



UNMIK/REG/2003/27
18 August 2003

REGULATION NO. 2003/27

**ON THE PROMULGATION OF
THE LAW ADOPTED BY THE ASSEMBLY OF KOSOVO
ON AMENDMENTS AND ADDITIONS TO LAW NO. 2002/5 ON THE
ESTABLISHMENT OF AN IMMOVABLE PROPERTY RIGHTS REGISTER**

The Special Representative of the Secretary-General,

Pursuant to the authority given to him under United Nations Security Council resolution 1244 (1999) of 10 June 1999,

In conformity with sections 9.1.44 and 9.1.45 of the Constitutional Framework for Provisional Self-Government (UNMIK Regulation No. 2001/9),

Recalling UNMIK Regulation No. 2002/22 of 20 December 2002 on the Promulgation of the Law adopted by the Assembly of Kosovo on the Establishment of an Immovable Property Rights Register, requiring supplementary legislation for the protection of rights of persons who may be affected by the Law, before the Law becomes effective,

Taking into account a communication from the President of the Assembly of Kosovo, dated 16 July 2003, concerning the Law on Amendments and Additions to Law No. 2002/5 on the Establishment of an Immovable Property Rights Register adopted by the Assembly of Kosovo on 26 June 2003,

Hereby promulgates effective as of the date of signature the Law on Amendments and Additions to Law No. 2002/5 on the Establishment of an Immovable Property Rights Register (Law No. 2003/13) attached to the present Regulation which satisfies the condition for the Law on the Establishment of an Immovable Property Rights Register (Law No. 2002/5) to become effective.

Signed on this 18th day of August 2003.

Harri Holkeri
Special Representative of the Secretary-General

Law No. 2003/13

**ON AMENDMENTS AND ADDITIONS TO
LAW NO. 2002/5 ON THE ESTABLISHMENT OF THE IMMOVABLE
PROPERTY RIGHTS REGISTRY**

The Assembly of Kosovo,

Pursuant to the authority given to it under Sections 9.1.26, 9.1.44 and 9.1.45 of the Constitutional Framework for Provisional Institutions of Self-Government in Kosovo (UNMIK Regulation No. 2001/9),

Taking into account that The Special Representative of the Secretary General (SRSG), by UNMIK Regulation No. 2002/22 On the Promulgation of the Law Adopted by the Assembly of Kosovo On the Establishment of the Immovable Property Rights Register, promulgated Law No. 2002/5, subject to the condition that Law No. 2002/5 would become effective upon promulgation of supplementary legislation providing for effective public notification and other necessary safeguards for the protection of persons whose rights may be affected by the registration,

Hereby adopts this Law, as follows:

Section 1
Additions to Law No.2002/5

In the Law No. 2002/5 on the Establishment of the Immovable Property Rights Registry Sections 3.3.a, 3.3.b and 3.3.c shall be added at the end of paragraph 3.3:

3.3.a Each MCO shall maintain a public notice board where notice of requests for registration shall be posted. The notice board shall be located in a secure and accessible place and visible to the public during official working hours.

3.3.b For at least five (5) working days prior to issuing a decision authorizing registration, the MCO shall post a notice of the request for registration on the public notice board. The notice shall contain:

- i. the address of the property, and if applicable, the cadastral parcel number;
- ii. information regarding the person from whom the property rights will be transferred;
- iii. information regarding the person who by this registration will acquire the property right;

- iv. the right being registered; and
- v. the deadline by which any objecting party should submit objections to the MCO (at last five (5) working days after the date the notice is first posted on the notice board).

3.3.c Prior to registering any right relating to a building or apartment, the MCO shall make an inquiry to the appropriate branch of the Housing and Property Directorate to determine whether a claim against the building or apartment has been made under UNMIK Regulation No. 2000/60 or UNMIK Regulation No. 1999/23 and the MCO will decide:

- i. To register the property right if no claim has been submitted and if the deadline for submitting of claims has expired;
- ii. If a claim has been submitted, the MCO will suspend the registration until the dispute has been resolved by the Housing and Property Claims Commission; and
- iii. If a claim has not been submitted and the deadline for submission of claims has not passed, the MCO shall note the following on the registration:

Notice is hereby given that the deadline for submitting claims under UNMIK Regulation No. 2000/60 or UNMIK Regulation No. 1999/23 has not expired as of the date of registration of the right. Therefore, it is possible that the registered right may in the future be subject to a claim. It is recommended that any interested party seek professional legal advice to help assess the risk of a claim being made.

Section 2 **Entry into Force**

This Law shall enter into force on 18 August 2003.

Law No. 2003/13
26 June 2003