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ASSEMBLY OF THE REPUBLIC OF MACEDONIA

Pursuant to Article 75 paragraphs 1 and 2 of the Constitution of the Republic of Macedonia, the President of the Republic of Macedonia and the President of the Assembly of the Republic of Macedonia issue this

DECREE FOR PROMULGATION OF THE LAW ON AMENDING THE LAW ON REAL ESTATE CADASTRE

The Law on Amending the Law on Real Estate Cadastre,
adopted by the Assembly of the Republic of Macedonia on its session held on 2
November 2015 is hereby promulgated.

No. 08-5092/1
2 November 2015
Skopje

President of the
Republic of Macedonia,
Gjorge Ivanov, PhD. personal signature

President of the
Assembly of the Republic of
Macedonia
Trajko Veljanoski, personal signature

LAW ON AMENDING THE LAW ON REAL ESTATE CADASTRE

Article 1

In the Law on Real Estate Cadastre (“Official Gazette of the Republic of Macedonia” number 55/13, 41/14, 115/14, 116/15 and 153/15), in Article 108-a paragraph (5) shall be amended and shall read:

“The exam is taken during the exam sessions in February, April, June, October and December according to a program that contains the curriculum, regulations and literature.”

Article 2

In Article 108-b in paragraph (4) the word “once” shall be replaced with the word “twice”.

In paragraph (6), the following words: “at least 30% of” shall be added after the word “shall decide”, and the following words: “and replaced with new” shall be added after the word “removed”.

Article 3

In Article 108-c, paragraph (5) shall be deleted.

Paragraph (6) shall become paragraph (5).

Article 4

Article 108-d shall be amended and shall read:

“(1) The professional and administrative works for the needs of conducting the exam shall be performed by the Agency, for which the Director shall appoint a responsible person who determines whether the candidate meets the requirements for taking the exam, and the exam shall technically be carried out by a person registered in the Central Registry selected by the Agency.

(2) The responsible person referred to in paragraph (1) of this Article shall receive a monetary compensation for each conducted exam session in the amount of one third of the average net salary in the Republic of Macedonia, for which the Agency shall adopt a decision.

(3) The exam shall be taken in a room intended for the taking of the exam, specially equipped with material and technical and IT equipment, internet connection, as well as equipment for recording the exam.

(4) The candidates whose request for taking the exam has been approved and the public shall be informed on the date and time of the taking of the exam at least eight days prior to the conducting of the exam, through the web-site of the Agency and the Public Broadcasting Service.

(5) The taking of the exam shall be recorded in live as well and shall be broadcasted on the website of the Agency, and if due to technical reasons the recording is interrupted, the recording of the overall exam shall be posted on the website of the Agency.

(6) Two representatives of the Agency, one representative of the Chamber of sole proprietors - authorized surveyors and trade companies for geodetic works, one representative of the Government of the Republic of Macedonia proposed by the Office of the President of the Government and one representative of the Ministry of Information Society and Administration (IT specialist) shall be present in the room intended for the taking of the exam during the exam.

(7) The representatives referred to in paragraph (6) of this Article shall receive a monetary compensation for each conducted exam session in the amount of one third of the average net salary in the Republic of Macedonia, for which the Agency shall adopt a decision.

(8) The legal entity that technically conducts the exam shall be obliged to block the radio frequency band in the room intended for the taking of the exam during the conducting of the exam sessions.

(9) The Agency for Electronic Communications (hereinafter referred to as AEC) shall perform a continuous monitoring of the blocking of the radio frequency band in the room intended for the taking of the exam in order to prevent any kind of electronic communication with the environment outside the room intended for the taking of the exam.

(10) AEC shall install measuring equipment in the room intended for the taking of the exam that provides an electronic record of the conducted measurements for a period of 30 days, and they are recorded in the central control system of the AEC.

(11) AEC shall form a three-member commission that shall prepare a report based on the electronic records stored in the central control system of the AEC, which report shall be submitted to the Agency no later than 15 days from the date of completion of the exam session.”

Article 5

In Article 108-e in paragraph (7) after the word “term”, the full stop at the end of the sentence shall be deleted and the following words shall be added: “and shall be imposed a ban on taking the exam for obtaining a license for an authorized surveyor for a period of three years, for which the Agency shall adopt a decision against which an administrative dispute can be initiated before a competent court within 30 days from the date of receipt of the decision.”

Article 6

In Article 108-k, paragraph (6) shall be amended and shall read:

“The Commission referred to in paragraph (5) of this Article shall meet after each conducted exam session and shall perform an audit of the conducting of the exam, including whether the exam was taken by candidates who meet the requirements for taking the exam for obtaining a license for an authorized surveyor in accordance with Article 108 of this Law, for which a report shall be submitted to the Director of the Agency.”

Article (7) shall be amended and shall read:

“The members of the Commission referred to in paragraph (5) of this Article shall be entitled to a monetary compensation, which shall annually amount to one average net salary in the Republic of Macedonia for which the Agency shall adopt a decision.”

Article 7

In Article 246-a, five new paragraphs (5), (6), (7), (8) and (9) shall be added after paragraph (4), which shall read:

“(5) The person referred to in Article 108-d paragraph (1) of this Law, who will allow for the exam to be taken by a candidate who does not meet the prescribed requirements for taking the exam for obtaining a license for an authorized surveyor, shall be imposed a fine in the amount of 2,000 to 3,000 euros in MKD counter value.

(6) A fine in the amount of 10,000 euros in MKD counter value shall be imposed on the legal entity that technically conducts the exam referred to in Article 108-d paragraph (1) of this Law if it does not block the radio frequency band in the room intended for the taking of the exam.

(7) A fine in the amount of 2,000 to 3,000 euros in MKD counter value shall be imposed on the authorized representatives referred to in Article 108-d paragraph (6) of this Law if they allow the candidate to act contrary to Article 108-e paragraphs (2), (3) and (4) of this Law.

(8) A fine in the amount of 100 to 200 euros in MKD counter value shall be imposed on the candidate who acts contrary to Article 108-e paragraphs (2), (3) and (4) of this Law.

(9) A fine in the amount of 2,000 to 3,000 euros in MKD counter value shall be imposed on the members of the Commission referred to in Article 108-k paragraph (5) of this Law if they detect irregularities in the process of conducting the exam, and do not state this in the report submitted to the Director of the Agency.”

Article 8

This Law shall enter into force on the eighth day from the date of its publication in the “Official Gazette of the Republic of Macedonia”.