ADMINISTRATIVE INSTRUCTION (GRK) NR. 03/2016 ON SPECIAL MEASURES FOR PROTECTION OF Joint Real Property of Both Spouses

Republika Kosova-Republika of Kosovo

Gjestja-Visio-Government
CHAPTER I - GENERAL PROVISIONS

ARTICLE I

The purpose of this Law is to establish a uniform legal framework for the registration of joint immovable properties. This administrative instruction aims at simplifying the administrative procedure and ensuring that both spouses are represented in public registers.

Laws:

Government of the Republic of Kosovo.

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Government of the Republic of Kosovo.

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<tr>
<th>No.</th>
<th>Article</th>
<th>Description</th>
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<tbody>
<tr>
<td>1</td>
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<td>Authorization of a person to realize the right of a person to dispose of land</td>
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<td>2</td>
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<td>The consent of the person for whom the right is being realized</td>
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<td>3</td>
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<td>The procedure for registration of the realization of the right</td>
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<td>The responsibility of institutions in the realization of the right</td>
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<td>5</td>
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<td>The procedures and instructions for realizing the right of disposal</td>
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4. In cases when only one of spouses is registered as the bearer of the ownership right, or the possession right for the joint property, in the register of the rights over the immovable properties, it shall be considered that the registration is done on behalf of both spouses.

5. In cases when the immovable property is registered under the name of only one spouse, the property cannot be sold or alienated in any other form without the written consent of the other spouse, certified by the competent body.

6. Spouses, when necessary, shall prove that have joint contribution in creating the joint property.

7. Notwithstanding paragraph 2 of this Article, if spouses, as joint owners, agree to divide the land on parts determined according to the agreement, it is registered according to the rules of joint ownership, including the part of every spouse.

5. U slučajevima kada se samo jedan od supružnika registruje kao nosilac imovinskog prava, ili posedovanja zajedničke imovine u registru prava nepokretnine imovine, smatraće se da je registracija izvršena u ime oba supružnika.

6. Supružnici u neophodnim slučajevima treba da dokažu da su dali zajednički doprinos u stvaranju zajedničke imovine.

7. Izuzev stava 2. ovog člana, ukoliko se supružnici kao zajednički vlasnici slažu o podjeli imovine u određenim delovima prema sporazumu, ona se registruje prema pravilima zajedničkog vlasništva, uključujući i deo svakog supružnika.
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<th>Article 8</th>
<th>Bodies supervising the implementation</th>
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Article 9

1. Upon presentation of the Kalamata Administrative Court's decision, the Kalamata Municipal Council shall appoint a person to represent the Kalamata Municipal Council in the implementation process. This person shall be responsible for monitoring the implementation of the decision and reporting on its progress to the Kalamata Municipal Council.

2. The implementation shall be carried out in accordance with the Kalamata Municipal Council's instructions.

3. The person appointed shall have the authority to take all necessary actions to ensure the implementation of the decision.

4. The Kalamata Municipal Council shall provide all necessary resources to facilitate the implementation process.

5. The implementation shall be monitored by the Kalamata Municipal Council to ensure compliance with the decision.

6. The person appointed shall submit regular reports to the Kalamata Municipal Council on the status of the implementation process.

7. The Kalamata Municipal Council shall have the authority to terminate the implementation process if it is not being carried out in accordance with the instructions.

8. The Kalamata Municipal Council shall have the authority to punish any person who obstructs the implementation process.

9. The Kalamata Municipal Council shall have the authority to seek reimbursement for any costs incurred in the implementation process.

10. The Kalamata Municipal Council shall have the authority to seek compensation for any damages caused by the implementation process.

11. The Kalamata Municipal Council shall have the authority to seek apology from any person or entity responsible for the implementation process.

12. The Kalamata Municipal Council shall have the authority to seek the removal of any person or entity responsible for the implementation process.
Article I

Entry into Force

After this Administrative Institution enters into administration, the Head of the Administrative Institution shall submit a report to the Prime Minister of Kosovo on each of the measures for the return of the property, including the reasons for the return of the property. The report shall be submitted within 7 days of the entry into force of this Administrative Institution.

Prime Minister of Kosovo

Ira Mustafa

Minister of Kosovo

Ira Mustafa

Kryeministri i Republiikes e Kosovës

Ira Mustafa

Kryeministri i Republiikes e Kosovës

Ira Mustafa

Kërkimi për shëndetin e kuq e ngjashëm

Chief 10

Article I

Ilidce

Chief 10

Restrukturimi (23 December 2015).

Kërkimi për shëndetin e kuq e ngjashëm

Chief 10

Restrukturimi (23 December 2015).