

Official Gazette

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The English translations of the RERA legislation contained herein are currently in draft form and are provided for reference only.

Survey and Land Registration Bureau

**Resolution No. 1 of 2018
On Creation of Off-Plan Sales Register**

President of the Survey and Land Registration Bureau, having taken cognizance of:

- Land Registration Law promulgated under Law No. 13 of 2013;
- Real Estate Sector Regulation Law promulgated under Law No. 27 of 2017, particularly Article No. 47 thereof; and
- Coordination with the Real Estate Regulatory Authority,

Resolved as follows:

Article (1)

In application of the provisions of this Resolution, the words and expressions stated herein shall have the same meanings set out in the Land Registration Law promulgated under Law No. 13 of 2013 and the Real Estate Sector Regulation Law promulgated under Law No. 27 of 2017, and the following words and expressions shall have the meanings ascribed thereto unless the context requires otherwise:

Plan: An engineering drawing of the real estate units to be constructed showing their locations, boundaries, dimensions, areas and specifications required to accurately and correctly identify them.

Prohibition Sign: A legal procedure whereby a prohibition sign is made on the property sheet prohibiting the property owner from carrying out any legal disposition on the property until this prohibition sign is removed upon the lapse of relevant causes.

Property Sheet: A hard or soft copy sheet for each property stating its description, legal status, owner's name, rights, obligations, transactions and relevant amendments.

Article (2)

The developers shall register into the Off-Plan Sales Register all of the following details relating to the real estate projects:

1. License of the off-plan project issued by the Real Estate Regulatory Authority;
2. Units covered by the development license;
3. Unit sale agreements and all dispositions made from time to time on the rights created by the sale agreement.
4. Detailed statement about any action required by law to be registered in the Property Sheet.

Article (3)

The developer or its officially authorized representative shall submit the application for registering into the Off-Plan Sales Register on the form prepared by the Real Estate Regulatory Authority accompanied by the following documents:

1. Copy of the land title deed or any equivalent document free from any in-kind rights or approval of the in-kind rights` owners for executing the project and selling its units together with all supporting documents of the details contained in the application.
2. Final license of the real estate development project issued by the Real Estate Regulatory Authority
3. Fees payment receipt

Incomplete registration applications shall be considered as inexistent. The said documents shall be submitted within fifteen days as of the application submission date. The President of Survey and Land Registration Bureau may – under a justified decision – extend the 15-day period to a further similar period if the applicant provided acceptable excuses.

Article (4)

The registration applications shall be recorded into the register under serial numbers and according to the date and time on which they are submitted. The Real Estate Regulatory Authority shall provide the applicant with a receipt stating the application number, date and documents attached thereto.

Registration application enclosures shall not be returned back unless they are inadequate or incomplete to the applicant to complete them or discontinue the registration procedures.

After lapse of 15 days as of the application submission date, the developer shall have the right to receive a certificate from the Real Estate Regulatory Authority establishing such registration.

Article (5)

Upon request of the Real Estate Regulatory Authority, the Survey and Land Registration Bureau shall state the following in the property sheet relating to off-plan sales project:

1. In the developer's land sheet, the Survey and Land Registration Bureau shall state that the land is owned by the developer who is constructing thereupon an off-plan sale project licensed by the Real Estate Regulatory Authority.
2. In the main developer's land sheet, the Survey and Land Registration Bureau shall include all agreements made between the main developer and sub-developer.

Article (6)

The Survey and Land Registration Bureau shall register the unit sale agreement into the off-plan sale register at request of the Real Estate Regulatory Authority.

Article (7)

The Real Estate Regulatory Authority shall be notified of each and every update into the off-plan sale register or the property sheet of the off-plan sale project.

Article (8)

Once the developer sells all units of the project and receives the completion certificate from the competent authority and approval of the Real Estate Regulatory Authority, the same shall be recorded into the register stating that the project has been completed and ended.

Article (9)

In case of registering any real estate disposition on the unit or project, prohibition signs or legal disposition may be deleted from the register only under a final court judgment or a notarized instrument stating that the legal disposition – in case of mortgage – is no longer existent.

Article (10)

Upon completion of the project, the Survey and Land Registration Bureau may register the common parts into the Common Properties Register under Article (47) of the Real Estate Sector Regulation Law No. 27 of 2017.

Article (11)

The Land Registration Director General shall implement the provisions of this Resolution which shall come into force as its publication in the Official Gazette.

President of the Survey and Land Registration Bureau

Salman bin Abdulla Al Khalifa

Promulgated on 5 Ragab 1439 AH

Corresponding to: 22 March 2018 AD