

Terms of Reference for „Temporary Land Registry Officers for the tasks of updating and systematic establishment and/or replacement of land register in land registry offices of municipal courts in Federation of BiH“

I. PROJECT INFORMATION

The Federal Administration for Geodetic and Real Property Affairs (hereinafter: the *FGA*) is currently implementing the Project „Geospatial Infrastructure and Valuation Enhancement“ (hereinafter: *GIVE*), based on the following formal foundations:

- Declaration of Loan Effectiveness by the World Bank No. 96760-BA, dated March 27, 2025;
- Decision on the Ratification of the Loan Agreement No. 96769-BA, adopted by the Presidency of Bosnia and Herzegovina on December 12, 2024 and published in the Official Gazette of Bosnia and Herzegovina – International Treaties No. 1/25, dated January 23, 2025;
- Project Agreement between the International Bank for Reconstruction and Development (IBRD) and the Federation of the Bosnia and Herzegovina (hereinafter: *F BiH*), signed on February 25, 2025;
- Subsidiary Agreement between Bosnia and Herzegovina (hereinafter: *BiH*) and the F BiH, signed on March 4, 2025.

The GIVE Project is financed with the loan funds from the World Bank – IBRD, with a total project value of EUR 23.1 million.

The main objective of the GIVE Project is to improve accuracy and availability of information on land register administration through the digitization, harmonization and standardization of data. This Project will provide higher-quality services to both citizens and the business sector.

The GIVE Project will implement a range of activities aimed at enhancing the availability and quality of geospatial data in F BiH through establishment of data standards, harmonization of key datasets, digitization of analog records, and the development of the interoperable digital platforms and e-services. In addition, it will contribute to the significant strengthening of institutional capacities through specialized trainings, development of legal and technical guidelines as well as public awareness campaigns, thus ensuring the long-term sustainability of the achieved results.

The GIVE Project will be implemented through four main components. Its implementation in F BiH is carried out by the FGA through the Project Management Sector of the Public Investment Program and the Unit for the Implementation of the Project „Geospatial Infrastructure and Valuation Enhancement“ (hereinafter: *the Unit*).

II. PURPOSE AND PROCEDURE OF ENGAGEMENT

“Temporary Land Registry Officers for the tasks of Updating and Systematic Establishment and/or Replacement of Land Registers” (hereinafter: *the Individual Consultants*) will work on

tasks of harmonizing real estate data between the cadaster and land registers in land registry offices of municipal courts in the F BiH, in accordance with the identified time plan.

The testing and selection of interested candidates shall be carried out in accordance with the procedures described in the Instructions for Testing and Selection of Candidates for the Job of “Temporary Assistants for the Tasks of Updating and Systematic Establishment and/or Replacement of Land Registers. In order to select the candidates, a public vacancy/a call for expression of interest shall be published in one daily newspaper distributed on the territory of BiH, on advertisement boards of the municipal courts and of the municipal employment service, as well as on the web portal of the courts and of the FGA. All prospective candidates that meet the requirements defined in Chapter V. are encouraged to apply and express their interest for the above referenced job.

All interested candidates shall be invited to take a test on the procedures of the F BiH in the field of land register law, consisting of written and verbal examination. The testing shall be organized and carried out by a commission to be formed and appointed by the president of the respective municipal court. The candidates shall be ranked based on their test results.

After the testing, the Municipal court shall submit the following documentation to the Unit:

- 1) Decision on Appointing the Commission;
- 2) Applications/Expressions of Interest of all candidates, with enclosed CVs and other documents submitted;
- 3) Report on Evaluation of Candidates, containing the documentation from the written examination of all candidates, the minutes of the verbal examination, and the final ranking list of candidates for the contract signing.

Upon receipt of the above referenced documentation, the Unit shall prepare the contracts for Individual Consultants, in accordance with the final ranking list of candidates submitted.

III. SCOPE OF WORK

The work of Individual Consultants will take place in the land registry offices of the municipal courts. In carrying out their duties, the Individual Consultants shall report to the Head of the Land Registry Office or to the designated Land Registry Officer, appointed by the Head of the Land Registry Office, from whom they will also receive instructions for the execution of their work tasks.

The distribution of tasks among the engaged Individual Consultants is determined by the Head of the Land Registry Office or the designated Land Registry Officer, based on operational requirements and the evolving work situation.

REMUNERATION FOR WORK DURING THE PERIOD OF COLLECTING APPLICATIONS AND EVIDENCE

In the cases when the competent Municipal Court publishes an announcement of systematic establishment and/or replacement of the land register, and there are no cases pending from previous announcements of systematic establishment and/or replacement of the land register,

within the land registry office in question, the Individual Consultant shall be entitled to a fixed monthly fee in the amount of **800,00 BAM neto**, for their engagement during the deadline set for submission of applications and collection of supporting evidence, covering a period of two consecutive calendar months, starting from the date when the announcement was last published in one of the official gazettes, and covers all the activities related to the communication with the interested parties, recording of applications, collecting documentation and preparing the case files for further processing, in line with applicable laws and by-laws.

In cases where a systematic establishment and/or replacement of the land register is last announced in one of the official gazettes, and the land registry office is still processing cases from a previous announcement of systematic establishment and/or replacement of the land register, special work arrangement shall apply, as follows:

- Some of the Individual Consultants shall be assigned to work on tasks related to the newly announced systematic establishment and/or replacement of the land register, for which they are entitled to a fixed monthly fee in the amount of **800,00 BAM neto**;
- The rest of the Individual Consultants shall be assigned to processing cases from the previous announcements, in accordance with the description of tasks that pertain to Group of Tasks I and II. They are entitled to a fee for each correctly processed case, verified by the Head of Land Registry Office or the designated Land Registry Officer. The amount of the fee depends on the group of tasks to which the case pertains.

This work arrangement is applicable only in cases of parallel work on new and previous announcements, in order to ensure uninterrupted workflow and efficiency.

In accordance with all stated above, it is the responsibility of each Head of the Land Registry Office, or the designated Land Registry Officer, to:

- Provide written information regarding the distribution of tasks among the Individual Consultants in a timely fashion, including the names of the engaged Individual Consultants, tasks assigned and the timeframe of their engagement;
- Ensure that the distribution of work tasks is reflected in the monthly reports submitted by each Individual Consultant, which shall serve as a basis for calculating fees and monitoring performance – a matter that is further addressed in Chapter IV: Obligations of Documentation and Reporting.

REMUNERATION FOR CASE PROCESSING WORK BASED ON THE COMPLEXITY OF THE TASKS

Individual Consultants working in the land registry offices of the Municipal Courts shall, in accordance with applicable laws and by-laws, perform, among other, the following tasks, which, depending on their complexity are divided into the following two groups:

GROUP OF TASKS I :

- For all the Property Registration Application Sheets that have been automatically transferred to the electronic land register, pursuant to provisions of Art. 88. paras 1. and

2. of the Law on Land Register of F BiH¹ (hereinafter: *LLR F BiH*), Art. 30. of LLR F BiH, Art. 73. para 1. of LLR F BiH, Art. 63. – 67. of LLR F BiH, Art. 30./Art. 88. para 2. of LLR F BiH, and Art. 41b para 2. of Rulebook on handling land registry affairs² (hereinafter: *RHLRA F BiH*), carry out complete verification, comparison of status in the former and the new land register folio and creation of case file, and, for the cases that fall under Art. 88. para 1. and Art. 30. of LLR F BiH, on top of the above mentioned, carrying out the replacement of the land register folio;

For each correctly processed case, that falls under the category of Group of Tasks I, verified by the Head of the Land Registry Office or the designated Land Registry Officer, the Individual Consultant shall receive reimbursement in the amount of **BAM 2,00 neto**.

GROUP OF TASKS II:

- Following the public announcement of systematic establishment and/or replacement of the land register, gathering evidence on property rights from interested parties, in line with Property Registration Application Sheets, that comply with provisions of LLR F BiH: Art. 88. para 2., Art. 73. para 1., Arts. 63.-67., and Art. 30./Art. 88. para 2., as well as the provision of Art. 41b. para 2. of RHLRA F BiH;
- Based on the evidence gathered on property rights and proper evaluation of evidence, prepare the draft decision on establishing the land register folio, which is subject to further verification and is signed by the Head of the Land Registry Office or the designated Land Registry Officer;
- Based on the evidence gathered on property rights and proper evaluation of evidence, prepare the draft decision on establishing the land register folio in all the cases that fall under Art. 30./88. para 2. of LLR F BiH, and Arts. 63.-67. of LLR F BiH, pertaining to the condominium units that are not registered in either the Book of Deposited Contracts or the Land Register. The draft decision is subject to further verification and is signed by the Head of the Land Registry Office or the designated Land Registry Officer

For each correctly processed case, that falls under the category of Group of Tasks II, verified by the Head of the Land Registry Office or the designated Land Registry Officer, the Individual Consultant shall receive reimbursement in the amount of **BAM 13,00 neto**.

In addition to the above, Individual Consultants shall perform supplementary tasks, such as:

- Organizing case files chronologically from the deadline for application of 60 days upon publication of the announcement;
- Depending on the evidence gathered and the complexity of the case, preparing the draft decision on establishing the land register folio, as well as conducting other actions necessary to complete the case;

¹ Official Gazette of F BiH, ", no. 58/02, 19/03, 54/04 and 32/19 – Verdict of the Constitutional Court of F BiH, no. U-22/16 I 61/22

² "Official Gazette of F BiH", no. . 5/03, 10/07, 80/11, 6/22 and 101/23

- Performing all the required electronic entries in the land register software;
- Printing out new land register folios and other necessary documents;
- Preparing notifications to banks and responsible cadastre services on changes made;
- Preparing the decisions on establishment and other case documents to be delivered, and filling in the envelope;
- Archiving the files;
- Filling in the list of indicators on the monthly basis that pertain to social monitoring of vulnerable groups;
- Performing other tasks required and approved by the Head of the Land Registry Office.

Any mistake made while handling the Property Registration Application Sheets shall be recorded by the Head of the Land Registry Office or designated Land Registry Officer.

Reimbursement to the Individual Consultants shall be calculated based on the number of **correctly** processed cases, verified by the Head of the Land Registry Office or the designated Land Registry Officer, depending on the group these tasks belong to. For any mistakes made by the Individual Consultant when handling Property Registration Application Sheets, no reimbursement shall be made.

IV. OBLIGATIONS OF DOCUMENTATION AND REPORTING

Each Individual Consultant is required to regularly submit monthly reports on the activities carried out within the framework of the systematic establishment and/or replacement of land register, in accordance with the type of engagement and the task groups.

Depending on the type of engagement, two types of reports shall be submitted, which are attached to this Terms of Reference:

a) Report no. 1., related to the period of work involving collection of applications and supporting evidence: including the collection of applications from the interested parties, collection of documentation and supporting evidence, communication with the interested parties as well as field work. This type of engagement is subject to a fixed monthly fee and a complete monthly report, submitted in a timely fashion, represents a basis for this type of compensation during the period of collection of applications and supporting evidence.

b) Report no. 2., related to the processing of cases pertaining to Group of Tasks I and Group of Tasks II: The fee shall be calculated based on the number of correctly processed cases, verified by the Head of the Land Registry Office, or the designated Land Registry Officer. The activities listed in the report shall be documented through generating data from the E-Grunt system/“Detailed case officer view“ [Referent Detaljno]/“Type of Task“ [Vrsta poslova]: “Taken into Processing“ [Uzeto u obradu] and „Closed“ [Zatvoreno], which constitute an integral part of this report.

Each Individual Consultant is required to submit the monthly reports no later than the 5th day of the current month for the previous month.

The Head of the Land Registry Office or the designated Land Registry Officer are responsible for reviewing and verifying the Individual Consultant's report with their signature, thus

confirming the accuracy of the data listed in the reports and the activities carried out. Only reports that were verified in this manner shall serve as a basis for calculating and reimbursing the Individual Consultant. In the case of any irregularities, the Head of the Land Registry Office or the designated Land Registry Officer shall submit a written objection and request the correction of the report prior to its approval. These reports shall additionally be checked by verifying the data obtained through the functionalities of the e-Grunt system.

The Head of the Land Registry Office or the designated Land Registry Officer shall be responsible for the accuracy and veracity of the data. Any false reporting on the activities carried out may constitute a reason for contract termination or payment suspension.

V. REQUIRED PROFESSIONAL EXPERIENCE AND QUALIFICATIONS

- a) University degree in law (VII level or completed first, second or third cycle under the Bologna system of education with at least 180 ECTS points);
- b) Knowledge of MS Office package;
- c) Minimum 1 (one) year of work experience with a university degree;
- d) Knowledge of land registry law applicable in F BiH.

It is desirable that the candidate, at the time of applying for the vacancy, holds a certificate of having passed the general knowledge exam, professional exam or bar exam issued by a competent authority in the F BiH, but it is not mandatory.

In order to evaluate the knowledge of regulations governing the field of land registry law applicable in the F BiH, candidates for Individual Consultants shall be tested in the mentioned field, through both written and verbal parts of the exam. The testing will be conducted by a Commission appointed by the President of the Municipal Court.

VI. WORK CONDITIONS AND CONTRACT DURATION

The Individual Consultant shall sign a full-time contract with the FGA, for a period defined by the Contract.

Work shall be performed in the court premises, during standard working hours, and under supervision of the Head of the Land Registry Office or the designated Land Registry Officer and the President of the Municipal Court.

The President of the Municipal Court and the Head of the Land Registry Office, along with the Unit within the FGA, are jointly responsible for providing the Individual Consultant with working space and all equipment required for carrying out the work.