



**Republika e Kosovës
Republika Kosovo - Republic of Kosovo
Kuvendi - Skupština - Assembly**

Law No. 04/-L-013

ON CADASTRE

Assembly of Republic of Kosovo;

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves

LAW ON CADASTRE

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

This Law shall regulate the Cadastre of immovable property, national and cadastral surveys, geodesic and cadastral works as well as acquisition, registration, keeping, maintenance and use of cadastral data.

Article 2

Scope

1. The Cadastre shall serve as basis for the registration of real rights by the creation of cadastral units for parcels, buildings, part of buildings and utilities as well as for reconstruction of cadastral information.
2. The Cadastre supports activities of natural and legal persons for administrative, legal, economic and scientific purposes.
3. All Kosovo local and central institutions dealing with land, buildings, parts of buildings and utilities, shall use the data and cadastral units, which are defined in Cadastre.

Article 3

Definitions

1. Terms used in this Law shall have the following meaning:
 - 1.1. **Immovable property** - specific part of the land surface, which has boundaries or boundaries can be set to. Immovable properties include: land, natural objects affixed to the land, business buildings, residential buildings and parts of the buildings (apartments) as a separate units of residential buildings as well as mineral wealth.
 - 1.2. **Cadastral parcel** – an determined land surface identified by the parcel number and registered in cadastre map with a real surface in mapping projection and surface recorded at IPRR;
 - 1.3. **Building** - a building is a structure where a person may enter and is designed for permanent or temporary residence, and for conducting a business or any other activity;
 - 1.4. **Part of building** - an apartment, business premises or one or several rooms in a building, which can be separate physical entirety or subject to property transactions;
 - 1.5. **Cadastral map** - shows the boundaries of cadastral parcels, references to boundary corner marks, buildings on the parcels, and the parcel and building identifiers;
 - 1.6. **Boundary** - either the physical object marking the limits of a parcel or an imagined line or surface marking the division between two parcels. Also used to describe the division between features with different administrative, legal, land-

use, topographic or other characteristics. A boundary taken from cadastral map takes precedence over other boundaries;

1.7. **Final boundary of parcel** - legal boundaries of a cadastral parcel, where precise line has been set and marked pursuant to State Coordinates;

1.8. **Subdivision** - creation of two or more new parcels from the original parcel;

1.9. **Amalgamation** - creation of a new parcel from two or more original parcels, or from new subdivided parcels where the owner is the same or is an owner in co-ownership;

1.10. **Cadastral Identifier** - unique code consisting of figures and letters that identifies each cadastral unit individually, within cadastral zone of a certain Municipality;

1.11. **IPRR** - Immovable Property Right Register established pursuant to the Law on Establishing the Immovable Property Right Register No 2002/05;

1.12. **Absolute title** - property right of a person over immovable property, including a right to dispose and use, registered in IPRR, and supplied with Ownership Certificate;

1.13. **Cadastral procedures** – procedures described for reviewing and deciding based on this Law;

1.14. **Temporary marks** - marks set on parcel's boundaries when carrying out cadastral surveys;

1.15. **Permanent marks** - marks set on parcel's boundaries following completion of cadastral surveys, and revealed after registration of the official boundary in cadastre;

1.16. **National Spatial Data Infrastructure** - that includes the technology, procedures, standards, human resources, and related activities necessary to acquire, process, distribute, use, maintain, and preserve spatial data;

1.17. **Cadastral survey** - measurements and other collection of data in the field for the purpose of a registration in the Cadastre, or rearrangement of a cadastral boundary based on the data at Cadastre and the cadastral reconstruction;

1.18. **Cadastral documents file** -includes all documents with legal, cadastre and surveying data that serve for preparing the concept, data processing and carrying out of cadastral surveys;

1.19. **Technical errors** - errors that do not affect someone's immovable property rights. The examples of the technical errors include: misspelling of cadastral/topographical names or when entering personal ID;

1.20. **Material errors** - errors that affect someone's immovable property rights. The examples of the material errors include: registration of a wrong person as the owner of immovable property unit or failing to register the rights of the joint owner or co-owners;

1.21. **Cadastral Zone** - a territorial area within a municipality with a unique name and cadastral number. The cadastral zone is further divided into cadastral parcels;

1.22. **Ministry** - Ministry of Environment and Spatial Planning;

1.23. **Utility** - a construction to serve infrastructure purposes like high voltage power lines, water and sewerage mains, pipes for transport of gas and oil, etc.

1.24. Surface of cadastral parcel – the real surface of cadastral parcel determined through coordinates of parcel boundary at mapping projection.

1.25. Surface of cadastral parcel recorded at IPRR- the surface determined by analogue plans and recorded at IPRR.

1.26. KCA- Kosovo Cadastral Agency.

1.27. MCO- Municipal Cadastral Office.

CHAPTER II AUTHORIZATIONS AND RESPONSIBILITIES

Article 4 Kosovo Cadastral Agency

1. KCA acts like Executive Agency within Kosovo Government, respectively within the Ministry.
2. Home Office of KCA is located in Prishtina.
3. Chief Executive Officer of KCA (hereinafter: CEO) manages KCA.
4. CEO shall be appointed in compliance with regulations into force for appointment of Civil Service's senior civil officers.

5. CEO of KCA shall respond to the Minister.
6. KCA is responsible for the Cadastre and has the authority to issue guidelines regarding all cadastral activities.
7. KCA is responsible for the administration of the national computerized system that acquires, processes and distributes cadastral data.
8. KCA is responsible for the certification of persons in the MCO that can execute cadastral surveys and the persons that can approve a registration in the Cadastre, in conformity with Article 13 of this Law.
9. KCA is responsible for the licensing of companies and surveyors for the execution of cadastral surveys. A license can be given for all cadastral surveys or for specific cadastral surveys.
10. KCA is responsible for the supervision of all activities executed under the provisions of this Law by the MCO the surveying companies and licensed cadastral surveyors.
11. Based on supervision, KCA can:
 - 11.1. issue an order for elimination of irregularities found in the inspection;
 - 11.2. issue an order for banning activities that do not meet the required obligation according to this Law;
 - 11.3. cancel the license for a surveying company or a licensed surveyor;
 - 11.4. cancel certification for cadastral activities of the MCO.
12. After the cancellation of certification according to paragraph 11 of this Article KCA is responsible to carry out the cadastral activities of MCO.
13. An appeal against KCA's decision, based on paragraph 11 of this Article, or against a refusal to give a license according to paragraph 9 of this Article, shall be submitted to the competent Court in compliance with the provisions of the applicable Law.
14. KCA's organizational structure and responsibilities shall be stipulated by a sub-legal act proposed by the Ministry and approved by the Government.

Article 5
Municipal Cadastral Office

1. MCO is a municipal body and is responsible for the operation of Cadastre.
2. MCO shall execute cadastral surveys.
3. MCO shall perform all activities in compliance with the competences delegated by the central level, with the provisions of this Law and administrative instructions issued by KCA and the Ministry.
4. The employee of the MCO that is executing a cadastral survey must be certificated by KCA
5. All activities of MCO shall be carried out and shown at central base of the data of KCA.

Article 6
Licensed Companies and Surveyors

1. KCA shall license the surveying companies and surveyors for performing cadastral surveys based on this Law.
2. In order to be licensed, surveying company has to be registered in the Business Register in conformity with the Law on Commercial Companies No. 02/L-123.
3. When carrying out a public function, the licensed companies and licensed surveyors carry out their responsibilities in cooperation with KCA and MCO.
4. Requirements for obtaining a license and conditions for carrying out cadastral surveys based on paragraph 1 of this Article shall be defined with a special sub-legal act.

CHAPTER III
CADASTRE

Article 7
General Provisions on Content of Cadastre

1. The Cadastre is composed of cadastral units register, cadastral maps and cadastral documents file. All these should be in analogue and digital form.
2. Basic cadastre units are:

- 2.1. cadastral parcels;
 - 2.2. buildings;
 - 2.3. parts of the building, and
 - 2.4. utilities.
3. Cadastral unit is a graphical and textual description of a parcel, a building, parts of a building and utilities. Each cadastral unit shall have a unique identifier.
4. Graphical data are geometric descriptions of cadastral parcels and buildings which include the number of cadastral parcels and buildings as well as the geometric description of the over square defined objects identified by unique number.
5. The municipality is divided in Cadastral Zones. KCA shall decide on a change in the division in cadastral zones after consultation with the municipality and in compliance with the rules foreseen in sub-legal act issued by KCA.
6. With the change of boundary between two municipalities there is also changed the boundary of cadastral zones. The cadastral unit belongs to one certain cadastral zone.
7. Cadastral parcels, buildings, parts of buildings and utilities form one division of the Cadastre register each.
8. Cadastral parcels division consists of the latest recorded data on the cadastral units and of a set of forms. The set of forms contains surveys and other forms, on the basis of which registrations in the Cadastre have been made, maps and data recorded before the latest registered data.
9. All data of the Cadastre Register will be kept together with Immovable Property Right Register.

Article 8

Parcels Division

1. The Cadastre shall include the following data on cadastral parcels:
 - 1.1. parcel number;
 - 1.2. parcel boundaries;
 - 1.3. area;

- 1.4. reference to buildings on the parcel;
 - 1.5. number of parcel or parcels from which the existing parcel is derived;
 - 1.6. an index map of all cadastral parcels;
 - 1.7. number of parcel for subdivisions of original cadastral parcel.
2. The sub-legal act shall set a format and data content referred to in paragraph 1 of this Article.

Article 9 Buildings Division

1. The Cadastre shall include the following data on buildings:
 - 1.1. building number;
 - 1.2. location, area and shape;
 - 1.3. actual use;
 - 1.4. reference to underlying cadastral parcel and, if the building is divided into several parts, also a reference to the parts of the building;
 - 1.5. a floor plan;
 - 1.6. if the building contains several parts of a building, the floor plan shall also contain the plan of the parts of the building and of the common rooms as well as the data on the surface area of each part of the building and of the common rooms;
 - 1.7. position and shape of the building are described in an underneath parcel plan identified with coordinates and description data (number of floors, location, underneath or above the ground etc.).
2. The sub-legal act shall set a format and data content, referred to in paragraph 1 of this Article.

Article 10 Division of Buildings Parts

1. The Cadastre shall include the following data on parts of buildings:

- 1.1. number of the part of the building;
 - 1.2. location in the building, area and number of rooms;
 - 1.3. actual use;
 - 1.4. reference to the building in which the part of the building is located;
 - 1.5. share in jointly owned parts of the building, if applicable;
 - 1.6. number for subdivisions from the original apartment;
 - 1.7. a floor plan.
2. The sub-legal act shall set a format and data content, referred to in paragraph 1 of this Article.

Article 11

Utilities Division

1. The division of utilities is done as following:
 - 1.1.a telephone line included in a telecommunications system for a public purpose and a public low voltage line for signaling, remote control, data communication or some similar purpose;
 - 1.2. a high voltage power line;
 - 1.3. water, irrigation and sewerage main which:
 - 1.3.1. is part of a public water and sewerage system;
 - 1.3.2. supplies a community with water or removes wastewater or other impurity from it;
 - 1.3.3. benefits economic activity or a communications installation of importance for the whole country or a certain locality;
 - 1.4. a utility through which district heat, oil, gas or some other raw material or product is conveyed from a production point, depot or loading point and which:
 - 1.4.1. caters to a public need;
 - 1.4.2. benefits economic activity or a communications installation of importance for the whole country or a certain locality.

2. A utility includes devices necessary to its purpose, such as transformers, pumping stations and other accessories.
3. The division of utilities shall contain the data on:
 - 3.1. the type of utility;
 - 3.2. basic technical characteristics;
 - 3.3. position (sketch of location, list of concerned parcels);
 - 3.4. name and address of the owner.
4. If the utility is located in more than one cadastral zone there shall be a link to all concerned registrations.
5. All entities, having data on abovementioned utilities, are obliged to provide the Agency such data for registration purposes.
6. The sub-legal act shall set a format and data content, referred to in paragraph 1 of this Article.

Article 12

Cadastral Survey for Registration in Cadastre

1. To enter a new cadastral unit in the Cadastre or to change the data about an existing cadastral unit, it is necessary to make a cadastral survey. The cadastral survey shall be made according to the provisions of this Law and sub-legal acts as well when implementing this Law. When the application for the cadastral survey is made to the MCO, the application shall also include a request for the registration into the Cadastre.
2. The cadastral survey should provide all the necessary information to be able to create the new cadastral unit or to update the data about the existing cadastral unit.
3. The cadastral survey has to make clear that the conditions for the intended change in the Cadastre as set by this Law are fulfilled.
4. If the cadastral survey is made to create new cadastral parcels, the cadastral survey shall describe the new boundaries as marked with provisional boundary marks by the land surveyor and the relation between the existing parcels and the intended new parcels.
5. The sub-legal act shall set the way of cadastral survey completely.

Article 13
General Provisions on Cadastre Registration

1. The application for registration of changes in Cadastre shall be made in writing to the MCO where cadastral unit of the person with legal interest or obtained by special authorization is located. MCO shall confirm time and date of registration application receipt.
2. The Applicant requesting the registration shall attach to the request a cadastral survey foreseen in Article 12 of his Law and other documentation to support the request in compliance with provisions of the applicable Law.
3. The application for registration must be submitted within sixty (60) days timeframe from the day the cadastral survey was completed.
4. The MCO shall review the submitted documentation, and if the documentation submitted is not sufficient according to this Law, the MCO shall set a deadline for the applicant to submit the complete documentation. If the conditions for the entry are not complied with, the MCO shall reject the request for an entry.
5. The MCO shall register a new cadastral unit or the changed data with respect to an existing cadastral unit within three (3) days following receipt of the request for registration and inform the Applicant immediately of its determination. Registration is effective as of the entry of the decision of MCO into the register.

Article 14
Registration of a Parcel

1. The creation of a new parcel takes place through subdivision and amalgamation.
2. In the areas with a regulative urban plan, parcels formation may not take place at variance with the plan. Minor deviations are permissible, however, if the purpose of the plan is not frustrated. The rules for this shall be defined by a sub-legal act.
3. If a parcel that is to be subdivided is mortgaged, the consent of the mortgagee (creditor) must be obtained before the subdivision is registered. Also, when it comes to parcel subdivision, all parties having some interest to that parcel should be consulted.
4. Amalgamation can be registered only:
 - 4.1. if concerned parcels are free from mortgages and other encumbrances, or
 - 4.2. if a mortgagee concerned or other possessors of property rights have given their consent to a new order of priority in the new amalgamated parcel.

5. When registering newly formed parcels in Cadastre, all buildings on concerned parcels should be registered as well.

6. When the application for registration of a new cadastral parcel is not submitted within sixty (60) days timeframe, or if the application is refused or rejected or if the proceedings are terminated, the owner of the parcel shall remove the boundary marks, or this may be performed at his/her expense by the MCO.

Article 15

Registration of Buildings and Parts of the Buildings

1. The application for formation of cadastral unit for the building in cadastre is to be submitted by the land owner, when construction of the building or part of the building starts. A person who has the right to obtain the ownership right to the building or part of the building, may also submit the application.

2. If the application is made for the registration of a building which contains several parts of a building, the request should include the registration of the parts of the building and the common premises.

3. If the application is made for the registration of a part of a building and the building is not registered, the MCO should *ex officio* register the building. MCO, licensed surveying company or licensed surveyor should obtain the data about a certain building at urbanism and urban planning authorized body.

4. A building may be subdivided so that new parts of a building are created.

5. A part of a building may be subdivided so that new parts of a building are created (subdivision). Two or more parts of a building having the same owner may be merged so that one single part of a building is created (amalgamation).

6. One or more common premises may be excluded from one part of a building (subdivision) and joined to another part of the building (amalgamation).

7. If so provided by the special law, the subdivision of a building or a part of a building and the amalgamation of parts of buildings may be carried out only on the basis of a permit by a competent authority.

8. If a building or part of a building is demolished or removed the building shall be erased from Cadastre. Erasing shall be made *ex officio* or at the owner's request. *Ex officio* erasing shall be notified to the person that has a real right to the building or part of a building registered in the IPRR.

Article 16
Registration of Utility

1. The application for creating a cadastral unit for the utility must be accompanied by a description containing the data required in Article 11 of this Law.
2. If the owner of the utility is changing the location or the use of the utility he/she is obliged to send a revised description containing the data required in Article 11 of this Law, to the MCO in order to perform the necessary changes in the Cadastre.
3. All persons planning to perform works that could interfere with registered utility are obliged to contact the MCO first, in order to make sure such risks does not exist. If the utility could risk being damaged or destroyed the person concerned should contact the registered owner of the utility.

Article 17
Correction of the Cadastre Register

1. Each and every employee, in terms of *ex officio* procedures, and any party with interest in immovable property right, is entitled to report alleged cadastral error to MCO. MCO shall decide whether it was really an error or not, and if that alleged is technical or material.
2. In case of technical error, MCO shall correct the same Cadastre.
3. In case of material error, MCO shall make a caveat indicating possibility of an error. MCO shall release notification in writing to all persons whose rights may have been affected by this error, by asking them to submit all documents provided by both the Law on Cadastre and the Law on Establishing the Immovable Property Register Right. If there is still impossible to correct the errors, then the unsatisfied party shall forward the matter to the court of jurisdiction whereas the caveat shall remain.
4. In case where either technical or material error appears in IPRR, MCO shall make correction in IPRR as well. If there is no way to correct a material error, then a restraint shall be recorded into IPRR.
5. MCO must decide on correction of material land technical errors within ten (10) days timeframe.

Article 18

Boundary Determination

1. The owners of two neighboring parcels may request boundaries, determination. Boundaries' determination may also take place upon request of one of the owners, where he/she has interest of setting exact location of cadastral boundary.
2. The procedure for boundary determination shall start following submission of application to MCO, licensed surveying company or surveyor.
3. The government bodies, municipality or other bodies may initiate the starting of the boundary determination procedure in cases provided by this Law and a special Law.
4. The request for initiating of the boundary determination procedure should be followed by surveying the boundary determination following the provisions of this Law.
5. The surveyor in charge for compiling the survey on boundary determination should call the owners of neighboring parcels.
6. The boundary shall be placed based on the records from the Cadastre,
7. To place the position of the cadastral boundary, the latest records registered in the Cadastre can be used. The boundary determination survey should clearly indicate which records have been used by the surveyor in charge for determining the position of cadastral boundaries and the quality of those data.
8. When the owners accept the boundary of the parcel as shown in site, the boundary will be shown in record and will be signed by the owners. The accepted position of the boundary of parcel will be considered as final boundary of parcel.
9. In case one of the owners does not accept the cadastral boundary, he/she should show his/her reasons for not accepting the cadastral boundary and the boundary determination procedure shall be canceled, and the parties shall be instructed to file an appeal with the KCA pursuant to Article 28 of this Law.
10. In the boundary determination procedure, the owner can be represented with a special authorization by the third person.
11. Considering the provisions of paragraph 1 of this Article, the surveyor in charge may submit the application for starting the boundary determination procedure if authorized by the owner.
12. The requesting party shall be obliged to submit the request within sixty (60) days after the end of the survey to the MCO that is competent for registering the determined boundary.

13. After receiving the request for registering the determined boundary, based on the records of responsible authority, the MCO will firstly verify that the determination of boundary has been done in compliance with the legislation into force:

14. In case the survey on boundary determination does not include all the required elements or technically is not competent, the MCO shall ask the parties to submit the completed survey within the determined time period.

15. The MCO shall refuse the request for registering the boundary in cases if:

15.1. the request is not submitted within term determined according to paragraph 12 of this Article;

15.2. the boundary was already determined in an administrative or judicial procedure or the procedure is in progress;

15.3. it is presented by an unauthorized person.

16. If the request for starting the boundary determination registration was refused or not allowed, or the boundary determination procedure was canceled, the owner shall be informed on the possibilities to act in compliance with the provisions of Article 28 of this Law.

17. The boundary determined by the boundary determination procedure shall be registered in the Cadastre as the final one.

18. If the MCO is carrying out a survey on boundary determination in compliance with the provisions of this Law, the application for the survey shall also include the application to register the determined boundary in the Cadastre.

Article 19

Rearrangement of the Boundaries

1. In case where the boundary location has officially been recognized by the owners, and was registered in the Cadastre as such, the parties can re-arrange the boundary by consent. The area, terms and conditions and the way of parcel's boundary re-arrangement shall be provided by a separate sub-legal act.

2. The application for boundary rearrangement has to be done by all the owners of the parcels involved. The request should be accompanied by a cadastral survey that is showing the old boundary and the rearranged boundary. The request should be presented not later than sixty (60) days from the day the cadastral survey has ended.

3. MCO shall register the rearranged boundary three (3) days following receipt of the request for registration and inform the Applicant immediately of its determination. Registration is effective as of the entry of the decision of MCO into the register.

4. Boundary rearrangements in compliance with this section shall constitute an official boundary.

Article 20 Boundary Marks

New boundaries shall be marked by temporary or permanent marks. Upon owner's request, the boundaries can be marked by permanent marks. Same rules should be applied for determination or re-arrangement of the boundaries.

CHAPTER IV OTHER ACTIVITIES AND THEIR COORDINATION

Article 21 National surveys

1. National surveys shall include the system of surveying data necessary for tridimensional presentation of the territory of Republic of Kosovo, establishing the maps and geodesic networks for the purpose of cadastre, geodesy and other purposes.

2. National surveys shall include the basic surveying work, works for national surveying measurements and development of maps as well as surveys and designation of national boundary.

3. Geodesic works for setting the national referent network, the network of leveling and other geodesic activities as well as determining and designating the national boundary line are competence of KCA and shall be regulated by special sub-legal acts.

Article 22 Aerial photographs

The Agency has a mandate to carry out aerial photographing for the purpose of cadastre reconstruction as well as for other cadastral purposes.

Article 23
Other Activities

KCA is responsible for coordination and creation of National Spatial Data Infrastructure.

CHAPTER V
ISSUING DATA FROM CADASTRE, GEODETIC REFERENCE NETWORK
AND AERIAL PHOTOGRAPHS

Article 24
Principles of Public Data

The access to the Agency's and MCO's data shall be done in compliance with provisions of the Law on Access to Public Documents No. 03/L-215.

Article 25
Certificates and Other Data

Any person shall have the right to obtain extract or copy of the recorded data in the Cadastre against payment of a fee set in compliance with applicable legislation proposed by the KCA.

Article 26
Data for Official Use

Government and local institutions shall acquire the data from the Cadastre, according to the manner defined with legislation into force proposed by the KCA.

CHAPTER VI
RECONSIDERATION AND REVIEW OF MUNICIPAL CADASTRAL
OFFICES' DECISIONS

Article 27
Reconsideration of Municipal Cadastral Office's Decisions

1. The applicant may request at the MCO to reconsider the decision within thirty (30) days from the day of refusal. The MCO shall confirm the time and date of the receipt of request for reconsideration.

2. The MCO shall decide whether to register a property or not within fifteen (15) days from the day reconsideration application has been received.

Article 28
Review of Municipal Cadastral Office's Decision

1. Within thirty (30) days from the date on which the MCO decides to refuse to the registration of change in Cadastre, according to paragraph 2 of Article 27 of this Law, the applicant may request the KCA to review the decision of the MCO.

2. When the MCO does not take a decision on the request for reconsideration within the time limit defined in paragraph 2 of Article 27 of this Law, this is considered as a refusal to reconsider the decision.

3. KCA shall review the MCO's decision within thirty (30) days from the date of submission of request for review.

4. The MCO shall execute the decision of the KCA. If MCO does not execute the decision then KCA shall execute that decision.

5. The decision by the KCA pursuant to paragraph 1 of this Article shall be subject to judicial review in accordance with the applicable Law.

CHAPTER VII
RECONSTRUCTION OF CADASTRE AND IPRR

Article 29
Reconstruction of Cadastre and IPRR

1. Reconstruction of the Cadastre and IPRR shall be allowed when the data on a cadastral zone are incorrect and can not be recorded through normal maintenance.

2. The reconstruction shall include showing into map and register all cadastral units in a cadastral zone and all property rights on cadastral zone.

3. Reconstruction will not include boundary determination and re-regulation based on Article 18, 19 and 20 of this Law.

4. The decision for starting reconstruction of a cadastral zone or part of cadastral zone is taken by the Minister. The decision is based on Reconstruction Plan, which consists of following information:

- 4.1. the cadastral zone that will be reconstructed;
 - 4.2. an estimation of the current situation of the register of cadastre and IPRR and the problems created by the incorrect situation of cadastral information;
 - 4.3. the inventory of property claims as made by the Kosovo Property Agency;
 - 4.4. an outline of the procedure and working methods that will be followed;
 - 4.5. an estimation of the necessary budget and the coverage of this budget. The budget will also contain the estimation of time necessary of staff of the KCA and the Municipality to be able to execute the reconstruction.
5. The costs for reconstruction are paid by the government of Kosovo with exception when the municipal assembly, for particular reasons, requires the reconstruction. In that case the municipality covers the costs. The funds for reconstruction will be made available through the budget of the KCA.
6. The Minister shall appoint a Commission responsible for the execution of Plan for Reconstruction of Cadastre. The Commission shall consist of an engineer of geodesy and a lawyer in the position of the chair of the Commission from the KCA, a representative of the Government of Kosovo, a representative of the MCO, and one Cadastral Zone representative where reconstruction is performed. If the Kosovo Property Agency has registered property claims in the cadastral zones to be reconstructed, a representative of the Kosovo Property Agency will take part at the Commission. The operation of the Commission shall be regulated by a sub-legal act issued by the Minister.
7. The Commission shall organize a public awareness campaign which shall be regulated by a separate sub-legal act.
8. The entity authorized by KCA shall collect data from the field on the actual shape of cadastral units and shall collect information on unregistered transactions as well as information on other property changes. The authorized entity and the Commission shall use the inventory of property claims of the Kosovo Property Agency.
9. Based on collected data, under paragraph 7 of this Article, there shall be prepared the cadastral map with the reconstructed cadastral units, the list of persons included in the process of reconstruction of property rights for the owners of cadastral units.
10. The data from paragraph 8 of this Article, upon the decision of the Commission shall be displayed in a public edition. The invitation to participate in the public edition shall be sent to all inhabitants of the cadastral zone and be published in at least two daily newspapers. The public edition shall last sixty (60) days and after the expiry of the term, the Commission shall adopt the published data.

11. The parties may contest the decision of the Commission according to paragraph 9 of this Article within thirty (30) days from the taking of the decision.

12. The party who has submitted an appeal according to paragraph 10 of this Article against the part of the map or list of entitled persons from reconstruction shall be called to a hearing session by the Commission. The Commission shall try to reach agreement between the interested parties. After the hearing session the Commission shall take a decision.

13. After the handling of all appeals, the Commission will decide that the cadastral zone is reconstructed.

14. The parties who have used the rights according to paragraph 10 of this Article may submit an appeal at the Court.

15. The Commission shall change the map and list of entitled persons from reconstruction based on the court decision as foreseen in paragraph 13 of this Article.

16. The Commission shall make an official report of the map and list of entitled persons from the reconstruction of the property rights recorded and present this official report to KCA. The official report is reviewed to meet requirements of Article 36 of the Law No. 03/L-154 on Property and other real rights. The registration in the IPRR will serve as an absolute title for the rights known from reconstruction.

CHAPTER VIII CADASTRE FINANCING

Article 30

1. The Cadastre is of public interest. Cadastre shall have a budget of its own, which shall be allocated to the Ministry and be approved by the Assembly of Republic of Kosovo.

2. CEO prepares the KCA's budget, to be forwarded to the Minister for reviewing and for further proceeding in compliance with procedures provided by the Law.

3. Cadastre shall be responsible for implementing and managing the budget.

4. Costs for establishment and reconstruction of the Cadastre shall be covered by the budget of Republic of Kosovo as well as by revenues, in compliance with the applicable Law on Finance Management and Responsibilities.

5. Cadastre data extraction costs shall generally be borne by the owner who is applying for.

6. KCA shall propose to the Ministry the fees that will be required by MCO for cadastral services which is reasonable and can not exceed real reproduction and document supply costs. This fee should be unique to all public institutions.

7. The level of fees should reflect costs of rendering cadastral services.

8. All revenues generated by KCA shall go to the Republic of Kosovo budget.

CHAPTER IX SPECIAL PROVISIONS

Article 31 Allowing Access

1. The cadastral officers and their assistants are entitled, when the cadastral procedure demands so, to get access to a building, to cross the land, to carry out measurements and land researches in order to compare data registered in cadastre against situation on the ground. Trees may not be damaged nor cut in a garden or suchlike planting without the owner's consent. Damage shall be avoided in other cases, if possible.

2. Without permission of the owner admission to a building is only allowed if the building is subject to parcels formation or boundary determination. The owner of the building should be notified no later than eight (8) days beforehand. The right of crossing land belonging to someone else also applies to each person appearing at the cadastral procedure.

3. If a damage has occurred through a measure referred to in this Article and the injured party wishes to obtain compensation for the damage, he shall present a claim to this effect before the cadastral procedure is concluded or cancelled.

4. The cadastral authorities may ask assistance of police in order to exercise responsibilities referred to in paragraph 1 of this Article.

5. If a property unit has changed owners during the cadastral procedure, the new owner may not change what has been consented to or approved by the former owner.

Article 32 Protection of Boundary Marks

It is prohibited to remove, relocate, disguise or damage the boundary marks and geodetic control points in any other manner. The boundary marks are common property of the owners of adjoining land properties or of land properties adjacent to the boundary.

CHAPTER X PUNITIVE PROVISIONS

Article 33 Punitive Provisions

1. A natural person will be fined in values from two hundred (200) Euro to four hundred (400) Euro and legal person will be fined in a values from one thousand (1.000) Euro to one thousand and five hundred (1500) Euro if he/she will not allow entry into his/her property to the authorized persons for activities of measurement or official duties provided by this Law.

2. A natural person will be fined in values from three hundred (300) Euro to six hundred (600) Euro and legal person will be fined in a values from one thousand (1000) Euro to two thousand and five hundred (2.500) Euro if he will remove, hide or damage the boundary marks or other cadastral marks in any manner.

CHAPTER XI TRANSITIONAL AND FINAL PROVISIONS

Article 34 Final Provisions

1. The Ministry shall issue sub-legal acts for implementation of this Law within one (1) year after its entry into force.

2. KCA shall issue Guidelines for practical work of MCOs and licensed surveying companies and surveyors within one (1) year after its entry into force of this Law.

3. This Law shall supersede the Law No.2003/25 on Cadastre, as well as Law No. 02/L-96 on amending the Law No. 2003/25 on Cadastre.

Article 35
Entry into Force

This Law shall enter into force fifteen (15) days after its publishing in Official Gazette of Republic of Kosovo.

Law No. 04/L- 013
29 July 2011

President of the Assembly of the Republic of Kosovo

Jakup KRASNIQI