

## **THE APPLICATION OF THE NEW CODES NECESSARY FOR THE APPROVAL OF THE REGISTRATION DOCUMENTS IN THE LAND REGISTER WITHIN THE NATIONAL AGENCY FOR CADASTRE AND REAL ESTATE ADVERTISING**

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**Abstract:** *Databases and new technologies offer the opportunity to recover the gaps with the European Union and with the countries that understood earlier the role of new technologies in the modernization of public services. In this context, ANCPI makes efforts regarding the digitization of services, by making available users, natural or legal persons, new ways of connecting, requesting and charging for the requested services, through the e-terra, e-payment, etc. applications.*

*The purpose of this article is to present some aspects related to the use of the new service codes, related to the approval and reception of the registration documents in the Land Registry.*

**Keywords:** *databases, legislation, cadastre, real estate advertising, digitization, land register.*

### **1. Introduction**

Real estate advertising through the land register and the cadastre represent the 2 fundamental elements of a unitary and mandatory system of records of real estate belonging to a territorial administrative unit, including legal documents and facts related to them. Knowledge of property rights from a legislative point of view gives the edge to some superior quality works considering the property record activity, regardless of the way of establishment.

Regarding the efficiency of the activity, starting with the period of the pandemic, the National Agency of Cadastre and Real Estate Advertising took such measures, taking into account the restrictions imposed and, starting from March 2020, all the requests sent by notaries and natural and legal persons authorized to perform cadastral works were resolved online through the integrated cadastre and Land Registry computer system e-terra.

### **2. Materials and Methods**

The National Agency for Cadastre and Real Estate Advertising, by Regulation 700 of July 9, 2014, establishes the work procedures regarding the registration in the cadastre and land register records of real estate, approval and reception of specialized works. These are mandatory for natural and legal persons who perform specialized works and for the employees of the territorial offices that are responsible for approving, receiving and registering real estate in the land register. The regulation is developed in application of the provisions of the Cadastre Law and real estate advertisement no. 7/1996, republished, with

subsequent amendments and additions, hereinafter referred to as the Law, of the Civil Code, the Civil Procedure Code and other regulations affecting the specific activity.

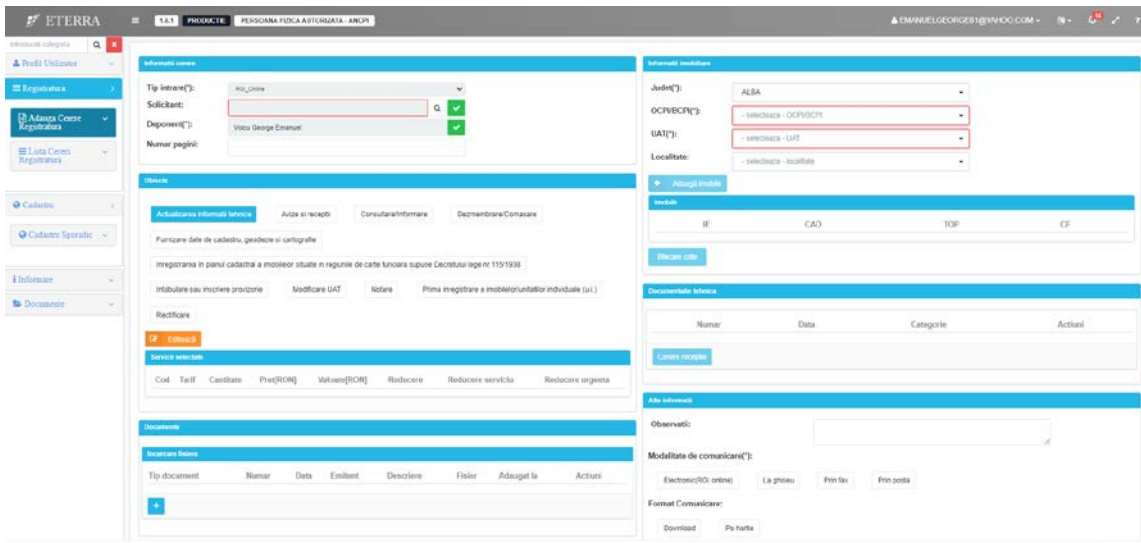


Figure 1 Integrated cadastral and land register computer system e-terra

The rates and approval terms for the services provided by the National Agency for Cadastre and Real Estate Advertising are specified in order no. 1764 of May 15, 2019 regarding the approval of the deadlines for the release of documents and data resulting from the provision of services by the National Agency for Cadastre and Real Estate Advertising and its subordinate units.

Chapter 1. Approvals, receipts and data provision					
Approvals and technical receipts	1.1.1.	Work commencement notice	100	study	
	1.1.2.	Technical reception for land surveying works	250	study	
	1.1.3.	Technical reception for geodesy, photogrammetry, cartography and cartographic documents for public use	375	study	Note <sup>1)</sup>
Provision of cadastre, geodesy and cartography data	1.2.1.	Maps and plans (raster)	40	map sheet/plan	Note <sup>2)</sup>
	1.2.2.	Orthophotoplane 1px≤20cm	500	km2	Note <sup>3)</sup>
	1.2.3.	Orthophotoplane 20cm≤1≤50cm	1000	km2	
	1.2.4.	Orthophotoplane 1px≥50cm	20	km2	
	1.2.5.	Altimetric, planimetric and 3D coordinates	15	point	Note <sup>4)</sup>
	1.2.6.	GNSS recordings from a permanent station	15	hour	Note <sup>5)</sup>
Chapter 2. Cadastre services and real estate advertising					
The first registration	2.1.1.	Cadastral reception and establishment of land register	120	immobile	Note <sup>6)</sup>

Figure 2 Extract from the Annex to Order no. 1764 from May 15, 2019

The rates provided in the annex are paid by the applicant, who has the capacity of beneficiary of the service, or by any other person, on his behalf. Natural and legal persons, who submit applications and pay fees on behalf of the applicant, have the capacity of depositor. Payment documents are issued in the name of the beneficiary. Non-payment of the tariff corresponding to the requested services is resolved by rejecting the request. Incomplete pricing detected after the registration of the request attracts the issuance of a supplementary note regarding the difference in the tariff. If, after issuing the completion note, it is found that the tariff has not been completed within the given time limit, the application is rejected.

For the implementation of the changes regarding art. 40 of the Cadastre and Real Estate Advertising Law no. 7/1996 introduced by Law no. 264/2021 for the amendment and completion of the Cadastre and Real Estate Advertising Law no. 7/1996, as well as for the amendment of art. 121 of the Land Fund Law no. 18/1991, it was necessary to introduce new service codes in the annex to Order no. 16/2019 regarding the approval of tariffs for the services provided by the National Agency for Cadastre and Real Estate Advertising and its subordinate institutions.

The new service codes were approved by the Order of the general director of the National Agency for Cadastre and Real Estate Advertising no. 599/2022, these being:

- Code 2.1.4. - Cadastral reception and establishment of a land register for buildings located in the land register regions subject to Decree-Law no. 115/1938;
- Code 2.8.1. - Registration in the cadastral plan;
- Code 2.8.2. - Registration in the cadastral plan and performing other operations;
- Code 2.8.3. - Registration in the cadastral plan and building registration;
- Code 2.8.4. - Registration in the cadastral plan and expansion/deletion of construction;

The following deadlines have been proposed for the operations that will be carried out in the application of the new service codes:

Service groups	Service code	The name of the service	Deadline (working days)	Emergency deadline (working days)	Reference
First registration	2.1.4.	Cadastral reception and establishment of a land register for real estate located in the land register regions subject to Decree-Law no. 115/1938	18	6	
Registration in the cadastral plan of buildings located in the land register regions subject to Decree-law no. 115/1938	2.8.1.	Registration in the cadastral plan	15	5	
	2.8.2.	Registration in the cadastral plan and performing other operations	15	5	
	2.8.3.	Registration in the cadastral plan and building registration	15	5	
	2.8.4.	Registration in the cadastral plan and construction expansion/deletion	15	5	

Figure 3 New service codes in the list attached to Order no. 1764/2019

### 3. Results and discussion

Regarding the use of these new codes and terms, there were discussions in the meetings organized with participants, both from the area of the National Agency for Cadastre and Real Estate Advertising and from natural or legal persons authorized to carry out specialized work on the territory of Romania. in this sense, certain clarifications were formulated as follows:

Service code 2.1.1. will be used only for the registration in the Land Register of the Titles of Property issued for the lands located outside the village, in former co-operative areas, or in situations where it is not necessary to identify the buildings in the Title of Property with the old Land Register, with the exception of the lands occupied by constructions , because they are the object of the identifications with the old Land Register mentioned above.

Servicii									
Cod	Serviciul	Pret minim/maxim	Cantitate	Pret[RON]	Valoare[RON]	Reducere	Reducere serviciu	Reducere urgenta	Valoare Urgenta[RON]
● 211	Receptie si infiintare carte funciara	120/999999999	1	120	120	0	<input type="checkbox"/>	<input type="checkbox"/>	
● 212	Receptie (nr. cadastral)	60/999999999	1	60	60	0	<input type="checkbox"/>	<input type="checkbox"/>	
● 213	Infiintare carte funciara	60/999999999	1	60	60	0	<input type="checkbox"/>	<input type="checkbox"/>	
● 214	Receptie cadastrala si infiintare carte funciara pentru imobile situate în regiunile de carte funciară supuse Decretului-lege nr. 115/1938	120/999999999	1	120	120	0	<input type="checkbox"/>	<input type="checkbox"/>	
■ 231	Drept de proprietate sau dezmembraminte, în favoarea persoanelor juridice	60/999999999	1	60 f(x)	60	0	<input type="checkbox"/>	<input type="checkbox"/>	
■ 232	Drept de proprietate sau dezmembraminte, în favoarea persoanelor fizice	60/999999999	1	60 f(x)	60	0	<input type="checkbox"/>	<input type="checkbox"/>	
■ 241	Notare/radiere în/din cartea funciară	75/999999999	1	75	75	0	<input type="checkbox"/>	<input type="checkbox"/>	
■ 251M	îndreptare eroare materiala (include repositionarea imobilului) - MIXT	0/99999	1	0	0	0	<input type="checkbox"/>	<input type="checkbox"/>	
■ 261	Inscriere constructii	60/999999999	1	60 f(x)	60	0	<input type="checkbox"/>	<input type="checkbox"/>	
■ 262	Extindere/radiere construcții	120/999999999	1	120	120	0	<input type="checkbox"/>	<input type="checkbox"/>	
Total servicii[RON]									
120		Urgenta <input type="checkbox"/>		TVA[RON]			Total[RON]		
		0		0			120		
Legenda									
● Servicii principale									
■ Servicii secundare									

✓ Accepta
✗ Renunta

Figure 4 First registration of buildings/individual units

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Related to service code 2.1.4. it applies only to the first registration operations for the cases expressly provided by article 40, paragraph. 3 of Law 7/1996, so it should be noted that for all the operations performed for the first registration, the tariff will be 120 lei regardless of the number of operations performed. (construction registration, change of destination, succession documents, division, etc.)

Servicii									
Cod	Serviciul	Pret minim/maxim	Cantitate	Pret[RON]	Valoare[RON]	Reducere	Reducere serviciu	Reducere urgenta	Valoare Urgenta[RON]
<input checked="" type="radio"/> 211	Receptie si infiintare carte funciara	120/999999999	1	120	120	0	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="radio"/> 212	Receptie (nr. cadastral)	60/999999999	1	60	60	0	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="radio"/> 213	Infiintare carte funciara	60/999999999	1	60	60	0	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="radio"/> 214	Receptie cadastrala si infiintare carte funciara pentru imobile situate in regiunile de carte funciara supuse Decretului-lege nr. 115/1938	120/999999999	1	120	120	0	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> 231	Drept de proprietate sau dezmembraminte, in favoarea persoanelor juridice	60/999999999	1	60	f(x) 60	0	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> 232	Drept de proprietate sau dezmembraminte, in favoarea persoanelor fizice	60/999999999	1	60	f(x) 60	0	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> 233	Ipoteca/ Privilegiu	100/999999999	1	100	f(x) 100	0	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> 241	Notare/radiere in/din cartea funciara	75/999999999	1	75	75	0	<input type="checkbox"/>	<input type="checkbox"/>	

Total servicii[RON]

120

Urgenta 

0

TVA[RON]

0

Total[RON]

120

## Legenda

 Servicii principale Servicii secundare

Accepta



Renunta

Figure 5 First registration of buildings/individual units

For the registration in the cadastral plan of the immovables registered in the land register as far as the immovables located in the land register regions subject to Decree-Law no. 115/1938, the service codes from 2.8.1-2.8.4 are used, which involve assigning a cadastral

number and entering the geometry of the building into the integrated system. Practically all the requests that will be registered under codes 2.8.1-2.8.4 have as their object the registration in the cadastral plan and not the updating of the data, which in the language of the regulations has a different connotation.

Servicii										
Cod	Serviciul	Pret minim/maxim	Cantitate	Pret[RON]	Valoare[RON]	Reducere	Reducere serviciu	Reducere urgenta	Valoare Urgenta[RON]	
● 281	Inregistrarea în planul cadastral	0/0	1	0	0	0	<input type="checkbox"/>	<input type="checkbox"/>		
● 282	Inregistrarea în planul cadastral și efectuarea altor operatiuni	60/999999999	1	60	60	0	<input type="checkbox"/>	<input type="checkbox"/>		
● 283	Inregistrarea în planul cadastral și inscriere constructie	60/999999999	1	60	f(x) 60	0	<input type="checkbox"/>	<input type="checkbox"/>		
● 284	Inregistrarea în planul cadastral și extindere/radiere constructie	120/999999999	1	120	120	0	<input type="checkbox"/>	<input type="checkbox"/>		
Total servicii[RON]										
0										
Urgenta <input type="checkbox"/>										
0										
TVA[RON]										
0										
Total[RON]										
0										

Legenda	
●	Servicii principale
■	Servicii secundare

Figure 6 Registration in the cadastral plan of buildings located in the Land Register regions subject to Decree Law 115/1938

Depending on the number of operations requested, the compatible codes will be accumulated and the related tariff will be paid for each operation. If for code 2.1.4 a total tariff of 120 lei is charged, for codes 2.8.2-2.8.4 a tariff is charged for each operation, without exception. At the moment, service codes 2.8 are compatible with those from 2.6.1-2.6.3.

Regarding the notation of possession in the Land Registry, this will be possible by using the following service codes:

-2.1.4. code related to the first registration of buildings/individual units, in the situation where there are no entries in the Land Register in the last 30 years;

-2.8.2. code related to the registration in the cadastral plan of buildings located in the Land Registry regions subject to Decree Law 115/1938, in the context in which it is noted as the difference in surface area on the land;

-2.5.3. code used in the situation where the possession is noted after the completion of the systematic cadastre work at the level of the territorial administrative unit.

Servicii										
Cod	Serviciul	Pret minim/maxim	Cantitate	Pret[RON]	Valoare[RON]	Reducere	Reducere serviciu	Reducere urgenta	Valoare Urgenta[RON]	
● 251C	Îndreptare eroare materiala (include repositionarea imobilului) - CAD	0/99999	1	0	0	0	<input type="checkbox"/>	<input type="checkbox"/>		
● 251M	Îndreptare eroare materiala (include repositionarea imobilului) - MIXT	0/99999	1	0	0	0	<input type="checkbox"/>	<input type="checkbox"/>		
● 251P	Îndreptare eroare materiala(PI)	0/99999	1	0	0	0	<input type="checkbox"/>	<input type="checkbox"/>		
● 253M	Îndreptare eroare materiala - cadastru sistematic - MIXT	0/99999	1	0	0	0	<input type="checkbox"/>	<input type="checkbox"/>		
● 253P	Îndreptare eroare materiala - cadastru sistematic (PI)	0/99999	1	0	0	0	<input type="checkbox"/>	<input type="checkbox"/>		
● 264	Anulare operațiuni cadastrale	60/999999999	1	60	60	0	<input type="checkbox"/>	<input type="checkbox"/>		
Total servicii[RON]		Urgenta <input type="checkbox"/>		TVA[RON]		Total[RON]				
0		0		0		0				

Legenda	
●	Servicii principale
■	Servicii secundare

✓ Accepta
✗ Renunta

Figure 7 Notation of possession after the completion of the systematic cadastre

#### 4. Conclusions

In our country, the interconnection of IT systems that manage relevant administrative information is extremely low, and the restrictive conditions created by the pandemic situation have strongly highlighted the need for change in all areas of activity. The limitations of movement, of physical presence in certain conditions and locations generate major difficulties in carrying out the main administrative processes that directly or indirectly serve public services, so that it is necessary to identify new ways of working to ensure the continuity of specific activities.

These events created a general context in which various initiatives to transfer processes to the electronic environment were started. Thus, digital transformation has become the main objective of public administration institutions, as a means by which the potential offered by current technologies can be exploited, especially those that allow the interconnection of systems based on data flows. This stage of development is essential in order to move to the concept of e-government, a concept capable of contributing decisively to increasing the quality of public services, reducing delivery time and simplifying citizens' access to them.

## 5. References

1. [http://revcad.uab.ro/upload/49\\_775\\_voicug\\_voicu\\_voina.pdf](http://revcad.uab.ro/upload/49_775_voicug_voicu_voina.pdf)
2. [http://www.ocpiph.ro/tarife/ordinul\\_ancpi\\_16\\_2019.pdf](http://www.ocpiph.ro/tarife/ordinul_ancpi_16_2019.pdf)
3. <https://www.ancpi.ro/transparenta-07-07-2022/>
4. <https://legislatie.just.ro/Public/DetaliiDocument/162860>
5. <https://www.ancpi.ro> › includes › download