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**BSC JURIDIK**

**Syllabus**

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| **Subject** | **Cadastral Law** | | | |
| **Type** | **Semester** | **ECTS** | **Code** |
| ELECTION (E) | 4 | 4 | Law-B-035-E |
| **The lecturer of the**  **subject** | Dr.sc. Enisa Haliti Mustafa | | | |
| **Course Assistant** |  | | | |
| **Course Tutor** |  | | | |
| **Aims and Objectives** | **The main objectives of the student benefit are:**  **Knowledge and Skills.**  **Knowledge: Cadastral Law** includes the entirety of legal provisions, by means of which are regulated among the most complicated problems in Kosovo both in terms of law, registration of rights in the Cadastre and in terms of doing business.  Every business transaction in one way or another has to do with what we call "Property or Property", or other real rights, except when the object of the transaction is some action (service).  Therefore, for every lawyer who is expected to specialize in the field of civil law, knowledge of property rights is essential. However, the way of registering Property Rights in the Cadastre is a very important issue because without the registration of rights in the Cadastre as: the right of ownership, servitudes, mortgages, the right of construction, real encumbrances, the right is not created. Also, the registers in the cadastre and the way of functioning are essential for one's knowledge jurist. Subjects include the analytical examination of property rights and other real rights (property, servitudes, mortgages, pledges, construction rights and of real burdens) with a view to the method of registration in the cadastre. This course will focus on examining the fundamental issues related to The operation of the Cadastre in Kosovo, the Cadastral Registers and the Register for the registration of rights in real estate. The effects of  registration of other real rights, organization of the Cadastre, principles of operation, technical and legal regulation of the Cadastre.  **Skills:** Learning this subject in the vacancy will enable students to understand the legal and practical knowledge for students in such a way that they can better understand 1) the legal provisions that regulate property rights and other real rights and 2) registration of real rights, 3) Operation of the Cadastral System in Kosovo and the cadastral registers, etc. Through this course, it is intended that students are prepared with the necessary knowledge for their implementation in practice. | | | |
| **Learning Outcomes** | **After completing this course, students should be able to:**   * To understand and summarize knowledge, notions and institutes of property law and other real rights such as: servitudes, mortgages, pledges, construction rights and real encumbrances. * Explain and review the legal doctrine for the operation of the Cadastre and the way of registering real rights in the Cadastre. * Demonstrate understanding and be able to interpret legal norms and the application of legal provisions from the field of property law. * Application and implementation of the knowledge obtained through engagement and practical exercise in various institutions related to the issues of registration of property rights in the Cadastre and to specialize in activities such as: basic, commercial courts, arbitrations, financial institutions. | | | |
| **Course Content** | **Course Plan** | | | **Week** |
| The meaning of real rights   * Legal bases that regulate real rights * Principles of property law | | | I |
| The meaning of Cadastre | | | II |
| Organization of the Cadastre  Legal basis for the operation of the Cadastral system  Types of Cadastral records | | | III  IV  V |
| The method of registering rights in the register for the registration of rights in immovable property | | | VI |
| Review exam | | | VII |
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| Cadastre technical registers  Registration of a property right | | | VIII  IX |
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| Registration of an Easement  Registration of a Mortgage  Registration of a Construction Right  Registration of an Encumbrance  Case study presentations  Final Exam | | | X  XI  XII  XIII  XIV  XV  XIV  XV |
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| **Teaching/Learning Methods** | **Teaching/Learning Activity** | | | **Weight (%)** |
| 1. Lectures | | | 60% |
| 1. Seminars | | | 20% |
| 1. Role Play 2. Problem-based learning 3. Study Visits | | | 10%  10% |
| **Assessment Methods** | **Assessment Activity** | **Number** | **Week** | **Weight (%)** |
| 1. Participation / Interactivity | 15 |  | 10% |
| 1. Practical Tasks 2. Presentatations 3. Review and case study exam | 2 |  | 10%  20%  30% |
| 1. Final Exam | 1 | 15 | 30% |
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| **Course resources** | **Resources** | | | **Number** |
| 1. Klase (e.g) | | | 1 |
| 1. Moodle | | | 1 |
| 1. Projector | | | 1 |
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| **ECTS Workload** | **Activity** | | **Weekly hrs** | **Total workload** |
| 1. Lectures | | 2 | 24 |
| 1. Review preparation | | 1 | 12 |
| 1. Independent Learning | | 2 | 24 |
| 1. Case study exam preparation | | 1 | 12 |
| 1. Exam preparation and exam | | 2 | 28 |
| **Literature/References** | Law on property and other real rights,  The Official Gazette of the Republic of Kosovo, no. 57/2009 dated August 4, 2009.  Law no. 2002/5 on the establishment of the register of rights in immovable property, amended by Law no. 2003/13., with changes in 2011  Law no. 2003/25, for cadastre, amended by Law no. 02/L-96 and changes in 2011.  Abdulla Aliu, "Real right (property)", Prishtina, 2014, page 17-56, 427- 466.  Haxhi Gashi, "Gain and loss of ownership according to the law on property and other real rights: The influence of the German Civil Code-BGB on the Law of Kosovo", published at the International Conference on Property Legislation and its Reform in Kosovo and the Region, Prishtina 28 -June 29, 2010, Published in the Right Magazine, no. 1, 2013.  Haxhi Gashi- Certain parts of the lectures on the Cadastral system in Kosovo,2014  Ejup Statovci, "Property-legal relations in real estate in KSA of Kosovo". Pristina, 1977, Reprint 2009  Ejup Statovci, "Ownership, origin and development (comparative study)". Pristina, 1983, Reprint 2009  Elizabeth Cook (eds.), "Modern Studies in Property Law", Vol. 4, Oxford, 2007  Francesco Galgano, "Private right 1 (property)", Luarasi, Tirana, 2 | | | |
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