

RESEARCH ARTICLE	The Contribution of Real Estate Registration to the Protection of Property Ownership	
Benouis Ahmed	Lecturer (Class A)	
	Morsli Abdallah University Center – Tipaza	
	Algeria	
	Email: Benouis.ahmed@cu-tipaza.dz	
Fergani Kouider Nour El Islam	Lecturer (Class A)	
	Morsli Abdallah University Center – Tipaza	
	Algeria	
	Email: fergani.nourelislam@cu-tipaza.dz	
Doi Serial	https://doi.org/10.56334/sci/8.5.56	
Keywords	Real estate registration, ownership disputes, types of property registration.	
Abstract		
Real estate represents a lasting form of wealth, deeply rooted in human nature and essential across all eras. Its value has grown over time due to its strong connection to personal and societal development. Real estate ownership has come to reflect one’s social status and economic prosperity. To safeguard this critical asset and reduce disputes over ownership, the real estate registration system was introduced. This system consists of rules and procedures designed to confirm property rights and make them publicly accessible, thereby providing legal certainty and transparency in real estate transactions.		
Citation		
Benouis A., Fergani K. Nour El Islam. (2025). The Contribution of Real Estate Registration to the Protection of Property Ownership. <i>Science, Education and Innovations in the Context of Modern Problems</i> , 8(5), 567-576; doi:10.56352/sci/8.5.56. https://imcra-az.org/archive/363-science-education-and-innovations-in-the-context-of-modern-problems-issue-5-volvi-2025.html		
Licensed		
© 2025 The Author(s). Published by Science, Education and Innovations in the context of modern problems (SEI) by IMCRA - International Meetings and Journals Research Association (Azerbaijan). This is an open access article under the CC BY license (http://creativecommons.org/licenses/by/4.0/).		
Received: 01.01.2025	Accepted: 01.03.2025	Published: 02.05.2025 (available online)

Introduction.

The Algerian legislator has shown great concern for the

regulation, protection, preservation, and purification of real estate ownership—whether private, public, or endow-

ment—through the enactment of a series of legal instruments. These include the establishment of the land register and the embodiment of both private and public rights. Notably, the system transitioned from a personal registration system to a real property registration system pursuant to Ordinance No. 75/74, which instituted a general land survey and the establishment of the land register. This ordinance mandated a compulsory cadastral survey to be conducted by the registrar, who issues property records (property sheets) for the surveyed properties. These properties are then assigned temporary or definitive registration numbers based on the documents submitted to the registrar.

Once the cadastral survey operations have been completed—defining municipal boundaries, neighboring properties within each municipality, and conducting on-site investigations to identify rightful owners and stakeholders, along with the preparation of various survey documents including maps, records, and charts—it becomes apparent that the surveyed properties are classified within specific sections and ownership groups. The land registrar, upon legal submission of these documents, proceeds to establish the land register and initiates the first entry procedures in accordance with the property numbering system. This system, once made public, becomes the exclusive means of recognizing ownership and other real rights in accordance with the real property registration regime.

Given the critical importance and unique nature of disputes related to property numbering—due to their direct connection with safeguarding real estate ownership—this study raises the following legal issue.

What are the legal mechanisms for preserving the right of real estate ownership?

Chapter One: The Concept of Real Property Numbering

Upon completion of the preparatory and fieldwork stages of the cadastral survey, the surveying documents are prepared and deposited in accordance with the law. These documents include cadastral maps, land area records, and sectional charts. Once submitted, the regionally competent land registrar is authorized to establish the land regis-

ter, followed by the process of property numbering, which is the subject of this study.

Before addressing disputes that may hinder the cadastral process—specifically, numbering disputes arising during the first entry in the land register (discussed in Chapter Two)—we will examine the concept and types of property numbering in this chapter through two main sections.

Section One: Definition of the Property Numbering Process

Property numbering is defined as the procedure carried out by the land registrar upon the submission of cadastral documents to the registry office at the time of establishing the land register. It is based on data extracted from field investigations conducted during the survey, which reveal all claimed rights to properties, identify rightful owners, describe the nature of those rights, and provide supporting justification. This process relies on legal documents, ownership deeds presented by claimants, declarations by concerned parties and neighbors, as well as material facts corroborated by testimony, circumstantial evidence, and prevailing conditions.

Notably, Algerian legislator did not explicitly define the process of property numbering in Ordinance No. 75-74 of November 12, 1975, which governs the general land survey and the establishment of the land register (as amended). However, Article 11 of that ordinance provides:

"The official responsible for maintaining the land register shall, based on the prepared cadastral documents, decisions, and ownership certificates submitted by concerned parties, determine ownership rights and other real rights, which must be published in the land register."

Thus, property numbering is a legal, administrative, and technical procedure that assigns a digital identity to a property, comprised of its section and ownership group, derived from the submitted cadastral documents. These details are then materialized in a property sheet created at the land registry office. The property sheet constitutes an independent unit that protects and stabilizes property

rights.¹

Each municipality is divided into sections, and each section consists of ownership groups, both of which are numerically represented. From this, the term “numbering” is derived. Once the land registrar receives the cadastral documents, the property numbering process is initiated. The numbering is considered complete upon the signing of the official delivery report for the cadastral documents, upon which the related property rights are established.

According to Article 13 as amended by Articles 65, 66, and 67 of Law No. 14-10 of December 30, 2014 (Finance Law for 2015), Article 65 provides:

“The official responsible for maintaining the land register shall number the surveyed properties in the land register based on cadastral documents.”

Property numbering is now based solely on cadastral documents. Article 66 abolished the preliminary registration schedule, while Article 67 and Article 23 bis of Ordinance No. 75-74 (as amended) require implementing regulations due to the complexity and multiplicity of procedures and the involvement of several entities. These requirements prompted further amendments to Ordinance 75/74 under Law No. 17/11 of December 27, 2017 (Finance Law for 2018).³

Therefore, every owner or possessor must submit to the land registry office a schedule provided by the administration, containing the data required under Article 10 of Executive Decree No. 76-63 (on the establishment of the land register, as amended), in order to obtain documents attesting to their rights in the surveyed properties. Property numbering is deemed complete upon the signing of the delivery report, whereby property rights are established in accordance with the cadastral data and prevailing real

estate ownership legislation. Properties may be assigned either temporary or final numbering.

Section Two: Types of Property Numbering

The land registrar is required to validate the results of the survey upon receipt of the fieldwork documents. In accordance with Article 11 of Decree No. 76/63, the registrar must initiate property numbering in the land register upon receiving the cadastral documents. To avoid disputes, the legislator stipulated that the effective date of numbering is retroactive to the date the delivery report is signed. This retroactivity ensures that the legal nature of properties remains consistent and avoids changes before official registration begins. Therefore, to enhance the credibility and usefulness of cadastral documents, immediate numbering is essential.

To this end, the Algerian legislator encourages registrars to ensure optimal conditions for the success of numbering, including the adequate supply of property sheets and the proper guidance of personnel involved. Numbering is based on information recorded in Property Sheet Form No. 10, which contains all relevant details. These sheets reflect various scenarios:

- A property with a valid deed;
- A property without a deed but subject to long-term possession justifying ownership by acquisitive prescription;
- A property without any claim of real rights; or
- A property that is unclaimed by any party.
- Based on these conditions, the property numbering process results in either temporary or final registration.

Subsection One: Temporary Numbering

Temporary numbering results in the land registrar issuing a **Temporary Numbering Certificate**. If the statutory objection period expires without contestation or if any filed objection is withdrawn or rejected, the temporary numbering becomes final, and the registrar must then issue the property certificate (title deed) to the rightful owner. Temporary numbering may be assigned for:

¹ [See: Qellal Ben Abdallah, *Issues of Property Numbering in Algerian Legislation*, Journal of Research in Law and Political Science, Issue 2, Ibn Khaldoun University, Tiaret, Algeria, p. 24.]

² [See: Ordinance No. 75/58 of September 26, 1975, Algerian Civil Code, as amended and supplemented, Official Gazette No. 78 of September 30, 1975.]

³ See: Law No. 18/18 of December 27, 2019 (Finance Law for 2019), Official Gazette No. 79 of December 30, 2018.

Four months – When no formal deed exists, but the owner exercises possession that could lead to ownership through acquisitive prescription (15 years of peaceful, public, and continuous possession).⁴

Two years – When the apparent owner lacks sufficient documentation or when the submitted documents are unclear regarding the property's boundaries or nature, and possession alone cannot justify ownership. Article 14 of the same decree provides for this duration if the registrar cannot conclusively determine the legal status of the property.

If no legal challenge or sufficient evidence arises within the designated timeframe, the temporary registration becomes final

Real estate and property rights claimed by individuals in the field as belonging to them, solely based on any form of declaration during the land survey process.

Unclaimed properties during the land survey, which are definitively registered in the name of the State after the entry into force of Article 67 of the Finance Law for the year 2015, are no longer subject to the previous procedure under Article 14 of Decree No. 76/63, which allowed a two-year provisional registration period before final registration.

Under this law, we observe the elimination of the so-called "unknown account", which no longer exists after 2015. All properties not claimed during the general land survey operations are now definitively registered in the name of the State. This even applied to claims submitted before the law was enacted, which contradicts the principle of non-retroactivity of laws. Due to its complexity, this law faced reluctance and cautious implementation, leading to an intervention by the General Directorate of National Property, which clarified that legitimate cases falling before the law's enforcement are excluded from its applica-

tion. Thus, the principle of non-retroactivity remains valid.⁵

Third: Temporary Registration for 15 Years

This type of provisional registration concerns private properties not claimed during the land survey and for which the survey services could not identify their owners or holders. These properties are recorded under an "unknown account" which transforms into a definitive registration in the name of the State. This is stipulated in Article 23 bis, introduced by the Finance Law for 2015, following practical issues and grievances raised at both the provincial and central levels. This prompted a new legislative intervention through Law No. 17/11 dated 27/12/2017, comprising the Finance Law for 2018.⁶

According to Article 89 amending Article 23 of Ordinance No. 75-74 of 12 December 1975, the provision is as follows:

"Any private property not claimed during land survey operations and for which the survey services could not determine the owner or possessor shall be recorded in an account called 'Unclaimed Properties during Survey Operations' and shall be provisionally registered for a period of 15 years from the date the survey documents are filed with the land registry office."⁷

Section II: Final Registration

Final registration is carried out by the land registrar based on legally recognized title deeds proving ownership, or on the basis of verified construction built on private state property granted by a competent authority to a beneficiary who has paid the acquisition price. The result of the final registration is the preparation and delivery of the property title document to the recognized owners.

⁴ [See: Article 13 of Executive Decree No. 76/63 of March 25, 1976, Official Gazette No. 30 of April 13, 1976, p. 499.]

⁵ Ben Bouaicha Chahinez, *The Unknown Account in Light of Instructions, Memos, and Amendments Related to Finance Laws*, Journal of Real Estate Law, University of Blida 2, Algeria, p. 92.

⁶ Law 17/11 of 27/12/2017, Finance Law for 2018, Official Gazette No. 76, issued on 28/12/2017.

⁷ Article 89 of Law 17/11, *ibid*.

Properties subject to final registration are those for which the owners hold registered title deeds—whether official contracts, judicial deeds, or administrative acts. These are conclusive documents that leave no room for doubt regarding ownership, and registration is effective from the date of submission of the survey documents.⁸

This is confirmed by Article 12, paragraph 1 of Decree No. 76/63 dated 02/03/1976 on the establishment of the land registry, which states:

"Registration is considered final for properties whose owners hold deeds, contracts, or any other documents accepted under the applicable laws concerning property ownership."⁹

Unlike provisional registration, the date of final registration is the same as the date the survey documents are submitted to the land registry office. This is provided for in Article 34 of the Finance Law for 2019, which specifies that final registration applies to those with registered title deeds.¹⁰

Final registration also occurs after the expiration of provisional periods without objections, or when there is strong evidence supporting the claimant's ownership, or from the outset when the registration is based on valid title deeds. If the deed is conclusive (e.g., a registered valid contract or judicial ruling determining ownership), then the property is subject to final registration, and the title deed is delivered to the recognized owner, whether a natural or legal person.

As per the second paragraph of the same article, during final registration, the land registrar must also—when necessary—automatically record in the land registry any unexpired liens, mortgages, or rights of allocation that are not yet canceled.¹¹

These entries are done automatically by the land registrar, and any rights resulting from final registration may only be challenged through judicial proceedings.

Section II: Administrative Settlement of Property Registration Disputes

It is common for rightful owners to be absent during land surveys and thus suffer from the shift from the personal to the real property system, where rights are registered under someone else's name during the initial entry. Mistakes may also occur due to the rapid pace of survey operations. Therefore, the law allows affected individuals to file objections before the surveying authority or competent courts to correct the resulting registry entries.

In this section, we will address the resolution of registration disputes of all types.

Requirement 1: Settlement of Disputes Related to Temporary Registration (4 months and 2 years)

Anyone harmed by temporary registration for four months or two years has the right to object via protests and appeals before the land registrar. Article 15 of Decree No. 76/63 of 25/03/1976 concerning the establishment of the land registry explains this procedure. It states:

"Every objection related to temporary registration in the land registry, raised during the periods specified in Articles 13 and 14 above, must be sent via registered mail to the land registrar and the opposing party. The concerned parties may also record the objection in a special registry opened for this purpose at each land registry office. The land registrar has the power to reconcile the parties and record the reconciliation minutes, which shall have binding force."¹²

If reconciliation fails, the land registrar draws up a non-reconciliation report and notifies the parties. The claimant then has six (06) months from the date of notification to file a legal complaint, failing which the objection will be rejected. The lawsuit must be registered and notified to the land registrar within the same timeframe, in accord-

⁸ Nasreddine Achour, Ali Dahmania, *Disputes in Property Registration in Algerian Judiciary*, Journal of Legal Thought, Vol. 16, No. 1, 2021, pp. 111-112.

⁹ See Article 12 of Decree No. 76/63.

¹⁰ 10 - Article 34 of Law 18/18 dated 27/12/2019.

¹¹ Kellalif Abdellah, *Issues of Property Registration in Algerian Legislation*, Journal of Legal and Political Sciences Research, University of Ibn Khaldoun Tiaret, Issue 2, Algeria, p. 54.]

¹² Issa Ben Douha, *Registration Disputes at First Entry in the Land Registry*, published on: aissabendouha.blogspot.com/2014/05/blog-post.html

ance with Article 85.¹³

From this provision, we understand that every objection to the temporary registration (4 months or 2 years) must be sent via registered mail to both the land registrar and the party under whose name the property was registered. The claimant may also record objections in a special book at the land registry office. The objection must be registered within the legal deadline for temporary registration to be valid, after which the registrar reviews the matter and attempts reconciliation by summoning the parties through registered mail. This process can lead to two scenarios:¹⁴

Branch I: If Reconciliation Succeeds

If reconciliation is achieved—either through agreement on the current legal status of the property or by altering the survey data—the land registrar issues a reconciliation report. This report has evidentiary power and is binding. In case of data changes, the registrar must notify the surveying authority.¹⁵

Branch II: If Reconciliation Fails

If reconciliation fails, a non-reconciliation report is issued and delivered to the parties. The objecting party then has six (06) months from the date of notification to file a legal claim

The competent judicial authority is required to subject such litigation to a process of real estate publicity, resulting in the registration remaining provisional until a final judicial ruling is issued. If a period of six (06) months elapses—this being a deadline which causes the right to file a lawsuit to lapse—the Land Registrar considers the submitted objection null and proceeds to register the property in

question without delay.¹⁶

Section II: Resolution of Disputes Related to Registration in the Unknown Ownership Account

The resolution of registration disputes in the "unknown ownership" account is essentially an administrative process, whereby the services responsible for land surveying and property registration intervene to resolve such situations. These cases are difficult to present before the judiciary due to the large number of properties registered under "unknown ownership" in Algeria. Given their responsibility to ensure the success of cadastral operations aimed at clarifying property status, this intervention arises due to occasional inaccuracy in conducting general land surveys or the failure of survey teams to perform their duties diligently by physically inspecting the site on the dates specified in the notification form. Moreover, there is often neglect in taking the necessary measures to locate the rightful owner or possessor.

Provisional registration in its various forms may result in registering a property under "unknown ownership" due to the unidentified identity of the property owner—either because the owner or possessor was presumed absent during the survey and investigation by the surveying teams, or due to the inaccuracy of the survey or a lack of seriousness in its execution. It could also result from the absence of sufficient documents or information to prove possession or ownership of the property unit. In such cases, the surveying services record the property under "unknown ownership" until the appearance of the true possessor or owner. If the latter holds officially registered ownership documents that produce full legal effect prior to the survey proceedings, they may initiate specific procedures for settlement. Alternatively, if the person only possesses an informal document or lawful possession without a registered title deed, different procedures apply.¹⁷

¹³ See Article 15 of Decree No. 76/63.

¹⁴ Adel Amirat, *Publicizing Contracts on Real Estate*, Master's Thesis, Private Law, Faculty of Law and Economic Sciences, Kasdi Merbah University, Ouargla, undated, p. 136

¹⁵ Ahmed Daif, *Substantive Registration between Theory and Practice in Algerian Law*, Master's Thesis in Law, Faculty of Law, University of Aboubakr Belkaid, Tlemcen, 2007, p. 70

¹⁶, *ibid.*, p. 71

¹⁷ Hamidi Mohamed Lamine, *The Torrens System of Real Estate Publicity and Its Applications in the Algerian Legal System*, Houma Publishing, Algeria, 2015, p. 304.

This administrative method of resolving disputes related to registration in the "unknown ownership" account, thus, operates without judicial recourse and is carried out in accordance with the directives issued by the Directorate of National Property under Circulars No. (2421) and (4618), which address the treatment of situations where properties are registered under unknown ownership.¹⁸

Previously, properties not claimed during the survey were recorded under the "unknown" account and provisionally registered in the name of the state for two years. After this period, they were permanently registered in the state's name. Pursuant to Article 67 of Law No. 14-10 dated December 30, 2014, which constitutes the Finance Law for 2015, Article 23 bis was added to Ordinance No. 75-74 dated November 12, 1975, stipulating that properties not claimed during land surveying are registered in the name of the state.¹⁹

Subsection I: Property Registration in Surveyed Areas

According to Article 11 of Decree No. 76/63 dated March 25, 1976, related to the establishment of the Land Registrar, the Land Registrar registers surveyed properties upon receiving the cadastral documents. The registration is considered effective from the date of signing the minutes of cadastral document handover. According to Article 12 of the same decree, if the property has valid and error-free ownership documents, it is immediately and permanently registered, and the land certificate is issued to the owner without delay.²⁰

If the property lacks a title deed, but the possessor can prove possession for 15 years, the property is provisionally registered for 4 months before being permanently registered, and the land certificate is issued after that period as per Article 13. For properties where the apparent owners

lack sufficient proof, the registration remains provisional for 2 years under Article 14. After this period, permanent registration occurs.²¹

Once registration becomes final, a land certificate—considered the new form of title deed and akin to a national ID card for the property—is issued. Each property receives a unique certificate. In cases of multiple co-owners, such as heirs or joint owners, one must be authorized via power of attorney to collect the certificate.

Objections may be raised during the provisional registration period. According to Article 15 of Decree No. 76-63 of March 25, 1976, individuals claiming rights must notify both the Land Registrar and the opposing party via registered letter, within the deadlines specified in Articles 13 and 14.²²

If objections are submitted after the legal deadlines, and the registration has become final, objectors must resort to the competent judicial authority. If raised within the legal period, the Land Registrar has the power to mediate between parties per Article 15, Paragraph 2, of the aforementioned decree. The outcome of this mediation is documented in a conciliation report with binding effect.

During the provisional registration period, the Land Registrar does not issue a land certificate but only a provisional registration certificate. The final land certificate is issued only after permanent registration.

Subsection II: Problems Arising from Surveyed Properties Registered Under "Unknown Ownership"

The phenomenon of land with unknown ownership presents a major obstacle to the land registration process. These are plots or lands for which the cadastral investigation revealed no known owner. This causes delays in completing the process and undermines its accuracy and efficiency, as reflected by the high number of properties recorded under "unknown ownership," contrary to the

¹⁸ Issa Ben Douha, Disputes of Registration upon First Entry in the Land Register, published on the Real Estate Law Forum, website: aissabendouha.blogspot.com

¹⁹ Khalafouni Majid, The Real Estate Publicity System in Algerian Law, 3rd ed., Houma Publishing, Algeria, 2011, p. 42.

²⁰ - Hamidi Mohamed Lamine, op. cit., p. 304

²¹ Daif Ahmed, op. cit., p. 87

²² Issa Ben Douha, op. cit., p. 2.

core objective of the land survey.²³

In response, the Directorate General of State Property issued several circulars, including Instruction No. 16 dated May 24, 1998, which stipulated that unclaimed properties should be registered under "unknown ownership," and after two years, in the name of the state. However, these instructions proved insufficient, as many possessors and owners turned to the judiciary for resolution, prompting legislative intervention through the Finance Law of 2015. This law mandated that unclaimed properties be registered in the name of the state. Nevertheless, this measure was not well received by the Property Registry and State Property Directorate due to the legal complications it created, particularly the closure of settlement pathways. As a result, an amendment was introduced in the 2018 Finance Law, stipulating that such properties would be registered in the state's name after 15 years, and ownership could be restored if valid ownership documents emerged.

First: How to Settle Properties Registered under "Unknown Ownership"

Law No. 14-10 dated December 30, 2014 (Finance Law 2015), under Article 67, added Article 23 bis to Ordinance No. 75-74 of November 12, 1975, which reads:

"All property unclaimed during land survey operations shall be definitively registered in the name of the state."²⁴

In the event of a justified claim based on legal title, the Land Registrar is authorized, within fifteen (15) years from the date of cadastral document submission to the Land Registry, to register the property under the rightful owner's name, provided no dispute exists and subject to verification by the State Property services and a review by a commission comprising representatives from the land registry, property services, land surveying, agriculture, religious endowments, and the local municipality.

²³ Ben Bouaïcha Chahinez, op. cit., p. 81

²⁴ Law No. 14-10 of December 30, 2014.

Second: Disputes Regarding Provisional Registration of Unclaimed Properties and Their Resolution

Article 89 of the 2018 Finance Law amended Article 23 bis of Ordinance No. 75-74 and reads:

"Each property belonging to private individuals, unclaimed during land survey operations and for which the survey services could not determine the owner or possessor, shall be recorded in a special account named 'Unclaimed Properties during Land Survey Operations' and provisionally registered for fifteen (15) years from the date of the cadastral document's deposit at the Land Registry."

On April 5, 2018, the Directorate General of State Property issued Memorandum No. 4060 explaining how to implement Article 89 of the amended Finance Law. This memorandum introduced the new "Unclaimed Properties during Land Survey Operations" account, replacing the previously used "unknown ownership" account. It concerns private properties unclaimed during the survey for which the survey teams failed to identify a rightful owner. It also set out a coordinated resolution mechanism between the Land Registry and the State Property and Surveying Services, laying out new procedures to clarify and manage these cases effectively

Third: Regularization of Properties Supported by Unregistered Deeds or Actual Possession

This category of properties is regularized at the level of the competent Directorate of Land Registration by submitting a regularization request accompanied by unregistered deeds (whether authentic or informal). In the case of possession, supporting documents may include tax certificates, urban development decisions, administrative orders, etc. Where the submitted documents are insufficient to prove the fact of possession, it is possible to request a certificate of possession.

As for the difficulties encountered in applying Article 23 bis mentioned above, it was amended by Article 89 of Law No. 17/11 dated 27/12/2017, which constitutes the

Finance Law for the year 2018. As a result of this amendment, such properties are recorded under the "Account of Unclaimed Properties during the Land Survey Operations" and are temporarily registered under this account for a period of fifteen (15) years from the date of submission of the survey documents to the Land Registry. After the expiration of this period, the registration becomes final in the name of the State.

Section Three: Regularization under Law No. 17/11 Establishing the Finance Law for 2018

Article 89 of the 2018 Finance Law provides as follows:

"The provisions of Article 23 bis of Ordinance No. 75/74 dated November 12, 1975, concerning the General Land Survey and the Establishment of the Land Registry, as amended and supplemented, are amended to read as follows:

Every property belonging to private individuals that is not claimed during the land survey operations and for which the surveying services were unable to identify the owner or possessor, shall be recorded under an account called the 'Account of Unclaimed Properties during the Land Survey Operations.' It shall be temporarily registered for fifteen (15) years from the date of submission of the survey documents to the Land Registry."

In the case of a claim based on a registered title deed submitted within the aforementioned time limits, and in the absence of any ongoing legal dispute, the Land Registrar, following the usual inquiries and investigations conducted in coordination with the State Property Services and the Land Survey Services, shall proceed with the final registration of the claimed property in the name of its rightful owner.

In the event of a claim based on an unregistered deed or possession in accordance with the applicable legislation, submitted within two years from the date of the survey at the Land Registry, the Land Registrar, after conducting the standard inquiries and investigations with the competent State Property and Survey Services, shall proceed with a temporary registration for a period of two years in

the name of the claimant, effective from the date of the request submission.

If the investigation reveals that the claimed property belongs to the State or local authorities, the property shall be immediately and permanently registered in accordance with the investigation results. Upon expiration of the fifteen (15) year period mentioned above, the property is definitively registered in the name of the State.

Conclusion:

This process is followed by the submission of the land survey documents to the territorially competent Land Registrar through a formal receipt report, which is subject to publication. This constitutes the first step toward the establishment of the land registry. Based on these documents, the Land Registrar proceeds with property registration. Properties for which owners possess legally valid deeds or documents are registered definitively. Temporary registration is applied in the cases referred to in Articles 13 and 14 of Executive Decree No. 76/63 dated March 25, 1976, relating to the establishment of the land registry. These cases include:

- Temporary registration for a four-month period, applicable to properties under possession that meets the legal requirements but without valid ownership deeds.
- Temporary registration for two years for properties whose apparent owners do not hold sufficient documents to establish their ownership or possession.
- In both cases, the registration becomes final after the expiration of the respective time periods.

References

I. Legal and Regulatory Texts

A. Ordinances:

1. Ordinance No. 74/75 dated 12/11/1975, concerning the preparation of the General Land Survey and the establishment of the Land Registry, published in the Official Gazette No. 92, 1975.

2. Ordinance No. 75/58 dated 26/09/1975, constituting the amended and supplemented Algerian Civil Code, published in the Official Gazette No. 78, dated 30/09/1975.

B. Decrees:

1. Decree No. 76/62 dated 25/03/1976, relating to the preparation of the General Land Survey, published in the Official Gazette No. 30, 1976.
2. Executive Decree No. 76/63 dated 25/03/1976, relating to the establishment of the Land Registry, as amended and supplemented, published in the Official Gazette No. 30, dated 13/04/1976.

C. Laws:

1. Law No. 18/18 dated 27/12/2019, constituting the Finance Law for the year 2019, published in the Official Gazette No. 79, dated 30/12/2018.
2. Law No. 17/11 dated 27/12/2017, constituting the Finance Law for the year 2018, published in the Official Gazette No. 76, dated 28/12/2017.

II. Books and Publications

1. Hamidi Mohamed Lamine, The Torrens System of Land Registration and Its Applications in the Algerian Property System, Houma Publishing, Algeria, 2015.

2. Khelafouni Madjid, The System of Land Registration in Algerian Law, 3rd Edition, Houma Publishing, Algeria, 2011.

III. Scientific Articles

1. Kellal Ben Abdallah, "Problems of Real Estate Regularization in Algerian Legislation," Journal of Legal and Political Sciences Research, Issue No. 2, Ibn Khaldoun University, Tiaret, Algeria.
2. Ben Bouaicha Chahinez, "The Account of the Unknown in Light of Instructions, Circulars, and Amendments Related to Finance Laws," Journal of Real Estate Law, University of Blida 2, Algeria.
3. Kellalif Abdallah, "Problems of Real Estate Regularization in Algerian Legislation," Journal of Legal and Political Sciences Research, Ibn Khaldoun University, Tiaret, Issue No. 2, Tiaret, Algeria.

IV. Academic Theses

1. Adel Amirat, The Registration of Contracts Pertaining to Real Property, Master's thesis in Private Law, Faculty of Law and Economic Sciences, Kasdi Merbah University, Ouargla, undated.
2. Dhaif Ahmed, Real Property Registration Between Theory and Practice in Algerian Legislation, Master's thesis in Law, Faculty of Law, University of Abou Bekr Belkaid, Tlemcen, 2007.