

## real estate - legal changes published in January 2017

**Order of the General Manager of the National Agency for Cadastre and Real Estate Publicity no. 1608/2016 on amending and supplementing the Regulation of approval, acceptance and enrolment in the cadastre and land registry records, approved by Order of the General Manager of the National Agency for Cadastre and Real Estate Publicity no. 700/2014** was published in the Official Gazette of Romania, Part I, no. 66 of January 26, 2017.

The order was adopted following the launch for public use, based on user name and password, of the e-payment platform for online payment and online consultation of the electronic archive of cadastre and land registry. Through the order, the land registry statements for information / authentication can be requested and issued via the online platform, based on the user account and password, for land books available in the computer system. Thus, the land registry statements in electronic form can be requested by any interested person and not just a notary public.

Also, the order brings important reforms to the organization and conduct of cadastral procedures. A prime example in this regard is the possibility of committees constituted by the territorial offices to proceed to the correction of errors committed upon cadastral acceptances and registrations in the land book by making verifications on site for buildings registered in the integrated cadastre and land book system located in *intra muros* areas, fenced, and in those from outside the city where there is an accepted plot plan, and clearly defined areas.

Also, territorial offices may open land books *ex officio*, at the level of an administrative-territorial unit, converting into electronic format the information in the archives regarding real rights for which legal publicity formalities have been performed and there is graphical and textual information on buildings.

In the Annexes, the Order approves new models of land registry extracts for authentication and information to adapt their content to the new legal provisions.

**Order of the President of the National Agency for Fiscal Administration no. 112/2017 for establishing the competence on the takeover and valorisation of the goods entered, by the law, under private ownership of the state, as well as the bodies habilitated to carry out the procedures of valorisation** was published in the Official Gazette of Romania, Part I, no. 70 of January 27, 2017.

The law establishes the competence in taking over and valorising the goods entered, by law, under private ownership of the state as belonging to (i) the General Directorate of special cases mandatory enforcement, through central and regional structures within it with responsibilities for recovery of goods entered, by law, into private ownership of the state by final criminal judgments ordering the seizure, and (ii) county administrations of public finance / Bucharest public finances, through the services / offices / departments with responsibilities in the recovery of goods for other assets entered, according to the law, under private ownership of the state.

The National Agency for Fiscal Administration ("ANAF") will monitor the recovery procedures and determine the method of recovery of goods entered under the private ownership of the state.

The goods will be evaluated by the evaluation committee formed by order of the General Manager of the regional valorisation bodies.

For additional details on this material, please do not hesitate to contact us.

**Voicu & Filipescu SCA**

31 General Ernest Brosteanu Street

010527, Bucharest, Romania

Tel: +40 21 314-02-00

Fax: +40 21 314-02-90

E-mail: office@vf.ro

Web: www.vf.ro