

# NEWSLETTER

## SERBIA: Major changes in the property registration procedure



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### Significant changes in the registration procedure in the Real Estate Cadastre

Amendments to the law in the field of real estate law have entered into force, focusing primarily on the work of the cadastre, more

specifically, the Law on State Survey and Cadastre and the Law on the Procedure for Registration in the Real Estate Cadastre and the Infrastructure Cadastre.

The most important amendment to the Law on Registration Procedure refers to the fact that the request for registration in the Real Estate Cadastre must be submitted by electronic means, through the so-called e-counter. Persons who are authorized to submit requests for registration are professional users, that is, lawyers who are on the list of professional users. In addition, it is stipulated that the request must be submitted via an electronic form, and it is impossible to submit the request directly to the Cadastre. In this way, the procedure of submitting a request for registration in the Real Estate Cadastre is made easier, because there is no longer a need for presence in the cadastral services when it comes to this type of request.

The method of determining the unique registration number of the real estate and its structure is also prescribed, i.e. the unique registration number of the real estate (hereinafter: JMBN) is determined and registered individually. The JMBN is automatically assigned by the Geodetic Cadastral Information System and follows the life cycle of the real estate, which is a step forward in terms of reliability and legal certainty for potential purchasers of real estate.

In addition, this Law provides for a deviation from the priority order of decisions on registration in the Real Estate Cadastre in the case of expropriation and registration for the purposes of expropriation, such as subdivision and re-parcelling.

The principle of efficiency has also been implemented through amendments to the Law on State Survey and Cadastre, as they accelerate and simplify the procedure of registration in the Cadastre, and more precisely define and improve the existing provisions and solutions.

The idea is to make these changes more efficient before this authority, so the Law introduces a new possibility of registering all types of infrastructure facilities and all underground facilities using a single database - the Infrastructure Cadastre. Thus, it has been possible to register and receive information and data on all objects from the Real Estate Cadastre and the Infrastructure Cadastre, including underground objects, as well as to provide users with an adequate representation of the graphic structure, better possibilities for spatial planning, etc. in one place.

The Law provides a definition of infrastructure facilities, defining them as underground and aboveground transportation infrastructure facilities (land, water and air), underground and aboveground installations, electronic communication networks and means, with related equipment and facilities. On the other hand, an underground facility is an independent facility built entirely underground, as well as a facility built partially above ground, if its functional purpose is realized underground.

Improving the quality, reliability and accuracy of real estate data, as well as preventing abuses and unscrupulousness in the work of geodetic organizations are additional reasons for adopting amendments to the Law on State Survey and Cadastre.

From this arises the obligation of a geodetic organization that has a work license to report to the Republic Geodetic Authority the change of business name, i.e. name, legal form, seat, address of business premises outside the seat, change in the number of employees, geodetic instruments and any other change that is of importance to its work, within 15 days from the date of the change. Also, if the geodetic organization shows non-existent changes in the field or untrue data about the changes in the field, it will be sanctioned by permanent revocation of the work license.

To hire a professional user or for any additional questions, please contact our attorneys at law Dušan Pejkić and/or Aleksandra Toroman via email: [dusan.pejkic@tsg.rs](mailto:dusan.pejkic@tsg.rs), [aleksandra.toroman@tsg.rs](mailto:aleksandra.toroman@tsg.rs).