FORMALIZATION OF ILLEGAL BUILDINGS AS A TOOL FOR OBTAINING THEIR VALUE IN THE REPUBLIC OF NORTH MACEDONIA

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AGENCY FOR REAL ESTATE CADASTRE
INTRODUCTION

• Law regulations for development of cities and settlements:
  • urban planning
  • building land
  • Building

• Definition: *The illegal objects/buildings are objects that’s existing on the field and there are not built according to law for building*
REPREZENTING OF ILEGAL BUILDINGS ON THE CADASTRAL MAPS (BEFORE REC)

Cadastral map in scale 1:1000 (part of capital city Skopje)
LIST OF EVIDENCE FOR ILEGAL BUILDINGS (OBJECTS)

“List of evidence”
STUDY ON ILLEGALLY BUILT OBJECTS AND INFORMAL DEVELOPMENT (OCTOBER 2009)

• problem with the illegally built objects
• impacts (social, economic, environmental issues)
• tools for addressing the problem, and involved authorities
• types of illegally built objects (classification)
• recommendations for the future

Regular buildings- are registered in REC

cca.350000 illegal objects
OVERVIEW OF THE PROCESS OF FORMALIZATION (LEGALIZATION)

Preparation activities

Adoption of the Law and bylaw for formalization

Implementation

Outcomes
LAW FOR FORMALIZATION (LEGALIZATION)

• Law on the treatment of unlawful constructions No. 23 from 24.2.2011

• 14 amendments published in Official Gazette
  • No. 23/11,  • No. 199/14,
  • No. 54/11,  • No. 124/15,
  • No. 155/12,  • No. 129/15,
  • No. 53/13,  • No. 217/15,
  • No. 72/13,  • No. 31/16,
  • No. 44/14,  • No. 190/17,
  • No. 115/14,  • No. 174/21.
SCOPE OF FORMALIZATION (LEGALIZATION)

• The facilities of state importance
• The facilities of local self government
• Facilities of health institutions for primary, secondary and tertiary health protection,
• Parts (extensions and superstructures) of the facilities/building
• Linear infrastructure facilities
• Electronic communication networks and devices

Final date for completely building of the illegal objects or infrastructure 03 March 2011
RESPONSIBLE BODIES

• **State administrative body** responsible for legalization of facilities of state importance (Ministry of transport and communication)

• **Unit of Local self-government-Municipalities**
PROCEDURE FOR ESTABLISHING THE FORMAL (LEGAL) STATUS

1. Request for legalization with geodetic elaborate
2. Inspection
3. Consent
4. Fee
5. Decision
6. Records into Real Estate Cadastre
PROPERTY LIST FOR FORMALISED (LEGALIZED) OBJECT
REAL ESTATE CADASTRE: Total number of requests & formalized (legalized) objects per year

<table>
<thead>
<tr>
<th>Year</th>
<th>Request for registration</th>
<th>Registered legalised objects</th>
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<td>13599</td>
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<td>4300</td>
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<tr>
<td>Total</td>
<td>372063</td>
<td>306774</td>
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</tbody>
</table>
REAL ESTATE CADASTRE: Number of requests & formalized/legalized objects per year
REAL ESTATE MARKET - NUMBER OF MORTGAGES

POLICY AREA 1 – Geospatial, land rights, tenure, resource allocation and justice

Goal 1 Informal settlements are formalized and brought into the economy and formal land-markets in a fair, efficient and sustainable manner allowing for broader socio-economic progress, justice, and empowerment of people, especially those in vulnerable and marginalized situations.

Law period for formalized buildings and objects

COVID-19 Recovery Action Plan for Informal Settlements in the ECE Region
GUIDELINES FOR THE FORMALIZATION OF INFORMAL CONSTRUCTIONS-2019

Strategy Phase

- Study of Illegally Built Objects and Informal Development 2009

Preparation of the framework phase

- Law on the treatment of constructions 2011

Formalization of construction phase

- Law implementation
- Request, ..
- Consent, .. and decision,

Outcomes

- Registration/Property list
CONCLUSIONS

• **After process of formalization we still have illegal objects**
  • expected about 350.000 illegal objects
  • 306744 legalized objects/buildings
  • The law not covers all buildings/objects/infrastructure (built after the 03 of March 2011)
  • The process on the filed still is live
  • The law is expired 31.12.2018
  • Currently we don’t have new legal framework)

• **Solutions/Proposals**
  • On time urbanization/plans
  • Strong field building inspection
  • New law for legalization (simple procedure, real price, no deadline, etc.)
THANK YOU FOR YOUR ATTENTION

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