

Dahir of 12 August 1913 on Land Registration, as amended by Law No. 14-07

Reference: Dahir of 9 Ramadan 1331 (12 August 1913) on land registration, as amended and supplemented by Law No. 14-07 promulgated by Dahir No. 1-11-177 of 25 Hijja 1432 (22 November 2011)

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Practice areas: Real estate and land law, Civil law

The land registration system governs the creation of land titles by the National Agency for Land Conservation, Cadastre and Cartography (ANCFCC). A land title is final and unassailable; rights in rem are enforceable against third parties only once registered. Law 14-07 modernised the procedure and strengthened legal certainty.

Registration procedure

- The application for registration is filed with the land registry, published in the Official Bulletin and followed by a boundary survey on site.
- Objections are received for a period of two months from publication of the notice of closure of the boundary survey.
- Where an objection is lodged, the file is sent to the Court of First Instance, which rules on the existence of the rights claimed.

Effects of the land title

- The land title is final and unassailable; it is the sole starting point for rights in rem and encumbrances on the property (Art. 62).
- A right in rem relating to a registered property exists vis-à-vis third parties only by virtue of, and from the date of, its entry on the title (Art. 66).
- Entries are deemed known to all; a provisional entry (prénotation) temporarily preserves a disputed right.

Key articles

ART. 62

The land title is final and unassailable; it constitutes the sole starting point for the rights in rem and encumbrances existing on the property at the time of registration, to the exclusion of all other unregistered rights.

ART. 66

A right in rem relating to a registered property exists, vis-à-vis third parties, only by virtue of, and from the date of, its entry on the land title by the land registrar.

Points to watch

- Obtain a recent certificate of ownership before any purchase: it reveals registered mortgages, attachments, provisional entries and easements.
- An unregistered deed of sale cannot be relied on against third parties; registration should immediately follow signature.
- For unregistered properties (melk, moulkia), security comes from filing an application for registration and checking the adoul deeds.

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