activity. The officer is calculating parcel boundary points and further work is made in p1.7.4.3 – *set out parcel boundaries in the field*.

#### 5.8.4.3 P1.7.4.3 – Set out parcel boundaries in the field

This activity is based on two types of applications:

- As a follow up to p1.7.4.2 – *division of parcel according to urban plan*
- If two neighbouring owners want their common disputed parcel boundary to be set out in the field.

If two neighbours want a disputed boundary to be visualised in the field, boundary points are set out based on information in the cadastre map. Both neighbours have to be present. If the neighbours agree in the visualised boundaries, the surveyor marks the points in the field and the neighbours sign the survey protocol.

On the other hand, if the neighbours still disagree, i.e. The boundary is still disputed, the surveyor makes a survey report describing the disagreement. Both neighbours have to sign the protocol. In such cases the court is responsible for a decision to make changes to the cadastral map.

The survey work must follow KCA guidelines dependant on traditional surveying methods or GPS measurements.

#### 5.8.4.4 P1.7.4.4 – Survey parcel or building in the field

The survey work must follow KCA guidelines dependant on traditional surveying methods or GPS measurements.

The surveyor makes appointment with the owner. Neighbours must be invited if common boundaries are involved. (not necessary for subdivision.)

The surveyor makes a survey protocol for the work which must be signed by the owner (and neighbours when necessary).

This document will support the application for change in the cadastre register (p1.4.6 – *prepare application for change in cadastre register*).





#### 5.8.4.5 P1.7.4.5 – Determine land use

Determination of land use is made by a surveyor visiting the parcel together with the owner.

The surveyor makes a protocol which must be signed by the owner. This document will support the application for change in the cadastre register (p1.4.6 – *prepare application for change in cadastre register*).

#### 5.8.5 P1.7.5 – Process application for change of parcel from licensed surveyor or licensed surveying company

P1.7.3 - *process application for co-ordinates* provides the private sector with co-ordinates used during parcel maintenance ordered by private owners. The result of this work is presented as a application for change of parcel (p1.4.5 – *prepare application for change of parcel from licensed surveyor or licensed surveying company*) and application for change in cadastre register (p1.4.6 – *prepare application for change in cadastre register*).

The officer is carrying out quality control of the delivery of updated cadastre information. If it is acceptable, the changes are made.

If errors or obscurities are revealed, the officer writes a letter to the surveyor or company describing the problems with acceptance of the data. This letter must also state that updated information must be delivered within 14 days to avoid rejection of the application without refund of the fee for the service.

#### 5.8.6 P1.7.6 – Prepare application for change in cadastre register

This process is similar to p1.4.6 – *prepare application for change in cadastre register*. The difference is that it is carried out in the department for cadastre surveying (not at the information desk) by an officer based on application generated in p1.7.4 – *process application for change of parcel from owner*.

#### 5.9 P1.8 – Process application in department for cadastral registration

##### 5.9.1 P1.8.1 – Process entry of change of ownership

The officer is processing the following types of change of ownership:

- Contracts on sale
- Contract on exchange of immovable
- Court decisions
- Decisions from department for real estate affairs
- Inheritance

The officer is making the entry in IPRR.



## 5.9.2 P1.8.2 – Process entry of change of encumbrance

The officer is processing the following types of change of encumbrance:

Mortgage  
Servitude  
Lease

The officer is making the entry in IPRR.

The following forms should be used:

Template form no.	Template form name
F9	Determination of permit for mortgage registration
F11	Determination of permit for servitude registration

## 5.9.3 P1.8.3 – Pass decision of entered change

A lawyer has to control all entries made in IPRR during:

P1.8.1 – prepare entry of change of ownership  
P1.8.2 – prepare entry of change of encumbrance

All documentation is checked and the lawyer is making a decision on all types of changes in the register (change of parcel, ownership or encumbrance). This might also include a rejection if:

- The applicant is holder of a claimed immovable property right
- The application and supporting documentation contains apparent irregularities
- The validity of the application of any of the supporting documents is questionable.

You might apply for review of a registration which has been rejected within 30 days of receipt of a written decision of rejection of registration. If such an application for review is presented it will be considered in *process application for review of decision* (p1.8.4).

The following forms should be used:

Template form no.	Template form name
Fx5	Public notification of mortgage
??	As an annex for public notification of servitude
Fx6	Documentation of cancellation of mortgage
??	As an annex documentation of cancellation of servitude
F6	Public notification of implementation of changes in IPRR
F5	Decision of registration
F3.1	Conclusion, need for missing information
F4.1	Decision to refuse registration
F4.2	Notice of rejection



#### 5.9.4 P1.8.4 – Process application for review of decision

A lawyer is reviewing a previous decision when an application is received.

#### 5.10 P1.9 – Store material temporarily

Analogue documents are flowing from the information desk through the department for cadastral surveying and department for cadastral registration and finally ends up at the information desk to be handed over to the client presenting the *receipt for accepted application*.

Somewhere in the front and back office there must be one common storage for these documents.

This process covers storing analogue documents in this storage.

#### 5.11 P1.10 – Send digital material per e-mail

The most efficient way to communicate with licensed surveyors and licensed surveying companies is by means of e-mail. If e-mail is in operation in the MCO, digital information should be delivered to the private sector by means of e-mail to simplify work at the information desk. It is thus not necessary for clients from private sector to queue up at the information desk to pick up such deliveries.

#### 5.12 P1.11 – Sign official documents

The following processes are producing documents that need to be verified, signed and stamped by the director or another authorised person in the MCO:

P1.6.1 – complete application for ownership certificate

P1.6.2 – complete application for non-possession of immovable

P1.6.3 – complete application for documentation of change of parcel

P1.6.4 – complete application for documentation of parcel history

P1.8.3 – pass decision of entered change

#### 5.13 P1.12 – Process status application at the information desk

All analogue documents have to be fetched at the information desk. A client will by presenting the *receipt for accepted application* identify the type of delivery and the officer can search IPRR for information concerning completion of the application.



If:

- The application is finished the officer will pick up the document(s) in the storage (refer to p1.9 – *store material temporarily*) and hand it/them over to the client. IPRR must be updated with information about the delivery and the application will be closed.
- The application is not finished the officer has to inform the client about the delay and estimate a new completion date. IPRR has to be updated accordingly.

## 6 ANNEX - PROCESS DESCRIPTIONS BY MEANS OF IDEF0

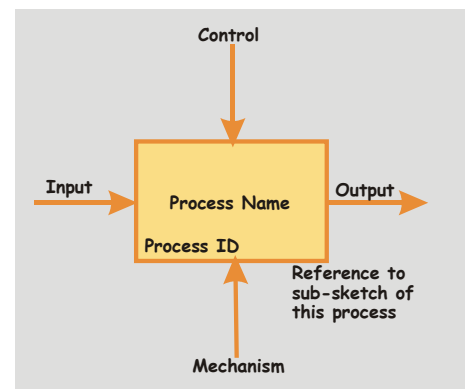
A production process, e.g. The cadastre reconstruction or the building cadastre construction process, may be visualised through process diagrams. Products are prepared through several process steps. The production process may be effectively expressed through the preparation of process diagrams or flow charts.

In this document the standard *integration definition for function modelling (IDEF0)* is used for preparation of process diagrams. Below is a description of the IDEF0 standard. For further details please refer to the website [www.idef.com](http://www.idef.com).

The figure to the right shows the basic semantics of the box and arrow drawings.

The arrows have the following meaning:

- Input - transformed or consumed to produce outputs, or trigger of the process
- Control - specify conditions to produce correct output (e.g. Documentation)
- Output - data or objects produced
- Mechanism - means execution support, e.g. Personnel



### 6.1 Break up into processes

The technique is to decompose the product or service delivery in a number of processes where the activities taking place in each of the boxes are described. Inputs, realisation activities and outputs should be identified.

Note: a verb describes the box. An arrow is described by a noun.

### 6.2 IDEF0 levels

Usually the processes are described in a hierarchy of levels. Level 1 is usually a description of the main processes called 1.1, 1.2, 1.3 etc. The 1.1 process is further detailed into sub processes called 1.1.1, 1.1.2, 1.1.3 etc. These may be further detailed if necessary.



## 7 ANNEX - TEMPLATE FORMS

On the next pages find the following template forms.

With the development of IPRR and sitkt will also be prepared the different forms that will regularly be part of this manual. Any change of form will be submitted to the MCO for their use.

Template form no.	Template form name
F1	IPRR application form
F3.1	Conclusion, need for missing information
F3.2_m	Application for clarification
F4.1	Decision to refuse registration
F4.2	Notice of rejection
F5	Decision of registration
F6_m	Public notification of implementation of changes in IPRR
F8	Application for mortgage registration
F9	Determination of permit for mortgage registration
F10	Application for servitude registration
F11	Determination of permit for servitude registration
F12	Application for review
F13	Application for certificate form IPRR
Fx1_m	Certificate for immovable property rights
Fx2_m	Receipt for application for registration
Fx3_a	Application for non-possession
Fx4_a	Certificate for non-possession
Fx5_a	Public notification of mortgage
Fx6_a	Documentation of cancellation of mortgage



Template forms, page 1 to ??