

Registering Property Questionnaire - Macedonia, FYR www.doingbusiness.org

Dear Ljubica Ruben,

We would like to thank you for your participation in the *Doing Business* project. Your expertise in the area of Registering Property in Skopje is essential to the success of the *Doing Business* report, one of the flagship publications of the World Bank Group that benchmarks business regulations in 190 economies worldwide. The Registering Property indicator, which measures the quality and efficiency of land administration, is one of the 11 indicator sets published by the *Doing Business* report.

The report attracts much attention around the world. The latest edition, *Doing Business 2018: Reforming to Create Jobs*, was the 15th in a series of annual reports measuring the regulations that enhance business activity and those that constrain it. It received over 10,000 media citations within just a week of its publication on October 31, 2017. Within that same period the *Doing Business* website was viewed over a million times and the report was downloaded over 15,000 times. One hundred and nineteen economies implemented a total of 264 reforms easing the process of doing business. Europe and Central Asia continues to be the region with the highest share of economies reforming – i.e. 79%, followed by South Asia and Sub-Saharan Africa.

Governments worldwide read the report with interest every year, and your contribution makes it possible for the *Doing Business* project to disseminate the regulatory best practices that continue to inspire their regulatory reform efforts. In 2016/17, 29 economies implemented reforms such as digitizing land records, integrating electronic platforms, introducing expedited procedures and improving the reliability and transparency of the land administration system.

This year, the Registering Property Questionnaire includes a new section on Agricultural Land which seeks to collect information on particular aspects related to the expropriation of land and state owned land transactions in your country. These data will be used as part of another World Bank Group project called [Enabling the Business of Agriculture](#) (EBA), which analyzes and monitors regulations that impact how markets function in the agriculture and agribusiness sectors. These data will be collected in 100 countries around the globe and a final report will be published summarizing and comparing the main findings for each country.

We are honored to be able to count on your expertise for *Doing Business 2019*. Please do the following in completing the questionnaire:

- Review the assumptions of the case study before updating last year's information in the questionnaire.
- Describe in detail any reform that has affected the process of transferring a property since June 1, 2017.
- Be sure to update your name and address if necessary, so that we can mail you a complimentary copy of the report.
- Kindly return the questionnaire to dbregisteringproperty@worldbank.org.

We thank you again for your invaluable contribution to the work of the World Bank Group.

Sincerely,

The Registering Property Team



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Paperless Option for Complimentary Report and Certificate

Last year contributors saved nearly half a million pieces of paper by selecting the paperless report option. We welcome you to join us in conserving resources:

- Please e-mail me an electronic copy of the report and my certificate of appreciation, rather than mailing me a paper copy.
- Please also acknowledge me in the World Bank Group's Enabling the Business of Agriculture report.

Referrals: Please help us expand our list of contributors by referring us to other experts in the private or public sector (lawyers, notaries, public officials or any expert on this field) who can respond to the questionnaire.

First name	Last name	Position	Firm	Address	Phone	E-mail
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[]	[]	[]	[]	[]	[]	[]
[]	[]	[]	[]	[]	[]	[]

1. CASE STUDY ASSUMPTIONS

The Registering Property indicator records the full sequence of procedures necessary for a business to purchase a property from another business and to transfer the property title to the buyer's name. In addition, it measures the overall quality of the land administration systems. In order to assess the time, cost and number of procedures required to complete the process of property transfer, a specific set of assumptions needs to be considered.

1.1 Scenario

You are helping your client, a limited liability company, purchase a commercial warehouse that is registered at the Agency for Real Estate Cadastre in Skopje. This case is a transfer of property, not the first-time registration of a property.

Assumptions	
Parties	<ul style="list-style-type: none"> The buyer and seller are local limited liability companies located in Skopje. They are owned by private nationals (with no foreign or state ownership) and perform general commercial activities.
Property	<ul style="list-style-type: none"> The property consists of land and a 2-story building (warehouse): the land area is 557.4 square meters (6,000 square feet), and the warehouse has a total area of 929 square meters (10,000 square feet). The value of the property is MKD 13,961,379 (equivalent to USD 249,000), equal to 50 times income per capita. The property is registered in the land registry; it is free of title disputes and has no mortgages attached to it. The seller company has owned the property for the past 10 years.
Transaction	<ul style="list-style-type: none"> The seller company has accepted the buyer company's offer to purchase the property. The parties will undertake every procedure that is officially required or needed in practice to transfer the ownership of the property.

1.2 Definitions

The questionnaire divides the process for transferring a property into distinct procedures and collects information on the time and cost of completing each procedure according to the following definitions:

Definitions	
Procedures	<ul style="list-style-type: none"> A procedure is an interaction of the buyer or the seller, their agents (if an agent is legally or in practice required) with external parties, including government agencies, inspectors, notaries and lawyers. Procedures that take place simultaneously are marked with an asterisk (*).
Time	<ul style="list-style-type: none"> Time is measured in calendar days. The minimum time for a procedure is 1 day. For procedures that can be completed online in less than 1 day, the duration is noted as "Less than one day (online procedure)".
Cost	<ul style="list-style-type: none"> Cost reflects only official fees and taxes; bribes are excluded. Value added tax (VAT) and capital gains should not be included in the cost.

Please always refer to the case study assumptions and definitions when describing the property transfer process.

2. REFORM UPDATE

2.1 Has there been any administrative or legal change since June 1, 2017 affecting the process for transferring a property or the land administration system? No

IF YES:

2.1.1 Please indicate the name and date of the law or regulation:	
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2.1.2 Please provide the link to the law or regulation if possible:	
2.1.3 Please describe the administrative or legal change:	
2.1.4 Has this change simplified or complicated your daily work related to property transfers? Please explain:	

2.2 Last year *Doing Business* recorded the following project that was expected to have an impact on the property transfer process or the land administration system (if no information is shown here, please go to question 2.3):

Expected reforms	Is it now in place?	If yes, since when?	Is the transfer process now easier or more complex?	Please explain
<p>Scan center - Through this activity, AREC will scan all archive documents of permanent value that are in paper form. Currently AREC uses the archive documents in paper form. With this reform, AREC will decrease the time needed for processing the applications submitted by the clients.</p>	Yes	<p>In the records of the AREC there is scanned book of changes - a digital history for the cadastral plots through pictures since 1929 till today. The process of digitalization is started since the end of 2013. According to the prescribed deadline for finalization of the project for digitalization in the official program and decision, is stated that the process is completed.</p>	Easier	<p>The public can acquire accurate, updated, highquality, well structured and accessible spatial data in local, regional and state administrative bodies through electronic way of obtaining information from the Agency for Real Estate Cadastre.</p>

2.3 Are you aware of any reform (change in practice or in laws or regulations) related to the process for transferring a property or the land administration system that is ongoing:

		Please describe
2.3.1. BEFORE May 1, 2018?	No	
2.3.2. AFTER May 1, 2018?	No	

3. LIST OF PROCEDURES FOR TRANSFERRING PROPERTY

For your convenience, last year's answers are included in this questionnaire. They represent a unified response, based on all the answers received from various contributors. Because they represent the responses from all *Doing Business* contributors in your economy, they may not match the specific answers that you or your colleagues in your firm provided last year.

Please update the data for property transfers taking into account the assumptions of the case study presented in section 1.

Please describe any change to the data in detail and indicate since when the change took effect. Please specify whether the changes you make are because of:

- A **reform** — any modification to the property transfer process (in practice or in law) after June 1, 2017;
- A **correction**— meaning that the unified answer was erroneous and did not reflect the reality in your country;
- **Other**—relating to other external factors affecting the property transfer process.

3.1 Data Update

Procedure 1	Obtain a non-encumbrance certificate on the property		
Cost	Cost last year: MKD 180 (Title deed) + MKD 50 (administrative tax)		
	Cost update: MKD 180 (Title deed in hard copy); MKD 150 (Title deed in electronic copy)		
Time	Time last year: Less than a day (online procedure)		
	Time update:		
Online procedure	Can it be completed online? Yes	If yes, since when? 2014	Website: http://www.katastar.gov.mk/en/Page.aspx?id=577
	Update: -Click to Select-	Update:	Link update:
Agency	Agency last year: Agency for Real Estate Cadastre, Notary		
	Agency update:		
Procedure details:	Details: With the Law on Amendments and Addenda to the Law on Real Estate Cadastre (Official Gazette of RM' No. 74/12 - 13.06.2012) all the information on encumbrances and property are included in the Title Deed. Thus, parties need to obtain only a copy of the Title deed in order to check for encumbrances. The Title deed except from the Cadastre Agency, also can be obtained at the notary offices, municipalities and geodetic companies.		
	With an upgrade of the electronic services provided by the Agency for Real Estate Cadastre (e-counter), apart from the availability to obtain a title deed from the Department of Cadastre and registration of real estate, the title deed can be obtained from the closest municipality, notary office or in the offices of private geodetic firms.		
	Your comments:		
If you made changes to last year's information, what is it due to? -Click to Select-			
Please explain the change(s) and provide the legal basis when applicable:			

Procedure 2	Lawyer drafts the sale-purchase agreement		
Cost	Cost last year: Statute of the Bar Association of the Republic of Macedonia set the fees in a decision dated January 31, 2017. The fee is determined according to the value of the subject of sale and in the following manner: -For value of 3.000.000,00 MKD the fee for preparation is 3.900,00 MKD -For value from 3.000.001,00 MKD to 5.000.000,00 MKD the fee is 5.000,00 MKD -For value from 5.000.001,00 MKD to 9.000.000,00 the fee is 6.000,00 MKD -For value from 9.000.001,00 MKD to 20.000.000,00 the fee is 10.000,00 MKD -For value from 20.000.001,00 MKD to 60.000.000,00 the fee is 15.000,00 MKD -For value of 60.000.001,00 MKD the fee for preparation is 30.000,00 MKD		
	Cost update:		
Time	Time last year: 1 day		
	Time update:		
Online procedure	Can it be completed online? No	If yes, since when?	Website:
	Update: -Click to Select-	Update:	Link update:
Agency	Agency last year: Lawyer		
	Agency update:		
Procedure details:	Details: As of January 1, 2017, Macedonia requires an agreement to be prepared by a lawyer for transfer of a property in which the legal matter is valued at more than 10,000 Euros. There are some exceptions. There is no obligation for preparation of the agreement by a lawyer (including lawyers seal and signature): 1) when one of the contracting parties is the Republic of Macedonia, and 2) for transactions where the legal matter (subject of the agreement for transfer of the property) is under 10.000 Euros in MKD and one of the contracting parties is bank, saving bank, financial company, provider of financial leasing or insurance company, there is no obligation for preparation of the agreement by a lawyer (including lawyers seal and signature)		
	Your comments:		
If you made changes to last year's information, what is it due to? -Click to Select-			
Please explain the change(s) and provide the legal basis when applicable:			
Procedure 3	Obtain Certificates for current condition, Certificates of bankruptcy and Certificates of liquidation from the Central Registry		
Cost	Cost last year: MKD 256 (Certificate for current conditions) + MKD 257 (Certificate of bankruptcy) + MKD 257 (Certificate of liquidation)		
	Cost update:		
Time	Time last year: Less than a day (online procedure)		
	Time update:		
Online procedure	Can it be completed online? Yes	If yes, since when? 2013	Website: http://www.crm.com.mk/CRIS/ReDefault.aspx
	Update: -Click to Select-	Update:	Link update:
Agency	Agency last year: Central Registry		
	Agency update:		

Procedure details:	<p>Details: Prior to referring to a public notary for verification and notarization parties are required to obtain three certificates from the Central Registry. These Certificates are required by the Notary in order to compile the Notary act. Pursuant to article 47 of the Notary Law the notary public shall determine the identity of the parties (seller and buyer) - legal entities based on a certificate issued by a competent authority (Certificate for current standing). Further, pursuant to article 44 of the same Law "while compiling a notary act, the notary public must examine whether the parties are capable and authorized for undertaking such activities (transfer of a property)....." (Certificate of bankruptcy and Certificate of liquidation).</p>		
	Your comments:		
If you made changes to last year's information, what is it due to? -Click to Select-			
Please explain the change(s) and provide the legal basis when applicable:			
Procedure 4	Submit application for assessment of sale property tax and obtain the tax decision		
Cost	Cost last year: MKD 300 (administration fee)		
	Cost update: MKD 300 (administration fee) and additional MKD 250 for obtaining the tax resolution.		
Time	Time last year: 3 weeks		
	Time update:		
Online procedure	Can it be completed online? No	If yes, since when?	Website:
	Update: -Click to Select-	Update:	Link update:
Agency	Agency last year: Municipality		
	Agency update:		
Procedure details:	<p>Details: Tax liability incurs on the date of conclusion of the agreement for transfer of ownership. The base of tax on sales of real estate is the market value of the real estate at the moment of the tax liability. Previously paid to the Public Revenue Authority, the payment of this tax moved from the Revenue Authority to the Municipalities in 2005. According to the Law on Property Taxes (Official Gazette of the Republic of Macedonia, No. 61, dated September 13th 2004), the tax rates are determined by each Municipality, and the Municipality administration is authorized to determine and collect the property taxes as per the location of the real property. The Mayor should pass and deliver the decision for the amount of property tax within 10 days from the day when the taxpayer submitted the application. The rate of tax on sale of real estate is proportional and equals 2-4% of the determined market value of the property. If the two parties are companies registered for VAT, the seller will pay 18% VAT on the determined purchase price.</p>		
	Your comments:		
If you made changes to last year's information, what is it due to? -Click to Select-			
Please explain the change(s) and provide the legal basis when applicable:			
Procedure 5	Pay property sales tax and obtain a stamped payment order at the bank		
Cost	Cost last year: 2-4% from the market value of the real estate at the moment the obligation occurred		
	Cost update:		
Time	Time last year: 1 day		
	Time update:		
Online procedure	Can it be completed online? No	If yes, since when?	Website:
	Update: -Click to Select-	Update:	Link update:
Agency	Agency last year: Commercial bank and Municipality		

	Agency update:		
Procedure details:	Details: Seller makes a wire transfer or pays in person at the bank. To confirm the tax payment seller obtains stamped payment order from the bank and submits this document to the Municipality. Given that Municipalities cannot verify whether money have reached their account, stamped payment order must be submitted to get Municipality's seal on the draft sales-purchase agreement.		
	Your comments:		
If you made changes to last year's information, what is it due to? -Click to Select-			
Please explain the change(s) and provide the legal basis when applicable:			
Procedure 6	Notary solemnizes draft sales-purchase agreement or prepares a Notary act		
Cost	Cost last year: Sale/purchase agreement according to Article 11 of Notary Tariff: -if the property value is from MKD 300,001 up to MKD 3,000,000 the fee is MKD 2,000; -from 3.000.001 MKD to 5.000.000,00 MKD, the fee is 10.000,00 MKD; -from 5.000.001,00 MKD to 9.000.000,00 MKD, the fee is 12.000,00 MKD; -from 9.000.001,00 MKD to 20.000.000,00 MKD, the fee is 20.000,00 MKD; -from 20.000.001,00 MKD to 60.000.000,00 MKD, the fee is 30.000,00 MKD; -up to 60.000.000,00 MKD, the fee is 60.000,00 MKD. Pursuant to the Notary Act of 2017, 50% of the award and the costs prescribed by the Notary Tariff, are paid to the attorney at law as his participation is obligatory. Cost update: - if the property value is up to 100.000,00 MKD, the fee is 800,00 MKD - if the property value is from 100.001,00 MKD to 200.000,00 MKD, the fee is 1.200,00 MKD - if the property value is from 200.001,00 MKD to 300.000,00 MKD, the fee is 2.000,00 MKD		
Time	Time last year: 3 days Time update:		
Online procedure	Can it be completed online? No	If yes, since when?	Website:
	Update: -Click to Select-	Update:	Link update:
Agency	Agency last year: Public Notary Agency update:		
Procedure details:	Details: The notary prepares and notarizes the sale contract agreement. The following documents are required by the notary: <ul style="list-style-type: none"> • Title Deed from AREC; • Current condition of the legal entities (where the names and data of the legal representative(s) of the Companies authorized to sign the agreement are stipulated)- obtained by the notary online • Decision for sale of the warehouse adopted by the owner(s) of the Company - Seller; • Decision for buying of the warehouse adopted by the owner(s) of the Company - Buyer; • Certificates that both Companies are not under bankruptcy and liquidation Procedure; • Certificate for non-encumbrance for the warehouse. According to the Law on Notary Public, a notary public is obliged to submit these documents to the Cadastre in order to inform the Cadastre about the change in ownership; • Seller: must produce a certificate showing that the Company has not initiated the bankruptcy Procedure; • Purchaser: must issue a Decision for buying the warehouse, signed by the Company's Manager. 		
	Your comments:		

If you made changes to last year's information, what is it due to? Correction			
Please explain the change(s) and provide the legal basis when applicable: If a mandatory participation of a attorney at law is prescribed in the procedure in front of a notary public, the attorney at law, have the right to a reward and expenses in the amount of 50% of the prize and the costs for undertaking the appropriate legal action prescribed by the Notary Tariff , while the notary public who has taken the appropriate legal action has the right to the other 50% of the prize and expenses.			
Procedure 7	Registration in the Cadastral Office		
Cost	Cost last year: MKD 300 (for change of ownership) + MKD 50 (administrative tax)		
	Cost update:		
Time	Time last year: 3 days		
	Time update:		
Online procedure	Can it be completed online? Yes	If yes, since when? 2012	Website: www.katastar.gov.mk
	Update: -Click to Select-	Update:	Link update:
Agency	Agency last year: The Agency for Real Estate Cadastar		
	Agency update:		
Procedure details:	Details: Parties submit a request for changing the title to the Cadastral Office.		
	A lawyer or the buyer obtains from the Cadastre a new Title Deed in which the new owner will be registered. Ownership right over real estate is established at the moment of registration of that right in the Public Book at the Cadastre, though in practice documentation would be required to resell or use the property to obtain a loan.		
	According to the Article 186 from the Law on Real Estate Cadastre (Official Gazette of RM 55/2013), the time limit for Real Estate Cadastre to register required application is set at 15 working days. The documentation shall include: the sale contract approved by public notary.		
	E-lodging is now being introduced in Macedonia: the E-Counter application for professional users (available at www.katastar.gov.mk), enables submission of applications for data and changes electronically, using electronic signature. The fee for the service and the administrative tax can be paid by credit card via the virtual POS terminal. In order to use this service, the professional users must sign a contract with the AREC and must have internet access, scanner, digital signature issued by an authorized body, and payment card. With the E-Counter, the citizen via the Notaries can conduct purchase or sale of the property and can quickly record a mortgage, without coming to the AREC front desk in person.		
	Your comments:		
If you made changes to last year's information, what is it due to? -Click to Select-			
Please explain the change(s) and provide the legal basis when applicable:			

3.2 Additional procedures in the process for transferring property

Please provide details below on any new or existing procedures that are not included in the list above. **In case there is no additional procedure to be added, please proceed to the next page.**

Procedure			
Name:			
Cost:			
Time:			
Online procedure	Can this procedure be done online? -Click to Select-	If Yes, since when?	Please provide the link to the website:
Agency:			
Procedure details:			
If you made changes to last year's information, what is it due to? -Click to Select-			
Please explain the changes and provide the legal basis when applicable:			
Please indicate the sequence of this new procedure (for example: between procedures 2 and 3) or describe when it takes place:			
Can this procedure take place simultaneously with another procedure? If so, which one(s)?			

4. QUALITY OF LAND ADMINISTRATION INDEX

This section is dedicated to the Quality of Land Administration Index, which evaluates 4 main areas: the overall reliability of infrastructure; transparency of information; geographic coverage; and land dispute resolution mechanisms in place. When answering the questions below, kindly disregard the case study assumptions (section 1).

For your convenience, a summary of the responses provided last year to the same questions is included. Because they represent the responses received from all Doing Business contributors in your economy, they may not match the specific answers that you or colleagues in your firm provided last year.

If any of your answers are the result of a reform that came into effect after June 1, 2017 kindly, mention it in the sections for changes comparing to the last year. Furthermore, when answering the questions below kindly indicate the name, reference and date of publication of the relevant law, when applicable.

4.1 RELIABILITY OF INFRASTRUCTURE INDEX

4.1.1 Immovable property registration system

	Last Year	This Year	Please explain any changes or comments
a) What is the name of the institution in charge of immovable property registration in Skopje?	Agency for Real Estate Cadastre	Agency for Real Estate Cadastre	
b) Is the majority of existing titles/deeds records, including past records and newly issued, in Skopje in a paper format or in a computerized format? If they are computerized, are they scanned documents or fully digital documents? (A scanned document is an image of a document, kept in electronic format or microfilm, whose content cannot be not used in searches and it is not extractable. Fully digital documents are those that have information input into fields, and stored electronically with content that is digitally searchable and extractable).	Computer/Fully digital	Computer/Fully digital	

c) Is there an electronic database for checking for encumbrances (liens, mortgages, restrictions, etc.)?	Yes	Yes	
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4.1.2 Cadastral/Mapping system

	Last Year	This Year	Please explain any changes or comments
a) What is the name of the institution in charge of the plans showing legal boundaries in Skopje (cadastre, parcel index, etc.)	Agency for Real Estate Cadastre	Agency for Real Estate Cadastre	
b) Is the majority of plans in Skopje held in a paper format or in a computerized format? If they are computerized, are they scanned documents or fully digital documents?	Computer/Fully digital	Computer/Fully digital	
c) Is there an electronic database for recording boundaries, checking plans and providing cadastral information (Geographic Information System)?	Yes	Yes	

4.1.3 Interconnection

	Last Year	This Year	Please explain any changes or comments
a) Is the information recorded by the immovable property registration agency and the mapping agency kept in a single database; different but linked databases (information is automatically updated and share between the two institutions) or separate databases?	Single database	Single database	
b) Do the immovable property registration agency and cadastral/mapping agency use the same identification number for properties?	Yes	Yes	

4.2 TRANSPARENCY OF INFORMATION INDEX

4.2.1 Immovable property registration system

	Last Year	This Year	Please explain any changes or comments
a) Who is able to obtain information on land ownership at the agency in charge of immovable property registration in Skopje?	Freely accessible by anyone	Freely accessible	
How is the property searched (property number, location, owner's name)?		Property can be searched by title deed number /cadastral land	

		or by address	
b) Is the list of documents that are required to complete any type of property transaction made publicly available?	Yes, online	Yes, online	
If online, please provide the link:	http://www.katastar.gov.mk/mk/Page.aspx?Id=206	http://www.katastar.gov.mk/mk/Page.aspx?Id=205	
c) Is the applicable fee schedule for any property transaction at the agency in charge of immovable property registration in Skopje made publicly available?	Yes, online	Yes, online	
If online, please provide the link:	http://www.katastar.gov.mk/userfiles/file/tarifnici/TARIFNIK_za_promeni_vo_kn-izmena_15.01.2015-%D0%BF%D1%80%D0%B5%D1%87%D0%B8%D1%81%D1%82%D0%B5%D0%BD_%D1%82%D0%B5%D0%BA%D1%81%D1%82.pdf	http://www.katastar.gov.mk/wp-content/uploads/dokumenti/tarifnici/%D0%A3%D0%BF%D0%B0%D1%82%D1%81%D1%82%D0%B2%D0%BE%20%D0%B7%D0%B0%20%D0%BD%D0%B0%D1%87%D0%B8%D0%BD%D0%BE%D1%82%20%D0%BD%D0%B0%20%D0%BF%D1%80%D0%B8%D0%BC%D0%B5%D0%BD%D0%B0%20%D0%B0%20%D0%A2%D0%B0%D1%80%D0%B8%D1%84%D0%BD%D0%B8%D1%86%D0%B8JULI2015.pdf	
d) Does the agency in charge of immovable property registration agency formally commit to deliver a legally binding document that proves property ownership within a specific deadline (service standards- e.g. 5 working days to deliver a new title)?	Yes, online	Yes, online	

If online, please provide the link:	http://www.katastar.gov.mk/en/Page.aspx?Id=206	http://status.katastar.gov.mk/Login.jsp	After submitting a request for registration of a change in the Agency for real estate cadastre, on this link the parties can obtain information for the status of the subject of the procedure.
e) Is there a specific mechanism that is and independent from the agency mechanism for filing complaints about a problem that occurred at the agency in charge of immovable property registration through a telephone hotline, a mailing address, e-mail or other means?	No	No	
If yes, please provide the contact information:			
f) Are there official statistics tracking the number of transactions at the immovable property registration agency?	Yes	Yes	
If yes, are they made available to the public?	Yes	Yes	
What is the source of these statistics?	http://www.katastar.gov.mk/en/Page.aspx?Id=274&m=154	http://www.katastar.gov.mk/%D0%BF%D1%80%D0%BE%D1%84%D0%B5%D1%81%D0%B8%D0%BE%D0%BD%D0%B0%D0%BB%D0%BD%D0%B8-%D0%BA%D0%BE%D1%80%D0%B8%D1%81%D0%BD%D0%B8%D1%86%D0%B8/D1%80%D0%B5%D0%B3%D0%B8%D1%81%D1%82%D0%B0%D1%80-%D0%BD%D0%B0-%D1%86%D0%B5%D0%BD%D0%B8-%D0%B8-%D0%B7%D0%B0%D0%BA%D1%83%D0	http://www.katastar.gov.mk/wp-content/uploads/Tekovni%20proekti/IZVESTAJ%20REGISTAR%20NA%20CENI%20Q3%2001%2006-30%2009%202017.pdf

		%BF%D0%BD %D0%B8%D0 %BD%D0%B8- %D0%BD%D0 %B0- %D0%BD%D0 %B5%D0%B4 %D0%B2%D0 %B8%D0%B6/	
What is the total number of property transfers in Skopje that took place in 2017?			

4.2.2 Cadastral/Mapping system

	Last Year	This Year	Please explain any changes or comments
a) Who is able to consult plans in Skopje?	Anyone who pays the official fee	Anyone who pays the official fee	
b) Is the applicable fee schedule to get access to plans made publicly available?	Yes, online	Yes, online	
If online, please provide the link:	http://www.katastar.gov.mk/mk/Page.aspx?id=155&m=1501		
c) Does the cadastral/mapping agency formally commit to deliver an updated plan within a specific deadline (service standards- e.g. 5 working days to update the plan)?	No	No	
If online, please provide the link:			
d) Is there a specific and independent mechanism for filing complaints about a problem that occurred at the agency in charge of cadastral plans through a telephone hotline, a mailing address, e-mail or other means?	No	No	
If yes, please provide the contact information:			

4.3 GEOGRAPHIC COVERAGE INDEX

4.3.1 Immovable property registration system

	Last Year	This Year	If not, what percentage of land is	Are there any ongoing reforms/initiatives

			registered?	aimed at the distribution of titles?
a) Is every privately held land plot in Skopje formally registered at the immovable property registry?	Yes	No		<p>Due to lack of complete documentation by the private owners, some of the land plots are not formally registered at the property registry, but they are only recorded in the separate records as existing land plots without registered property rights. Citizens who have not submitted a request for legalization of their real estate, can do this during the whole year. A new deadline for submitting requests for legalization, from January 1 to December 31, 2018 is given with amendments to the Law on legalization of illegal buildings, which was adopted by the Government on the proposal of the Ministry of Transport and Communications</p>
b) Is every privately held land plot in the economy (the former Yugoslav Republic of Macedonia) formally registered at the immovable property registry?	No	No		<p>Due to lack of complete documentation by the private owners, some of the land plots are not formally registered at the property registry, but they are only recorded in the</p>

				<p>separate records as existing land plots without registered property rights. Citizens who have not submitted a request for legalization of their real estate, can do this during the whole year. A new deadline for submitting requests for legalization, from January 1 to December 31, 2018 is given with amendments to the Law on legalization of illegal buildings, which was adopted by the Government on the proposal of the Ministry of Transport and Communications.</p>
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4.3.2 Cadastral/mapping system

	Last Year	This Year	If not, what percentage of land mass is mapped?	Are there any ongoing reforms/initiatives aimed at mapping plots?
a) Is every privately held land plot in Skopje mapped?	Yes	Yes		
b) Is every privately held land plot in the economy (the former Yugoslav Republic of Macedonia) mapped?	Yes	Yes		

4.4 LAND DISPUTES RESOLUTION INDEX

4.4.1 Legal background

	Last Year	This Year	Please explain any changes or comments
a) Does the law require that all property sale transactions be registered at the land registry to make them opposable to third parties?	Yes	Yes	

If yes, please specify the legal basis:	Article 142 and 143 from the Law on real estate cadastre (Official Gazette of RM. no 55/2013, 41/2014, 115/2014, 116/2015, 153/2015, 192/2015 and 172/2016)	Article 142 and 143 from the Law on real estate cadastre (Official Gazette of RM. no 55/2013, 41/2014, 115/2014, 116/2015, 153/2015, 192/2015 and 172/2016)	
b) Is the system of immovable property registration subject to a guarantee?	Yes	Yes	
If yes, what is the type of guarantee?	State guarantee	State guarantee	
Please specify the legal basis:	Article 142 and 143 from the Law on real estate cadastre (Official Gazette of RM. no 55/2013, 41/2014, 115/2014, 116/2015, 153/2015, 192/2015 and 172/2016)	Article 142 and 143 from the Law on real estate cadastre (Official Gazette of RM. no 55/2013, 41/2014, 115/2014, 116/2015, 153/2015, 192/2015 and 172/2016)	
c) Is there any compensation mechanism to cover for losses incurred by parties who engaged in good faith in a property transaction based on erroneous information certified by the land registry?	Yes	Yes	
If yes, what kind of compensation is provided in this case?	The misdemeanor provisions are stated in the Law on real estate cadastre (Official Gazette of RM. no 55/2013, 41/2014, 115/2014, 116/2015, 153/2015, 192/2015 and 172/2016, from Article 246-251)	The misdemeanor provisions are stated in the Law on real estate cadastre (Official Gazette of RM. no 55/2013, 41/2014, 115/2014, 116/2015, 153/2015, 192/2015 and 172/2016) in Articles 246-251, in which case, there are prescribed penalties in MKD counter value.	
Please specify the legal basis:	From Article 246 to Article 251 of the Law on Real Estate Cadastre.	The Law on real estate cadastre, from Article 246 to Article 251	
d) Does the legal system require a control of legality of the documents necessary for a property transaction (e.g. checking of contracts compliance with law requirements)?	Yes	Yes	

•If yes, who is held responsible for verifying the contract compliance?	Notary.	Please select all that apply: <input type="checkbox"/> Registrar <input checked="" type="checkbox"/> Notary <input checked="" type="checkbox"/> Lawyer <input type="checkbox"/> Interested parties <input type="checkbox"/> No one <input type="checkbox"/> Other	
•Please specify the legal basis:	Notary Law (Official Gazette of RM. no. 55/2007,72/2016 and no.142/2016)	Notary Law (Official Gazette of RM. no. 55/2007,72/2016 and no.142/2016)	
e) Does the legal system require a verification of the identities who are parties to a property transaction?	Yes	Yes	
•If yes, who is held responsible for verifying the identity of the parties to a property transfer?	Notary.	Please select all that apply: <input type="checkbox"/> Registrar <input checked="" type="checkbox"/> Notary <input type="checkbox"/> Lawyer <input type="checkbox"/> Interested parties <input type="checkbox"/> No one <input type="checkbox"/> Other	
•Please specify the legal basis:	Article 47 of the Notary Law ("Official gazette of the Republic of Macedonia"no. 55/2007 from 04.05.2007).	Article 57 of the Notary Law (Official Gazette of RM. no. 142/2016).	
f) Is there a national database to verify the accuracy of identity documents?	Yes	Yes	

4.4.2 Formal land dispute resolution mechanisms

	Last Year	This Year	Please explain any changes or comments

a) In case of a standard land dispute between two local businesses over tenure rights of a property worth MKD 13,961,379 located in Skopje, what is the court in charge of the case in first instance?	First instance Court Skopje 2	First Instance Court Skopje II Skopje	
b) How long does it take on average to obtain a decision from the first instance court for such a case (without appeal)?	Between 1 and 2 years	Between 1 and 2 ye	
c) Are there any statistics on the number of land disputes in the first instance?	Yes	Yes	
If yes, what is the number of land disputes in 2017 and/or the land dispute rate (i.e. the percentage of land disputes out of the total number of disputes in the first instance)?	429 resolved cases for 2016	895 resolved cases for 2017 out of 1828 total ongoing disputes, according to the annual report of the Court for 2017	
What is the source of these statistics?	http://sud.mk/wps/portal/osbitola/sud/izvestai/svi/!ut/p/z1/04_Sj9CPykssy0xPLMnMz0vMAfljo8ziLQ1czAydN18_L3NLQwcfUNdfULdPb18TE30wwkpiAJKG-AAjgZA_VGEIHjpR6Xn5CdBXOOYI2Rska4fVZSallqUWqRXWgQUzigpKSi2UjVQNSgvL9dLz89Pz0nVS87PVTXAp iUjv7hEPwJVpX5BboSBbIRSZbmjoilA1FFTAw!!/dz/d5/L2dBISEvZ0FBIS9nQSEh/?uri=n m%3Aoid%3AZ6_90D61BC0LOK780AMUELUGIJL54	http://sud.mk/wps/wcm/connect/osskopje2/75bc6a5d-b1f2-4174-9ae1-6e587df135ab/%D0%93%D0%9E%D0%94%D0%98%D0%A8%D0%95%D0%9D+%D0%98%D0%97%D0%92%D0%95%D0%A8%D0%A2%D0%90%D0%88+2017+%D0%93%D0%9E%D0%94%D0%98%D0%9D%D0%90.pdf?MOD=AJPERES&CACHEID=ROOTWORKSPACE.Z18_L8CC1J41L088F0A1K8MT8K0AJ0-75bc6a5d-b1f2-4174-9ae1-6e587df135ab-iiB60ws	

5. Equal access to property rights index

When assessing if the law recognizes equal ownership rights over the property, please consider the capacity to own, use and administer it. Assume the individuals are married and under the default marital property regime or the most commonly used system.

	Last Year	This Year	Please explain any changes or comments
a) Do unmarried men and unmarried women have equal ownership rights to property?	Yes	Yes	
Please specify the legal basis:	Law on Ownership and other Real Rights, Arts. 2, 5 and 8	The Constitution of Republic of Macedonia and Law on ownership and other real rights (Official Gazette of RM. no.18/2001; 92/2008;139/2009 and no.35/2010)	
b) Do married men and married women have equal ownership rights to property?	Yes	Yes	
Please specify the legal basis:	Law on Ownership and other Real Rights, Arts. 68 - 70 and 75	The Constitution of Republic of Macedonia and Law on ownership and other real rights (Official Gazette of RM. no.18/2001; 92/2008;139/2009 and no.35/2010)	
c) Does the law require the land registry to collect sex-disaggregated data on land ownership, either individually or jointly?		No	
Please specify the legal basis:		-Click to Select-	

6. RESEARCH QUESTIONS: Building human capital in Land Administration

	Response	Please specify the legal basis and provide minimum requirements if applicable
1(a). What are the requirements to become a land registrar?	Please select all that apply: <ul style="list-style-type: none"> <input type="checkbox"/> Minimum level of education <input type="checkbox"/> Minimum years of specific experience <input type="checkbox"/> Civil Servant status <input type="checkbox"/> Professional qualification <input type="checkbox"/> Other 	
1(b). Are the legal requirements respected in practice?	-Click to Select-	

	Response	Comments/ Legal basis
2(a). Are trainings offered to land registry staff on a yearly basis?	-Click to Select-	
2(b). Are any of the following topics covered?	Please select all that apply: <ul style="list-style-type: none"> <input type="checkbox"/> Administrative organization <input type="checkbox"/> New systems or 	

	innovation <input type="checkbox"/> Property rights <input type="checkbox"/> Coordination with other agencies (cadastre, tax authority), customer service	
3. Does the land registry provide any type of training or awareness campaign to educate the general public on the process and importance of land registration?	-Click to Select-	
3(a). Please indicate the total budget allocated to education or training of land registrars and clerks. (Please provide an estimated percentage of land registry's budget in the response section or if there is no budget, please write "No Budget")		
4. Is there a help desk available to help the general public with any questions they may have?	-Click to Select-	

5. How are substantial changes to the system (i.e. online registration, online search) communicated to the following parties? (Select all that apply)

	Public	Land Registry employees
(a) Dissemination campaign (e.g. social media, billboards, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
(b) Training/workshops	<input type="checkbox"/>	<input type="checkbox"/>
(c) Through the media (e.g. TV, radio, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
(d) Pilot test	<input type="checkbox"/>	<input type="checkbox"/>
(e) None of the above	<input type="checkbox"/>	<input type="checkbox"/>
(f) Other (please specify in comments):	<input type="checkbox"/>	<input type="checkbox"/>

► Comments:

7. RESEARCH QUESTIONS: Enabling the Business of Agriculture

7.1 Expropriation

Land expropriation refers to the process by which a public agency – or a private entity authorized by a public agency – takes property of a privately-owned plot of land.

Case study assumptions

Plot A:

- is a plot of land assigned to agricultural use
- belongs to a national citizen who holds a formal ownership title
- is 10 hectares large, cleared, levelled and fully irrigated
- extends over an area that the government intends to expropriate to build a road

	Response	Legal basis
1. Does the law specify which instances are considered valid basis for expropriation due to public	Yes	Article 6 of the Expropriation Law

purpose?		
2. Must the affected parties be consulted by the Government before the expropriation takes place?	Yes	Article 29 of the Expropriation Law
3. Does the law require verification that the public interest is proportionate to the private interests damaged by the expropriation?	No	
4. Can the owner of Plot A appeal the legitimacy of the project in a Court before the expropriation takes place? If yes, please specify which Court.	Yes	Article 32 of the Expropriation Law
5. Does the law specify priority criteria when selecting the plots for expropriation (eg. productivity, ownership, location)?	No	
6. In case of expropriation based on public interest, must the government provide full monetary compensation based on the market value of plot A?	Yes	Article 27 paragraph 2 and Article 37 of the Expropriation Law
7. Can the government occupy Plot A before the amount of the compensation is agreed upon?	No	Article 29 of the Expropriation Law
8. Is there a maximum time limit for the government to provide the compensation from the decision to expropriate?	Yes	Article 48 of the Expropriation Law
9. How is the value of the land (or of the associated property rights) determined for the purpose of compensation?	For the expropriated property, there is a fair compensation which can not be lower than the market value of that property.	Article 18 of the Expropriation Law
10. Does the compensation cover the improvements made to the land?	Yes	However, Article 40 states that the owner of the property that is being expropriated has no right to compensation for the investments made after the day when the proposal for expropriation was submitted.
11. Does the economic activity associated to Plot A influence the level of compensation granted?	Yes	Article 42 and Article 43 of the Expropriation Law

7.2 State Land Acquisition

State land acquisition by a private entity refers to the process by which a public agency grants a private entity temporary use rights over a publicly owned piece of land.

Case study assumptions

The government intends to transfer a large area of alienable state land to private agricultural use for a fixed amount of time.

	Response	Legal basis
1. Is there a maximum size of alienable state land that can be transferred to agricultural use?	No	Article 21 and Article 21-a of the Law on agricultural land
2. Must all transfers of alienable public land to private use take place through a public tender?	Yes	However, in accordance with Article 38 of the Law on agricultural land, one exception is prescribed: For the needs of the public scientific and state educational institutions in the field of agriculture established by the municipality and the City of Skopje in the field of agriculture, as well as for the needs of penitentiary- and correctional institutions for performing production activity of convicted persons, the Minister may lease agricultural land in state ownership by a direct agreement upon prior consent from the Government of the Republic of Macedonia.
3. Must contracts granting private use over alienable state land be publicly disclosed?	No	
4. Are unregistered customary land rights recognized by the law?	No	
5. Does the law allow customary land rights to be formally registered?	No	
6. Does the law mandate that all transfers of alienable state land comply with existing customary land rights?	No	
7. Does the law establish non-alienable state lands for the protection of natural resources?	Yes	Article 6 of the Law on privatization and lease of state-owned construction land

Thank you very much for completing the Registering Property questionnaire!

We sincerely appreciate your contribution to the *Doing Business* project.
 The results will appear in the *Doing Business 2019* report and on our website: www.doingbusiness.org.
 Your work will be gratefully acknowledged.