

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 four flagship publications of the World Bank Group that benchmarks business regulations in 189 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 2016: Measuring Regulatory Quality and Efficiency*, introduced improvements in 6 of 11 *Doing Business* indicator sets. It received over 7,000 media citations within just 3 weeks of its publication on October 27, 2015 and 31.4 million twitter accounts were reached with *Doing Business* mentions within that same period. The coverage spanned major global, regional and local media outlets, from print and broadcast to the web. The *Doing Business* website had over 1 million page views and nearly 60,000 downloads within 3 weeks after the report's launch.

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. Since 2010, 92 economies have implemented 135 reforms making it easier to transfer property. In 2014/15, 22 economies implemented reforms such as combining or eliminating registration procedures, integrating electronic platforms, introducing expedited procedures and improving administrative efficiency.

We are honored to be able to count on your expertise for *Doing Business 2017*. 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, 2015.
- Please pay special attention to the questions on the overall quality of land administration systems at the end of the questionnaire.
- 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 Parvina Rakhimova at prakhimova@worldbank.org.

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

Sincerely,

Parvina Rakhimova
Tel: +1 202 458-2126
Fax: (202) 473-5758
Email: prakhimova@worldbank.org

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 Cadastre of Real Estate 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 12,146,194 (equivalent to USD 253,500, 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 or the property 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, 2015 affecting the process for transferring a property or the land administration system?

Yes

IF YES:

2.1.1 Please indicate the name and date of the law or regulation:	Law on real estate cadastre (Official gazette of Republic of Macedonia no. 116/15 from 09.07.2015; no. 153/15 from 04.09.2015; and no. 192/15 from 05.11.2015)
2.1.2 Please provide the link to the law or regulation if possible:	Law on real estate cadastre: http://www.slvesnik.com.mk/Issues/bc8024090a574604a662b5afb11de71c.pdf http://www.slvesnik.com.mk/Issues/f7bb84eb4e97470e8417023a061ac0c7.pdf http://www.slvesnik.com.mk/Issues/4fea047f3e6441a786fc8b6cda86253d.pdf
2.1.3 Please describe the administrative or legal change:	<p>All entities with transferred public authorizations and authorized surveyors and trade companies for geodetic works, are obliged to get the GKIS data electronically.;</p> <p>Authorized surveyors and trade companies for geodetic works on the basis of a special power of attorney from the right holder, can electronically on his behalf and for his account submit an application for registration / change to the Agency for real estate cadastre.;</p> <p>Cadastral registration of real estate is carried out on the basis of a purchase contract or a notarial act, with a clause for an advance tax payment on the real estate. In addition to that, the notary public electronically submits: an assessment report on the market value of the property and calculation of the advance tax drafted by a qualified appraiser, and the completed advance payment tax application.</p>
2.1.4 Has this change simplified or complicated your daily work related to property transfers? Please explain:	Centralization of responsibilities among the competent entities, facilitates the transfer of ownership from one to another entity. The electronic submission of applications and obtaining informations shall simplify the daily work.

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 reform 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:
Scan center - Through this activity, AREC will scan all archive documents of permanent value that	Yes	The project for digitalization of cadastre plans, is 95,19% completed.	Easier	The public can acquire accurate, updated, highquality,

<p>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>				<p>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 June 1, 2016?	No	
2.3.2. AFTER June 1, 2016?	Yes	<p>Law for notary public-the presence of lawyers in compiling the notary public documents and drafting of private documents from attorneys with legal stamp and signature is required, which will then be confirmed by a notary, where the participation of lawyers depends on the value of the official action that is taken.</p>

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, 2015;
- 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 125 (Title deed) + MKD 50 (administrative tax)		
	Cost update: MKD 180 (Title deed)		
Time	Time last year: Less than a day (online procedure)		
	Time update: Less than few ours		
Online procedure	Can it be completed online? Yes	Since when? 2014	Website: http://www.katastar.gov.mk/en/Page.aspx?Id=577
	Update: No	Update: None	Update: None
Agency	Agency last year: Agency for Real Estate Cadastre		
	Agency update: None		
Procedure details:	<p>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 over land 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. This procedure can be done simultaneously with procedure 3.</p> <p>Starting from January 2013 the Agency no longer issues data from the encumbrances certificates nor it deletes any mortgages register in them. All indisputable data from the Registration Books have been transferred in the corresponding property sheets.</p> <p>This novelty has simplified the procedure for transfer of property, since it is no longer required for the seller to obtain a Certificate from the Registration Book in order to confirm whether there is or not an encumbrance over the property. A Title Deed obtained either from the Agency or the authorized subjects (which have concluded agreements with the Agency) is sufficient for the conclusion of the sale and purchase agreement.</p> <p>The seller should obtain a Title Deed from the Department of Cadastre and registration of real estate before the starting of the transaction formally.</p> <p>Your comments: The on-line procedure is available only for professional users, such as notaries, banks, enforcement officers, private geodetic companies etc. which have concluded an angeement with AREC for e-Kat Counter service. Also, the notary public may ex officio obtain the title deed for the client.</p>		
	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:		

Procedure 2		Lawyer drafts the sale-purchase agreement	
Cost	Cost last year: Lawyers charges can vary from MKD 7000 to MKD 17,500 (equivalent of EUR 200-500)		
	Cost update: None.		
Time	Time last year: 1 day		
	Time update: None.		
Online procedure	Can it be completed online? No	Since when?	Website:
	Update: No	Update: None.	Update: None.
Agency	Agency last year: Lawyer		
	Agency update: None.		
Procedure details:	Details: Although hiring a lawyer for the purpose of property transfer in Macedonia is not required under the law, in order to avoid any unwanted legal consequences use of lawyers services is a common practice. Furthermore, assistance of the lawyer in this process is very important when drafting sales contract is done for a complex cases with multiple parties involved for a property with encumbrances.		
	Your comments:		
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:			

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: None.		
Time	Time last year: Less than a day (online procedure)		
	Time update: None.		
Online procedure	Can it be completed online? Yes	Since when? 2013	Website: http://www.crm.com.mk/CRIS/ReDefault.aspx
	Update: No	Update: None.	Update: None.
Agency	Agency last year: Central Registry		
	Agency update: None.		
Procedure details:	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).		
	Your comments:		
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:			

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: None.		
Time	Time last year: 3 weeks		
	Time update: None.		

Online procedure	Can it be completed online? No	Since when?	Website:
	Update: No	Update:	Update:
Agency	Agency last year: Municipality		
	Agency update: None.		
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 changes 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: None.		
Time	Time last year: 1 day		
	Time update: None.		
Online procedure	Can it be completed online? No	Since when?	Website:
	Update: No	Update:	Update:
Agency	Agency last year: Commercial bank and Municipality		
	Agency update: None.		
Procedure details:	<p>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.</p>		
	Your comments:		
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:			

Procedure 6		Notary solemnizes draft sales-purchase agreement or prepares a Notary act		
Cost	Cost last year: Sale/purchase agreement according to the new notary fee that is on force: -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; and -up to 60.000.000,00 MKD, the fee is 60.000,00 MKD.			
	This fee applies if the Notary prepares the contract in form of Notary Act and also verifies it. In case if the sale contract is prepared by Attorney at Law and the Notary Public only verifies the contract (makes Solemnization-confirmation of the contract) the fee is 50% of the above amounts. The changes in the fee are due to a reform of the Tariff for the Notary services dated from 22.01.2011 However, according to Article 16 of the Notary Tariff Act the notary fee is 50% of the fee stipulated in Article 11.			
		Cost update: None.		
Time	Time last year: 1 day			
	Time update: None.			
Online procedure	Can it be completed online? No	Since when?	Website:	
	Update: No	Update: None.	Update: None.	
Agency	Agency last year: Public Notary			
	Agency update: None.			
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? -Click to Select- Please explain the changes and provide the legal basis when applicable:				

Procedure 7		Registration in the Cadastral Office		
Cost	Cost last year: MKD 250 (for change of ownership) + MKD 50 (administrative tax)			
	Cost update: 1m2 is 1 MKD (for change of ownership) + MKD 200 (lump sum)			
Time	Time last year: 3 days			
	Time update: None.			
Online procedure	Can it be completed online? Yes	Since when? 2012	Website: www.katastar.gov.mk	
	Update: No	Update:	Update:	
Agency	Agency last year: The Agency for Real Estate Cadastar			
	Agency update: None.			

Procedure details:	<p>Details: Parties submit a request for changing the title to the Cadastral Office.</p> <p>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.</p> <p>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 (obtained in Procedure 3).</p> <p>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.</p> <p>By January 2014 the Agency for Real Estate Cadastre has connected with all 174 notaries in the country. Moreover from 01/01/2014 the two systems of electronic cadastre (E - counter and E- floor counter) for the city of Skopje has been merged, that has allowed notaries to submit electronically all notarial documents governing the transfer of ownership or other real rights, in order the changes in the titular/s, the transmission of right and etc to be recorded. During this year these two systems will be merged across all the regional offices of the Agency for Real Estate Cadastre in Republic of Macedonia.</p> <p>Your comments: None.</p>		
	<p>If you made changes to last year's information, what is it due to? -Click to Select-</p>		
	<p>Please explain the changes and provide the legal basis when applicable:</p>		
	<p>Please explain the changes and provide the legal basis when applicable:</p>		

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.

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:			
<p>If you made changes to last year's information, what is it due to? -Click to Select-</p>			
<p>Please explain the changes and provide the legal basis when applicable:</p>			
<p>Please indicate the sequence of this new procedure (for example: between procedures 2 and 3) or describe when it takes place:</p>			
<p>Can this procedure take place simultaneously with another procedure? If so, which one(s)?</p>			

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, 2015 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	Comments
a) What is the name of the institution in charge of immovable property registration in Skopje?	Agency for Cadastre of Real Estate	Agency for Cadastre of Real Estate	
b) Is the majority of title/deed records in Skopje held 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 used in searches and it is not extractable. Fully digital documents are those that have information input into fields, with content that is searchable and extractable.)	Computer/Fully digital	Computer/Fully digital	The project for digitalization of cadastre plans, is 95,19% completed.
c) Is there an electronic database for checking for encumbrances (liens, mortgages, restrictions, etc.)?	Yes	Yes	

4.1.2 Cadastral/Mapping system

	Last Year	This Year	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 Cadaster of RM	Agency for Cadastre of Real Estate	
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? (A scanned document is an image of a document, kept in electronic format or microfilm, whose content cannot be used in searches and it is not extractable. Fully digital documents are those that have information input into fields, with content that is searchable and extractable.)	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	Comments
--	-----------	-----------	----------

	Last Year	This Year	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 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	The numbers are further divided into subnumbers.

	This Year	If yes, please explain:
Since June 1, 2015, has there been any change in the areas above?	Yes	Changes in the Law on real estate cadastre (Official gazette of Republic of Macedonia no. 116/15 from 09.07.2015; no. 153/15 from 04.09.2015; and no. 192/15 from 05.11.2015)

4.2 TRANSPARENCY OF INFORMATION INDEX

4.2.1 Immovable property registration system

	Last Year	This Year	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 by anyone	
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/en/Page.aspx?Id=205	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/Tariff%20List%20on%20Fees%20for%20Registration%20into%20Real%20Estate%20Cadastr e.pdf	http://www.katastar.gov.mk/userfiles/file/tarifnici/TARIFNIK_za_zapisuvawe_na_promeni_vi_kn.pdf	
d) Does the agency in charge of immovable property registration agency 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://www.katastar.gov.mk/mk/Page.aspx?Id=206	

	Last Year	This Year	Comments
e) Is there a specific and independent 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?	No	No	
If yes, are they made available to the public?	No	No	
What is the source of these statistics?			
What is the total number of property transfers in Skopje that took place in 2015?			

4.2.2 Cadastral/Mapping system

	Last Year	This Year	Comments
a) Who is able to consult plans in Skopje?	Anyone who pays the official fee	Anyone who pays the	
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	http://www.katastar.gov.mk/mk/Page.aspx?id=155&m=1501	
c) Does the cadastral/mapping agency 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:			

	This Year	If yes, please explain:
Since June 1, 2015, has there been any change in the areas above?	Yes	Changes in the Law on real estate cadastre (Official gazette of Republic of Macedonia no. 116/15 from 09.07.2015; no. 153/15 from 04.09.2015; and no. 192/15 from 05.11.2015)

4.3 GEOGRAPHIC COVERAGE INDEX

4.3.1 Immovable property registration system

	Last Year	This Year	If not, what percentage of land is registered?	What are the main reasons for the registry not being complete?

	Last Year	This Year	If not, what percentage of land is registered?	What are the main reasons for the registry not being complete?
a) Is every privately held land plot in the economy (the former Yugoslav Republic of Macedonia) formally registered at the immovable property registry?	No	No	/	In procedure of legalization.
b) Is every privately held land plot in Skopje formally registered at the immovable property registry?	Yes	No	/	In procedure of legalization.

4.3.2 Cadastral/mapping system

	Last Year	This Year	If not, what percentage of land mass is mapped?	What are the main reasons for the mapping not being complete?
a) Is every privately held land plot in the economy (the former Yugoslav Republic of Macedonia) mapped?	Yes	Yes		
b) Is every privately held land plot in Skopje mapped?	Yes	Yes		

	This Year	If yes, please explain:
Since June 1, 2015, has there been any change in the areas above?	Yes	Changes in the Law on real estate cadastre (Official gazette of Republic of Macedonia no. 116/15 from 09.07.2015; no. 153/15 from 04.09.2015; and no. 192/15 from 05.11.2015)

4.4 LAND DISPUTES RESOLUTION INDEX

4.4.1 Legal background

	Last Year	This Year	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 of the Law on Real Estate Cadastre („Official Gazzete of Republic of Macedonia“ No. 55/2013 and 41/2014“)	Article 142 and 143 of the Law on Real Estate Cadastre (Official gazette of Republic of Macedonia no. 192/15)	
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	

	Last Year	This Year	Comments
Please specify the legal basis:	<p>Pursuant to article 8 of the Constitution of Republic of Macedonia one of the fundamental values of the constitutional order of the Republic of Macedonia is the legal protection of property. Also article 30 of the Constitution of Republic of Macedonia regulates that the right to ownership is guaranteed. Ownership of property creates rights and duties and should serve the well-being of both the individual and the community. No person may be deprived of his/her property or of the rights deriving from it, except in cases concerning the public interest determined by law. If property is expropriated or restricted, rightful compensation not lower than its market value is guaranteed. Furthermore article 6 of the Law on ownership and real rights regulates that the legal protection of the ownership shall be guaranteed.</p>	The legal basis remains unchanged.	
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?	<p>Misdemeanour provisions have been provided in the Law on Real Estate Cadastre of RM, as of Article 246 to Article 251.</p>	The legal basis remains unchanged.	

	Last Year	This Year	Comments
Please specify the legal basis:	From Article 246 to Article 251 of the Law on Real Estate Cadastre.		
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? Please select all that apply:	Notary.	<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	With the recent changes in the Law for notary public (that has not yet entered in to force), the presence of lawyers in compiling the notary public documents and drafting of private documents from attorneys with legal stamp and signature is required, which will then be confirmed by a notary, where the participation of lawyers depends on the value of the official action that is taken.
Please specify the legal basis:	"1. Public Notary Law (Official gazette of the Republic of Macedonia no. 55/2007 from 04.05.2007) 2. From Article 246 to Article 251 of the Law on Real Estate Cadastre.	The legal basis remains unchanged.	
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 contract compliance? Please select all that apply:	Notary.	<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). From Article 246 to Article 251 of the Law on Real Estate Cadastre.	The legal basis remains unchanged.	

	Last Year	This Year	Comments
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	Comments
a) In case of a standard land dispute between two local businesses over tenure rights of a property worth MKD 12,146,194 located in Skopje, what is the court in charge of the case in first instance?	First instance Court Skopje 2	First instance Court Skopje 2	
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 years	
b) Are there any statistics on the number of land disputes in the first instance?	No	No	
If yes, what is the number of land disputes in 2015 and/or the land dispute rate (i.e. the percentage of land disputes out of the total number of disputes in the first instance)?			
What is the source of these statistics?	http://osbitola.mk/cms/FCKEditor_Upload/File/Sumaren%2009%202014.pdf	http://www.osskopje2.mk/Statistika.aspx	

	This Year	If yes, please explain:
Since June 1, 2015, has there been any change in the areas above?	Yes	Changes in the notary public law and law on real estate cadastre, as described above.

5. RESEARCH QUESTIONS ON GENDER EQUALITY

When answering the questions below, kindly disregard the case study assumptions (section 1). These questions examine if there are any differences in the treatment of married individuals and unmarried individuals as well as sons and daughters. 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	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 legal basis remains unchanged.	
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 legal basis remains unchanged.	
c) Do female and male surviving spouses have equal inheritance rights?	Yes	Yes	
Please specify the legal basis:	Law on Inheritance, Arts. 3 and 13	The legal basis remains unchanged.	
d) Do sons and daughters have equal inheritance rights?	Yes	Yes	
Please specify the legal basis:	Law on Inheritance, Arts. 3 and 13	The legal basis remains unchanged.	

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 *Doing Business 2017* and on our website: www.doingbusiness.org.

Your work will be gratefully acknowledged in both, if you wish.