

Real Estate Registration as a Document for Proving Property Ownership: A Comparative Study

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Abstract:

The primary aim of laws is to secure transactions, prevent fraud, and avoid the resulting loss of rights and funds as well as frequent disputes. Among the means to achieve permanent and continuous stability of property ownership is to make ownership rights firmly established through a set of tools that serve as a basis for identifying properties, such as the real estate registration in Morocco and the land register in Algeria.

The regulation of documents proving property ownership varies from one country to another; some grant them absolute authority, as is the case in Morocco, while others adopt relative authority, as followed by the Algerian legislator.

Keywords: real estate registration; ownership stability; absolute authority; land register; transaction security.

INTRODUCTION

The right of ownership, especially real estate ownership, is considered one of the most important rights that a person seeks to protect and defend. Several means have been devised to safeguard this right, and the real estate registration system is one of these means.

Real estate registration, after undergoing a purification procedure, results in the establishment of a property title deed. The registration process is an important means of preserving and maintaining real estate wealth, as the property title deed grants real estate ownership strength and immunity, protecting it from any domination or tampering.

The property title deed plays a significant role because it grants the property a new legal status that distinguishes it from unregistered property. It is thus subject to special procedures aimed at purifying it from any disputes that may affect it. Its great value is clearly evident in the guarantees derived from the final nature of the registered real rights.

Our study of this topic required the use of a comparative study approach to present Morocco's experience in proving real estate ownership within the system of real registration, and to attempt to distinguish the legal system of the property title deed from the legal system of the land registry in Algeria, as the latter is the document proving real estate ownership in

surveyed areas, in order to identify points of difference, while considering the analytical and descriptive aspects required by this type of study.

If most countries have recently adopted the system of real registration, including Maghreb countries, how has the Moroccan legislator's experience been in light of the establishment of the property title deed as the document proving real estate ownership in registered properties? And to what extent does it approach the legal system of the land registry in Algeria?

To understand this topic, we decided to divide our study into two sections. In the first section, we addressed the organization of the process of establishing the property register by defining the preliminary procedures for its preparation and the nature of the decision that includes the establishment of the property register. In the second section, we discussed the consequences resulting from the preparation of the property register, focusing on the final status acquired by this register and the extent to which it limits the statute of limitations for acquiring ownership of registered properties.

1. The material and legal framework for the process of establishing the property register :

The current real estate registration system in the Maghreb countries is based on principles and foundations that have gradually varied through successive legal texts regulating this field, which has become one of the most prominent areas of legislation in recent years. Real estate registration is subject to several interrelated procedures, and a human team intervenes in the registration process, whose authorities and powers are distributed according to explicit legal provisions. This process culminates in the issuance of documents in which the civil status of the property is recorded; these are publicly announced in a way that removes all ambiguity and clearly reveals its status concerning all rights related to the property. The registration process cannot be completed unless there is an accurate information base that includes a detailed description of the properties.¹ Therefore, registration in Moroccan law requires material and technical organization represented by the preparatory work for applying the real estate registration system, embodied in the property registration procedure, which corresponds in Algerian law to the general land survey process.

The real estate registration holds great importance as it establishes the final, conclusive evidence that overrides all other claims. This is achieved through the establishment of what is known as the cadastral map following the registration procedure, considered the sole method for defining the registered property both physically and legally. It is sufficient to refer to it to know the property's boundaries, as well as to accurately identify the property owner and the real rights established on it.²

The legal system of the cadastral map differs from other documents in other Maghreb countries, such as the land register in Algeria, and this is what we will attempt to explore.

1.1 Land Registration as a Preliminary Procedure for Establishing the Property Map :

Land registration is a legal and technical framework encompassing all real rights and the associated property burdens at a specific time, as it organizes, preserves, and protects them from any disputes regarding their existence.³ The registration system can be defined as a set of legal rules, successive processes, and integrated institutions, starting from the submission and

deposit of the registration request through the establishment of the property ownership map, and ending with various entries in the land registers.

This system aims to regulate real estate ownership and all other real property rights and to cleanse them of all rights that the ownership was previously subject to before its registration. It is the same system in place in Algeria, as both countries have adopted the system of real estate registration, which accurately records the status of the property and the name of its owner. The data contained in the land registry established after the completion of the general land survey is considered conclusive evidence of its contents, a fact that is neither ambiguous nor doubtful.⁴

Real estate registration is also considered one of the legal systems aimed at establishing and preserving property rights from loss. The property acquires a legal status after the completion of the registration or survey procedure alike.⁵ If the owner feels insecure about their ownership, they may refrain from exploiting their property. Therefore, the Moroccan legislator, in parallel with the Algerian legislator, has guaranteed the owner protection by granting official documents based on instruments with varying legal validity between the two legal systems.

1.1.1 Real Estate Registration Between Optionality and Compulsoriness :

Registration in Morocco is optional, as stipulated by the amended and supplemented registration decree: "Registration is optional; however, if a registration request is submitted, it cannot be withdrawn under any circumstances."⁶

The owner has the option to resort to the real estate registration system or not, as there is no way to force the property owner to do so. After everyone recognized the benefits of this system, real estate operators began to prefer registered properties that are free from disputes related to ownership. Everything included in the property deed is recognized and holds legal weight among all parties. Moreover, the state's resources and current human and technical capacities do not allow for the implementation of a compulsory registration system, as this system requires highly skilled technical staff such as topographic engineers and their assistants, as well as highly competent legal personnel to oversee the registration process. The process also requires substantial financial resources. Therefore, the lack of material and human means makes compulsory registration difficult to achieve in Morocco.⁷ This is the reason why the surveying process in Algeria proceeds slowly. The Algerian legislator has mandated compulsory surveying through Order 75-74, which includes preparing a general land survey and establishing the real estate register to apply the in-kind registration system across the entire national territory. However, due to the high costs of this system and its clash with a complex property situation, it has not covered the entire national territory.⁸ This has resulted in a dual legal system where properties not covered by the survey remain subject to the personal registration system temporarily, while those covered by the survey apply the in-kind registration system. The same situation exists in Morocco, where unregistered properties are subject to the Code of Real Rights, not temporarily but permanently if the owner does not wish to register their property.

However, there are exceptional cases where registration is mandatory according to the provisions of Articles Seven and Eight of the decree. In other cases, each owner or holder of a real right has the right to submit a registration request to the Real Estate Registry Office in

order to subject their property to the real estate registry system and benefit from it. As long as they have not submitted their request, there is no way to force them to do so.⁹

1.1. 2 Real Estate Registration Procedures :

The real estate registration procedure is subject to a series of stages that must be followed and respected by both the real estate registrar and the applicant for registration. Any error occurring at any of these stages may lead to the suspension of the procedure, thus hindering the registration process and preventing the establishment of the real estate title. These stages are limited to submitting the registration request to the Real Estate Registry Office in whose jurisdiction the property is located. The registrar then prepares a summary of the registration request, including a brief of the basic data contained therein, publishes it in the official gazette, and sends copies of this summary to several entities. After the summary is published, the registrar, in coordination with the cadastral survey services affiliated with the registry office, seeks to set the date for conducting the delimitation process, which is primarily a technical operation carried out by a surveyor belonging to the body of topographic engineers. It is also a legal process because it enables the registrar to ascertain the legal status of the property.¹⁰

After the demarcation process is carried out by the conservator and the sworn topographic surveyor appointed for this purpose, the conservator sends a summary indicating the completion of the demarcation process for publication in the official gazette. It should be noted that any person may intervene by filing an objection to the registration procedures within two months from the date of publication of the announcement of the completion of the demarcation. If objections arise, the conservator suspends the registration procedure until these objections are resolved, either by withdrawing the objection, accepting the registration applicant's claim, reaching a settlement between the parties either voluntarily or through the conservator, or by considering the objection null in cases that require it. If the objection is not resolved or removed by one of these means, the conservator has no option but to refer the case to the competent court to adjudicate the dispute.

In the absence of any objections, or if they are resolved administratively or judicially in favor of the registration applicant, the demarcation becomes final, and the conservator proceeds to take the appropriate decision that will determine the status of the property concerning the land registration system.¹¹

In Algerian legislation, the surveying process is initiated by a decision from the governor no more than one month before the fieldwork begins.¹² This decision is published in the official gazette and is subject to wide publicity. Subsequently, a special committee called the Municipal Survey Committee is established to carry out the demarcation and resolve disputes. The Algerian legislator has authorized citizens to submit their complaints to the Survey Committee for examination and to work on amicably resolving disputes between the parties within one month from the deposit of the land survey plan and its attached documents at the municipality headquarters. The committee is granted a three-month period to settle the dispute amicably or by filing a lawsuit before the competent judicial authority.¹³ If the specified period expires, the boundaries become final, and the survey documents are then deposited at the real estate registry office, which undertakes the task of numbering the properties. If the numbering is final or becomes so after the expiration of the temporary numbering period or after resolving disputes

through reconciliation or judicial ruling, the rights recorded on the set of property cards become a reflection of the legal truth. At that point, owners or rights holders may request an extract from the real estate register that proves their rights.¹⁴

1. 2The Impact of Registration on the Preparation of Property Deeds.:

The most significant effect resulting from property registration is the establishment of the property deed, which is the ultimate goal sought by the applicant for registration and the outcome that the registrar can achieve once the registration procedure is confirmed to be correct and free of objections or other legal obstacles in establishing the property deed. This grants the property a new legal status, incorporating it into the registered properties.

1.2.1- The Registrar's Decision to Establish the Property Deed :

The purpose of creating the property deed at its establishment is to prevent disputes that may arise regarding property ownership when the property is exploited or dealt with, whether by sale, mortgage, or other legal transactions. It also aims to eliminate ambiguity and uncertainty about the rights that existed within the property ownership domain, which was not subject to the registration system and was generally based on prior registration and documentation. This leads to the disappearance of the public nature of the property's civil status, which is essentially an important legal means to understand the actual status of the property.¹⁵ It removes any confusion about the condition and nature of the rights attached to the property and makes dealings based on it clear to all concerned parties, whether such dealings are for consideration or not.

Thus, when a property has a specific deed in which its true owner is registered along with all the rights attached to it, any claim to any right on or around it that is not legally registered in its property deed is disregarded. The owner also enjoys sufficient protection administratively, judicially, and sometimes economically.

The property deed is the document established by the registrar to identify the property for which a registration decision has been made in the name of its owner. The property deed must include a set of data, including: a detailed description of the property; the full name of the owner or owners and their civil status; the real property rights attached to the property; the name given to the property and the serial number assigned to it.

Each property deed can only cover one property, whether it consists of a single parcel or multiple parcels that together form a single real estate unit, and whether the property owner is a single person or shared among several owners.

1.2.2- Issuance of Copies of Property Deeds.

When the registrar issues a decision to register a property, in addition to the property deed, a copy of this property deed is prepared containing all the data found in the original.

Paragraph one of Article 58 of the amended and supplemented Registration Decree states: "The owner, and no one else, has the right to obtain a copy of the property deed and the attached plan, certified by the registrar of real estate properties with his signature and the seal of the real estate registry office."¹⁶

It is clear that the restrictions stated in the property deed must also be included in the counterpart of the property deed in a regular and correct manner, and it is delivered to the owner of the property deed if he is sole owner. However, in the case of co-ownership, only one

counterpart is delivered to the partner authorized by the other owners, and this authorization must be in writing. The other partners have no right except to request a special certificate that includes all the information related to the identification of the property, its owner, location, property encumbrances, and real rights burdening the property.

Owners of original and accessory real rights stipulated in Articles 9 and 10 of the Real Rights Code also obtain the same certificate.

In case of loss of the counterpart of the property deed or the special registration certificate, the owner must submit a request to the Real Estate Registrar including a declaration of his identity and the information he knows about the incident. The Real Estate Registrar may, if he deems the declaration truthful, issue a new counterpart of the property deed or a copy of the special registration certificate after the lapse of fifteen days from the date of publication of the announcement in the Official Gazette.

If the counterpart of the property deed or a copy of the special registration certificate is refused despite all conditions being met, it is possible to file a lawsuit before the competent court.

The Algerian legislator took a different approach from the Moroccan legislator by delivering to the owners of surveyed and definitively numbered properties real estate registers on the occasion of the first registration procedure, rather than copies thereof. Thus, the real estate register becomes the sole document proving property ownership for each surveyed property, and based on it, the registration system becomes tangible.

The register is the natural spokesperson for the legal status of the property; it derives its essence from survey documents, is established based on property cards, and is delivered by the real estate conservator to the owner as proof of their rights. The legislator emphasizes the necessity of annotating the property card with every procedure carried out on the property. In the case of preparing a new register, the previous register is destroyed, and this is noted on the property card.

The Algerian legislator also addressed the case of loss or destruction of the register, where the owner can obtain another register after submitting a written and justified request, with the obligation to annotate the property card to indicate that the concerned party has received the register. In the case of co-ownership, the register is granted to an agent on their behalf for possession;¹⁷ however, if no agent is appointed, it is kept at the real estate conservatory.¹⁸

As for the form and data of the real estate register, these were specified by a special model determined by the Minister of Finance's decision dated 27/05/1976, which stipulated that annotations must be clear and legible, written in indelible black ink. These annotations are made by the real estate conservator and signed after affixing the conservatory's stamp¹⁹

2. The Consequences Resulting from the Preparation of Property Deeds :

The establishment of the property deed is considered the final outcome of the registration procedure to which the property is subjected. The deed is regarded as having a final status and serves as conclusive evidence of what is recorded in it. It represents the sole starting point for real rights and property burdens imposed on the property, and any connection between the property and its past before registration is severed. However, the holder of a real right harmed

by the registration retains the right to claim the value of their right and compensation in cases of fraud.

The Moroccan legislator has addressed the effects of registration, clarifying that the property deed holds significant value, which is clearly evident in the guarantees derived from the final status of the real rights recorded in the deed under the registration system applied by the property registry.

The complete clearance of rights recorded on the deed prevents anyone from acquiring other rights through prescription, and it also prevents the acceptance of any dispute that would alter what was recorded upon the announcement of the establishment of the property deed.²⁰ The Moroccan legislator has granted the property deed absolute evidentiary power against all, whereas the Algerian legislator has granted the property register relative evidentiary power in proving property ownership, which we will clarify.

2.1 The Final Status of the Property Deed :

A property deed cannot be established except after following specific procedures aimed at resolving any potential dispute over the property subject to registration, meaning it must be cleared of all disputes and objections that may arise from third parties. This process allows the registrar to verify the validity of the claims of the registration applicant who asserts ownership. If no objections appear during the registration procedure, the property deed is established, acquiring absolute evidentiary power against all.²¹

The property deed has a final status and is not subject to appeal; it reveals the sole starting point for real estate rights and obligations existing on the property at the time of registration, excluding any unregistered rights. This means that the property deed is considered conclusive evidence of what is recorded in it, and the ownership right established by the deed cannot be denied or challenged for any reason predating the registration.

However, there are some exceptions to the principle of purification and the finality of the deed, where this rule does not apply. In such cases, affected real rights remain valid and can be asserted against the owner of the property deed. These exceptions include public properties due to their function, properties endowed for public use which the state continuously protects, acquired rights over public waters, and mining rights.²²

All of this is established for reasons of public interest and because some properties cannot be transferred, and consequently, they are not subject to the purification rule stipulated in Articles 2 and 62 of the Real Estate Registration Decree.

The property deed has evidentiary power, meaning there is a conclusive legal presumption that cannot be disproved, aimed at securing real estate transactions. This principle is the cornerstone of this system, indicating that everything recorded in the property deed represents the truth — indeed, the very truth. Any transaction registered after verifying its validity has full evidentiary value. Transactions recorded in the property deed represent the truth both between the contracting parties and towards third parties. Article 3 of the Real Estate Registration Decree confirms that the restrictions contained in the property deeds protect the rights they stipulate unless amended. Moreover, any subsequent annulment or modification cannot be invoked against a third party registered in good faith, who cannot be harmed by it.

The final and conclusive nature of the decision made by the real estate registrar regarding the establishment of the property record has been subject to severe criticism by legal scholars. They considered the registrar's decision to be arbitrary, unjust, and illegitimate if it results in the loss of legitimate rights. The nature of the decision leads some registrars to collude with the applicant for registration, knowing that they are not obligated to justify their decision. Therefore, exceptions must be made to the finality of the property record to prevent users of forgery or fraud from benefiting from this principle; otherwise, it would be considered a form of unlawful expropriation and an infringement on the rights of others, deviating from the principles of justice and fairness.²³

Regarding comparative legislation, such as Algerian law, a review of Article 16 of Decree 76/63,²⁴ which establishes the property registry, shows that it diminishes the absolute evidentiary power of registered rights. It departs somewhat from the general rules established in the system of real estate registration, allowing individuals the possibility to reconsider established rights through the judiciary even after the final numbering of properties in the real estate registry.

Accordingly, the Algerian legislator made the probative force of the land register relative, as it can be challenged judicially. However, some opinions call for granting the land register absolute probative force, justifying their view by the efforts and costs borne by the state in conducting surveys to establish the real registration system, which should result in the land register acquiring absolute probative force. Accordingly, if a person suffers damages due to the purifying effect of real registration, they should resort to the competent judicial authority to seek protection under the general rules, which only entitle them to claim compensation for the harm suffered without granting the right to request any modification of the registered rights, applying the system followed in Morocco. However, according to some, this opinion contradicts reality, considering that the results of the general survey are not sufficiently accurate to grant the land register absolute probative force. Therefore, judicial challenge is considered a fair and just means to restore the rights of some individuals, and the Algerian legislator has adopted this approach, which Moroccan jurists prefer their legislator to follow.²⁵

2.2 Non-Expiration of Rights Registered in the Land Registry:

Article 63 of the Land Registration Decree, as amended and supplemented by Law No. 07/14, states: "Prescription does not confer any real right over the registered property against the registered owner, nor does it extinguish any real rights registered in the land registry."²⁶

This system establishes registration as the starting point for the establishment of a right that does not expire due to the passage of time or non-use. Consequently, properties subject to the real registration system acquire a stable and fixed status, and no one holding a right over them can lose that right due to the passage of time or non-use, as long as their name is recorded in the land registry. This means that the land registration law is not subject to the general rules related to prescription, whether acquisitive or extinctive.

Prescription involves the idea that a right holder who does not exercise their right within a certain period by resorting to the judiciary to claim or protect their right, is legally barred from seeking judicial protection or claim thereafter. Extinctive prescription primarily applies to personal rights, which expire if the right holder does not exercise their right within a legally

specified period. Real rights may be subject to extinctive prescription except for ownership rights, which do not expire due to non-use, even though they may be acquired by prescription; mere abandonment or neglect of the property does not result in the loss of ownership rights.

Whether it concerns acquisitive or extinctive prescription, the registration decision purifies the property, making it impossible to acquire ownership through prescription.

This indicates that the Moroccan legislator has established the principle that the statute of limitations does not apply to registered real property rights. The registered right remains valid in favor of its beneficiaries and cannot be dismissed or canceled on the grounds of the passage of time. Both acquisitive and extinctive prescription do not apply to real rights related to registered properties. The Supreme Council has confirmed the principle of non-prescription of possession of registered properties and the registered real rights on them.

Registration is a means by which the owner whose name is registered in the real estate registry can protect their right even if they have not exercised it for a long time. Prescription does not entitle a possessor who is not registered in the real estate registry, regardless of how long their possession lasts, to acquire the registered property. The scope of acquisitive prescription based on possession as a means of acquiring real property rights has been significantly narrowed due to the application of the property registration system. It only applies to unregistered properties subject to the provisions of the Real Rights Code when the conditions are met, as owners resort to it to prove their ownership. This is because proving ownership of unregistered properties requires establishing what is known as the continuity of ownership through judicial evidence.

Most Arab and international legislations have adopted the principle of prohibiting acquisitive prescription of ownership in the real estate registration system. For example, Article 19 of the Syrian Real Estate Registration Law states: "The passage of time shall not be invoked against rights registered in the real estate registry."

Article 307 of the Tunisian Real Estate Registration Law states: "No one may claim possession, no matter how long its duration."

As for Egyptian legislation, the law of real estate registration did not permit ownership by prescription, as this contradicts the most basic principles upon which this system is based, namely the principle of absolute authority in the register. However, the Supreme Constitutional Court allowed ownership by prescription under the real estate registration system in one of its rulings, in which it declared unconstitutional the provision of Article 37 of the Real Estate Registration Law that prohibited ownership by prescription contrary to what is recorded in the real estate register.²⁷

If this situation prevails in Arab and international legislations, the situation in Algeria is different, as opinions vary in Algeria, especially since the legislator was somewhat unclear in this regard. The provisions on prescription came without restriction, as Article 827 of the Civil Code stipulated: "Whoever possesses a movable or immovable property or a real right, whether movable or immovable, without being the owner or having a special right, shall acquire ownership if his possession continues for fifteen (15) consecutive years."²⁸

The phrase was general—movable or immovable—and did not specify whether it referred to surveyed or unsurveyed properties or only to unsurveyed properties. Then came Orders 74-

75, which urged the application of the real estate registration system, followed by Decrees 62-76 and 63-76, which included in most of their texts that possession does not apply in surveyed areas and that registration is the source of every right. The Civil Code preceded the laws regulating real estate registration, which are considered special provisions compared to the Civil Code, which remains the general law. We know that the special law restricts the general law, so there is no room for applying prescription in surveyed lands; otherwise, the real estate registration system would lose its foundation and the land register would become devoid of evidentiary value.

Conclusion:

It appears that recent trends regarding the right to real estate ownership have begun to show tangible development due to economic advancements as well as certain legal principles aimed at protecting this right, such as the principle of purification of registration, which is preventive in nature because it seeks to cleanse the property of rights whose validity is questionable by exercising the right of objection to avoid legitimizing unlawful rights and recognizing their legal existence from the day they are recorded in the land registry.

The Moroccan legislator has established the optional nature of real estate registration and has not made it mandatory, as the state's resources and human and technical capacities currently do not allow for the enforcement of a compulsory registration system. The legislator acted wisely, as the cadastral survey in Algeria still faces significant issues regarding its feasibility and nationwide implementation for various reasons. Furthermore, the registration process in Morocco is concentrated in the hands of the land registrar, and it would have been better to involve other specialists and grant them the necessary powers, as the Algerian legislator did by creating a special survey committee composed of members from various fields.

The purpose of establishing the land registry and the intended goal behind its creation is to prevent disputes that may arise concerning real estate ownership. However, it completely overlooks disputes that may occur after its establishment, as the Moroccan legislator prohibits, for any reason, reconsideration of the registrar's decision that includes the land registry. This is considered arbitrary, especially if the land registry, which is an administrative decision, is flawed by defects typical of administrative decisions. The Algerian legislator allowed for its reconsideration but took a somewhat broad approach. This has caused the land register to lose its evidentiary value, which contradicts the principles of real estate publicity.

We have presented the most important findings reached in our research, which allowed us to come up with the following recommendations:

- The Moroccan legislator must intervene to put an end to the problems caused by the flexibility in the execution of contracts related to real estate ownership by establishing the requirement of formalizing or notarizing contracts whenever it concerns real property rights, whether in the field of registered or unregistered real estate.
- It is necessary to coordinate between the real estate registries and the relevant departments in the field of land registration, as the real estate registrar alone cannot establish the status of properties, especially during the initial procedure of preparing real estate plans.
- Although both Algeria and Morocco have adopted the system of real registration, neither country has fully generalized it so far. Morocco excludes mandatory registration, as not

everyone prefers to register their property despite its many benefits, while Algeria has adopted mandatory registration but the process has experienced slow procedural progress. However, the system followed by both countries differs somewhat and is subject to criticism. The solution lies in give-and-take: the Moroccan legislator should repeal the rule prohibiting appeals against real estate plans by establishing the principle that decisions of the Moroccan real estate registrar have the authority of royal decrees and are not subject to appeal. Exceptions should be made in cases of fraud or forgery, not limited to compensation claims. Also, the decision including the real estate plan should be subject to annulment if there are grounds for annulling administrative decisions or in cases where ownership is usurped from the true owner during the registration procedure if the owner has a valid document proving ownership. This is what the Algerian legislator has established, and rightly so.

– The Algerian legislator must put an end to the interpretations and objections arising among specialists or judicial authorities regarding the issue of acquisitive prescription of property under the real estate registration system, as each party insists on what they deem appropriate despite the matter being clear under the real estate registration system. Therefore, it must follow the explicit path taken by other legislators, such as the Moroccan legislator, who explicitly stated that there is no room for prescription in registered properties.

– The registries suffer from the problem of updating property records and aligning them with the current situation, which threatens the real estate system fundamentally. There are properties that have undergone many transactions that have not been registered, making it difficult to regularize their status due to the succession of owners. This requires the intervention of the Algerian legislator to correct previous situations by establishing a special procedure to update property records.

The situation now requires and even compels us to address the problem of both old and new properties, to work on resolving their complex issues through classification and analysis, and to find the necessary and appropriate solutions

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- ²³- Mohamed Ibn Al-Haj Al-Salmi, Precautionary Registration in Moroccan Legislation, First Edition, Morocco, 1984, p. 96.
- ²⁴- Article 16/1 of Decree 76/63, dated March 25, 1976, concerning the establishment of the land registry, states: "Rights resulting from the final numbering carried out under the provisions of Articles 12, 13, and 14 of this chapter can only be reviewed by the judiciary...".
- ²⁵- Naima Haji, Op.Cit, pp. 122, 123.
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