

**Decree 01/2003
of 18 February**

It is necessary to make the procedures and methodologies of the National Land Cadastre and the Real Estate Registry compatible, with a view to streamlining access to land and guarantee the security of land tenure. Therefore, under the authority vested in it by article 33 of Law 19/97 of 1 October, the Council of Ministers decrees:

Single provision: Articles 20 and 39 of the Land Law Regulations approved by Decree 66/98 of 8 December are amended to read as follows:

**"ARTICLE 20
Registration**

1. The following are subject to registration at the Real Estate Registry at the instance of titleholders:
 - a) The provisional authorisation of the right of land use and benefit;
 - b) The title;
 - c) Legal acts or events by which the right of land use and benefit is constituted, recognised, acquired or modified;
 - d) Legal acts or events by which the servitudes referred to in article 13(1)(b) and article 14(b) of these Regulations are constituted, recognised, acquired or modified;
 - e) Contracts for the transfer of exploitation rights entered into in respect of the total or partial exploitation of urban or rural tenements;
 - f) Other acts or events provided for in the applicable legislation.

2. In the case of transfer by inheritance of the right of land use and benefit acquired by authorisation of an application, the heirs of the deceased, holding documents evidencing their capacity, namely, a court decision or deed of entitlement, shall request registration in the Real Estate Registry office in the respective area.

3. Local communities may request the Real Estate Registry office in the respective area to register their right of land use and benefit, servitudes in respect of community access routes and rights of way for cattle, as well as other rights recognised by law, by presenting the Certificate of delimitation, Title or other documentary evidence. The said rights or servitudes shall not be adversely affected by the absence of registration.

4. Information about the revocation of a Provisional Authorisation and about the extinguishment of a right of land use and benefit, as well as any relevant alterations under the terms of Law 19/97 of 1 October, shall be transmitted by the Cadastre Services to the Real Estate Registry office in the respective area."

**"ARTICLE 39
Infractions and penalties**

1. The destruction or dislocation of boundary, triangulation, cadastral and other markers which serve as points of reference or support will result in a fine equivalent to double the replacement costs.

2. Delay in the submission of an application for renewal of the term will result in a fine equivalent to the renewal fee multiplied by the number of years, or any fraction thereof, by which the submission was delayed.

3. Failure to pay the annual fee within the time limit established in article 42 of these Regulations will result in a fine equivalent to one twelfth of the annual fee for each month of delay.

4. Failure to pay the fine within fifteen days after notice thereof to the offender will result in the referral of the notice of infraction and other records to the court of Fiscal Executions for enforced payment".

Approved by the Council of Ministers.
Let it be published.

THE PRIME MINISTER
Pascoal Manuel Mocumbi