



Disclaimer

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INSTRUCTION

No 1, dated 31/01/2007,

ON THE REGISTRATION PROCEDURES WITH THE IMMOVABLE PROPERTIES REGISTRATION OFFICE¹

Pursuant to Article 100 of the Constitution and Article 56 of Law No. 7843, dated 13.7.1994 "On the Registration of Immovable Property", as amended, upon the proposal of the Deputy Prime Minister, the Council of Ministers

INSTRUCTS:

1. The registration of the acquisition or the transfer of the ownership title over the immovable property recognized or acquired by law, court decision or administrative act is done by the immovable properties registration offices (IPRO) pursuant to Articles 37 and 38 of Law No. 7843, dated 13.7.1994 "On Immovable Property Registration", as amended, after the full verification of the elements of the form and content of the relevant act, which recognizes or contains the acquisition of the right to property, of the fulfilment of the conditions of registration set forth in Article 193 of the Civil Code of the Republic of Albania.

In addition to the exceptions established by law, immovable property registration offices proceed with in immovable property registration only when they derive from ownership titles of the alienating party / seller or its last owner, previously registered in the register.

Any action in the register, which has the effect of altering the legal status of an immovable property, is made when the act or the court decision that ascertains it is previously registered in the immovable property register.

Ministry of Justice, Boulevard "Zogu I" Tirana, Albania

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¹ Instruction no 1, dated 31/01/2007, 'On the registration procedures with the immovable properties registration offices' shall be repealed by Instruction no 2, dated 12/09/2012 'On determining the elements of acts being verified by the immovable properties registration office and the procedures for the issue of the order of the registrar', par 12.



- 2. In order to verify the elements of the form and content of judicial decisions, the employees of IPRO, who process the individual registration requests, proceed by verifying, according to Annex 1 of this Instruction:
 - a) if the court decision has become final in accordance with Article 451 of the Code of Civil Procedure.
 - b) Judicial decisions, data on the lawsuit attachment, as well as those for the temporary execution are registered even though they have not become final because they do not cause the acquisition or transfer of the right of ownership.
 - c) if at least one of the parties to the dispute (or the bequeather of the litigant, pursuant to Articles 165 and 316 of the Civil Procedure Code) appears in the immovable property registers administered by the IPRO, the owner of the property, upon which the court has disposed of by a decision (Articles 18 and 90 of the Code of Civil Procedure).
 - d) If the property on which the court has disposed of, according to the decision, is appearing as state property or on behalf of a public institution or entity, it is proceeded by verifying whether that institution or public entity that has had the property right over the property has been a party to the trial (Articles 18 and 90 of the Code of Civil Procedure) as well as the State Advocacy (Article 79 / a of the Code of Civil Procedure, letter "a" of point 1 of Article 1 of Law No. 8551, dated 18.11.1999 "On State Advocacy").
 - e) if during the trials contesting the decision of the Commission for Restitution and Compensation of Property / State Committee for Restitution and Compensation of Property / Local Property Restitution and Compensation Commissions or the Property Restitution and Compensation Agency, the owner has been summoned as a litigant in trial (or his heirs), on whose behalf the property registered in the immovable property register (Articles 18 and 90 of the Code of Civil Procedure) appears.
 - f) If the property is a state-owned property or on behalf of an institution or public entity, it is proceeded with the verification whether the institution or public entity that owns the property and the State Advocate have been a party to the trial.
 - ç) if in the trial, surrounding the objection of the procedures or contract of sale of public / state assets, carried out by the National Privatization Agency / Directorate of Administration and Sale of Public Property in the Ministry of Finance, the interested institution or public entity which have the right of ownership over immovable property, and / or the State Advocate, have been summoned as a party to the trial,
 - g) d) if, in the ordering provisions of the decision, property data, as immovable property, are complete and permit registration of the decision.
- 3. For the verification of elements of the form and content of the notarial acts, the employees of the IPRO, who process the individual registration requirements, proceed by verifying, according to Annex 2 of this Instruction:



- a) the elements of the form, in accordance with Law No. 7829, dated 1 June 1994 "On Notary", as amended, and, as appropriate, by relevant laws and by-laws;
- b) the authenticity of the existing immovable property registration, as the scope of the application for registration, on behalf of the alienating party, mentioned in the notarial act;
- c) if in the notarial act, the data on property, as immovable property, are complete and permit its registration.
- 4. When an act that recognizes or contains the acquisition of a right of ownership is an administrative act, employees of IPRO processing their individual registration applications proceed by verifying, according to Annex 3 of this Instruction:
- a) the elements of the form, in accordance with the definitions in Part VI of the Code of Administrative Procedures, and the relevant laws or subordinate legal acts that regulate their regime;
- b) the existence of possible existing immovable property registration that is the scope of a request for registration in favor of other natural or legal persons other than the parties defined in the administrative act, which have not been party to the administrative proceedings;
- c) if in the administrative act, the data on property, as immovable property, are complete and permit its registration.
- 5. Registration applications are rejected in the following cases:
- a) When the court decision has not become final in accordance with letters "a", "b" and "ç" of Article 510 of the Code of Civil Procedure;
- b) when, pursuant to the last paragraph of Article 193 of the Civil Code, the court, in issuing the decision, is recoursed to upon request or a claim is filed with it and it results, according to the decision, that it was recoursed to upon request, except the cases of opening the inheritance;
- c) When in the ordering part of the court decision, it is determined that the legal ownership over the property is established, according to article 388 of the Code of Civil Procedure, except for cases before the date of entry into force of the Code of Civil Procedure (1 November 1994), unless it overlaps with other titles;
- ç) When, pursuant to Article 451 / a of the Code of Civil Procedure, the litigant does not appear to be the owner of the property, according to letter "b" of point 2 of this Instruction;
- d) When pursuant to Article 451 / a of the Code of Civil Procedure, the public institution / body and / or the State Advocate have not been summoned as a party to the trial under the second paragraph of letter "b" of point 2 of this Instruction, except when the decision was made before the entry into force of Law No. 8551, dated 18.11.1999 "On State Advocacy";
- dh) When, pursuant to Article 451 / a of the Code of Civil Procedure, the owner has not been summoned as a litigant pursuant to letter "c" of point 2 of this Instruction or when the institution or public body and the State Advocate have not been summoned as a party to the trial, according to the second paragraph of letter "c" of point 2 of this instruction, except when the decision was given before the entry into force of law no. 8551, dated 18.11.1999 "On state advocacy";





- e) When, pursuant to Article 451 / a of the Code of Civil Procedure, the persons mentioned in letter "ç" of point 2 of this Instruction have not been summoned as a party to the trial;
- ë) When, property data are incomplete and do not specify, at least, the boundaries and geographic position of immovable property (property location / registration number in mortgage or cadastral records of property, property boundaries and / or surfaces), according to par 2 letter "d", 3 letter "c" and 4 letter "c" of this instruction;
- f) When in notarial acts:
- i) the formal elements, as per Annex 2 of this Instruction, are not met;
- ii) the alienator does not appear to be the owner of the property in question in the immovable property registers administered by the IPRO.
- g) When in administrative acts:
- i) the legal deadlines for appeal, administrative and judicial, have not been completed;
- ii) the form elements, as per Annex 3 of this Instruction, are not met;
- iii) there are registrations of ownership over the immovable properties in favour of other natural or legal persons, according to letter b of point 4 of this Instruction.
- gj) When, pursuant to Article 9 of Law No. 7843, dated 13.7.1994 "On Immovable Property Registration", as amended, the documents submitted for registration, although valid, create overlapping, with a previously registered property.
- 6. For verifying the elements of the form and content of judicial decisions, notarial acts or administrative acts, employees of IPRO, processing individual registration requests, complete the verification form, according to the model given in appendices 1, 2 or 3, attached to this Instruction, for each application for registration. The verification form shall, in each case, reflect the findings of the IPRO employee for each of the verification cases as set out in points 2, 3 and 4 of this Instruction. At the end of the form, the IPRO employee completes, in writing, clearly legible and without correction, the proposal to accept or not the application for registration, is signed and passed to the IPRO head.
- 7. When, based on point 6 of this Instruction, it is proposed to accept the request, then the application is registered and the applicant is provided with the documentation, which certifies the registration according to the procedures and deadlines in force.
- 8. Where, pursuant to paragraphs 5 and 6 of this Instruction, the rejection of the application for registration is proposed, the full file of proceedings, together with the text of the rejection proposal, according to Annex 5 to this Instruction, shall be passed by the Registrar-in-chief. The order must contain the reference for the reason for the refusal, in accordance with the specific letter of point 5 of this Instruction. Upon the approval of the order, the applicant shall be provided with a unique copy of the file's documentation and the instruction on the right, instances, deadlines for filing, and orientation in each case for the correct manner of fulfilling the grounds for refusal.



- 9. When deciding to reject the application for registration based on letters "d", "dh" or "ë" of point 5 of this Instruction, the local IPRO head of department is obliged to send a full copy of the file, with a cover letter, to the institution or public entity (when this is identified) and State Advocacy. Copies of the protocol documents addressed to the institution or public entity and the State Advocacy are attached to the file of the practice.
- 10. Any other sub-legal act that contravenes this instruction is abrogated.
- 11. The Minister of Justice, the Central Immovable Property Registration Office and the local immovable property registration offices are tasked with the implementation of this decision.

This instruction shall enter into effect following its publication in the Official Journal.

PREMIER
Sali Berisha



Annex REQU FOR F		ISSUE OF	No F CERTIFICATE	СОРУ		
(PROF	PERTY RECOGNISED OR A	CQUIRED BY	JUDICIAL DECISION)) No	stamped in advance	
IMMO	OVABLE PROPERTY REGIS	TRATION OF	FICE			
	QUESTER (The requester E, FATHER'S NAME, SURN	•	: 1 – 5 of the form)		SIGNATURE	
ADDR	ESS (to be specified with	the referenc	e buildings, facilities	bars)		
		Tel, _/ alt	/fax/e-mail: ernative Tel/fax/e-m	nail or mobile		
2. SU	BJECT MATER OF THE RE	QUEST				
3. INF or IPR		OPERTY FRO	M THE CARD (to be t	filled out, as	appropriate, by the request	ter
No CZ Addre	ess of the property	No propert	у	Volume	Page	
makir If orig no ce	ng use of the following do ninals and a certified copy	nta. Copies o are handed er, the origin	f the documents hav I over, it means, as a al shall be retained o	re to mention rule, that th and maybe de	numbers one after the othed and numbered separate e original shall be returned amaged in the course of use CE IS MISSING.	ely. . If
No	Type of act (judicial dec	ision, other	No of act	Date of act	Issuing institution	1
1	acts)					
2						
3						_



6. ADMITTII	NG EMPLOY	EE Date	e of admission	(d)	(m)	(y	')		(time	e)
-	-		seal of IPRO sh		ked in 3 co	pies o	f the fo	rm, o	ne oj	f which shall
be returned	to the requ	ester as a f	iling evidence))						
Name		Sur	name		signature	!			Sea	nl
Position:										
I CERTIFY T	HAT THE DO	OCUMENTS	S BEING PROD	UCED FOR	REGISTRA	TION	ARE CO	ORRE	CT A	ND LEGALLY
ADMISSIBLE	AND THEY	WERE TAK	EN OVER.							
7. PAYMENTYPE OF	1		DATE OF	NR OF	FINE IN	ТОТ	ΓΛΙ	TAX		TOTAL
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SERVICE	'		WITH IPRO	DEFAULT	DAIS	1 114	_			TATIVILINI
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					signature o	of cash	nier			
9. TRANSAC	CTIONS WITI	H IPRO								
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Date		ative map	with KPP			com	puter		Regi	stration
_	Date		Date	No		_				
Entry	Entry		Entry	Date		Date	5		Date	9
Outgoing	Outg		Outgoing	61.		C: -			C: ·	-4
Signature	Signa	iture	Signature	Signa	iture	Sign	ature		Sign	ature



10. VERIFICATIONS OF JUDICIAL DECISION (Place X in the respective box)

No	RUBRICS	EVALUATION
10.1	Judicial decision has become final according to 451 of CPC YES NO	
10.2	Judicial decision is a decision for lawsuit attachment under Articles 202 and the	
	following of CPC	
10.3	Judicial decision is a decision for temporary enforcement under Articles 388-	
	390 of CPC	
10.4	Judicial decision is a decision on the establishment of fact according to Articles	
	388 – 390 CPC	
10.5	The court has been recoursed to upon request or lawsuit	
10.6	DECISION DETERMINES ACQUISITION OF PROPERTY UPON INHERITANCE	
	a) Decision is an inheritance certificate	
	b) Litigating party (or bequeather) in the above case is a private party and	
	appears as an owner in the immovable property register	
	c) The private or public party appearing as an owner in the immovable	
	properties register and / or State Advocate was summoned as a litigating party	
	in proceedings under the law no 8551	
10.7	DECISION HAS AS SUBJECT MATTER CONTESTING THE DECISION OF THE	
	COMMISSION OF RESTITUTION AND COMPENSATION OF PROPERTIES	
	a) Owner or his successors have been summoned as litigant parties if the	
	property being requested to be registered is a private property	
	b) Public institution/entity owning the property being requested to be	
	registered is summoned as litigant party in proceedings	
	c) State's Advocate has been summoned as litigant party in proceedings	
10.8	The geographical position of the property being requested to be registered is	
	clearly stated in the ordering part of the decision	



Cooperating e	mployees:			
Name	Surname	Position	// Date	Signature
Name	Surname	Position	Date	Signature
Name	Surname	Position	Date	Signature
12. DECISION	OF REGISTRAR	Dated//	_	
Request ADMI Request regist No Date			Request REJE File passed on	ECTED to Registrar in Chief
	T I HAVE VERIFIED THE RE WITH THE LAW	GISTRATION / ISSUE OF	CERTIFICATE AS A	APPROPRIATE AND IN
REGISTRAR (or	r authorised person) d seal)	1	Date/	



Annex 2

FOR F	REGISTRATION	ISSUE O	F CERTIFICATE	СОРҮ	
(PRO	PERTY RECOGNISED OR AC	QUIRED BY	JUDICIAL DECISION)	No stampe	ed in advance
IMM	OVABLE PROPERTY REGISTI	RATION OF	FICE		
	QUESTER (The requester fil E, FATHER'S NAME, SURNA	-	5 1 − 5 of the form)	SI	GNATURE
ADDF	RESS (to be specified with th	ne referenc	e buildings, facilities	bars)	
	RNATIVE ADDRESS ification document dated/		/fax/e-mail: ernative Tel/fax/e-m	ail or mobile	
2. SU	BJECT MATER OF THE REQ	UEST			
3. INI	ORMATION ON THE PROP	ERTY FRO	M THE CARD (to be f	illed out, as ap	propriate, by the requester
or IPF	RO)				
No Cz		No propert	ty	Volume	Page
Addre	ess of the property				
makii If ori <u>c</u> no ce	ng use of the following date	a. Copies o are handed the origin	f the documents hav I over, it means, as a al shall be retained a	e to mentioned rule, that the d nd maybe dam	•
No	Type of act (judicial decisi acts)	on, other	No of act	Date of act	Issuing institution
1					
2					
3					
4					

5. Natural or legal person **to be entered into the Register** (give out the full name (name, father's name, surname). In the event of a private legal entity, give the type (sha, shpk etc) number and date of register,

No _____

REQUEST

NIPT number and the territory for a foreign legal entity)



6. ADMITTING EMPLOYEE Date of admission (d) (m) (y) (time) (Date and time of admission and seal of IPRO shall be marked in 3 copies of the form, one of which shall be returned to the requester as a filing evidence) Name Surname signature Seal Position: I CERTIFY THAT THE DOCUMENTS BEING PRODUCED FOR REGISTRATION ARE CORRECT AND LEGALLY ADMISSIBLE AND THEY WERE TAKEN OVER. 7. PAYMENT FOR REGISTRATION TYPE OF FEE DATE DATE NR OF FINE IN **TOTAL** TAX TOTAL DAYS IN **FINE** SERVICE OF DOC **SUBMISSION** DAYS PAYMENT WITH IPRO **DEFAULT** Fee + Fine + Tax 8. PAYMENT FOR THE CERTIFICATE / COPY OF DOCUMENTS CERTIFICATE / COPY NO TOTAL FEE **GRANT TOTAL** Seal and signature of cashier 9. TRANSACTIONS WITH IPRO Verification act Transactions in Placing reg no **Transactions** Entering into Manual with KPP Date Indicative map computer Registration Date Date No Entry Entry Entry Date Date Date Outgoing Outgoing Outgoing Signature

Signature

Signature

Signature

Signature

Signature



10. VERIFICATIONS OF JUDICIAL DECISION (Place X in the respective box)

10.1	The act contains the day, month and year of editing and type of act	
10.2	The act contains the venue of editing, number of repertoire and collection,	
	name and surname of notary and location of the notary office	
10.3	The act contains the name, surname, name of father, date of birth, profession	
	and residence of parties, denomination and centre, as long as it is about a	
	legal entity; name father's name and surname of their representative and of	
	any other person in the act, as well as the verification made by the notary for	
	the identity of the parties, legal capacity and capacity to act.	
10.4	The act contains the declarations, so parties and the acts submitted by them,	
	and the location and the boundaries of the immovable properties.	
10.5	The act was signed regularly by the parties (or with authorisation) and by the	
	participants to the act in the presence o the notary, writing down their name	
	and surname in full.	
10.6	The act contains the signature of the notary, his own seals and the tax stamp.	
10.7	The act does not contain deletion of works or sentences and neither signs,	
	unless they have been put in brackets, the deleted number has been	
	mentioned and the notary and parties have signed alongside.	
10.8	The act contains the number of pages, binding and sealing by the notary.	
10.9	The act is original and any other act administered before the notary has been	
	certified by him to be the same as the original	
10.10	The immovable property being the subject matter for registration appears in	
	the IPRO registers on behalf of the alienator mentioned in the notary act	
10.11	The data surrounding the property being immovable property define clearly	
	the geographic positioning of the property being requested to be registered.	



Cooperating e	mployees:			
Name	Surname	Position	// Date	Signature
Name	Surname	Position	Date	Signature
Name	Surname	Position	Date	Signature
12. DECISION	OF REGISTRAR	Dated//	_	
Request ADMI Request regist No Date			Request REJE File passed on	ECTED to Registrar in Chief
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REGISTRAR (or	r authorised person) I seal)	I	Date/	



Annex	c 3 REGISTRATION	REQUE		No	
	PERTY RECOGNISED OR ACC				advance
IMMO	OVABLE PROPERTY REGISTR	ATION OF	FICE		
1. REC	QUESTER (The requester fill	s in points	1 – 5 of the form)		
NAM	E, FATHER'S NAME, SURNAI	ME		SIGNAT	URE
ADDR	ESS (to be specified with th	e referenc	re buildings, facilities	bars)	
ALTER	RNATIVE ADDRESS				
Identi	fication document	Tel	/fax/e-mail:		
No	dated//	alt	ernative Tel/fax/e-m	ail or mobile	
2. SUI	BJECT MATER OF THE REQU	JEST			
3. INF	ORMATION ON THE PROP	ERTY FRO	M THE CARD (to be f	illed out, as appropr	iate, by the requester
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1					

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Position:									
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ADMISSIBLE	AND	THEY WERE TAK	EN OVER.						
		REGISTRATION			T	1	<u> </u>		T
TYPE OF SERVICE	FEE	OF DOC	DATE OF SUBMISSION WITH IPRO	NR OF DAYS IN DEFAULT	FINE IN DAYS	FIN		X	PAYMENT
8. PAYMEN' CERTIFICA		THE CERTIFICAT	E / COPY OF D	OCUMENTS	S NO		FEE	ТС	DTAL
				_	NT TOTAL signature o	of cash	nier		
		S WITH IPRO	T =	. District				1.00	1
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Entry		Outgoing	Outgoing						
Entry Outgoing		Oatgonig	0 0.0000	l l					

10. VERIFICATIONS OF ADMINISTRATIVE ACT (Place X in the respective box)



10.1 The act contains the issuing authority and any delegation of the powers connected to the issue of the act The act contains the identification of the parties, addressed to by the act. 10.2 10.3 The act contains the explanation of the facts being the cause for its issue 10.4 Thea act contains the legal basis whereon it relies 10.5 The act contains the date of entry into effect of the act 10.6 The act contains the signature of the employee of the issuing body or of the head of the collegial body and the respective seal of the institution 10.7 The act does not contain any causes of absolute or relative invalidity of the act in compliance with the Articles 115 and 119 of the Administrative Procedure Code 10.8 The legal timing regarding the administrative or judicial remedies against the act has not expired 10.9 Ownership over the property being immovable property appears registered on behalf of another (natural or legal) person not having been party to administrative proceedings Data on the property, being immovable property, are comprehensive and 10.10 they clearly determine the geographic position of the property requested to be registered



Cooperating e	mployees:		, ,	
Name	Surname	Position	// Date	Signature
Name	Surname	Position	Date	Signature
Name	Surname	Position	Date	Signature
12. DECISION	OF REGISTRAR No	Dated//	_	
Request ADMI	TTED		Request REJE	ECTED
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	T I HAVE VERIFIED THE RE	GISTRATION / ISSUE OF	CERTIFICATE AS A	APPROPRIATE AND IN
REGISTRAR (or	r authorised person) I seal)	I	Date/	



ANNEX 4

LIST OF DOCUMENTS IMMOVABLE PROPERTY REGISTRATION OFFICE

(to be filled out with the documents attached to eh respective request)

1. Property

2. Attached documents

<u>Notes:</u> a) First column to be used only by IPRO employees by putting in a note (X or V) where the document is taken over

- b) Put in the numbers in the list, copies of documents to be separately numbered as separate documents
- c) If the original and a certified copy are handed over, as a rule this implies the return of the original. Where no copy is handed over, the original remains and it can be harmed while being used.

u o	cu.					
IPRO	No	Type of act	No of Act	Date	of	Issuing
NOTES				act		Institution

Date:/	'/_	Signature of me, surname	ure)



ANNEX 5

REPUBLIC OF ALBANIA MINISTRY OF JUSTICE CENTRAL IMMOVABLE PROPERTY REGISTRATION OFFICE

CENTRAL IMMOVABLE PROPERTY REGISTRATION OFFICE	
Address: Tel Fax	
	(Draft)
ORDER	
No, Dated	
In reliance on the law no 8743, dated 13/07/1994 'On the registration of the immovable amended, law no 8485, dated 12/05/1999 'Code of Administrative Procedures', as amend 18, 90 and 451/a of the Civil Procedure Code, after getting acquainted with the	ed, and Articles
With its subject matter: Registration of	
No, dated, I	
FOUND OUT:	
That	

	lation of the
Lustice Syste	em in Albania
3031100 0 9310	SIT III 7 (ID GITIG
	-
	DUE TO THESE REASONS:
Based on the I	Instruction no, dated, of the Council fo Ministers, its par 5 and 6, I
	ORDER:
	ne request for the registration of the (Act)
	, dated
2. A counterpa	art of this act and a certified copy of the file to be sent to the requester.
3. A counterpa	art of this act to be sent to the institution/public entity and/or State Advocate.
•	ter may file a remedy against this order before the court within 30 days of the day of
-	on. The requester is guided to include into his complaint, inter alia:
Communicatio	on. The requester is guided to include into his complaint, inter alia.
This order ent	ers into effect immediately.
rins order ene	icio into enesciminediate.
REGISTRAR	
Name	Surname
Nume	Surname



INSTRUCTION

No 2, Dated 12.9.2012

ON DETERMINING THE ELEMENTS OF ACTS BEING VERIFIED BY THE IMMOVABLE PROPERTIES REGISTRATION OFFICE AND PROCEDURE FOR ISSUING THE ORDER OF THE REGISTER.

Pursuant to Article 100 of the Constitution and Articles 42, 44, par 5 and 45, par 5 of the law no 33/2012, dated 21/03/2012 "On the Registration of Immovable Property", upon the proposal of the Minister of Justice, the Council of Ministers

INSTRUCTS:

- 1. The purpose of this Instruction is to establish detailed rules for the registration of sales contracts for immovable properties, registration of immovable property, acquired by adverse possession, as well as the registration of the transfer of ownership by law, by a court decision or an administrative act.
- 2. The registration of the acquisition or the transfer of the ownership title over the immovable property recognized or acquired by law, court decision or administrative act is pursuant to Articles 44 and 45 of the Law no 33/12, dated21/03/2012, "On Immovable Property Registration", as amended, is made by the immovable properties registration offices after the full verification of the elements of the form and content of the relevant act, which recognizes or contains the acquisition of the right to ownership, of the fulfilment of the conditions of registration set forth in Article 193 of the Civil Code of the Republic of Albania.

In addition to the exceptions established by law, immovable property registration offices proceed with in immovable property registration only when they derive from ownership titles of its last owner, previously registered in the register.

Any action in the register, which has the effect of altering the legal status of an immovable property, is made when the act or the court decision that ascertains it is previously registered in the immovable property register.

- 3. In order to verify the elements of the form and content of judicial decisions, the employees of IPRO, who process the individual registration requests, proceed by verifying, according to Annex 1 of this Instruction:
- a) if the court decision has become final in accordance with Article 451 of the Code of Civil Procedure.

Judicial decisions, data on the lawsuit attachment, as well as those for the temporary execution are registered even though they have not become final because they do not cause the acquisition or transfer of the right of ownership.

b) if at least one of the parties to the dispute (or the bequeather of the litigant, pursuant to Articles 165 and 316 of the Civil Procedure Code) appears in the immovable property registers administered by the IPRO, the owner of the property, upon which the court has disposed of by a decision (Articles 18 and 90 of the Code of Civil Procedure).



If the property on which the court has disposed of, according to the decision, is appearing as state property or on behalf of a public institution or entity, it is proceeded by verifying whether that institution or public entity that has had the property right over the property has been a party to the trial (Articles 18 and 90 of the Code of Civil Procedure) as well as the State Advocacy (Article 79 / a of the Code of Civil Procedure, letter "a" of point 1 of Article 1 of Law No. 8551, dated 18.11.1999 "On State Advocacy ").

c) if during the trials contesting the decision of the Commission for Restitution and Compensation of Property / State Committee for Restitution and Compensation of Property / Local Property Restitution and Compensation Commissions or the Property Restitution and Compensation Agency, the owner has been summoned as a litigant in trial (or his heirs), on whose behalf the property registered in the immovable property register (Articles 18 and 90 of the Code of Civil Procedure) appears.

If the property is a state-owned property or on behalf of an institution or public entity, it is proceeded with the verification whether the institution or public entity that owns the property and the State Advocate have been a party to the trial.

- ç) if in the trial, surrounding the objection of the procedures or contract of sale of public / state assets, carried out by the National Privatization Agency / Directorate of Administration and Sale of Public Property in the Ministry of Finance, the interested institution or public entity which have the right of ownership over immovable property, and / or the State Advocate, have been summoned as a party to the trial,
- d) if, in the ordering provisions of the decision, property data, as immovable property, are complete and permit registration of the decision.
- 4. For the verification of elements of the form and content of the notarial acts, the employees of the IPRO, who process the individual registration requirements, proceed by verifying, according to Annex 2 of this Instruction:
- a) the elements of the form, in accordance with Law No. 7829, dated 1 June 1994 "On Notary", as amended, and, as appropriate, by relevant laws and by-laws;
- b) the authenticity of the existing immovable property registration, as the scope of the application for registration, on behalf of the alienating party, mentioned in the notarial act;
- c) if in the notarial act, the data on property, as immovable property, are complete and permit its registration.
- 5. When an act that recognizes or contains the acquisition of a right of ownership is an administrative act, employees of IPRO processing their individual registration applications proceed by verifying, according to Annex 3 of this Instruction:
- a) the elements of the form, in accordance with the definitions in Part VI of the Code of Administrative Procedures, and the relevant laws or subordinate legal acts that regulate their regime;
- b) the existence of possible existing immovable property registration that is the scope of a request for registration in favor of other natural or legal persons other than the parties defined in the administrative act, which have not been party to the administrative proceedings;
- c) if in the administrative act, the data on property, as immovable property, are complete and permit its registration.



- 6. Registration applications are rejected in the following cases:
- a) When the court decision has not become final in accordance with letters "a", "b" and "ç" of article 510 of the Code of Civil Procedure;
- b) b) when, pursuant to the last paragraph of Article 193 of the Civil Code, according to the decision, that it was recoursed to upon request, except the cases of opening the inheritance;
- c) When in the ordering part of the court decision, it is determined that the legal ownership over the property is established, according to Article 388 of the Code of Civil Procedure, except for cases before the date of entry into force of the Code of Civil Procedure (1 November 1994), unless it overlaps with other titles;
- ç) When the data on the property are incomplete and have not, at a minimum, the boundaries and geographic position of immovable properties (the location of the property / registration number in mortgage or cadastral records of property, property boundaries and / or surfaces), under points 3, letter "d", 4, letter "c", and 5, letter "c" of this Instruction;
- d) When in the notarial acts the elements of the form are not fulfilled, according to Annex 2 of this Instruction;
 - g) When in administrative acts:
 - i) the legal deadlines for appeal, administrative and judicial, have not been completed;
 - ii) the form elements, as per Annex 3 of this Instruction, are not met;
- iii) there are registrations of ownership over the immovable properties in favor of other natural or legal persons, according to letter b of point 4 of this Instruction.
- e) When, pursuant to par 3 of Article 37 of Law No. 733/12, dated 21/03/2012 "On Immovable Property Registration", the documents submitted for registration create overlapping with a previously registered property.
- 7. When the subjects mentioned in letters "b" to "ç" of paragraph 3 of this Instruction have not been summoned as a party to the trial, the application for registration is suspended and for the immovable property, constitutes its scope, the registrar issues an order for the registration of restriction in the respective section of the immovable property card, according to Article 59 of the law No.33 / 2012, dated 21.3.2012 "On registration of immovable property". In this case, the Registrar shall take measures to notify such entities in accordance with the provisions of the aforementioned Law. At the end of the term of restriction on immovable property, the immovable property registration office continues to handle the application for registration.
- 8. For verifying the elements of the form and content of judicial decisions, notarial acts or administrative acts, employees of IPRO, processing individual registration requests, complete the verification form, according to the model given in appendices 1, 2 or 3, attached to this Instruction, for each application for registration. The verification form shall, in each case, reflect the findings of the IPRO employee for each of the verification cases as set out in points 3, 4 and 5 of this Instruction. At the end of the form, the IPRO employee completes, in writing, clearly legible and without correction, the proposal for accepting or not the registration request, sign and pass itto the IPRO head.



- 9. When, based on point 8 of this Instruction, it is proposed to accept the request, then the application is registered and the applicant is provided with the documentation, which certifies the registration according to the procedures and deadlines in force.
- 10. When, pursuant to paragraphs 6 and 7 of this Instruction, the rejection of the application or registration restriction is proposed, the full file of the practice, together with the text of the rejection order, shall be passed to the Registrar due to authority. Upon approval of the order, the applicant is provided with a unique copy of the file's documentation and guidance on the right, instances, deadlines for filing, and orientation in each case for the correct manner of meeting the grounds for refusal.
- 11. When deciding on the limitation of the application for registration, based on point 7 of this instruction, the head of local IPRO is obliged to send a full copy of the practice with a cover letter to the institution or public entity (when this is identified) and State Advocacy. Copies of the registered documents addressed to the institution or public entity and the State Advocate are attached to the file of the practice.
- 12. The Instruction No 1, dated 31.1.2007 of the Council of Ministers "On registration procedures in immovable properties registration offices", is abrogated.
- 13. The Minister of Justice, the Central Immovable Property Registration Office and the local immovable property registration offices are tasked with the implementation of this decision.

This instruction shall enter into effect following its publication in the Official Journal.

PREMIER Sali Berisha



	x 1 REGISTRATION PERTY RECOGNISED OR ACC		F CERTIFICATE	No COPY No stamped in a	
IMM	OVABLE PROPERTY REGISTR	ATION OF	FICE		
	QUESTER (The requester fill E, FATHER'S NAME, SURNA	•	s 1 – 5 of the form)	SIGNAT	URE
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	RNATIVE ADDRESS ification document dated//	,	/fax/e-mail: ternative Tel/fax/e-m	ail or mobile	
2. SU	BJECT MATER OF THE REQU	JEST			
3. INF	ORMATION ON THE PROP	ERTY FRO	M THE CARD (to be f	illed out, as appropri	ate, by the requester
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2 3 4



6. ADMITTING EMPLOYEE Date of admission (d) (m) (y) (time) (Date and time of admission and seal of IPRO shall be marked in 3 copies of the form, one of which shall be returned to the requester as a filing evidence) Name Surname signature Seal Position: I CERTIFY THAT THE DOCUMENTS BEING PRODUCED FOR REGISTRATION ARE CORRECT AND LEGALLY ADMISSIBLE AND THEY WERE TAKEN OVER. 7. PAYMENT FOR REGISTRATION TYPE OF FEE DATE DATE NR OF FINE IN **TOTAL** TAX TOTAL DAYS IN **FINE** SERVICE OF DOC **SUBMISSION** DAYS PAYMENT WITH IPRO **DEFAULT** Fee + Fine + Tax 8. PAYMENT FOR THE CERTIFICATE / COPY OF DOCUMENTS CERTIFICATE / COPY NO TOTAL FEE **GRANT TOTAL** Seal and signature of cashier 9. TRANSACTIONS WITH IPRO Verification act Transactions in Placing reg no **Transactions** Entering into Manual with KPP Date Indicative map computer Registration Date Date No Entry Entry Entry Date Date Date Outgoing Outgoing Outgoing Signature

Signature

Signature

Signature

Signature

Signature



10. VERIFICATIONS OF JUDICIAL DECISION (Place X in the respective box)

No	RUBRICS	EVALUATION
10.1	Judicial decision has become final according to 451 of CPC YES NO	
10.2	Judicial decision is a decision for lawsuit attachment under Articles 202 and the	
	following of CPC	
10.3	Judicial decision is a decision for temporary enforcement under Articles 388-	
	390 of CPC	
10.4	Judicial decision is a decision on the establishment of fact according to Articles	
	388 – 390 CPC	
10.5	The court has been recoursed to upon request or lawsuit	
10.6	DECISION DETERMINES ACQUISITION OF PROPERTY UPON INHERITANCE	
	a) Decision is an inheritance certificate	
	b) Litigating party (or bequeather) in the above case is a private party and	
	appears as an owner in the immovable property register	
	c) The private or public party appearing as an owner in the immovable	
	properties register and / or State Advocate was summoned as a litigating party	
	in proceedings under the law no 8551	
10.7	DECISION HAS AS SUBJECT MATTER CONTESTING THE DECISION OF THE	
	COMMISSION OF RESTITUTION AND COMPENSATION OF PROPERTIES	
	a) Owner or his successors have been summoned as litigant parties if the	
	property being requested to be registered is a private property	
	b) Public institution/entity owning the property being requested to be	
	registered is summoned as litigant party in proceedings	
	c) State's Advocate has been summoned as litigant party in proceedings	
10.8	The geographical position of the property being requested to be registered is	
	clearly stated in the ordering part of the decision	



Cooperating e	mployees:		, ,	
Name	Surname	Position	// Date	Signature
Name	Surname	Position	Date	Signature
			/	
Name	Surname	Position	Date	Signature
12. DECISION	OF REGISTRAR No	Dated//	_	
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REGISTRAR (or	r authorised person) d seal)	1	Date/	



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2. SU	BJECT MATER OF THE REQU	JEST			
3. INI	FORMATION ON THE PROP	ERTY FRO	M THE CARD (to be f	illed out, as appropri	ate, by the requester
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No	Type of act (judicial decision	on, other	No of act	Date of act	Issuing institution
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6. ADMITTIN	G EMPLOY	/EE Date	e of admission	(d)		(m)	()	')		(time	e)
(Date and tin	ne of admi	ission and s	seal of IPRO sh	nall be	mark	ed in 3 co	pies o	f the f	orm, o	ne o	f which shall
be returned t	o the requ	ester as a f	filing evidence,)							
Name		Sur	name			signature	9			Sea	al
Position:											
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Signature

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Signature



10. VERIFICATIONS OF JUDICIAL DECISION (Place X in the respective box)

1		
10.1	The act contains the day, month and year of editing and type of act	
10.2	The act contains the venue of editing, number of repertoire and collection,	
	name and surname of notary and location of the notary office	
10.3	The act contains the name, surname, name of father, date of birth, profession	
	and residence of parties, denomination and centre, as long as it is about a	
	legal entity; name father's name and surname of their representative and of	
	any other person in the act, as well as the verification made by the notary for	
	the identity of the parties, legal capacity and capacity to act.	
10.4	The act contains the declarations, so parties and the acts submitted by them,	
	and the location and the boundaries of the immovable properties.	
10.5	The act was signed regularly by the parties (or with authorisation) and by the	
	participants to the act in the presence o the notary, writing down their name	
	and surname in full.	
10.6	The act contains the signature of the notary, his own seals and the tax stamp.	
10.7	The act does not contain deletion of works or sentences and neither signs,	
	unless they have been put in brackets, the deleted number has been	
	mentioned and the notary and parties have signed alongside.	
10.8	The act contains the number of pages, binding and sealing by the notary.	
10.9	The act is original, and any other act administered before the notary has been	
	certified by him to be the same as the original	
10.10	The immovable property being the subject matter for registration appears in	
	the IPRO registers on behalf of the alienator mentioned in the notary act	
10.11	The data surrounding the property being immovable property define clearly	
	the geographic positioning of the property being requested to be registered.	



Cooperating e	mployees:			
Name	Surname	Position	// Date	Signature
Name	Surname	Position	Date	Signature
Name	Surname	Position	Date	Signature
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REGISTRAR (or	r authorised person) I seal)	I	Date/	



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makii	ng use of the	following data. Copies o	f the documents hav	e to mentioned and r	numbered separately.
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no ce	rtified copy is	handed over, the origin	al shall be retained a	nd maybe damaged	in the course of use.
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3



6. ADMITTI	NG EMPLO	DYEE Dat	e of admission	n (d)		(m)	(у)		(time	e)
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Position:											
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Outgoing	Ou	tgoing	Outgoing								
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10. VERIFICATIONS OF ADMINISTRATIVE ACT (Place X in the respective box)

		1	1
10.1	The act contains the issuing authority and any delegation of the powers		
	connected to the issue of the act		
10.2	The act contains the identification of the parties, addressed to by the act.		
10.3	The act contains the explanation of the facts being the cause for its issue		
10.4	Thea act contains the legal basis whereon it relies		
10.5	The act contains the date of entry into effect of the act		
10.6	The act contains the signature of the employee of the issuing body or of the		
	head of the collegial body and the respective seal of the institution		
10.7	The act does not contain any causes of absolute or relative invalidity of the		
	act in compliance with the Articles 115 and 119 of the Administrative		
	Procedure Code		
10.8	The legal timing regarding the administrative or judicial remedies against the		
	act has not expired		
10.9	Ownership over the property being immovable property appears registered		
	on behalf of another (natural or legal) person not having been party to		
	administrative proceedings		
10.10	Data on the property, being immovable property, are comprehensive and		
	they clearly determine the geographic position of the property requested to		
	be registered		



Cooperating employees:						
Name	Surname	Position	// Date	Signature		
Name	Surname	Position	Date	Signature		
Name	Surname	Position	Date	Signature		
12. DECISION	OF REGISTRAR No	Dated//	_			
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	T I HAVE VERIFIED THE RE	GISTRATION / ISSUE OF	CERTIFICATE AS A	APPROPRIATE AND IN		
REGISTRAR (or authorised person) (signature and seal)			Date/			



ANNEX 4

LIST OF DOCUMENTS IMMOVABLE PROPERTY REGISTRATION OFFICE

(to be filled out with the documents attached to eh respective request)

1. Property

2. Attached documents

<u>Notes:</u> a) First column to be used only by IPRO employees by putting in a note (X or V) where the document is taken over

- b) Put in the numbers in the list, copies of documents to be separately numbered as separate documents
- c) If the original and a certified copy are handed over, as a rule this implies the return of the original. Where no copy is handed over, the original remains and it can be harmed while being used.

IPRO	No	Type of act	No of Act	Date of	Issuing
NOTES				act	Institution
			-		

Date://	Signature of requester (Name, surname and signature)				
	(i.tainis) saintainis and signature)				