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## カンボジア王国不動産登記手続共同省令

(民法関連)

Inter-ministerial Prakas

Concerning

Real Rights Registration Procedure Pertaining to the Civil Code

英文訳 (English)

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**Kingdom of Cambodia  
Nation Religion King**

Ministry of Land Management, Urban Planning and Construction  
Ministry of Justice  
No: 30 MOJ,MOL,PK/13

*Phnom Penh, 29 January, 2013*

**INTER-MINISTERIAL PRAKAS  
CONCERNING  
REAL RIGHTS REGISTRATION PROCEDURE PERTAINING TO THE CIVIL CODE**

**Minister of Land Management, Urban Planning and Construction  
Minister of Justice**

- Having seen the constitution of the Kingdom of Cambodia
- Having seen Royal Decree No: NS/RKT/0908/1055 dated September 25, 2008 on the Appointment of the Royal Government of Cambodia
- Having seen Royal Kram No 02/NS/94 dated July 20, 1994 which promulgates the Law on the Organization and Functioning of the Council of Ministers
- Having seen Royal Kram No NS/RKM/0196/04 dated January 24, 1996 which promulgates the Law on the Establishment of Ministry of Justice
- Having seen Royal Kram No NS/RKM/0699/09 dated June 23, 1999 which promulgates the Law on the Establishment of Ministry of Land Management, Urban Planning and Construction
- Having seen Decree No 06 Kr dated February 08, 1993 which promulgates the Law on the Assignment and Activities of Courts of the State of Cambodia
- Having seen Royal Kram No NS/RKM/0801/14 dated August 30, 2001 which promulgates Land Law
- Having seen Royal Kram No NS/RKM/0706/021 dated July 06, 2006 which promulgates Code of Civil Procedure
- Having seen Royal Kram No NS/RKM/1207/030 dated December 08, 2007 which promulgates Civil Code
- Having seen Royal Kram No NS/RKM/0511/007 dated May 31, 2011 which promulgates Law on the Application of Civil Code
- Having seen Sub-Decree No 46 ANK/BK dated May 31, 2002 on the Procedures on Making Cadastral Map and Land Registry Book
- Having seen Sub-Decree No 48 ANK/BK dated May 31, 2002 on Land Sporadic Registration
- Having seen the Inter-Ministerial Prakas No 59 BK/LMUPC/11 dated May 03, 2011 on Immovable Registration Pertaining to the Code of Civil Procedure
- As necessity for the Application of Civil Code

## Hereby Decides

# Chapter 1 General Provisions

### Article 1: Goal

The goal of this Prakas is to ensure the effectiveness of proper immovable registration in accordance with the Civil Code.

### Article 2: Purpose

The purpose of this Prakas is to regulate the procedures for filing registration application and for registering real rights over immovable in accordance with the Civil Code.

### Article 3: Scope

This Prakas shall apply to a land where the ownership has been registered and shall apply *mutatis mutandis* to a land for which Immovable Possessory Right Title or Land Possessory Right and Use Title has been issued.

This Prakas shall apply to the following registrations:

- a. Transfer, change, correction, extinguishment of ownership
- b. Creation, transfer, change, correction and extinguishment of perpetual lease, usufruct, statutory lien, pledge and hypothec
- c. Creation, change, correction and extinguishment of easement

### Article 4: Definition

Important terminologies used in this Prakas have the following meanings:

1. Person refers to a natural person or a juristic person.
2. Matters to be registered refer to matters to be registered in a land registry book, perpetual lease registry book, or usufruct registry book pursuant to the provisions of the Prakas.
3. Person entitled to registration refers to a person who directly benefits from registration.
4. Person obliged to registration refers to a person who directly suffers detriment from registration.
5. Person filing application for registration refers to ~~is~~ a person entitled to registration or a person obliged to registration, or other persons who shall exercise registration right or shall perform registration obligation.
6. Universal successor refers to the person who succeeds all rights and obligations which a person has through succession or consolidation of juristic persons.
7. Registration of change refers to a registration to be made, in case where there has been a change to any of the registered matters, in order to change such matters.
8. Registration of correction refers to a registration to be made, in case where there is an error or mission of any of matters to be registered, in order to correct such matters.
9. Accessory registration is a registration of a right which is necessary for public notice with relations to the registered principal registration.
10. Entrustment letter for registration is a court's or other institutions' letter which is sent to cadastral administration to request for registration process.

### **Article 5: Competent Institution**

1. Competent institution receiving the application for registration of real rights over immovable, in the sense of this Prakas, is Capital/Provincial Cadastral Administration or Municipal/District/Khan Cadastral Administration where the immovable is located in.

Capital/Provincial Cadastral Administration and Municipal/District/Khan Cadastral Administration shall create reception books for application for registration of real rights over immovable separately from other reception books.

Municipal/District/Khan Cadastral Administration receiving the application for registration of real rights over immovable shall send that application and other relevant documents to Capital/Provincial Cadastral Administration where the immovable is located in without delay.

2. Competent institution registering the real rights over immovable, in the sense of this Prakas, is Capital/Provincial Cadastral Administration where the immovable is located in.

### **Article 6: Application for Registration and Registration**

Application for registration of real rights over immovable shall be made in writing.

Competent Capital/Provincial Cadastral Administration in registration shall register based on the matters described in the applicant's application or in entrustment letter.

Registration of the matters to be registered shall be made in the relevant registry books.

### **Article 7: Order of Registration**

Capital/Provincial Cadastral Administration, which is competent institution registering the real rights over immovable, shall write order number in the order of reception of the application on the application for registration which was directly received or received from Municipal/District/Khan Cadastral Administration, or on entrustment letter received from the court or from other competent institutions.

In the case where more applications for registration of the same immovable are filed, Capital/Provincial Cadastral Administration which is a competent institution registering the real rights over immovable shall register in the continuous order of the reception number and date of reception of registration application or entrustment letter which was received from the court or other competent institutions.

### **Article 8 : Order of Priority of Right**

1. The order of priority of right registered in same immovable, otherwise provided by law and other regulations, shall follow the chronological order of registration,'

2. The order of priority of accessory registration shall follow the order of the principal registrations.

3. The order of priority of accessory registrations attached to the same principal registration shall follow the chronological order of the accessory registration.

### **Article 9 : Modification and Dismissal of Registration Application**

1. Competent capital/provincial cadastral administration for registration shall order modification fixing the reasonable time period in case the application for registration is insufficiently<sup>1</sup> made as follows:

- No necessary documents are provided

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<sup>1</sup> In Khmer, it refers to "lack of some points"

- Contents in the application and attached document(s) are not consistent  
- Identity of person obliged to registration in the application for registration is not consistent with the one in registry book. Provision of sentence 1 shall apply *mutatis mutandis* to person filing registration application described in Article 12 (Application for Registration of Contract for Prohibition of Undivided Immovable Partition) and Article 13 (Application for registration of the change of hypothec ranking, etc.) of this Prakas

- No tax or other fees regarding the registration is paid

2. In case where the person filing application for registration doesn't modify based on the order described in item 1 above, cadastral administration shall dismiss that application for registration.

3. If application for registration is inappropriately made by reason that the application for registration is submitted to wrong jurisdiction or the registration for which the application is being filed was once made, capital/provincial cadastral administration shall dismiss the application for registration.

4. If, apart from the grounds described in the preceding paragraphs 2 and 3, the application does not conform to the requirements of this Prakas, or other relevant laws or regulations, the capital /provincial cadastral administration may also dismiss the application.

5. With respect to dismissal of application described in the preceding paragraphs 2, 3 and 4, the capital/provincial cadastral administration shall make the written, reasoned dismissal letter and the notification of such dismissal shall be given to the person filing the registration application or agent.

6. The above dismissal of application can be objected to Central Cadastral Administration. If the Central Cadastral Administration dismisses this objection, the person filing the objection can file the objection to the LMUPC Minister.

For the dismissal under the above paragraph, the Central Cadastral Administration shall notify in writing to the person filing the objection.

7. Upon dismissing the registration application based on this Prakas, the cadastral administration shall return the attached documents to the person filing the registration application or the agent.

## Chapter 2

### Person Filing Application for Registration of Real Rights over Immovable

#### Article 10: Person Filing Application for Registration of Real Rights over Immovable

1. Application for registration of real rights over immovable shall be jointly made by a person entitled to registration and the one obliged to registration.

2. In the following cases, a person entitled to registration can file the application individually:

- Transfer of rights by reason of succession. Provided that the testamentary gift shall be made in accordance to the paragraph 1 of this article

- Transfer of rights by reason of consolidation of a juristic person

- Deregistration of usufruct by reason of death of initial usufruct holder

- Final and binding judgment or ruling or title of execution based on compromise or acknowledgement of claim, which [all these execution titles *in Khmer version*] order the registration procedure

- Provisions of other laws and regulations

3. A person who was registered as a right holder can file an application for change or correction of his/her name, date of birth, place of birth and parents' names individually.

4. The registration application stated in paragraph 1, 2 and 3 can be made by agent.

#### **Article 11: Application Made by Universal Successor**

In case of the universal succession, the universal successor may file application for registration as the person entitled to registration or obliged to registration.

#### **Article 12: Application for Registration of Contract for Prohibition of Undivided Immovable Partition**

All applications for registration of contract for prohibition of undivided immovable partition shall be made by all undivided owners.

The provision of preceding paragraph 1 shall apply *mutatis mutandis* to quasi-undivided ownership.

#### **Article 13: Registration Application for Change of Hypothec Ranking etc**

1. Application for registration of change of hypothec ranking shall be jointly made by hypothec holders who shall change the ranking.

2. Provision of the preceding paragraph 1 shall apply *mutatis mutandis* to application for registration of change of order of statutory lien or pledge.

3. Provision of the preceding paragraph 1 shall apply *mutatis mutandis* to application for registration described in Article 879, Paragraph 1, Sentence 2 (co-ownership of revolving hypothec) of Civil Code.

### **Chapter 3**

#### **Matters to be Registered for Real Rights over Immovable**

##### **Article 14: General Provisions on the Matters to be Registered**

1. The general matters to be registered for real rights over immovable shall be as follows:

- Name of a person entitled to registration
- Purpose of registration
- Ground of registration and date
- Ground of subrogation and date
- Name of subrogee
- Prohibition of undivided immovable partition, etc. if any
- Amount of share of each undivided right holder
- Special agreement on right extinction, if any (including condition and time)
- Registration order number

2. In addition to the matters described in the preceding paragraph 1, matters to be registered for ownership, perpetual lease, or usufruct shall be as follows:

- Date and place of birth of a person entitled to registration. For juristic person, date of incorporation.

- Parents' names of a person entitled to registration

3. In addition to the matters described in the preceding paragraph 1, matters to be registered of real security right shall be as follows:

- Right and immovable in case right and immovable are subjected as joint security.

- Claim secured by pledge in case where claim secured by pledge, hypothec or statutory lien is subjected as pledge.

### **Article 15: Matters to be Registered for Perpetual Lease**

In addition to the matters described in Article 14 above, the matters to be registered for perpetual lease shall be as follows:

- Perpetual lease term
- Rental fee
- Payment term if any
- Special agreement as described in Article 254, paragraph 3 of Civil Code if any

### **Article 16: Matters to be Registered for Usufruct**

In addition to the matters described in Article 14 above, the matters to be registered for usufruct shall be as follows:

- Purpose of usufruct
- Term or certain events of usufruct
- Consideration for usufruct if any
- Consideration payment term if any
- Special agreement as described in Article 269, paragraph 3 of Civil Code if any

### **Article 17: Matters to be Registered for Easement**

1. In addition to the matters described in Article 14 above, the matters to be registered for easement of servient land shall be as follows:

- Description of dominant land\
- Easement purpose
- Easement term
- Easement size
- Consideration of easement if any
- Consideration payment term if any
- Special agreement as provided in Article 288, paragraph 1 of Article 289, or paragraph 2 of Article 293 of Civil Code if any

- In case where perpetual lease holder or usufruct holder creates easement, description of these rights

2. Notwithstanding Article 14, name and address of a person entitled to registration are not necessary to be registered.

3. Matters to be registered for easement of dominant land shall be as follows:

- Description of servient land
- Easement purpose
- Easement size
- Easement of servient land registration date

### **Article 18: Matters to be Registered for Statutory Lien**

1. In addition to the matters described in Article 14 above, the matters to be registered for statutory lien shall be as follows:

- Debtor's name
- Amount of claim

2. In addition to the preceding paragraph 1, matters to be registered for statutory lien for the sale of an immovable shall be as follows:

- Interest if any
- Damages if any

#### **Article 19: Matters to be Registered for Pledge**

In addition to the matters described in Article 14 above, the matters to be registered for pledge shall be as follows:

- Debtor's name
- Term
- Amount of principal
- Penalty if any
- Special agreement as described in Article 820, sentence 2 or Article 837 of Civil Code if any
- Conditions attached to secured claim if any

#### **Article 20: Matters to be Registered for Hypothec**

In addition to the matters described in Article 14 above, the matters to be registered for hypothec shall be as follows:

- Debtor's Name
- Amount of principal
- Interest if any
- Damages if any
- Conditions attached to secured claim if any

#### **Article 21: Matters to be Registered for Revolving Hypothec**

In addition to the matters described in Article 14 above, the matters to be registered for revolving hypothec shall be as follows:

- Debtor's name
- Maximum amount
- Scope of secured claim (type of transaction which creates secured claim)
- Date for fixing principal as described in Article 871 of Civil Code if any
- Special agreement as described in Article 879, paragraph 1, sentence 2 of Civil Code if any

#### **Article 22: Matters to be Registered for Special Agreement for Repurchase**

In addition to the matters described in Article 14 above, the matters to be registered for special agreement for repurchase shall be as follows:

- Sales price
- Contracting costs
- Repurchase period

#### **Article 23: Matters to be Registered for Real Security Right Transfer Based on Partial Assignment, etc. of Secured Claim**

In addition to matters described in Article 14 above, in case of partial assignment or partial subrogation by performance of secured claim, matters to be registered related to the registration of partial transfer of statutory lien, pledge or hypothec are the amount of claims which is assigned or subrogated by performance.



**Article 24: Matters to be Registered for Registration of the Disposition of Pledge and Hypothec**

The provision of article 19 shall apply mutatis mutandis to the sub-pledge creation registration or assignment or waiver of pledge.

The provision of article 20 shall apply mutatis mutandis to the sub-hypothec creation registration or assignment or waiver of hypothec.

**Article 25: Matters to be Registered for the Registration of Subrogation of Joint Hypothec**

In additions to matters described in article 20, matters to be registered for registration of subrogation based on article 858 of Civil Code shall be as follows:

- Description of immovable which hypothec holder who is in the upper rank received from the payment
- Purchase price of immovable
- Amount of money paid in which the upper rank hypothec holder received
- Description of secured claim

## **Chapter 4**

### **Application for Registration of Real Rights over Immovable**

#### **Section 1**

#### **Forms and Documents Attached to Registration Application**

**Article 26: Registration Application Form**

The following matters shall be written in application for registration of real right over immovable and in accordance with the type of each registration application:

- Official name of the country
- Motto
- Municipal/District/Khan or Capital/Provincial Cadastral Administration where the immovable is located in
- Purpose of the registration application
- Grounds of the registration application and date
- Name and address of a person entitled to registration and the one obliged to registration
- Name and address of the person filing the application when he/she is not a person entitled to registration or the one obliged to registration
- Name of juristic person's representative director when the person filing the application for registration is a juristic person
- Name and address of an agent in case the filing of application is carried out by an agent
- Description of immovable
- Contract for prohibition of undivided immovable partition, etc. if any
- Ground of subrogation and ground date where the applicant is a subrogee
- Name and address of subrogee in case the applicant is a subrogee
- Name of a decedent or an amalgamated juristic person when the person filing the application for registration is a universal successor
- Filing date, signatures or fingerprints of the person filing the application for registration
- Share of each right holder in case there are two or more right holders
- Attached document

## **Article 27: General Provisions of Documents Attached to Registration Application**

When filing an application for registration, applicant shall provide some necessary documents in accordance with the type of each registration application as follows:

- Document certifying the identification of a person filing the application for registration
- Document certifying representative authority of juristic person's representative director if a person filing an application for registration is a juristic person
- Document certifying representative authority in case a person filing the application for registration is a person under legal representative.
- Proxy in case the application is made by appointed representative
- Document certifying the grounds for registration
- Document certifying the ground of subrogation in case applicant is a subrogee
- Final and binding judgment etc in case the application for registration was made based on the final and binding judgment, etc
- Document certifying the third party's consent in case it involves the interest of the third party
- Document certifying the succession or amalgamation of juristic person in case of application for registration described in Article 10, paragraph 2 and Article 11 of this Prakas
- Drawing of easement
- Drawing of building location which is the subject matter of usufruct
- Title
- Other relevant documents determined by Ministry of Land Management, Urban Planning and Construction

## **Section 2**

### **Application for Registration of Ownership**

#### **Article 28: Application for Registration of Ownership Transfer**

The following matters, when ownership is transferred in whole or in part, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Transfer of whole ownership
  - Transfer a part of ownership
- b. Each of the following ground and date
  - Sales
  - Donation
  - Exchange
  - Succession
  - Partition of succession property based on agreement
  - Testamentary gift
  - Final and binding judgment
  - Other grounds provided in other laws or regulations
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parent's names
- Person obliged to registration

- Name
  - Date and place of birth
  - Address
  - Parent's names
- d. Other matters to be registered:
- Share of new undivided owners
- e. Description of immovable
- Land location
  - Parcel or title number

Attached documents: As provided in Article 27

### **Article 29: Application for Registration of Transfer of Undivided Ownership Share**

The following matters, when the share of undivided ownership is transferred in whole or in part, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
- Transfer of whole undivided ownership share of undivided owner Name.....of No.....or
  - Transfer of a part of undivided ownership share of undivided owner Name..... of No.....
- b. Each of the following ground and date
- Sales
  - Donation
  - Exchange
  - Succession
  - Partition of succession property based on agreement
  - Testamentary gift
  - Final and binding judgment
  - Partition of undivided ownership
  - Renunciation of share of undivided owners or
  - Other grounds provided in other laws or regulations
- c. Person entitled to registration
- Name
  - Date and place of birth
  - Address
  - Parents' names
- Person obliged to registration
- Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Other matters to be registered
- Share of new undivided owner
- e. Description of immovable
- Land location
  - Parcel or title number

Attached documents: As provided in Article 27

### **Article 30: Application for Registration for Correction of Ownership or Undivided Ownership Share**

The following matters, when ownership or undivided ownership share is registered and if an error or omission is found, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Correction of ownership or
  - Correction of undivided ownership share
- b. Each of the following ground and date:
  - Error or
  - Omission [*of registration*]
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
  - Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
- d. Each of the following matters to be corrected:
  - Purpose
  - Share
  - Owner's name or undivided owners' names
- e. Description of immovable
  - Land location
  - Parcel or title number

Attached documents: As provided in Article 27

### **Article 31: Application for Registration of Deregistration of Ownership Transfer**

When the transfer of ownership is already registered and if there is an interested third party in the registration, an application for registration of deregistration can be filed only with the consent of the said third party.

The following matters shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Deregistration of ownership transfer
  - Deregistration of a part of ownership transfer
  - Deregistration of whole share of undivided ownership transfer
  - Deregistration of a part of undivided ownership share transfer
- b. Each of the following ground and date:
  - Contract cancellation
  - Contract termination
  - Agreement for contract termination
  - Other grounds provided in other laws or regulations
- c. Person entitled to registration
  - Name

- Date and place of birth
- Address
- Parents' names
- Person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Description of immovable
  - Land location
  - Parcel or title number

Attached documents: As provided in Article 27

### **Section 3**

## **Application for Registration of Perpetual Lease**

### **Article 32: Application for Registration of Perpetual Lease Creation**

The following matters, when perpetual lease is created, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Purpose
  - Perpetual lease creation
- b. Ground and date
  - Creation
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
  - Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
- d. Other matters to be registered
  - Share of perpetual lessee
  - Term of perpetual lease
  - Rental fee of perpetual lease
  - Term of payment
  - Special agreement as described in Article 254, paragraph 3 of Civil Code if any
- e. Description of immovable
  - Land location
  - Parcel or title number
  - No of certificate acknowledging perpetual lease

Attached documents: As provided in Article 27

### **Article 33: Application for Registration of Perpetual Lease Transfer**

The following matters, when perpetual lease is transferred in whole or in part, shall be written in the application for registration of perpetual lease transfer described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
    - Transfer of Perpetual lease
    - Transfer of a part of perpetual lease
  - b. Each of the following ground and date:
    - Sales
    - Donation
    - Succession
    - Partition of succession property based on agreement
    - Testamentary gift
    - Final and binding judgment
    - Other grounds provided in other laws or regulations
  - c. Person entitled to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
    - Person obliged to registration
      - Name
      - Date and place of birth
      - Address
      - Parents' names
  - d. Other matters to be registered
    - Share of perpetual lessee
  - e. Description of immovable
    - Land location
    - Parcel or title number
    - No of certificate acknowledging perpetual lease
- Attached documents: As provided in Article 27

#### **Article 34: Application for Registration of Undivided Perpetual Lease Share Transfer**

The following matters, when perpetual lease share is transferred in whole or in part, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Transfer of whole shares of undivided perpetual lease of name.....
  - Transfer of a part of undivided perpetual lease share of name.....
- a. Each of the following ground and date:
  - Sales
  - Donation
  - Succession
  - Partition of succession property based on agreement
  - Testamentary gift
  - Final and binding judgment
  - Partition of undivided perpetual lease
  - Renunciation of perpetual lease share

- Other grounds provided in other laws or regulations
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- Person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Other matters to be registered
  - Perpetual lease share
- e. Description of immovable
  - Land location
  - Parcel or title number
  - No of certificate acknowledging perpetual lease

Attached documents: As provided in Article 27

### **Article 35: Application for Registration of Sub-Perpetual Lease Creation**

The following matters, when sub-perpetual lease is created, shall be written in the application for registration in article 26 (Form of Registration Application):

- a. Purpose
  - Creation of sub-perpetual lease
- b. Grounds and date
  - Creation
- c. A person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- A person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Other matters to be registered:
  - Share
  - Term of sub-perpetual lease
  - Sub-perpetual lease rental fee
  - Term of payment
  - Special agreement as described in Article 254, paragraph 3 of Civil Code if any
- e. Description of immovable:
  - Land location
  - Parcel or title number
  - No of certificate acknowledging perpetual lease

Attached documents: As provided in Article 27

**Article 36: Application for Registration of Change or Correction of Term, Rental Fee, Term of Payment or Special Agreement of Perpetual Lease**

The following matters, when the term, rental fee, term of payment or special agreement of perpetual lease is changed or corrected, shall be written in an application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
    - Change or correction of perpetual lease term
    - Change or correction of perpetual lease rental fee
    - Change or correction of perpetual lease payment term
    - Change or correction of special agreement of perpetual lease
  - b. Each of the following ground:
    - Change and date
    - Error
    - Omission
  - c. Person entitled to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Each of the following matters to be changed or corrected:
    - Term
    - Rental fee
    - Term of payment or
    - Special agreement as described in Article 254, paragraph 3 of Civil Code if any
  - e. Description of immovable:
    - Land location
    - Parcel or title number
    - No of certificate acknowledging perpetual lease
- Attached documents: As provided in Article 27

**Article 37: Application for Registration of Correction of Perpetual Lease or Perpetual Lease Share**

The following matters, when perpetual lease or perpetual lease share is already registered, and if an error or omission is found, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Correction of perpetual lease
  - Correction of perpetual lease share
- b. Each of the following ground:
  - Error
  - Omission
- c. Person entitled to registration
  - Name
  - Date and place of birth



- Address
  - Parents' names
  - Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Each of the following matters to be corrected:
    - Purpose
    - Share
    - Name of perpetual lessee
  - e. Description of immovable:
    - Land location
    - Parcel or title number
    - No of certificate acknowledging perpetual lease
- Attached documents: As provided in Article 27

### **Article 38: Application for Registration of Deregistration of Perpetual Lease**

When perpetual lease is registered and if there is an interested third party in registration, the application for registration of deregistration can be filed only with consent of the said third party.

The following matters shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Deregistration of perpetual lease creation
  - Deregistration of perpetual lease transfer
  - Deregistration of transfer a part of perpetual lease
  - Deregistration of transfer of whole shares of undivided perpetual lease
  - Deregistration of transfer of a part of undivided perpetual lease share
- b. Each of the following ground and date:
  - Expiration of term
  - Contract cancellation
  - Contract termination
  - Agreement for contract termination
  - Other grounds provided in other laws or regulations
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names- Person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Description of immovable:
  - Land location
  - Parcel or title number
  - No of certificate acknowledging perpetual lease

Attached documents: As provided in Article 27

## **Section 4**

### **Application for Registration of Usufruct**

#### **Article 39: Application for Registration of Usufruct Creation**

The following matters, when usufruct is created, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Creation of usufruct over land
  - Creation of usufruct over building
  - Creation of usufruct over land and building
- b. Ground and date
  - Creation
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- Person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Other matters to be registered
  - Share of usufruct holder
  - Term of usufruct or conditions or events, if any
  - Consideration for usufruct
  - Consideration payment term
  - Special agreement as described in Article 269, paragraph 3, of Civil Code if any
- e. Description of immovable:
  - Land location
  - Parcel or title number
  - Drawings for building location
  - No of certificate acknowledging usufruct

Attached documents: As provided in Article 27

#### **Article 40: Application for Registration of Usufruct Transfer**

The following matters, when usufruct is transferred in whole or in part, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Transfer of usufruct
  - Transfer of a part of usufruct
- a. Each of the following ground and date:
  - Sales
  - Donation
  - Succession

- Partition of succession property based on agreement
  - Testamentary gift
  - Final and binding judgment
  - Other grounds provided in other laws or regulations
  - c. Person entitled to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Other matters to be registered
    - Share of usufruct holder
  - e. Description of immovable:
    - Land location
    - Parcel or title number
    - No of certificate acknowledging usufruct
- Attached documents: As provided in Article 27

#### **Article 41: Application for Registration of Transfer of Undivided Usufruct Share**

The following matters, when usufruct share is transferred in whole or in part, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following ground:
  - Transfer of whole shares of undivided usufruct of name.....
  - Transfer of a part of undivided usufruct share of name.....
- b. Each of the following ground and date:
  - Sales
  - Donation
  - Succession
  - Partition of succession property based on agreement
  - Testamentary gift
  - Final and binding judgment
  - Partition of undivided usufruct
  - Renunciation of share of usufruct
  - Other grounds provided in other laws or regulations
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- Person obliged to registration
  - Name
  - Date and place of birth
  - Address

- Parents' names
  - d. Other matters to be registered
    - Share of usufruct
  - e. Description of immovable:
    - Land location
    - Parcel or title number
    - No of certificate acknowledging usufruct
- Attached documents: As provided in Article 27

#### **Article 42: Application for Registration of Change or Correction of Term, Consideration, Consideration Payment Term or Special Agreement of Usufruct**

The following matters, when the term, consideration, consideration payment term or special agreement of usufruct is changed or corrected, shall be written in an application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
    - Change or correction of usufruct term
    - Change or correction of usufruct consideration
    - Change or correction of usufruct consideration payment term
    - Change or correction of special agreement of usufruct
  - b. Each of the following ground:
    - Change and date
    - Error
    - Omission
  - c. Person entitled to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Each of the following matters to be changed or corrected:
    - Term
    - Consideration
    - Consideration payment term
    - Special agreement as described in Article 269, paragraph 3 of Civil Code
  - e. Description of immovable:
    - Land location
    - Parcel or title number
    - No of certificate acknowledging usufruct
- Attached documents: As provided in Article 27

#### **Article 43: Application for Registration of Correction of Usufruct or Usufruct Share**

The following matters, when usufruct or usufruct share is registered and if an error or omission is found, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
    - Correction of usufruct
    - Correction of usufruct share
  - b. Each of the following ground:
    - Error
    - Omission
  - c. Person entitled to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Each of the following matters to be corrected:
    - Purpose
    - Share
    - Name of usufruct holder
  - e. Description of immovable:
    - Land location
    - Parcel or title number
    - No of certificate acknowledging usufruct
- Attached documents: As provided in Article 27

#### **Article 44: Application for Registration of Deregistration of Usufruct**

When usufruct is registered and if there is an interested third party in the registration, an application for registration of deregistration can be filed only with the consent of the said third party.

The following matters shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Deregistration of usufruct creation
  - Deregistration of usufruct transfer
  - Deregistration of transfer a part of usufruct
  - Deregistration of transfer of whole shares of undivided usufruct
  - Deregistration of transfer of a part of undivided usufruct share
- b. Each of the following ground and date:
  - Death of initial usufruct holder
  - Expiration of term
  - Contract cancellation
  - Contract termination
  - Agreement for contract termination
  - Other grounds provided in other laws or regulations
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names

- Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Description of immovable:
    - Land location
    - Parcel or title number
    - No of certificate acknowledging usufruct
- Attached documents: As provided in Article 27

## **Section 5**

### **Application for Registration of Easement**

#### **Article 45: Application for Registration of Easement Creation**

The following matters, when easement is created, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Purpose
    - Easement creation
  - b. Ground and date
    - Creation
  - c. Person entitled to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Other matters to be registered:
    - Easement purpose
    - Easement period
    - Easement scope
    - Consideration of easement, if any
    - Consideration payment term of easement
    - Special agreement as provided in Article 288, paragraph 1 of Article 289, or paragraph 2 of Article 293, of Civil Code if any
  - e. Description of immovable
    - Description of dominant land:
      - Land location
      - Parcel or title number
    - Description of servient land:
      - Land location
      - Parcel or title number
- Attached Documents: As provided in Article 27

**Article 46: Application for Registration of Change or Correction of Term, Purpose, Scope size, Consideration, Consideration Payment Term or Special Agreement on Easement**

The following matters, when the term, purpose, size, consideration, consideration payment term, or special agreement of easement is changed or corrected, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Change or correction of easement term
  - Change or correction of easement purpose
  - Change or correction of easement scope ~~size~~
  - Change or correction of easement consideration
  - Change or correction of easement consideration payment term
  - Change or correction of special agreement of easement
- b. Each of the following ground:
  - Change and date
  - Error
  - Omission
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- Person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Each of the following matters to be changed or corrected:
  - Term
  - Purpose of easement
  - Scope of easement
  - Consideration
  - Consideration payment term
  - Special agreement as provided in Article 288, paragraph 1 of Article 289, or paragraph 2 of Article 293, of Civil Code if any
- e. Description of immovable:
  - Description of servient land
    - Land Location
    - Parcel number or title number
  - Description of dominant land
    - Land location
    - Parcel number or title number

Attached Documents: As provided in Article 27

**Article 47: Application for Registration of Easement Deregistration**

When easement is registered and if there is an interested third party, an application for registration of deregistration can be filed only with the consent of the said third party.

The following matters shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Purpose
  - Deregistration of easement creation
- b. Each of the following ground and date:
  - Contract cancellation
  - Contract termination
  - Agreement for contract termination
  - Other grounds provided in other laws or regulations
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- Person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Description of immovable:
  - Description of servient land
    - Land location
    - Parcel or title number
  - Description of dominant land
    - Land location
    - Parcel number or title number

Attached documents: As provided in Article 27

## **Section 6**

### **Application for Registration of Statutory Lien**

#### **Article 48: Application for Registration of Statutory Lien for Preservation of Immovable, Work for Immovable, or Sale of Immovable**

The following matters, when statutory lien for preservation of immovable, work for immovable or sales of immovable is created, shall be written in application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Statutory lien for preservation of an immovable
  - Statutory lien for work for an immovable
  - Statutory lien for the sale of an immovable
- b. Each of the following ground and date:
  - Preservation of immovable
  - Work for immovable
  - Sale of immovable



- Other grounds provided in other laws or regulations
  - c. Person entitled to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Other matters to be registered:
    - Debtor's name
    - Amount of claim
    - Interest for the sale of an immovable based on Article 802 of Civil Code
    - Damages if any
  - e. Description of immovable:
    - Land location
    - Parcel or title number
- Attached documents: As provided in Article 27

#### **Article 49: Application for Registration of Statutory Lien Transfer**

The following matters, when the statutory lien is transferred in whole or in part, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Transfer of statutory lien No.....
  - Transfer of a part of statutory lien No.....
- b. Each of the following ground and date:
  - Assignment of claim
  - Partial assignment of claim
  - Subrogation by performance
  - Partial subrogation by performance
  - Other grounds provided in other laws or regulations
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- Person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Other matters to be registered:
  - Amount of assigned claim
  - Amount of money performed
  - Share
- e. Description of immovable:

- Land location
- Parcel or title number

Attached documents: As provided in Article 27

### **Article 50: Application for Registration of Deregistration of Statutory Lien**

When statutory lien is registered and if there is an interested third party in the registration, an application for registration of this deregistration can be filed only with the consent of the said third party.

The following matters shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Purpose
  - Deregistration of statutory lien No.....
- b. Each of the following ground and date:
  - Performance
  - Waiver of statutory lien
  - Other ground provided in other laws or regulations
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- Person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Description of immovable
  - Land location
  - Parcel or title number

Attached documents: As provided in Article 27

## **Section 7 Application for Registration of Pledge**

### **Article 51: Application for Registration of Creation of Pledge**

The following matters, when pledge is created, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Creation of pledge over ownership
  - Creation of pledge over perpetual lease
  - Creation of pledge over usufruct
- b. Ground and date:
  - b-1 - Loan for consumption contract
    - Other grounds provided in other laws or regulations
  - b-2 - Pledge creation contract

- c. Person entitled to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Other matters to be registered:
    - Debtor's name
    - Term
    - Amount of principal
    - Penalty
    - Special agreement described in Article 820, sentence 2 or Article 837 of Civil Code
    - Conditions attached to the secured claim
  - e. Description of immovable
    - Land location
    - Parcel or title number
- Attached documents: As provided in Article 27

### **Article 52: Application for Registration of Transfer of Pledge**

The following matters, when pledge is transferred in whole or in part, shall be written in the application form for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Transfer of a pledge over ownership No.....
  - Partial transfer of pledge over ownership No.....
  - Transfer of pledge over perpetual lease No.....
  - Partial transfer of pledge over perpetual lease No.....
  - Transfer of pledge over usufruct No.....
  - Partial transfer of pledge over usufruct No.....
- b. Each of the following ground and date:
  - Assignment of claim
  - Partial assignment of claim
  - Subrogation by performance
  - Partial subrogation by performance
  - Other grounds provided in other laws or regulations
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- Person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names

d. Other matters to be registered:

- Amount of assigned claim
- Amount of payment
- Share of pledge

e. Description of immovable

- Land location
- Parcel or title number

Attached documents : As provided in Article 27

**Article 53: Application for Registration of Sub-Pledge Creation**

The following matters, when sub-pledge is registered, shall be written in the application for registration described in Article 26 (Form of Registration Application):

a. Purpose

- Creation of Sub-pledge over pledge No.....

b. Ground and date:

b-1 - Loan for consumption contract

- Other grounds provided in other laws or regulations

b-2 - Sub-pledge creation contract

c. Person entitled to registration

- Name
- Date and place of birth
- Address
- Parents' names

Person obliged to registration

- Name
- Date and place of birth
- Address
- Parents' names

d. Other matters to be registered:

- Debtor's name
- Term
- Amount of principal
- Penalty
- Special Agreement as described in Article 820, sentence 2 or Article 837 of Civil Code
- Conditions attached to the secured claim

e. Description of immovable:

- Land location
- Parcel or title number

Attached documents: As provided in Article 27

**Article 54: Application for Registration of Change or Correction of Pledge**

The following matters, when the amount of principal, penalty, term, conditions attached to the secured claim or the special agreement of pledge is changed or corrected, shall be written in the application for registration described in Article 26 (Registration Application Form):

a. Each of the following purpose

- Change or correction of amount of principal over pledge No.....
- Change or correction of penalty over pledge No....

- Change or correction of term over pledge No....
  - Change or correction of conditions attached to the secured claim over pledge No....
  - Change or correction of special agreement of pledge No....
  - b. Each of the following ground:
    - Change and date
    - Error
    - Omission
    - Other grounds provided in other laws or regulations and date
  - c. Person entitled to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Each of the following matters to be changed or corrected:
    - Amount of principal
    - Penalty
    - Term
    - Conditions attached to the claim secured
    - Special agreement described in Article 820, Sentence 2 and Article 837 of Civil Code
  - e. Description of immovable:
    - Land location
    - Parcel or title number
- Attached documents: As provided in Article 27

### **Article 55: Application for Registration of Deregistration of Pledge**

When pledge is registered and if there is an interested third party in the registration, an application for registration of deregistration can be filed only with the consent of the said third party.

The following matters shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Deregistration of pledge over ownership No.....
  - Deregistration of pledge over perpetual lease No.....
  - Deregistration of pledge over usufruct No.....
- b. Each of the following ground and date:
  - Performance
  - Waiver of pledge
  - Agreement on contract termination
  - Other grounds provided in other laws or regulations
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names

- Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Description of immovable
    - Land location
    - Parcel or title number
- Attached documents: As provided in Article 27

## **Section 8**

### **Application for Registration of Hypothec**

#### **Article 56: Application for Registration of Hypothec Creation**

The following matters, when hypothec is created, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
    - Creation of hypothec over ownership
    - Creation of hypothec over perpetual lease
    - Creation of hypothec over usufruct
  - b. Each of the following ground and date:
    - b-1 - Loan for consumption contract
      - Other grounds provided in other laws or regulations
    - b-2 - Hypothec creation contract
  - c. Person entitled to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Other matters to be registered:
    - Debtor's name
    - Amount of principal
    - Interest
    - Damages
    - Conditions attached to secured claim
  - e. Description of immovable
    - Land location
    - Parcel or title number
- Attached documents: As provided in Article 27

#### **Article 57: Application for Registration of Sub-Hypothec Creation**

The following matters, when sub-hypothec is created, shall be written in the application for registration described in article 26 (Form of Registration Application):

- a. Purpose
  - Creation of Sub-hypothec over hypothec No.....
- b. Each of the following ground and date
  - b-1 - Loan for consumption contract
    - Other grounds provided in other laws or regulations
  - b-2 - Sub-hypothec creation contract
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names

Person obliged to registration

  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Other matters to be registered
  - Debtor's name
  - Amount of principal
  - Interests
  - Damages
  - Conditions attached to secured claim
- e. Description of immovable
  - Land location
  - Parcel or title number

Attached documents are: As provided in Article 27

#### **Article 58: Application for Registration of Hypothec Transfer**

The following matters, when hypothec is transferred in whole or in part, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Transfer of hypothec over ownership No....
  - Transfer of a part of hypothec over ownership No....
  - Transfer of the hypothec over perpetual lease No....
  - Transfer of a part of the hypothec over perpetual lease No....
  - Transfer of a hypothec over usufruct No....
  - Transfer of a part of hypothec over usufruct No....
- b. Each of the following ground and date:
  - Assignment of claim
  - Partial assignment of claim
  - Subrogation by performance
  - Partial subrogation by performance
  - Other grounds provided in other laws or regulations
- c. Person entitled to registration
  - Name
  - Date and place of birth

- Address
  - Parents' names
  - Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Other matters to be registered:
    - Amount of assigned claim
    - Amount of money performed
    - Share
  - e. Description of immovable:
    - Land location
    - Parcel or title number
- Attached documents: As provided in Article 27

### **Article 59 : Application for Registration of Subrogation of Joint Hypothec**

The following matters, when subrogation of joint hypothec is made, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Purpose:
  - Registration of subrogation of joint hypothec No...
- b. Ground and date:
  - Subrogation based on Article 858 of Civil Code
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- Person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names:
- d. Other matters to be registered:
  - d.1 - Contents of compulsory sale
    - Description of immovable
    - Sales price of immovable
    - Amount of payment the upper ranking hypothec holder received
  - d.2 - Description of secured claim
    - Ground and date
    - Debtor's name
    - Principal
    - Interest
    - Damages
    - Conditions attached to secured claim
- e. Description of immovable
  - Land location
  - Parcel or title number



Attached documents: As provided in Article 27

**Article 60: Application for Registration of Hypothec Assignment or Hypothec Waiver**

The following matters, when hypothec is assigned or waived, shall be written in the application for registration described in Article 26 (Form of Registration Application):

- a. Each of the following purpose:
  - Assignment of hypothec No....over ownership
  - Assignment of hypothec No....over perpetual lease
  - Assignment of hypothec No....over usufruct
  - Waiver of hypothec No.... over ownership
  - Waiver of hypothec No.... over perpetual lease
  - Waiver of hypothec No.... over usufruct
- b. Each of the following ground and date:
  - b.1 - Loan for consumption contract
    - Other grounds provided in other laws or regulations
  - b.2 - Assignment of hypothec
    - Waiver of hypothec
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' namesPerson obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Other matters to be registered:
  - Debtor's name
  - Amount of principal
  - Interests
  - Damages
  - Conditions attached to the claim
- e. Description of immovable:
  - Land location
  - Parcel or title number

Attached documents: As provided in Article 27

**Article 61: Application of Registration of Hypothec Ranking Assignment or Hypothec Ranking Waiver**

The following matters, when hypothec ranking is assigned or waived, shall be written in the application for registration described in article 26 (Form of Registration Application):

- a. Each of the following purpose:
  - Assignment of hypothec ranking No..... to hypothec No..... over ownership
  - Assignment of hypothec ranking No..... to hypothec No..... over perpetual lease
  - Assignment of hypothec ranking No..... to hypothec No..... over usufruct
  - Waiver of hypothec ranking No.....to hypothec No..... over ownership
  - Waiver of hypothec ranking No.....to hypothec No..... over perpetual lease

- Waiver of hypothec ranking No.....to hypothec No..... over usufruct
- b. Each of the following ground and date:
  - Assignment of hypothec ranking
  - Waiver of hypothec ranking
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- Person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Description of immovable
  - Land location
  - Parcel or title number

Attached documents: As provided in Article 27

#### **Article 62: Application for Registration of the Change of Hypothec Ranking**

The following matters, when hypothec ranking is changed, shall be written in the application for registration described in article 26 (Form of Registration Application):

- a. Each of the following purpose:
  - Change of hypothec ranking No..... No..... over ownership
  - Change of hypothec ranking No..... No..... over perpetual lease
  - Change of hypothec ranking No..... No..... over usufruct
- b. Ground and date
  - Agreement
- c. Applicant:
  - Name (a)
  - Date and place of birth
  - Address
  - Parents' names
- Applicant:
  - Name (b)
  - Date and place of birth
  - Address
  - Parents' names
- d. Matters to be changed
  - New ranking number of each hypothec
- e. Description of immovable
  - Land location
  - Parcel or title number

Attached documents: As provided in Article 27

#### **Article 63: Application for Registration of Change or Correction of Hypothec**

The following matters, when amount of principal, interest, damages, conditions attached to the secured claim of hypothec is changed or corrected, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
    - Change or correction of amount of principal of hypothec No... over ownership, perpetual lease, or usufruct
    - Change or correction of interest of hypothec No.... over ownership, perpetual lease, or usufruct
    - Change or correction of damages of hypothec No.... over ownership, perpetual lease, or usufruct
    - Change or correction of condition attached to the secured claim of hypothec No.... over ownership, perpetual lease, or usufruct
  - b. Each of the following ground:
    - Change and date
    - Error
    - Omission
    - Other grounds provided in other laws or regulations and date
  - c. Person entitled to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
    - Person obliged to registration
      - Name
      - Date and place of birth
      - Address
      - Parents' names:
  - d. Each of the following matters to be changed or corrected:
    - Amount of principal
    - Interest
    - Damages
    - Conditions attached to the secured claim
  - e. Description of immovable
    - Land location
    - Parcel or title number
- Attached documents: As provided in Article 27

#### **Article 64: Application for Registration of Deregistration of Hypothec**

When hypothec is registered and if there is an interested third party in the registration, an application for registration of deregistration may be filed only with the consent of the said third party.

The following matters shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Deregistration of hypothec No.....over ownership
  - Deregistration of hypothec No.....over perpetual lease
  - Deregistration of hypothec No.....over usufruct
- b. Each of the following ground and date:
  - Performance
  - Waiver of hypothec
  - Agreement on contract termination
  - Other grounds provided in other laws or regulations

- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- Person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Description of immovable:
  - Land location
  - Parcel or title number

Attached documents: As provided in Article 27

## **Section 9**

### **Application for Registration of Revolving Hypothec**

#### **Article 65: Application for Registration of Revolving Hypothec Creation**

The following matters, when revolving hypothec is created, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose:
  - Creation of revolving hypothec over ownership
  - Creation of revolving hypothec over perpetual lease
  - Creation of revolving hypothec over usufruct
  - Creation of joint revolving hypothec over ownership
  - Creation of joint revolving hypothec over perpetual lease
  - Creation of joint revolving hypothec over usufruct
- b. Ground and date
  - Creation contract
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- Person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Other matters to be registered:
  - Name of debtor
  - Maximum amount
  - Scope of secured claim
  - Date for fixing principal described in Article 871 paragraph 1 of Civil Code
  - Special agreement as described in Article 879, paragraph 1, sentence 2 of Civil Code
- e. Description of immovable

- Land location
- Parcel or title number

Attached documents: As provided in Article 27

### **Article 66 : Application for Registration of the Transfer of Revolving Hypothec**

The following matters, when revolving hypothec is transferred, shall be written in the application for registration described in Article 26 (Form of Registration Application):

- a. Each of the following purpose:
  - Transfer of the revolving hypothec No.....over ownership
  - Transfer of the revolving hypothec No.....over perpetual lease
  - Transfer of the revolving hypothec No.....over usufruct
  - Transfer of a part of revolving hypothec No.....over ownership
  - Transfer of a part of revolving hypothec No.....over perpetual lease
  - Transfer of a part of revolving hypothec No.....over usufruct
- b. Each of the following ground and date:
  - Assignment of revolving hypothec
  - Partial assignment of revolving hypothec
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- Person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Description of immovable
  - Land location
  - Parcel or title number

Attached documents: As provided in Article 27

### **Article 67 : Application for Registration of the Division and Assignment of Revolving Hypothec**

The application for registration of division and assignment of revolving hypothec described in Article 877, paragraph 2 of Civil Code shall have the form as determined in Article 26 (Registration Application Form), and the following matters shall be written<sup>3</sup>:

- a. Each of the following purpose:
  - Division and assignment of revolving hypothec No.... over ownership
  - Division and assignment of revolving hypothec No.... over perpetual lease
  - Division and assignment of revolving hypothec No.... over usufruct
- b. Ground and date:
  - Division and Assignment
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address

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<sup>3</sup> directly translated from Khmer version even its order and wordings.

- Parents' names
  - Person obliged to registration
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Other Matters to be registered:
    - Maximum amount of divided and assigned revolving hypothec
    - Name of debtor of original revolving hypothec
    - Scope of secured claim of original revolving hypothec
    - Date for fixing principal as described in Article 871 paragraph 1 of Civil Code of original revolving Hypothec
    - Special agreement described in Article 879, paragraph 1, sentence 2 of original revolving hypothec
    - Creation ground and date of original revolving hypothec
  - e. Description of immovable
    - Land location
    - Parcel or title number
- Attached documents: As provided in Article 27

#### **Article 68: Application for Registration of the Change of Maximum Amount Regarding the Revolving Hypothec**

The following matters, when maximum amount regarding revolving hypothec is changed, shall be written in the application for registration described in article 26 (Form of Registration Application):

- a. Each of the following purpose:
  - Change of maximum amount of revolving hypothec No..... over ownership
  - Change of maximum amount of revolving hypothec No..... over perpetual lease
  - Change of maximum amount of revolving hypothec No..... over usufruct
- b. Ground and date
  - Change contract
- c. A person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- A person obliged to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Matters to be changed
  - New maximum amount
- e. Description of immovable
  - Land location
  - Parcel or title number

Attached documents: As provided in Article 27

### **Article 69: Application for Registration of the Change of scope of Claim Secured by Revolving Hypothec**

The following matters, when scope of claim secured by revolving hypothec is changed, shall be written in the application for registration described in Article 26 (Form of Registration Application):

- a. Each of the following purpose:
  - Change of scope of claim secured by revolving hypothec No..... over ownership
  - Change of scope of claim secured by revolving hypothec No..... over perpetual lease
  - Change of scope of claim secured by revolving hypothec No..... over usufruct
- b. Ground and date:
  - Change
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names

Person obliged to registration

  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Matters to be changed
  - New scope of secured claim
- e. Description of immovable
  - Land location
  - Parcel or title number

Attached documents: As provided in Article 27

### **Article 70: Application for Registration of the Change of Date for Fixing Principal of Revolving Hypothec**

The following matters, when date for fixing principal is changed, shall be written in the application for registration described in article 26 (Form of Registration Application):

- a. Each of the following purpose:
  - Change of date for fixing principal of revolving hypothec No.... over ownership
  - Change of date for fixing principal of revolving hypothec No.... over perpetual lease
  - Change of date for fixing principal of revolving hypothec No.... over usufruct
- b. Ground and date:
  - Change
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names

Person obliged to registration

  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Matters to be changed

- New date for fixing principal
  - e. Description of immovable
    - Land location
    - Parcel or title number
- Attached documents: As provided in Article 27

### **Article 71 : Application for Registration of Deregistration of Revolving Hypothec**

When revolving hypothec is registered, and if there is an interested third party in the registration, an application for registration of deregistration can be filed only with the consent of said third party.

The following matters shall be written in the application for registration in Article 26

(Registration Application Form):

- a. Each of the following purpose:
  - Deregistration of revolving hypothec No..... over ownership
  - Deregistration of revolving hypothec No..... over perpetual lease
  - Deregistration of revolving hypothec No..... over usufruct
- b. Each of the following ground and date:
  - Performance
  - Waiver of revolving hypothec
  - Demand for the extinction of revolving hypothec
  - Other grounds provided in other laws or regulations
- c. Person entitled to registration
  - Name
  - Date and place of birth
  - Address
  - Parents' names

Person obliged to registration

  - Name
  - Date and place of birth
  - Address
  - Parents' names
- d. Description of immovable
  - Land location
  - Parcel or title number

Attached documents: As provided in Article 27

## **Section 10**

### **Application for Registration of Some Ancillary Rights Related to Real Rights**

#### **Article 72 : Application for Registration of Special Agreement for Repurchase**

When there is a special agreement for repurchase, the application for registration of such agreement shall be simultaneously made with the application for registration of transfer.

The following matters shall be written in the application for registration described in Article 26

(Form of Registration Application):

- a. Purpose
  - Special agreement for repurchase
- b. Ground and date
  - Special agreement for repurchase



c. Person entitled to registration

- Name
- Date and place of birth
- Address
- Parents' names

Person obliged to registration

- Name
- Date and place of birth
- Address
- Parents' names

d. Other matters to be registered

- Sales price
- Contracting costs
- Repurchased period

e. Description of immovable

- Land location
- Parcel or title number

Attached documents: As provided in Article 27

**Article 73: Application for Registration of Contract for Prohibition of Undivided Immovable Partition**

The following matters, when all undivided right holders agree to make a contract for prohibition of undivided immovable partition, shall be written in the application for registration described in Article 26 (Registration Application Form):

a. Purpose

- Prohibition of undivided immovable partition

b. Ground and date

- Contract for prohibition of undivided immovable partition

c. Applicant

- Name (a)
- Date and place of birth
- Address
- Parents' names

Applicant

- Name (b)
- Date and place of birth
- Address
- Parents' names

d. Other matters to be registered

- Term

e. Description of immovable

- Land location
- Parcel or title number

Attached documents: As provided in Article 27

**Article 74: Application for Registration of Change of Term for Prohibition of Undivided Immovable Partition**

The following matters, when all undivided right holders agree to change the term for prohibition of undivided immovable partition, shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Purpose
  - Change of term for prohibition of undivided immovable partition
- b. Ground and date
  - Change of term
- c. Applicant
  - Name (a)
  - Date and place of birth
  - Address
  - Parents' names
- Applicant
  - Name (b)
  - Date and place of birth
  - Address
  - Parents' names
- d. Matters to be changed
  - New term
- e. Description of immovable
  - Land location
  - Parcel or title number

Attached documents: As provided in Article 27

#### **Article 75: Application for Registration of Correction of Term for Prohibition of Undivided Immovable Partition**

When a contract for prohibition of undivided immovable partition is registered and if an error or omission regarding the term, all undivided right holders shall file an application for registration and the following matters shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Purpose
  - Correction of term for prohibition of undivided immovable partition
- b. Each of the following ground:
  - Error
  - Omission
- c. Applicant
  - Name (a)
  - Date and place of birth
  - Address
  - Parents' names
- Applicant
  - Name (b)
  - Date and place of birth
  - Address
  - Parents' names
- d. Matter to be corrected

- Term
- e. Description of immovable
  - Land location
  - Parcel or title number

Attached documents: As provided in Article 27

### **Article 76: Application for Registration of Deregistration of Prohibition of Undivided Immovable Partition**

When a contract for prohibition of undivided immovable partition is cancelled, terminated or expired, etc., all undivided right holders shall file an application for registration of deregistration of prohibition of undivided immovable partition.

The following matters shall be written in the application for registration described in Article 26 (Registration Application Form):

- a. Purpose
  - Deregistration of prohibition of undivided immovable partition
- b. Each of the following Ground and date
  - Contract cancellation
  - Contract termination
  - Expiration of term of a contract
  - Other grounds provided in other laws or regulations
- c. Applicant
  - Name (a)
  - Date and place of birth
  - Address
  - Parents' names
- Applicant
  - Name (b)
  - Date and place of birth
  - Address
  - Parents' names
- d. Description of immovable
  - Land location
  - Parcel or title number

Attached documents: As provided in Article 27

## **Section 11**

### **Application for Registration of Change and Correction Of Name, Date of Birth, Place of Birth, Parents' Names of Right Holder**

#### **Article 77 : Application for Registration of Change of Name, Date of Birth, Place of Birth, Parents' names of Right Holder**

The following matters, when the name, date of birth, place of birth and parents' names of right holders is changed, shall be written in the application for registration described in article 26 (Registration Application form):

- a. Each of the following purpose:
  - Registration of the change of name of right holder
  - Registration of the change of date of birth of right holder
  - Registration of the change of place of birth of right holder

- Registration of the change of parents' names of right holder
  - b. Each of the following ground and date
    - Change of right holder's name
    - Change of right holder's date of birth
    - Change of right holder's place of birth
    - Change of right holder's parents' names
  - c. Applicant
    - Name
    - Date and Place of birth
    - Address
    - Parents' names
  - d. Matters to be changed
    - Name
    - Date of birth
    - Place of birth
    - Parents' names
  - e. Description of Immovable
    - Land location
    - Parcel or title number
- Attached documents: As provided in Article 27

**Article 78: Application for Registration of Correction of Name, Date of Birth, Place of Birth, Parents' names**

The following matters, when real right is registered and if an error or omission regarding the name, date of birth, place of birth, parents' names of right holder are found, shall be written in an application for registration described in Article 26 (Registration Application Form):

- a. Each of the following purpose
    - Registration of the correction of name of right holder
    - Registration of correction of date and place of birth of right holder
    - Registration of correction of incorporation of juristic person
    - Registration of correction of parents' names of right holder
  - b. Each of the following ground:
    - Error
    - Omission
  - c. Applicant
    - Name
    - Date and place of birth
    - Address
    - Parents' names
  - d. Matters to be corrected
    - Right holder's name
    - Date and place of birth of right holder
    - Date of incorporation of juristic person
    - Parents' names of right holder
  - e. Description of immovable
    - Land location
    - Parcel or title number
- Attached documents: As provided in Article 27

## **Chapter 5 Registration**

### **Section 1 General Provisions**

#### **Article 79 : Accessory Registration**

Accessory registration shall be carried out in the following cases:

- Creation and disposition of sub-perpetual lease
- Transfer of usufruct
- Transfer of a security right
- Registration for disposition of pledge, hypothec, and revolving hypothec
- Registration for change or correction of right holder's name, date of birth, place of birth, parents' names
- Registration for subrogation as described in Article 858 of Civil Code
- Registration for agreement described in Article 873 paragraph 1 or paragraph 2 of Civil Code with relations to the registered revolving hypothec
- Registration for change regarding the decrease of maximum amount of original revolving hypothec in case of division and assignment of revolving hypothec described in Article 877 paragraph 2 sentence 1 of Civil Code
- Registration regarding with Article 879, paragraph 1, sentence 2 of Civil Code with relations to the registered revolving hypothec
- Registration of contract for the prohibition of undivided immovable partition of registered real right
- Registration for change or correction in case there is no interested third party in the registration
- Registration for the change and correction in case there is an interested third party in the registration and if the document certifying the consent of such third party was attached.
- Registration of Special Agreement for Repurchase, except for deregistration.

#### **Article 80 : Registration of Undivided Right Holders' Name and Share**

When there are more than one right holder, and they have the same rights, registrar shall register identification and share of each right holder.

#### **Article 81 : Undivided Right Holders' Name Table**

Registrar, in case there are more than two right holders, shall register identification and share of one of the right holders in registry book and registers identification and share of other right holders in the Undivided Right Holders' Name Table.

In case undivided right holders' name table is created, registrar shall register the number of undivided right holders' name table in "Brief inscription of deed or court's judgment" column.

Undivided Right Holders' Name Table shall be a part of registry book.

### **Article 82 : Joint Security Table**

1. In case that the immovable and/or right which are subject matters of security rights are more than two, registrar shall make the joint security table registering such immovable and rights.
2. Matters to be registered in the Joint security table:
  - Date of making Joint security table
  - Joint security table number
  - Description of immovable which is the subject of security right
  - Description of right which is the subject of security right
  - The order number of security right registration
3. In case that security right over immovable and/or right was deregistered from registry book, registrar shall deregister such immovable and/or right from Joint Security Table
4. Registrar shall register number of the joint security table following each security right registration
5. Joint security table shall be a part of registry book

### **Article 83 : Order Number**

1. When registering a right, registrar shall write down the order number in front of the matters to be registered in “Civil Status” Column, “Immovable Encumbrance” Column, “Others” Column or other columns.
2. When registering more than one security right which have the same order, the registrar shall use the same order number and followed by different abbreviation
3. In case of accessory registration, the registrar shall register the same order number, followed by branch order number, which is originated from the principal registration.

### **Article 84: Registration for Division and Assignment of revolving hypothec**

1. Notwithstanding Article 79, item 4 (Accessory registration), the registration regarding the division and assignment of revolving hypothec described in Article 877, paragraph 2, sentence 1 (Assignment of Revolving Hypothec) of Civil Code shall not be carried out through the accessory registration.
2. In case of the registration in the preceding paragraph 1, the registrar shall put the same order number of revolving hypothec which are the objects of division.
3. When recording the order number based on the preceding paragraph 2, the registrar shall register different abbreviations continue from the order number of the two revolving hypothec which were divided.

### **Article 85 : Registration by registrar’s authority**

1. In case of the registration of the acquisition of right based on the exercise of repurchase right, the registrar shall deregister special agreement for repurchase by his/her own authority.
2. In case that the registration of the division and assignment of the revolving hypothec based on the Art 877, paragraph 2, sentence 1 of Civil Code, the registrar shall carry out the registration of change for reducing the maximum amount of revolving hypothec which is object of the division by his/her own authority. In this case, the registrar shall put the statement that the ground of the registration is the division of revolving hypothec.
3. In case of registration of creation of an easement in servient land registry book, registrar shall register on dominant land the matters described in Article 17, paragraph 3 of this Prakas by his/her own authority.
4. After the registration, registrar, if an error or omission for registration made by him/herself was found, shall correct by his/her own authority and shall notify the right holder except in case it

affects interest of third party, registrar may correct only with the consent of the said third party.

5. In case where there is a registration of provisional disposition prohibiting the disposition of real right, and then there is a registration of real right from person obliged to registration as debtor to person entitled to registration as creditor, so the registrar shall deregister the provisional disposition by his/her own authority.

### **Article 86: Registration of Easement**

1. After registration of easement creation into the servient land registry book, registrar shall register matters described in Article 17, paragraph 3 of this Prakas in the dominant land registry book without delay.

2. After registration of easement creation into the servient land registry book, in case that the location of the dominant land belong to the jurisdiction of another cadastral administration, the registrar shall notify the matters described in Article 17, paragraph 3 of this Prakas to that Cadastral Administration without delay.

3. In case of change, correction or deregistration of the matters to be registered for easement into the servient land registry book, the registrar shall change, correct or deregister the matters to be registered in the dominant land registry book without delay.

4. The provision described in paragraph 2 above shall apply *mutatis mutandis* to the case that the location of the dominant land belongs to the jurisdiction of another cadastral administration.

5. A registrar who received the notification provided in paragraph 2 and 4 above shall register the contents of the notification in the dominant land registry book without delay.

### **Article 87 : Drawing of Easement Location**

Drawing of easement location shall describe about easement size, direction, scale, parcel number of dominant land, parcel number of servient land, parcel number of adjacent lands and name of applicant.

Drawing of easement location shall have the signature or fingerprint of easement holder.

### **Article 88 : Withdrawal of Application for Registration**

1. Withdrawal of application for registration shall be requested in writing to the competent cadastral administration.

2. In case of withdrawal of application for registration, registrar shall return that application for registration and attached documents to the applicant or agent.

3. The withdrawal of application for registration described in paragraph 1 above shall be made by the applicant. In case there are many applicants, withdrawal of application for registration shall be made by all applicants.

## **Section 2 General Method of Real Rights Registration**

### **Article 89: General Method of Real Rights Registration**

1. Ownership registration of transfer, change, correction, and deregistration shall be made in the land registry book.

2. Perpetual lease registration of creation and deregistration shall be made in both land registry book and perpetual lease registry book.

In case where there is special agreement of perpetual lease, it shall be registered in the land registry book that special agreements are attached, and in perpetual lease registry book, detailed matters of special agreement shall be registered.

The change or correction of perpetual lease shall be registered in land registry book and/or perpetual lease registry book. However, if there is a change or correction of special agreement, it shall be registered in perpetual lease registry book.

In case where there is a deregistration of special agreement of perpetual lease, it shall be registered in both land registry book and perpetual lease registry book.

The transfer of perpetual lease and creation of security right over perpetual lease shall be registered in perpetual lease registry book.

3. Usufruct registration of creation and deregistration shall be made in both land registry book and usufruct registry book.

In case where there is special agreement of usufruct, it shall be registered in land registry book that special agreement are attached, and in usufruct registry book, detailed matters of special agreement shall be registered.

The change or correction of usufruct shall be registered in land registry book and/or usufruct registry book. However, if there is a change or correction of special agreement, it shall be registered in usufruct registry book.

In case where there is a deregistration of special agreement of usufruct, it shall be registered in both land registry book and usufruct registry book.

The transfer of usufruct and creation of security right over usufruct shall be registered in usufruct registry book.

4. Easement registration of creation, change, correction and deregistration shall be made in land registry book.

5. Security right registration of creation, transfer, change, correction, and deregistration shall be made in relevant registry book.

6. Registration of contract for prohibition of partition of undivided right shall be made in relevant registry book

7. Registration of special agreement for repurchase shall be made in relevant registry book.

### **Sub-Section I Registration Method of Ownership**

#### **Article 90: Registration Method of Ownership Transfer**

When cadastral administration receives the application for registration of ownership transfer described in Article 28 (Application for Registration of Ownership Transfer), registration shall be made in land registry book as follows:

a. In the “Name-surname and property type” column, the registration order number shall be written in the front and followed by the name of person entitled to registration in blue or black ink.

b. In “Date and Place of Birth” column, date and place of birth of person entitled to registration shall be written in blue or black ink.

c. In “History” column, parents’ names of person entitled to registration shall be written in blue or black ink.

d. In “Brief inscription of deed or court’s judgment” column, it shall be written as follows:

(1) In case of sales:



- In case of whole ownership transfer to one person, “name..... sells to name..... letter dated..... L.R AC....(died on day.....month....year.....)” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of whole ownership transfer to more than one person, “name.....sells to name..... share....., name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial ownership transfer to one person, “name.....partially sells to name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial ownership transfer to more than one person, “name..... partially sells to name..... share..... name..... share..... Letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.

(2) In case of donation:

- In case of whole ownership transfer to one person, “name..... donates<sup>4</sup> to name..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of whole ownership transfer to more than one person, “name..... donates to name..... share....., name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial ownership transfer to one person, “name.....partially donates to name.....share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial ownership transfer to more than one person, “name..... partially donates to name..... share..... name..... share..... Letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.

(3) In case of exchange:

- In case of whole ownership transfer to one person, “name..... exchanges with name ..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of whole ownership transfer to more than one person, “name..... exchanges with name..... share....., name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial ownership transfer to one person, “name..... partially exchanges with name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial ownership transfer to more than one person, “name..... partially exchanges with name..... share..... Name..... share.....

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<sup>4</sup> In Khmer, members use the term “give”. As agree, the term “give” is more understandable than the term “donate”

Letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.

(4) In case of succession:

- In case of whole ownership transfer to one person, “succeeded to name..... based on..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of whole ownership transfer to more than one person, “succeeded to name.....share....., name....., share....., based on..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial ownership transfer to one person, “name..... gives testamentary gift to name.....share..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial ownership transfer to more than one person, “name..... gives testamentary gift to name.....share....., name....., share..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In addition, all succession cases, death date of decedent shall be registered in “History” column.

#### **Article 91: Registration Method for Transfer of Share of Undivided Ownership**

When the Cadastral Administration receives the application for registration for transfer of share of undivided ownership described in Article 29 (Application for Registration of Transfer of Undivided Ownership Share), registration shall be made in the land registry book as follows:

- a. In the “Name-surname and property type” column, the registration order number shall be written in the front and followed by the name of person entitled to registration in blue or black ink.
- b. In “Date and Place of Birth” column, date and place of birth of person entitled to registration shall be written in blue or black ink.
- c. In “History” column, parents’ names of person entitled to registration shall be written in blue or black ink.
- d. In “Brief inscription of deed or court’s judgment” column, the following shall be written:

(1) In case of sales:

- In case of whole undivided ownership share transfer to one person, “name..... sells to name..... share.....letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of whole undivided ownership share transfer to more than one person, “name.....sells to name..... share....., name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial undivided ownership share transfer to one person, “name..... partially sells to name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial undivided ownership share transfer to more than one person, “name..... partially sells to name..... share..... Name..... share..... Letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.

(2) In case of donation:

- In case of whole undivided ownership share transfer to one person, “name..... donates to name.....share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of whole undivided ownership share transfer to more than one person, “name..... donates to name..... share....., name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial undivided ownership share transfer to one person, “name..... partially donates to name.....share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial undivided ownership share transfer to more than one person, “name..... partially donates to name..... share..... name..... share..... Letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- (3) In case of exchange:
- In case of whole undivided ownership transfer to one person, “name..... exchanges with name ..... share.....letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of whole undivided ownership share transfer to more than one person, “name..... exchanges with name..... share....., name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial undivided ownership share transfer to one person, “name..... partially exchanges with name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial undivided ownership share transfer to more than one person, “name.....partially exchanges with name..... share..... Name..... share..... Letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- (4) In case of succession:
- In case of whole undivided ownership share transfer to one person, “succeeded to name.....share..... based on..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of whole undivided ownership share transfer to more than one person, “succeeded to name.....share....., name....., share....., based on..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial undivided ownership share transfer to one person, “name..... gives testamentary gift to name..... share.....dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial undivided ownership share transfer to more than one person, “name..... gives testamentary gift to name.....share....., name....., share..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In addition, all succession cases, death date of decedent shall be registered in “History” column.

## **Article 92: Registration Method for Correction of Ownership or Undivided Ownership Share**

When the Cadastral Administration receives the application for registration for correction of ownership or undivided ownership share described in Article 30 (Application for Registration of Ownership or Undivided Ownership Share Correction), registration shall be made in the land registry book as follows:

In case of principal registration method:

a. Correction of wrong writing: the registrar shall underline wrong “share and/or name” and shall write the reference number in bracket and shall write correct share and/or name nearby in red ink, and in “Others column”, the order number shall be written in accordance with Article 83, paragraph 1 as follows:

“No..... Agree to omit and correct according to red ink, I say: (reference number) share.....and/or name.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

b. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted share and/or name nearby the omitted space in red ink, and in “Others column”, the order number shall be written in accordance with Article 83, paragraph 1 as follows:

“No.....Agree to add according to red ink, I say: (reference number) share.....and/or name.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

In case of accessory registration method:

a. Correction of wrong writing: the registrar shall strike through the wrong share and/or name and write the reference number in bracket and write correct share and/or name nearby in red ink, and in “Others column”, the principal order number shall be written and followed by the branch order number in accordance with Article 83, paragraph 3 as follows:

“No-No..... Agree to omit and correct according to red ink, I say: (reference number) share.....and/or name.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

b. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted share and/or name nearby the omitted space in red ink, and in “Others column”, the order number shall be written and followed by the branch order number in accordance with Article 83, paragraph 3 as follows:

“No-No.....Agree to add according to red ink, I say: (reference number) share.....and/or name.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

### **Article 93: Registration Method for Deregistration of Ownership Transfer**

When the Cadastral Administration receives the application for registration of deregistration of ownership transfer described in Article 31 (Application for Registration of Deregistration of Ownership Transfer), matters written in the “Civil Status of Immovable Owner”, “Brief Inscription of Deed or Court’s Judgment”, “Immovable Encumbrance”, and “Others” columns shall be struck through with red ink, and “No..... deregistration of ownership transfer by reason of agreement for contract termination, contract cancellation or contract termination dated.....” shall be written in blue or black ink in “Brief Inscription of Deed or Court’s Judgment” column and stamped with inscription and registration date in red ink.

### **Sub-Section 2 Registration Method of Perpetual Lease**

#### **Article 94: Registration Method for Perpetual Lease Creation**

When the Cadastral Administration receives the application for registration of perpetual lease creation described in Article 32 (Application for Registration of Perpetual Lease Creation), registration shall be made as follows:

1. In land registry book, “No.....perpetual lease is created for a name..... term.....year, from day....month....year....., based on letter dated.....” shall be written in “immovable encumbrance” column in blue or black ink and then stamped with inscription and registration date in red ink.

2. In perpetual lease registry book:

a. In the “surname-name and property type” column, registration order number shall be written in the front and followed by name of a person entitled to registration in blue or black ink

b. In the “date and place of birth” column, “date and place of birth of a person entitled to registration shall be written in blue or black ink.

c. In the “history” column, parents’ names of a person entitled to registration shall be written in blue or black ink.

d. In the “brief inscription of deed or court’s judgment” column, it shall be written as follows:

(1) In case perpetual lease is created for one person: “Name..... period....year, from day....month....year....., rental fee....., term of payment....., special agreement..... letter dated.....L.R AC” in blue or black ink and then stamped with inscription and registration date in red ink.

(2) In case perpetual lease is created for more than one person: “Name.....share..... name..... share..... period....year, from day....month....year....., rental fee....., term of payment....., special agreement.....letter dated..... L.R AC” in blue or black ink and then stamped with inscription and registration date in red ink.

#### **Article 95 : Registration Method for Perpetual Lease Transfer**

When the Cadastral Administration receives the application for registration of perpetual lease transfer described in Article 33 (Application for Registration of Perpetual Lease Transfer), registration shall be made in perpetual lease registry book as follows:

a. In the “surname-name and property type” column, the registration order number shall be written in the front and followed by the name of person entitled to registration in blue or black ink.

b. In the “date and place of birth” column, date and place of birth of person entitled to registration shall be written in blue or black ink.

c. In the “history” column, parents’ names of person entitled to registration shall be written in blue or black ink.

d. In the “brief inscription of deed or court’s judgment” column, it shall be written as follows:

(1) In case of sales:

- In case of whole perpetual lease transfer to one person, “name..... sells to name..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.

- In case of whole perpetual lease transfer to more than one person, “name.....sells to name..... share....., name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.

- In case of partial perpetual lease transfer to one person, “name.....partially sells to name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial perpetual lease transfer to more than one person, “name..... partially sells to name..... share..... name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- (2) In case of donation:
- In case of whole perpetual lease transfer to one person, “name..... donates<sup>6</sup> to name..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of whole perpetual lease transfer to more than one person, “name..... donates to name..... share....., name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial perpetual lease transfer to one person, “name..... partially donates to name.....share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial perpetual lease transfer to more than one person, “name..... partially donates to name..... share..... name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- (3) In case of succession:
- In case of whole perpetual lease transfer to one person, “succeeded to name..... based on..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of whole perpetual lease transfer to more than one person, “succeeded to name.....share....., name....., share....., based on..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial perpetual lease transfer to one person, “name..... gives testamentary gift to name..... share..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial perpetual lease transfer to more than one person, “name..... gives testamentary gift to name.....share....., name....., share..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In addition, all succession cases, death date of decedent shall be registered in “History” column.

### **Article 96 : Registration Method for Transfer of Perpetual Lease Share**

When the Cadastral Administration receives the application for registration of transfer of perpetual lease share described in Article 34 (Application for Registration of Perpetual Lease Share Transfer), registration shall be made in perpetual lease registry book as follows:

- a. In the “surname-name and property type” column, the registration order number shall be written in the front and followed by the name of person entitled to registration in blue or black ink.

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<sup>6</sup> In Khmer: gives to name. Members said it’s easier to understand than the term “donates”

b. In the “date and place of birth” column, date and place of birth of person entitled to registration shall be written in blue or black ink.

c. In the “history” column, parents’ names of person entitled to registration shall be written in blue or black ink.

d. In the “brief inscription of deed or court’s judgment” column, it shall be written as follows:

(1) In case of sales:

- In case of whole perpetual lease share transfer to one person, “name..... sells to name.....share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of whole perpetual lease share transfer to more than one person, “name.....sells to name..... share....., name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial perpetual lease share transfer to one person, “name.....partially sells to name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial perpetual lease share transfer to more than one person, “name..... partially sells to name..... share..... name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.

(2) In case of donation:

- In case of whole perpetual lease share transfer to one person, “name..... donates<sup>7</sup> to name.....share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of whole perpetual lease share transfer to more than one person, “name..... donates to name..... share....., name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial perpetual lease share transfer to one person, “name..... partially donates to name.....share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial perpetual lease share transfer to more than one person, “name..... partially donates to name..... share..... name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.

(3) In case of succession:

- In case of whole perpetual lease share transfer to one person, “succeeded to name..... based on..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of whole perpetual lease share transfer to more than one person, “succeeded to name.....share....., name....., share....., based on..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.

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<sup>7</sup> In Khmer: gives to name. Members said it’s easier to understand than the term “donates”

- In case of partial perpetual lease share transfer to one person, “name..... gives testamentary gift to name..... share.....dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial perpetual lease share transfer to more than one person, “name..... gives testamentary gift to name.....share....., name....., share..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In addition, all succession cases, death date of decedent shall be registered in “History” column.

### **Article 97: Registration Method for Sub-Perpetual Lease Creation**

When Cadastral Administration receives the Application for Registration of Sub-perpetual Lease Creation described in Article 35 (Application for Registration of Creation of Sub-Perpetual Lease), the registration shall be made in the perpetual lease registry book in “Immovable Encumbrance” column as follows:

(1) In case sub-perpetual lease is created for one person: “No-No.....Create sub-perpetual lease for name....., date and place of birth....., parents’ names....., term..... year, from day....month....year....., rental fee.....,term of payment....., special agreement letter dated.....”in blue or black ink and then stamped with inscription and registration date in red ink.

(2) In case sub-perpetual lease is created for more than one person: “No-No.....Create sub-perpetual lease for name....., date and place of birth....., parents’ names....., share....., name....., date and place of birth....., parents’ names....., share..... term..... year, from day....month....year....., rental fee.....,term of payment....., special agreement letter dated.....”in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 98: Registration Method of Change or Correction of Perpetual Lease**

When Cadastral administration receives application for registration of the change or correction of perpetual lease described in Article 36 (Application for Registration of the Change or Correction of Term, Rental Fee, Term of Payment, or Special Agreement of Perpetual Lease) and Article 37 (Application for Registration of Correction of Perpetual Lease or Perpetual Lease Share), the registration shall be made in land registry book and/or perpetual lease registry book as follows:

In case of principal registration method:

a. Change of term, rental fee, term of payment and/or special agreement: the registrar shall write down order number in accordance with Article 83, paragraph 1 and then write down new term, rental fee, term of payment, special agreement in “Others” column as follows:

“No.....change term, rental fee, term of payment, and/or special agreement.....based on.....dated..... in red ink” and then stamped with inscription in blue ink and registration date in blue or black ink.”

b. Correction of wrong writing: the registrar shall underline the wrong “term, rental fee, share, name, term of payment and/or special agreement” and shall write the reference number in bracket and shall write correct term, rental fee, share, name, term of payment and/or special agreement nearby in red ink, and in “Others column”, the order number shall be written in accordance with Article 83, paragraph 1 as follows:

“No..... Agree to omit and correct according to red ink, I say: (reference number) term, rental fee, share, name, term of payment and/or special agreement.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.



c. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted term, rental fee, share, name, term of payment and/or special agreement nearby the omitted space in red ink, and in “Others column”, the order number shall be written in accordance with Article 83, paragraph 1 as follows:

“No.....Agree to add according to red ink, I say: (reference number) term, rental fee, share, name, term of payment and/or special agreement.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

In case of accessory registration method:

a. Change of term, rental fee, term of payment, and/or special agreement: the registrar shall write order number, followed by branch order number in accordance with Article 83, paragraph 3 and then write down new term, new rental fee, new term of payment, and/or new special agreement in “Others” column as follows:

“No-No.....change of term, rental fee, term of payment, and/or special agreement.....based on.....dated.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.”

b. Correction of wrong writing: the registrar shall underline the wrong “term, rental fee, share, name, term of payment, special agreement” and write the reference number in bracket and write correct term, rental fee, share, name, term of payment, special agreement nearby in red ink, and in “Others column”, the principal order number shall be written and followed by the accessory order number in accordance with Article 83, paragraph 3 as follows:

“No-No..... Agree to omit and correct according to red ink, I say: (reference number) term, rental fee, share, name, term of payment, and/or special agreement.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

c. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted term, rental fee, share, name, term of payment, and/or special agreement nearby the omitted space in red ink, and in “Others column”, the principal order number shall be written and followed by the accessory order number in accordance with Article 83, paragraph 3 as follows:

“No-No.....Agree to add according to red ink, I say: (reference number) term, rental fee, share, name, term of payment, and/or special agreement.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

### **Article 99 : Registration Method of Perpetual Lease Deregistration**

When the Cadastral Administration receives the application for registration of deregistration of perpetual lease described in Article 38 (Application for Registration of Deregistration of Perpetual Lease), registration shall be made as follows:

1. In case of registration of perpetual lease deregistration

- In land registry book, the matters written in “Immovable encumbrance” column shall be struck through in red ink, and “No..... deregistration of perpetual lease creation by reason of expiration of term, contract cancellation or contract termination agreement dated.....” shall be written in “Immovable Encumbrance” column in blue or black ink and stamped with inscription and registration date in red ink.

- In perpetual lease registry book, the matters written in the “Civil Status”, “Brief Inscription of Deed or Court’s Judgment”, “Immovable Encumbrance” or “Others” columns shall be struck through in red ink and “No.....deregistration of perpetual lease transfer creation by reason of expiration of term, contract cancellation or contract termination agreement dated.....” shall be

written in “Brief Inscription of Deed or Court’s Judgment” column in blue or black ink and stamped with inscription and registration date in red ink.

2. In case of registration of deregistration of transfer of perpetual lease

- In perpetual lease registry book, the matters written in the “Civil Status”, “Brief Inscription of Deed or Court’s Judgment”, or “Immovable Encumbrance” and “Others” columns shall be struck through in red ink, and “No.....deregistration of perpetual lease transfer by reason of ; contract cancellation or contract termination agreement dated.....” shall be written in “Brief Inscription of Deed or Court’s Judgment” column in blue or black ink and stamped with inscription and registration date in red ink.

### **Sub-Section 3 Registration Method of Usufruct**

#### **Article 100: Registration Method for Usufruct Creation**

When the Cadastral Administration receives the application for registration of usufruct creation described in Article 39 (Application for Registration of Usufruct Creation), registration shall be made as follows:

1. In land registry book, “No..... usufruct is created on..... for a name..... term.....year, from day...month...year....letter dated.....” shall be written in “immovable encumbrance” column in blue or black ink and then stamped with inscription and registration date in red ink.

2. In usufruct registry book

a. In the “surname-name and property type” column, registration order number shall be written in the front and followed by name of a person entitled to registration in blue or black ink.

b. In the “date and place of birth” column, “date and place of birth of a person entitled to registration shall be written in blue or black ink”.

c. In the “history” column, parents’ names of a person entitled to registration shall be written in blue or black ink.

d. In the “brief inscription of deed or court’s judgment” column, the following matters shall be written:

(1) In case usufruct is created for one person: “Name....., term....year, from day...month...year..... consideration....., consideration payment term....., special agreement..... letter dated.....L.R A.C....” in blue or black ink and then stamped with inscription and registration date in red ink.

(2) In case usufruct is created for more than one person: “Name.....share..... name..... share..... term....year, from day...month...year..... consideration....., consideration payment term....., special agreement letter dated..... L.R A.C.....” in blue or black ink and then stamped with inscription and registration date in red ink.

#### **Article 101: Registration Method for Usufruct Transfer**

When the Cadastral Administration receives the application for registration of usufruct transfer described in Article 40 (Application for Registration of Usufruct Transfer), registration shall be made in usufruct registry book as follows:

a. In the “surname-name and property type” column, the registration order number shall be written in the front, followed by branch order number and the name of person entitled to registration shall be written in blue or black ink.

b. In the “date and place of birth” column, date and place of birth of person entitled to registration shall be written in blue or black ink.

c. In the “history” column, parents’ names of person entitled to registration shall be written in blue or black ink.

d. In the “brief inscription of deed or court’s judgment” column, it shall be written as follows:

(1) In case of sales:

- In case of whole usufruct transfer to one person, “name..... sells to name..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of whole usufruct transfer to more than one person, “name.....sells to name..... share....., name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial usufruct transfer to one person, “name.....partially sells to name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial usufruct transfer to more than one person, “name..... partially sells to name..... share..... name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.

(2) In case of donation:

- In case of whole usufruct transfer to one person, “name..... donates<sup>8</sup> to name..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of whole usufruct transfer to more than one person, “name..... donates to name..... share....., name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial usufruct transfer to one person, “name..... partially donates to name.....share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial usufruct transfer to more than one person, “name..... partially donates to name..... share..... name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.

(3) In case of succession:

- In case of whole usufruct transfer to one person, “succeeded to name..... based on..... date..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of whole usufruct transfer to more than one person, “succeeded to name.....share....., name....., share....., based on.....

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<sup>8</sup> In Khmer: gives to name. Members said it’s easier to understand than the term “donates”

- date..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial usufruct transfer to one person, “name..... gives testamentary gift to name..... share.....date..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial usufruct transfer to more than one person, “name..... gives testamentary gift to name.....share....., name....., share..... date..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In addition, all succession cases, death date of decedent shall be registered in “History” column.

### **Article 102: Registration Method for Transfer of Usufruct Share**

When the Cadastral Administration receives the application for registration of transfer of usufruct share described in Article 41 (Application for Registration of Usufruct Share Transfer), registration shall be made in usufruct registry book as follows:

a. In the “surname-name and property type” column, the registration order number shall be written in the front and followed by the name of person entitled to registration in blue or black ink.

b. In the “date and place of birth” column, date and place of birth of person entitled to registration shall be written in blue or black ink.

c. In the “history” column, parents’ names of person entitled to registration shall be written in blue or black ink.

d. In the “brief inscription of deed or court’s judgment” column, it shall be written as follows:

(1) In case of sales:

- In case of whole usufruct share transfer to one person, “name..... sells to name.....share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of whole usufruct share transfer to more than one person, “name.....sells to name..... share....., name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial usufruct share transfer to one person, “name..... partially sells to name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of partial usufruct share transfer to more than one person, “name..... partially sells to name..... share..... name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.

(2) In case of donation:

- In case of whole usufruct share transfer to one person, “name..... donates<sup>9</sup> to name.....share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- In case of whole usufruct share transfer to more than one person, “name..... donates to name..... share....., name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.

<sup>9</sup> In Khmer: gives to name. Members said it’s easier to understand than the term “donates”

- In case of partial usufruct share transfer to one person, “name..... partially donates to name.....share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial usufruct share transfer to more than one person, “name..... partially donates to name..... share..... name..... share..... letter dated..... L.R AC.....” in blue or black ink and then stamped with inscription and registration date in red ink.
- (3) In case of succession:
- In case of whole usufruct share transfer to one person, “succeeded to name..... based on.....share..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of whole usufruct share transfer to more than one person, “succeeded to name.....share....., name....., share....., based on..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial usufruct share transfer to one person, “name..... gives testamentary gift to name.....share..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In case of partial usufruct share transfer to more than one person, “name..... gives testamentary gift to name.....share....., name....., share..... dated..... L.R AJ.....” in blue or black ink and then stamped with inscription and registration date in red ink.
  - In addition, all succession cases, death date of decedent shall be registered in “History” column.

### **Article 103: Registration Method for Change or Correction of Usufruct**

When Cadastral administration receives application for registration of the change or correction of usufruct described in Article 42 (Application for Registration of the Change or Correction of Term, Consideration, Consideration Payment Term, and/or Special Agreement of Usufruct) and Article 43 (Application for Registration of Correction of Usufruct or Usufruct Share), the registration shall be made in land registry book and/or usufruct registry book as follows:

In case of principal registration method:

a. Change of term, consideration, consideration payment term, special agreement: the registrar shall write down order number in accordance with Article 83, paragraph 1 and then write down new term, new consideration, new consideration payment term, new special agreement “Others” column as follows:

“No.....change of term, consideration, consideration payment term, and/or special agreement.....based on.....dated.....” ink red ink and then stamped with inscription in blue ink and registration date in blue or black ink.”

b. Correction of wrong writing: the registrar shall underline the wrong “term, consideration, share, name, consideration payment term and/or special agreement” and shall write the reference number in bracket and shall write correct term, consideration, share, name, consideration payment term and/or special agreement nearby in red ink, and in “Others column”, the order number shall be written and followed by branch order number in accordance with Article 83, paragraph 1 as follows:

“No..... Agree to omit and correct according to red ink, I say: (reference number) term, consideration, share, name, consideration payment term and/or special agreement.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

c. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted term, consideration, share, name, consideration payment term and/or special agreement nearby the omitted space in red ink, and in “Others column”, the order number shall be written and followed by branch order number in accordance with Article 83, paragraph 1 as follows:

“No.....Agree to add according to red ink, I say: (reference number) term, consideration, share, name, consideration payment term and/or special agreement.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

In case of accessory registration method:

a. Change of term, consideration, consideration payment term special agreement: the registrar shall write order number, followed by branch order number in accordance with Article 83, paragraph 3 and then write down new term, new consideration, new consideration payment term, new special agreement in “Others” column as follows:

“No-No.....change of term, consideration, consideration payment term, special agreement.....based on.....dated.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.”

b. Correction of wrong writing: the registrar shall underline the wrong “term, consideration, share, name, consideration payment term, special agreement” and write the reference number in bracket and write correct term, consideration, share, name, consideration payment term, special agreement nearby in red ink, and in “Others column”, the principal order number shall be written and followed by the accessory order number in accordance with Article 83, paragraph 3 as follows:

“No-No..... Agree to omit and correct according to red ink, I say: (reference number) term, consideration, share, name, consideration payment term, special agreement.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

c. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted term, consideration, share, name, consideration payment term, and/or special agreement nearby the omitted space in red ink, and in “Others column”, the principal order number shall be written and followed by the branch order number in accordance with Article 83, paragraph 3 as follows:

“No-No.....Agree to add according to red ink, I say: (reference number) term, consideration, share, name, consideration payment term, special agreement.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

#### **Article 104 : Registration Method for Deregistration of Usufruct**

When the Cadastral Administration receives the application for registration of deregistration of usufruct described in Article 44 (Application for Registration of Deregistration of Usufruct), registration shall be made as follows:

1. In case of registration of deregistration of usufruct creation

- In land registry book, the matters written in “Immovable encumbrance” column shall be struck through in red ink, and “No..... deregistration of usufruct creation by reason of expiration of term, contract cancellation or contract termination agreement, death of initial usufruct holder dated.....” shall be written in “Immovable Encumbrance” column in blue or black ink and then stamped with inscription and registration date in red ink.

- In usufruct registry book, the matters written in the “Civil Status”, “Brief Inscription of Deed or Court’s Judgment”, or “Immovable Encumbrance” and “Others” columns shall be struck through in red ink and “No.....deregistration of usufruct creation by reason of expiration of term, contract cancellation, contract termination agreement, or death of initial usufruct holder dated

day.....month.....year....” shall be written in “Brief Inscription of Deed or Court’s Judgment” column in blue or black ink and then stamped with inscription and registration date in red ink.

2. In case of registration of deregistration of transfer of usufruct

- In usufruct registry book, the matters written in the “Civil Status”, “Brief Inscription of Deed or Court’s Judgment”, or “Immovable Encumbrance” or “Others” columns shall be struck through in red ink and “No.....deregistration of usufruct transfer by reason of contract cancellation or contract termination agreement dated.....” shall be written in “Brief Inscription of Deed or Court’s Judgment” column in blue or black ink and then stamped with inscription and registration date in red ink.

#### **Sub-Section 4** **Registration Method for Easement**

##### **Article 105: Registration Method for Easement Creation**

When the Cadastral Administration receives the application for registration of easement creation described in Article 45 (Application for Registration of Easement Creation), registration shall be made as follows:

1. In land registry book of servient land:

In “Immovable Encumbrance” column, “No.....easement is created for dominant land No..... (parcel no. or title no.) purpose..... Term.....year, size....., consideration..... consideration payment term....., special agreement.....dated .....” shall be written in blue or black ink and then stamped with inscription and registration date in red ink.

2. In land registry book of dominant land

In “Others” column, “No.....servient land No..... (parcel no. or title no.) purpose..... size.....date of registration of easement of servient land.....” shall be written in blue or black ink and then stamped with inscription and registration date in red ink.

##### **Article 106: Registration Method for Change or Correction of Easement**

When the Cadastral Administration receives the application for registration for change and correction of Easement described in Article 46 (Application for Registration of Change or Correction of term, purpose, size, consideration, consideration payment term, or special agreement of Easement), registration shall be made as follows:

- In case of principal registration method of servient land in land registry book

a. Change of term, purpose, size, consideration, consideration payment term, and/or special agreement: the registrar shall write order number in accordance with Article 83, paragraph 1 and then write down new term, new purpose, new size, new consideration, new consideration payment term, and/or new special agreement in “Others” column as follows:

“No.....change of term, purpose, size, consideration, consideration payment term, and/or special agreement .....based on.....dated.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.”

b. Correction of wrong writing: the registrar shall underline the wrong “term, purpose, size, consideration, consideration payment term, and/or special agreement” and shall write the reference number in bracket and shall write correct term, purpose, size, consideration, consideration payment term, or special agreement nearby in red ink, and in “Others column”, the order number shall be written in accordance with Article 83, paragraph 1 as follows:

“No..... Agree to omit and correct according to red ink, I say: (reference number) term, purpose, size, consideration, consideration payment term, and/or special agreement .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

c. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted term, purpose, size, consideration, consideration payment term, and/or special agreement nearby the omitted space in red ink, and in “Others column”, the order number shall be written in accordance with Article 83, paragraph 1 as follows:

“No.....Agree to add according to red ink, I say: (reference number) term, purpose, size, consideration, consideration payment term, or special agreement .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

- In case of accessory registration method of servient land in land registry book:

a. Change of term, purpose, size, consideration, consideration payment term, and/or special agreement: the registrar shall write order number, followed by branch order number in accordance with Article 83, paragraph 3 and then write down new term, new purpose, new size, new consideration, new consideration payment term, and/or new special agreement in “Others” column as follows:

“No-No.....change of term, purpose, size, consideration, consideration payment term, and/or special agreement .....based on.....dated.....” ink red ink and then stamped with inscription in blue ink and registration date in blue or black ink.”

b. Correction of wrong writing: the registrar shall underline the wrong “term, purpose, size, consideration, consideration payment term, and/or special agreement” and shall write the reference number in bracket and write correct term, purpose, size, consideration, consideration payment term, or special agreement nearby in red ink, and in “Others” column, the principal order number shall be written and followed by the branch order number in accordance with Article 83, paragraph 3 as follows:

“No-No..... Agree to omit and correct according to red ink, I say: (reference number) term, purpose, size, consideration, consideration payment term, and/or special agreement .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

c. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted term, purpose, size, consideration, consideration payment term, or special agreement nearby the omitted space in red ink, and in “Others column”, the principal order number shall be written and followed by the branch order number in accordance with Article 83, paragraph 3 as follows:

“No-No.....Agree to add according to red ink, I say: (reference number) term, purpose, size, consideration, consideration payment term, or special agreement .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

- In case of principal registration method of dominant land in land registry book

a. Change of purpose or size: the registrar shall write order number in accordance with Article 83, paragraph 1 and then write down new purpose or size in “Others” column as follows:

“No.....change of purpose or size .....based on.....dated.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.”

b. Correction of wrong writing: the registrar shall underline the wrong “purpose or size” and shall write the reference number in bracket and shall write correct purpose or size nearby in red ink, and in “Others column”, the order number shall be written in accordance with Article 83, paragraph 1 as follows:



“No..... Agree to omit and correct according to red ink, I say: (reference number) purpose or size .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

c. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted purpose or size nearby the omitted space in red ink, and in “Others column”, the order number shall be written in accordance with Article 83, paragraph 1 as follows:

“No.....Agree to add according to red ink, I say: (reference number) purpose or size .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

- In case of accessory registration method of dominant land in land registry book:

a. Change of purpose or size: the registrar shall write order number, followed by branch order number in accordance with Article 83, paragraph 3 in “Others” column as follows:

“No-No.....change of purpose or size .....based on.....dated.....” ink red ink and then stamped with inscription in blue ink and registration date in blue or black ink.”

b. Correction of wrong writing: the registrar shall underline the wrong “purpose or size” and write the reference number in bracket and write correct purpose or size nearby in red ink, and in “Others column”, the principal order number shall be written and followed by branch order number in accordance with Article 83, paragraph 3 as follows:

“No-No..... Agree to omit and correct according to red ink, I say: (reference number) purpose or size .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

c. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted purpose or size nearby the omitted space in red ink, and in “Others” column, the principal order number shall be written and followed by the branch order number in accordance with Article 83, paragraph 3 as follows:

“No-No.....Agree to add according to red ink, I say: (reference number) purpose or size .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

### **Article 107: Registration Method for Easement Deregistration**

When the Cadastral Administration receives the application for registration of easement deregistration described in Article 47 (Application for Registration of Easement Deregistration), registration shall be made as follows:

- In land registry book of servient land, matters written in “Immovable Encumbrance” column shall be struck through in red ink and “No.....deregistration of easement by reason of expiration of term, contract cancellation or contract termination agreement dated.....” shall be written in “Immovable Encumbrance” column in blue or black and then stamped with inscription and registration date in red ink.

- In land registry book of dominant land, matters written in “Others” column shall be struck through in red ink and “No.....deregistration of easement by reason of expiration of term, contract cancellation or contract termination agreement dated.....” shall be written in “Others” column in blue or black ink and then stamped with inscription and registration date in red ink.

### **Sub-Section 5**

## **Registration Method of Statutory Lien**

### **Article 108: Registration Method of Statutory Lien for Preservation of Immovable, Work For Immovable or the Sale of Immovable**

When the Cadastral Administration receives the application for registration of statutory lien described in Article 48 (Application for Registration of Statutory Lien for Preservation of Immovable, Work for Immovable, or the Sale of Immovable), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” column that: “No.....statutory lien is created for name..... Debtor..... amount of claim..... interest .....%, damages.....%, based on the preservation, work or the sale of immovable.....dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 109: Registration Method for Transfer of Statutory Lien**

When the Cadastral Administration receives the application for registration of statutory lien transfer described in Article 49 (Application for Registration of Statutory Lien Transfer), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” that: “No-No.... name.....transfer of statutory lien or transfer share of statutory lien or transfer a part of statutory lien No....., amount....., share....., to name..... based on..... dated.....”in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 110: Registration Method for Deregistration of Statutory Lien**

When the Cadastral Administration receives the application for registration of statutory lien deregistration described in Article 50 (Application for Registration of Statutory Lien Deregistration), matters written in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” and/or “Others” column shall be struck through in red ink and “No..... deregistration of statutory lien No..... by reason of performance or waiver of statutory lien dated.....” shall be written in “Immovable Encumbrance” column in blue or black ink and then stamped with inscription and registration date in red ink.

## **Sub-Section 6 Registration Method of Pledge**

### **Article 111: Registration Method for Creation of Pledge**

When the Cadastral Administration receives the application for registration for creation of pledge described in Article 51 (Application for Registration of Creation of Pledge), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” column that: “No.....pledge is created for a name..... debtor....., term....., amount of principal....., penalty....., conditions attached to secured claim..... special agreement....., based on.....contract dated..... and pledge creation contract dated..... (loan for consumption contract and pledge contract) dated.....Joint Security Table No.....” in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 112: Registration Method for Transfer of Pledge**

When the Cadastral Administration receives the application for registration for transfer of pledge described in Article 52 (Application for Registration of Transfer of Pledge) registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” column that: “No-No.....transfer of pledge or transfer of share of pledge or transfer a part of pledge No.....Amount....., share....., to a name....., based on....., dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 113: Registration Method for Sub-Pledge Creation**

When the Cadastral Administration receives the application for registration for sub-pledge creation described in Article 53 (Application for Registration of Sub-Pledge) registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” column that: “No-No.....create sub-pledge over pledge No..... for name ....., debtor....., term....., amount of principal....., penalty....., conditions attached to secured claim....., special agreement....., based on.....contract dated..... and sub-pledge creation contract dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 114: Registration Method for Change or Correction of Pledge**

When Cadastral Administration receives application for registration for change or correction of pledge described in Article 54 (Application for Registration for Change or Correction of Pledge) registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) as follows:

- In case of principal registration method

a. Change of amount of principal, penalty, term, conditions attached to secured claim....., or special agreement: the registrar shall write order number in accordance with Article 83, paragraph 1 and write down new amount of principal, new damage, new term, new conditions attached to secured claim....., or new special agreement in “Others” column as follows:

“No.....change of amount of principal, penalty, term, conditions attached to secured claim....., or special agreement .....based on.....dated.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.”

b. Correction of wrong writing: the registrar shall underline the wrong amount of principal, penalty, term, conditions attached to secured claim....., or special agreement and shall write the reference number in bracket and shall write correct amount of principal, damage, term, conditions attached to secured claim....., or special agreement nearby in red ink, and in “Others column”, order number shall be written in accordance with Article 83, paragraph 1 as follows:

“No..... Agree to omit and correct according to red ink, I say: (reference number) amount of principal, penalty, term, conditions attached to secured claim....., or special agreement .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

c. Correction of omission of all matters in registry books: the registrar shall write the reference number in bracket and shall write the omitted amount of principal, penalty, term, conditions attached to secured claim....., or special agreement nearby the omitted space in red ink, and in “Others column”, the order number shall be written in accordance with Article 83, paragraph 1 as follows:

“No.....Agree to add according to red ink, I say: (reference number) amount of principal, penalty, term, conditions attached to secured claim....., or special agreement .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

- In case of accessory registration method:

a. Change of amount of principal, penalty, term, conditions attached to secured claim....., or special agreement: the registrar shall write order number, followed by branch order number in accordance with Article 83, paragraph 3 and write down new amount of principal, new damage, new term, new conditions attached to secured claim, or new special agreement in “Others” column as follows:

“No-No.....change of amount of principal, penalty, term, conditions attached to secured claim....., or special agreement .....based on.....dated.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.”

b. Correction of wrong writing: the registrar shall underline the wrong amount of principal, penalty, term, conditions attached to secured claim, or special agreement and write the reference number in bracket and write correct amount of principal, damage, term, conditions attached to secured claim....., or special agreement nearby in red ink, and in “Others” column, the principal order number shall be written and followed by the branch order number in accordance with Article 83, paragraph 3 as follows:

“No-No..... Agree to omit and correct according to red ink, I say: (reference number) amount of principal, penalty, term, conditions attached to secured claim....., or special agreement .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

c. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted amount of principal, penalty, term, conditions attached to secured claim....., or special agreement nearby the omitted space in red ink, and in “Others column”, the principal order number shall be written and followed by the branch order number in accordance with Article 83, paragraph 3 as follows:

“No-No.....Agree to add according to red ink, I say: (reference number) amount of principal, penalty, term, conditions attached to secured claim....., or special agreement .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

### **Article 115: Registration Method for Deregistration of Pledge**

When the Cadastral Administration receives the application for registration of deregistration of pledge described in Article 55 (Application for Registration of Deregistration of Pledge, matters written in “Immovable Encumbrance” and/or “Others” column shall be struck through in red ink and “No..... deregistration of pledge No..... by reason of performance, waiver of right or contract termination agreement dated.....” shall be written in “Immovable Encumbrance” column in blue or black ink and then stamped with inscription and registration date in red ink.

## **Sub-Section 7 Registration Method of Hypothec**

### **Article 116: Registration Method for Hypothec Creation**

When the Cadastral Administration receives the application for registration for creation of hypothec described in Article 56 (Application for Registration of Hypothec Creation), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” column that: “No.....create hypothec for name..... debtor....., amount of principal....., interest.....%, damage.....%, conditions attached to secured claim....., , based on.....contract dated..... and hypothec creation contract dated..... Joint Security Table No.....” in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 117: Registration Method for Sub-Hypothec Creation**

When the Cadastral Administration receives the application for registration for creation of sub-hypothec described in Article 57 (Application for Registration of Sub-Hypothec Creation), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” column that: “No-No.....create sub-hypothec over hypothec No..... for name ....., debtor....., amount of principal....., interest.....%, damages.....%, conditions attached to secured claim....., based on..... dated.....and sub-hypothec creation contract dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 118: Registration Method for Hypothec Transfer**

When the Cadastral Administration receives the application for registration for transfer of hypothec described in Article 58 (Application for Registration of Hypothec Transfer), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” column that: “No-No.....transfer hypothec or transfer share of hypothec or transfer a part of hypothec No....., amount....., share....., to a name....., based on..... dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 119: Registration Method of Subrogation of Joint Hypothec**

When the Cadastral Administration receives the application for registration of subrogation of joint hypothec described in Article 59 (Application for Registration of Subrogation of Joint Hypothec), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” column that: “No-No.....subrogation of joint hypothec over immovable.....to name....., amount of principal....., interest.....%, damages.....%, purchase price....., amount of performance....., based on subrogation in Article 858 of Civil Code, dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 120: Registration Method for Hypothec Assignment or Hypothec Waiver**

When the Cadastral Administration receives the application for registration for hypothec assignment or hypothec waiver described in Article 60 (Application for Registration of Hypothec Assignment or Hypothec Waiver), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” column that: “No-No.....assign or waiver hypothec No..... for name ....., debtor....., amount of principal....., interest.....%, damages.....%, conditions attached to claim....., based on hypothec assignment or hypothec waiver contract dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 121: Registration Method for Hypothec Ranking Assignment or Hypothec Ranking Waiver**

When the Cadastral Administration receives the application for registration for hypothec ranking assignment or hypothec ranking waiver described in Article 61 (Application for Registration of Hypothec Ranking Assignment or Hypothec Ranking Waiver), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” column that: “No-No.....assign or waiver hypothec ranking No..... to hypothec No..... based on hypothec assignment or hypothec waiver contract dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 122: Registration Method for the Change of Hypothec Ranking**

When the Cadastral Administration receives the application for registration for the change of hypothec ranking described in Article 62 (Application for Registration for the Change of Hypothec Ranking), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” column that: “No-No.....No-No.....Change hypothec ranking No.....to No..... from hypothec ranking No..... to No..... based on contract for the change of hypothec ranking dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 123: Registration Method for Change or Correction of Hypothec**

When Cadastral Administration receives application for registration for change or correction of hypothec described in Article 63 (Application for Registration for Change or Correction of Hypothec) registration shall be made in registry book (land registry book, perpetual lease registry book or usufruct registry book) as follows:

- In case of principal registration method

a. Change of amount of principal, interest, damage, conditions attached to secured claim: registrar shall write order number in accordance with Article 83, paragraph 1 and write down new amount of principal, new interest, new damage, new conditions attached to secured claim in “Others” column as follows:

“No.....change of amount of principal, interest, damage, term, conditions attached to secured claim..... based on.....dated.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.”

b. Correction of wrong writing: the registrar shall underline the wrong amount of principal, interest, damage, (expert requests to add “conditions attached to secured claim.....”) and shall write the reference number in bracket and shall write correct amount of principal, interest, damage, conditions attached to secured claim..... nearby in red ink, and in “Others column”, order number shall be written in accordance with Article 83, paragraph 1 as follows:

“No..... Agree to omit and correct according to red ink, I say: (reference number) amount of principal, interest, damage, conditions attached to secured claim..... in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

c. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted amount of principal, interest, damage, conditions attached to secured claim..... nearby the omitted space in red ink, and in “Others column”, the order number shall be written in accordance with Article 83, paragraph 1 as follows:

“No.....Agree to add according to red ink, I say: (reference number) amount of principal, interest, damage, conditions attached to secured claim..... in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

- In case of accessory registration method:

a. Change of amount of principal, interest, damage, conditions attached to secured claim: the registrar shall write order number, followed by branch order number in accordance with Article 83, paragraph 3 and write write down new amount of principal, new interest, new damage, new conditions attached to secured claim..... nearby in red ink and in “Others” column, order number shall be written and followed by branch order number in accordance with Article 83, paragraph 3 as follows:

“No-No.....change of amount of principal, interest, damage, conditions attached to secured claim based on.....dated.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.”

b. Correction of wrong writing: the registrar shall underline the wrong amount of principal, interest, damage, conditions attached to secured claim..... and write the reference number in bracket and write correct amount of principal, interest, damage, conditions attached to secured claim..... nearby in red ink, and in “Others” column, the principal order number shall be written and followed by the branch order number in accordance with Article 83, paragraph 3 as follows:

“No-No..... Agree to omit and correct according to red ink, I say: (reference number) amount of principal, interest, damage, conditions attached to secured claim”..... in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

c. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted amount of principal, interest, damage, conditions attached to secured claim nearby the omitted space in red ink, and in “Others column”, the principal order number shall be written and followed by branch order number in accordance with Article 83, paragraph 3 as follows:

“No-No..... Agree to add according to red ink, I say: (reference number) amount of principal, interest, damage, conditions attached to secured claim.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

#### **Article 124: Registration Method for Deregistration of Hypothec**

When the Cadastral Administration receives the application for registration for deregistration of hypothec described in Article 64 (Application for Registration of Deregistration of Hypothec), matters written in “Immovable Encumbrance” and/or “Others” column shall be struck through in red ink and “No..... deregistration of hypothec No..... by reason of performance, waiver of right or contract termination agreement dated.....” shall be written in “Immovable Encumbrance” column in blue or black ink and then stamped with inscription and registration date in red ink.

### **Sub-Section 8 Registration Method of Revolving Hypothec**

#### **Article 125: Registration Method for Creation of Revolving Hypothec**

When the Cadastral Administration receives the application for registration for creation of revolving hypothec described in Article 65 (Application for Registration of Revolving Hypothec Creation), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “immovable encumbrance” column that: “No..... create revolving hypothec for name....., debtor....., maximum amount....., scope of secured claim ..... Date for fixing principal...., special agreement, based on revolving hypothec creation contract dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

#### **Article 126: Registration Method for the Transfer of Revolving Hypothec**

When the Cadastral Administration receives the application for registration for the transfer of revolving hypothec described in Article 66 (Application for Registration of Transfer of Revolving Hypothec), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “immovable encumbrance” column ink that: “No-No..... transfer revolving hypothec No.....for a name....., based on.....,dated.....” in blue or black and then stamped with inscription and registration date in red ink.

#### **Article 127: Registration Method for the Division and Assignment of Revolving Hypothec**

When the Cadastral Administration receives the application for registration for the division and assignment of revolving hypothec described in Article 67 (Application for Registration of Division and

Assignment of Revolving Hypothec), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “immovable encumbrance” column that:

“No-abbreviation..... Divide and assign revolving hypothec No.....for a name....., maximum amount....., debtor....., scope of secured claim....., date for fixing principal....., special agreement....., division and assignment contract dated.....” in blue or black ink.

“No-abbreviation-No.....Revolving hypothec No..... maximum amount after division and assignment..... division and assignment contract dated.....” in blue or black ink  
and then stamped with inscription and registration date in red ink.

#### **Article 128: Registration Method for the Change of Revolving Hypothec**

When the Cadastral Administration receives the application for registration for the change of revolving hypothec described in Article 68 (Application for Registration for the Change of Maximum Amount of Revolving Hypothec), Article 69 (Application for Registration for the Change of the Scope of Claim Secured by Revolving Hypothec), Article 70 (Application for Registration for the Change of Date for Fixing Principal) and registration for change of debtor, order number and branch order number in accordance with Article 83, paragraph 3 shall be written in registry book (land registry book, perpetual lease registry book, or usufruct registry book), and new maximum amount, new scope of secured claim, new date for fixing principal, new debtor shall be written in “Others” column as follows:

“No-No.....change of maximum amount, scope of secured claim, date for fixing principal, debtor....., based on....., dated....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

#### **Article 129: Registration Method for the Agreement of Successors of Revolving Hypothec Holder and/or Debtor**

When the Cadastral Administration receives the application for registration of agreement of successor of Revolving Hypothec holder or Debtor, registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” column that: “No-No.....debtor’s name..... or creditor’s name....., based on agreement dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

#### **Article 130: Registration Method for Date for Fixing Principal of Revolving Hypothec**

When the Cadastral Administration receives the application for registration of date for fixing principal of revolving hypothec, registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” column that: “No-No.....revolving hypothec No....., the principal was fixed on..... letter dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

#### **Article 131: Registration Method for Revolving Hypothec Deregistration**

When the Cadastral Administration receives the application for registration for deregistration of revolving hypothec described in Article 71 (Application for Registration of Deregistration of Revolving Hypothec), matters written in “Immovable Encumbrance” and/or “Others” column shall be struck through in red ink and “No..... deregistration of revolving hypothec No..... by reason of performance, waiver of right or contract termination agreement dated.....” shall be written in “Immovable Encumbrance” column in blue or black ink and then stamped with inscription and registration date in red ink.

### **Sub-Section 9**



## **Registration Method of Some Ancillary Rights Related to Real Rights**

### **Article 132 : Registration Method of Special Agreement for Repurchase**

When Cadastral Administration receives application for registration of special agreement for repurchase described in article 72 (Application for Registration of Special Agreement for Repurchase), registration shall be made in registry book (land registry book, perpetual lease registry book or usufruct registry book) in “Brief Inscription of Deed or Court’s Judgment” column that: No-No.....name..... sells to name..... with the price of..... contracting expense....., repurchase period....., based on special agreement for repurchase dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 133 : Registration Method for Deregistration of Special Agreement for Repurchase**

When Cadastral Administration receives application for registration of deregistration of special agreement for repurchase, registration shall be made in registry book (land registry book, perpetual lease registry book or usufruct registry book) in “Brief Inscription of Deed or Court’s Judgment” column: No.....deregister the special agreement for repurchase No-No.....by reason of expiration of term or the exercise of repurchase right or merger dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 134: Registration Method for Contract for Prohibition of Undivided Immovable Partition**

When Cadastral Administration receives the application for registration of contract for prohibition of undivided immovable partition described in Article 73 (Application for Registration of Contract for Prohibition of Undivided Immovable Partition), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) in “Immovable Encumbrance” column: “No-No.....prohibit the undivided immovable partition....., term....., based on special agreement dated.....” in blue or black ink and then stamped with inscription and registration date in red ink.

### **Article 135: Registration Method for Change or Correction of Period of Prohibition of Undivided Immovable Partition**

When Cadastral Administration receives the application for registration for the change of Period of prohibition of undivided immovable partition described in Article 74 (Application for Registration of Change of Term for Prohibition of Undivided Immovable Partition) and Article 75 (Application for Registration of Correct of Term for Prohibition of Undivided Immovable Partition), registration shall be made in registry book (land registry book, perpetual lease registry book, or usufruct registry book) as follows:

- In case of principal registration method:

a. Change of term: registrar shall write order number in accordance with Article 83, paragraph 1 and write new term in “Others” column as follows:

“No.....change term..... based on..... dated.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

b. Correction of wrong writing: the registrar shall underline the wrong term and shall write the reference number in bracket and shall write correct term nearby in red ink, and in “Others column”, the order number shall be written in accordance with Article 83, paragraph 1 as follows:

“No..... Agree to omit and correct according to red ink, I say: (reference number) term .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

c. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted term, rental fee, share, name, term of payment and/or special agreement nearby the omitted space in red ink, and in “Others column”, the order number shall be written in accordance with Article 83, paragraph 1 as follows:

“No..... Agree to add according to red ink, I say: (reference number) term .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

- In case of accessory registration method:

a. Change of term: registrar shall write order number, followed by branch order number in accordance with Article 83, paragraph 3 and write new term in “Others” column as follows:

“No-No.....change term..... based on..... dated.....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

b. Correction of wrong writing: the registrar shall underline the wrong term and write the reference number in bracket and write correct term nearby in red ink, and in “Others column”, the principal order number shall be written and followed by branch order number in accordance with Article 83, paragraph 3 as follows:

“No-No..... Agree to omit and correct according to red ink, I say: (reference number) term .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

c. Correction of omission of all matters in register: the registrar shall write the reference number in bracket and shall write the omitted term nearby the omitted space in red ink, and in “Others column”, the principal order number shall be written and followed by branch order number in accordance with Article 83, paragraph 3 as follows:

“No-No..... Agree to add according to red ink, I say: (reference number) term .....” in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

### **Article 136: Registration Method for Deregistration of Prohibition of Undivided Immovable Partition**

When the Cadastral Administration receives the application for registration for deregistration of prohibition of undivided immovable partition described in Article 76 (Application for Registration of Deregistration of Prohibition of Undivided Immovable Partition), matters written in “Immovable Encumbrance” and/or “Others” column shall be struck through in red ink and “No..... deregister the prohibition of undivided immovable partition by reason of expiration of term or termination agreement.....” shall be written in “Immovable Encumbrance” column in blue or black ink and then stamped with inscription and registration date in red ink.

### **Sub-Section 10**

### **Registration Method for the Change or Correction of Name, Date of Birth, Place of Birth, Parents’ names of Right Holder**

### **Article 137: Registration Method for Change or Correction of Name, Date of Birth, Place of Birth, Parents’ names of Right Holder**

When Cadastral Administration receives the application for registration of the change or correction of name, date of birth, place of birth, parents' names of right holder described in Article 77 (Application for Registration of Change of name, date of birth, place of birth and parents' names of Right Holder), Article 78 (Application for Registration of Correction of name, date of birth, place of birth and parents' names of Right Holder), registration shall be made in relevant registry book (land registry book, perpetual lease registry book, or usufruct registry book) as follows:

a. Change of name, date of birth, place of birth, parents' names of right holder: registrar shall write order number, followed by branch order number in accordance with Article 83, paragraph 3 and write down new name, date of birth, place of birth and parents' names in "Others" column as follows:

"No-No.....change right holder's name, date of birth, place of birth, parents' names to..... based on..... dated...." in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

b. Correction for Wrong Writing: the registrar shall underline the wrong name, date of birth, place of birth, parents' names and shall write the reference number in bracket and shall write correct name, date of birth, place of birth, parents' names nearby in red ink, and in "Others column", principal order number shall be written and followed by branch order number in accordance with Article 83, paragraph 3 as follows:

"No-No..... Agree to omit and correct according to red ink, I say: (reference number) name, date of birth, place of birth, parents' names ....." in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

c. Correction of omission of all matters in registry book: the registrar shall write the reference number in bracket and shall write the omitted name, date of birth, place of birth, parents' names nearby the omitted space in red ink, and in "Others column", the principal order number shall be written and followed by branch order number in accordance with Article 83, paragraph 3 as follows:

"No-No.....Agree to add according to red ink, I say: (reference number) name, date of birth, place of birth, parents' names ....." in red ink and then stamped with inscription in blue ink and registration date in blue or black ink.

## Chapter 6

### Procedure for Browsing and Issuing Certificate of Registered Information

#### Article 138: Method of Filing Application for Browsing and Certification

1. The application for browsing and issuing certificate shall be made in writing.
2. The application for browsing and issuing certificate shall be filed to the Municipal/District/Khan Cadastral Administration, Capital/Provincial Cadastral Administration where the immovable is located in or Central Cadastral Administration.
3. The application for browsing and issuance of certification copy of registration book shall have the following matters:
  - The purpose of application, investigate or requesting certification copy of registry book
  - Name and address of the applicant who filing application
  - Name of a juristic person representative if applicant is juristic person
  - Name of registry book
  - Description of immovable and/or right
  - Number of certification copy of registry book
  - Filing date and signature or thumbprint.

4. Applicant filing for browsing and issuing certificate shall pay fee determined by regulations or Inter-Ministerial Prakas of Ministry of Land Management, Urban Planning and Construction and Ministry of Economy and Finance.

#### **Article 139: Approval for Browsing and Certificate Issuance**

1. When receiving application for browsing, registrar shall permit applicant to browse the registry book at Municipal/District/Khan Cadastral Administration, Capital/Provincial Cadastral Administration where the immovable is located in and/or Central Cadastral Administration.

2. After receiving application for browsing, registrar shall permit applicant to browse registry book without delay within 3 days.

3. When receiving application for issuing certificate, registrar shall make hand-written copy or machine-copy of the requested contents from the registry book by writing on the copied document that:

- Duly copied from the original,
- Day.....month.....year...

- Initial of registrar and signature and name of the chief of Cadastral Administration and stamp of cadastral administration.

4. After receiving application for issuing certificate, registrar shall issue certificate for applicant without delay within 3 days.

## **Chapter 7**

### **Document Certifying Security Right Registration**

#### **Article 140: Issuance of Document Certifying Security Right Registration**

1. When security right is registered, Cadastral Administration shall issue “Document Certifying Security Right Registration” for security right holder.

2. For the issuance of Document Certifying Security Right Registration, the Cadastral Administration shall copy the title of immovable or right which was the subject matter of security right by writing “Duly copied from the original” and write the date and sign then stamp on that copied title.

3. After the registrar concluded the registration, the Cadastral Administration shall return the “Certificate Acknowledging Immovable Owner”, “Immovable Possessory Right Title”, “Land Possessory Right and Use Title”, “Certificate acknowledging of Perpetual Lease”, “Certificate acknowledging Usufruct”, etc. which was subject matter of security right to title owner.

## **Chapter 8**

### **Final Provision**

#### **Article 141: Application Date**

1. This Prakas shall be applicable after 6 months after it is signed.

2. Notwithstanding the provision of preceding paragraph 1, provision from Article 2 to Article 11, Article 13, Article 14, Article 20, Article 21, provisions from Article 23 to Article 27, provisions from Article 56 to Article 71, provisions from Article 79 to Article 85, Article 88, Article 89 paragraph 5, provision from Article 116 to Article 131 and provision of Article 140 shall apply after it is signed.

#### **Article 142: Abrogation of Contradictory Provisions**

Any provisions in effect at the time of application of this Prakas and contradictory to the provisions of this Prakas shall be invalid to the contradictory provisions from the application date of this Prakas.

**Senior Minister  
Minister of LMUPC**

**Minister  
Ministry of Justice**

**CC:**

- General Secretariat of Senate
- General Secretariat of National Assembly
- Council of Ministers  
(For Information)
- All levels of courts
- General Prosecution of Supreme Court
- General Prosecution of Appeal Court
- Prosecution of Capital/Provincial Court
- General Department of Cadastre and Geography
- Department of Civil Affairs
- Capital/Provincial Hall
- Capital/Provincial Department of LMUPCC
- Record-Archive