



# The analysis of the impact of instant registration system on the prevention of registration crimes

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## ABSTRACT

Registration law has diverse and broad dimensions and affects all aspects of life. Also, its role in relation to the public welfare in terms of registering obligations and transactions, marriage and divorce, and its interaction with a specific group of scientists and experts in the protection of industrial property through patents and trademarks is quite tangible. On the other hand, the field of registration law, like other regulations, has been expanded, so that it can be said that it includes registration, document and real estate laws. Forging and using the forged document is a crime that has been dramatically increased in recent decades with the advancement of technology in many societies. Although the crime of forging leads to loss of property in many cases, it is classified as crimes against public welfare and not those against property, which reflects the attention to its non-financial aspects, i.e. the loss of public confidence as well as non-financial losses that may result from the commitment of forgery against persons. The most reliable and, at the same time, the most difficult tool to use in crime prevention is the completion of education and training. Regarding the prevention of crimes, many authors of criminal law point to the role of punishment and its execution and they believe that punishment has a preventive role in committing crimes. Crime prevention in criminal theory practically involves collective and individual intimidation due to punishment.

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## INTRODUCTION

Although all crimes hurt security in some way, this feature is clearer in some crimes. In other words, they are directly related to the concepts of national security and public welfare. So that crimes such as espionage, warfare, rebellion, assassination of political officials directly target national sovereignty and the foundations of government. On the other hand, crimes such as forging coin have been considered as crimes against public welfare because they divest public confidence in the authenticity of documents, writings, securities, banknotes, coins, etc., and in some cases (such as counterfeiting currency) undermine the economic foundations of society. In other words, the difference between crimes such as forging banknotes and counterfeiting coins is like murder and theft, which in the former there may not be a particular person who incurs losses; for example, a person who takes the fake banknote, in turn, he will spend it against another.

Meanwhile, most of all the economic foundations of the society and the people's trust in the currency of the country are harmed and

thereby, public welfare is disturbed. But in murder and theft, the first and primary one or more individuals are particularly affected, and the disturbance in public welfare as a result of committing these two offenses is just a secondary and consequential outcome. Therefore, crimes against public safety and welfare discuss crimes that directly target national security or public welfare. As we know, forgery is among the crimes that lead to the loss of public confidence in public and private documents and writings, and thus, it is detrimental to the general welfare of the people. The law on the registration of documents and real estate in article 100 provided in seven paragraphs has introduced it as a criminal act, which if deliberately, the individuals committing it has been considered as forger in official documents. These are as following:

- Registration of forgery documents
- Registration of documents without the presence of the document owner
- Registration of documents without the presence of agents
- Antecedence and deferment of document registration unlike the truth

The law on the registration of documents and real estate has assigned several articles to acts that the mentioned acts are in the verdict of scam and the rule of the law is due to the similarities between the elements of the crime of fraud, with the mentioned acts. Like most other criminal offenses, fraud has not been defined in the law. But according to article 1 of the law on aggravating punishments and perpetrators of bribery and embezzlement and fraud, approved on 1985 by the Islamic Consultative Assembly and acknowledged by the Expediency Council, it can be defined as follows:

Fraud refers to taking others' property by resorting to fraudulent means. By looking at the provisions 109-108-109-116 of registration law, we find the similarity of fraud with the crimes contained therein because the demand for registration of property as ownership without the presence of a relationship between ownership and occupation is considered as a fraudulent act and this fraudulent act shares with the material element of scam. On the other hand, the law on the registration of documents and real estate in article 100 of the registration law has considered some acts in seven paragraphs as criminal acts that if deliberately, the perpetrator is identified as a forger of official documents.

**Problem statement:**

One of the major crimes that have been taken to combat is the category of forgery. The history of this crime is very long and it can be said that since the man wrote his legal relations, the crime of forgery also occurred simultaneously. The forging of documents in the present form became customary since paper was chosen as a means of writing. Different countries adopted suppressive laws in the face of this crime, but the inefficiency of these suppressive laws gradually became clear without proper prevention, reduction of targets' gravity, and also appropriate social prevention.

Registration crimes are crimes that, if committed, are considered by law as crime, and the perpetrator will punish. The Law on the Registration of Persons and the law of crimes and penalties for identity card documents and records have predicted punishment for some of the cases found to be criminal in both cases. Also, the Law on the Registration of Documents and Real Estate has considered severe penalties for some of the crimes

of the authorities of the notary publics and the staff of the registry office and has included them equal to forgery in official documents whose punishment, if the perpetrator is a government employee, according to Article 532 of the Islamic Penal Code, is one year to five years imprisonment or six to thirty million Riyals cash penalty in addition to administrative punishment and compensation for damage, and if the perpetrator is not a government employee, according to Article 533 of the same rule, six months to three years imprisonment or three to eighteen million Riyals cash penalty plus compensation for damage.

Registration crime is a deliberate violation of registration rules and regulations of the employees of registering documents, persons as well as the heads of registry offices for whom statutory penalties have been foreseen including imprisonment, pecuniary punishment, foreclosure and license cancelling, detachment and deprivation of social rights such as deprivation of being in charge of notary or notary assistant.

Since such responses in face of committing forbidden and unauthorized acts are after a crime and have a criminal mode for the offender, they have psychological and material costs for the individual and society. So, crime prevention is of particular importance to the legislator. In this regard, also other responses to violations and crimes have been considered to prevent the commission of unauthorized acts. The characteristic of this type of preventive responses is that they are not necessarily coercive while punishments are coercive and suppressive, and also they prevent the commission of forbidden act rather than be used after the commission of unauthorized act and just for suppression.

In today's societies, the issue of criminology and finding ways to prevent crime is very important. Today, punishment is not a cornerstone of criminal policy but in the broad meaning of criminal policy, the category of "crime prevention" has a special position. In general, prevention is considered as one of the basic policies and practices in the field of community control. This policy refers to all preventive direct and indirect practices and strategies from crime, deviance and aberration and hence, it is an "antecedent policy" against all kinds of provisional and ordinal punishments and practices that are "post policy" and it is more efficient and more effective and more beneficial in

terms of society, economy and culture. Therefore, we decided to examine an analysis on the impact of the instant registration system on the prevention of registration crimes.

#### **Research necessity:**

Notary public, as the target of registration crimes (because of the procedure), was considered as the sign of backwardness for many years, has now become a reference of regulating individuals' legal relations, the symbol of progress, development, growth, speed and efficiency with the instant registration system that in addition to suitable efficiency, it also prevents profiteers, perpetrators and criminals from this field. These evolutions are occurring quickly and in the future we will also see other evolutions in this area. The instant registration system (as a system through which all notary publics across the country are required to regulate documents) should be more explored and reviewed, its challenges should be identified, and appropriate solutions should be presented.

#### **Research goal:**

Investigating the effect of instant registration system on the prevention of registration crimes against general welfare.

## **METHODOLOGY**

#### **Research theoretical foundations:**

Regarding the crime of forgery, it should be said that all kinds of forgery are predictable in notary publics. The most important crime is the crime committed by all components of the office including the notary boss, notary assistant, employees, and clients. In fact, the forgery in notary publics occurs in various forms which in some cases may lack of the required spiritual element. In the process of document regulation, a mistake may occur intentionally or unintentionally in writing specifications of the parties or dealers or other items inserted in the document and the document be signed by the parties and after signature, the parties or the boss of notary public or someone else finds out the mistake. It was common in notary publics to explain on the margin of the mistaken-occurred document and the correct phrase was written and was signed and sealed by the boss of notary public and thus, the document was modified. Because these modifications were done to remove

the mistake and did not have the required spiritual element for committing forgery, they were not considered as forgery but sometimes important and obligatory material was written on and added to the parties' written documents or manipulations and changes were made in the deal pillars and caused damage to others. Also, this type of manipulation, in the absence of a spiritual element, was not considered as forgery and it was just disciplinary violation because according to the notary publics' law, notary publics while making mistakes are supposed to resolve the mistake by regulating the correctional affidavit. But if the parties are not be available or do not come to the office due to disagreements, the boss of notary public will proceed to annotate the document to solve the problem. Lawyers have divided forgery into two types:

(a) Material forgery: damage to the appearance of writing or document.

(b) Spiritual or provisional forgery: the fact inside the writing or document is distorted or the materials attributed to others are reflected in another way without any damage to its appearance, such as the distortion of the accused's words in the minutes by a judge (e.g., the mentioned cases in M. 534 GH.M.A).

#### **A. The quality of instant registration impact on material forgery:**

If a tangible damage appears to the document, for example a part is added to or removed from the document, material forgery has occurred. Different kinds of material forgery include creating a writing or document or signature or seal, fraudulently distorting or altering the truth in the existing writing or document, scratching, whittling, adding, blurring, fixing or blackening, antedating or predating the date of the document relative to its actual date, fraudulently attaching a writing to another writing, using another seal without the permission of the owner.

#### **B. The quality of instant registration system's impact on spiritual forgery:**

Of all types of forgery, it is possible to mention distorting the truth in a writing regarding meaning and content often by government officials or members of registry offices or notary publics which can distort the truth in the provisions of a document or contract or alter or distort the names

of individuals, and also may show the false thing as true or a true thing as false, or indicate something not confessed as a confessed one.

Therefore, spiritual forgery is still committable and the instant registration has not been able to deal with it. Although the prevention of this type of forgery is extremely difficult and it may be confused with writing mistake, because most of the bosses of notary publics are trusted and reliable people, writing mistake and error in notary publics are also inevitable.

#### **Forgery of documents in the notary publics before and after instant registration:**

Before the launch of instant registration system, sometimes some materials were added in notary publics by the notary boss, notary assistant or even the staff of the scriptorium, or some of the provisions of the documents were reduced which in most cases these manipulations of the document have been too minor and insignificant to damage the provisions of the document, e.g. in writing the document it is possible that due to carelessness the father's name of the dealer is Hasan but it is written Hossein by mistake that previously it has been corrected by annotation alongside the document and was signed and sealed by the notary boss. In the system (instant registration), annotation has almost been prevented so that in order to regulate the documents after receiving the responses for inquiries and obtaining necessary documents, document regulation is done. After inserting the system requested information, the draft of the document is received and will be registered in the notary and at the time of the dealers' presence at the notary, the single identifier number of the document is taken and is printed and afterwards the parties sign the document and after the above steps, the notary boss proceeds the document final confirmation. After the document final confirmation, no one including the notary boss, notary assistant and the scriptorium staff cannot make any changes in the contents of the document or add/remove any material to/from the document. In this way, the way of adding or removing material in the regulatory document is completely eliminated and any changes to the provisions of the document must be written in the presence of the parties and through the amendment document and be signed by the parties.

#### **A. Cadaster documents and prevention of forging property documents:**

As mentioned previously, the presentation of forgery documents and power of attorney by criminals in this area is not a new subject in notary publics and recently in order to solve this problem, the appearance of documents has been changed by the registry office and Cadaster documents are given to owners that have a security hologram and all information and details about the property, the owner and the limit of the property are included. With these new documents, the possibility of forging is very low.

#### **B. Provisional and public prevention of document forging:**

Crime prevention regarding the crime of forgery can be general and conditional.

Public prevention weakens the roots of crime in the society and regularizes the society and, by meeting the needs of the people, it leads people to honesty. However, it should be noted that punishment is essential and necessary too and of course in a society where discrimination, bribery, economic and social corruption, unemployment, etc. exist and those who face problems such as housing, unemployment, health and so on, further subject to committing crimes. If general prevention is done correctly, then we will not observe crimes such as forging.

#### **The ways to detect forgery and the role of instant registration in it:**

Regarding document forgery, attention is also paid to the destructive effects of this crime and the up to date criminals and the offenders who use modern methods and new techniques to forge document and to use the forgery document. So to deal with this crime, it is necessary to create electronic archives, increase the security coefficient of documents by using press seals. According to the scientific police, the discovery of forging in the notary publics by using scientific methods, due to up to date criminals in this field or using forgery documents, when the forgery document is used or the crime of forging occurs in notary publics, is fulfilled and the authenticity or forgery of the documents is identified with the help of expert technicians and scientific police.

## ■ RESULTS AND DISCUSSION

### **Special registration crimes:**

Special registration crimes include Articles 117 and 103 of the registration law. According to Article 117 of the registration law: "Anyone grants a right to an individual or individuals according to a formal or ordinary document in respect of the same property or a financial benefit of the property, 'whether movable or immovable', and then deals the person in respect of the same or benefit according to the formal document, he will be sentenced to three to ten years imprisonment". On the other hand, according to the Article 103 of the registration law: "Each of the employees and components of the Registration of Documents and Real Estate intentionally gives confirmations that are against the true, he/she will be considered as the forger of formal documents."

### **First speech: opponent deal**

The opponent deal is when someone accurately or financially transfers a property whether movable or immovable to another person and then makes a transaction or an opponent commitment in respect to the same property with the transferred right. The opponent deal has four types as following:

- Both deals with formal document;
- Both deals with ordinary document;
- The first deal with formal document and the second deal with ordinary document;
- The first deal with ordinary document and the second deal with formal document.

### **Giving confirmations against the true:**

The Law on the Registration of Documents and Real Estate has devoted its Article 103 the confirmations against the truth. The Article 103 of the law of registration reflects this subject that "each of the employees of the registration office intentionally gives confirmations against the truth, is considered as the forger of official documents".

### **Preventive reactions to registration crimes:**

Crime prevention, regardless of its various forms, is limited to observance of theoretical foundations, scientific principles, and especially legal criteria and confines, according to the type of crime, the type of offenders, and the used programs, methods and techniques. The objective of prevention cannot justify the use of any means,

technique or action and in particular the abandonment of the general principles of law, and become an excuse to resort to extraordinary regulations and extralegal special methods. Thus, the principles and rules of law predict limits and constraints for non-repressive strategies, and define post-strategies against crimes.

Preventive policy is part of the country's criminal policy against crimes. In fact, preventive policies are located against repressive or criminal policies, which the former considers the strategies before the crime and the latter looks at the guarantee of subsequent implementations.

The repressive and threatening punishments and practices are indispensable tools for the encouraging prevention. The valuable role of punishment in this relation is not hidden from anyone. Execution, imprisonment, deprivation from government services and other penalties established in the registration rules and regulations cannot be fully effective practices in crime prevention, although they have been able to some extent to prevent the occurrence of registration crimes.

### **The first topic: educational practices**

Crime is the result of complex human, social and environmental factors. In order to deal with crimes in order to reduce its commission or to prevent it from happening or repeat in the future, it is necessary to study the causes of crime commission or to fight it. Any action taken to prevent a crime before it is committed is considered as a preventive action. Among the preventive actions, the role of educational responses is very effective.

The final stage is the execution stage. After the verdict was issued by the district court, if the verdict is based on the punishment degrees 1 and 2, pursuant to Article 48 of the mentioned law, the verdict is definite and executed. Consequently, the sentence of reprimand and the cash penalty issued by the district court is definitive for the notary bosses and assistants and will be executed after notification. But according to Article 48, the law of disciplinary punishment from grade 3 upwards is revisable within 10 days after the notification. Deprivation verdicts will be executed by registering the notary place of deployment of the offender notary boss and notary assistant. According to Article 26 of the law on notary publics, if the notary

boss is sentenced to deprivation of his/her job, according to the order of registering the place of deployment, he/she must submit documents and notebooks and securities to the notary assistant or the office that is assigned and after finalizing the conviction he/she will have no right to set up and register documents and no other action in the notary public and according to Article 13 of notary public bylaw, when the notary boss is sentenced to deprivation of his/her job, the management of all affairs of notary public will be assigned to a bondsman who is selected from among notary assistants qualified for this job or notary bosses of the same registration sector by registering region.

Also, if the notary boss is deprived of his/her job forever, according to what was mentioned, a permanent and new notary boss will be chosen based on the regulations concerning the election of the official notary bosses.

Finally, it is noteworthy that according to Article 42 of the law of the notaries of the Ministry of Justice, at present whenever the head of the judiciary finds the actions and behaviors of a notary boss or a notary assistant against the order and the regulations of the notary, by referring to the disciplinary court he can issue the deprivation up to six months.

Educational practices include both ordinary people and the employees of registration and real estate, notary bosses, and notary assistants. Given that a large number of registration crimes are committed by ordinary people, training and informing people plays a valuable role in crime prediction. Additionally, victims of these crimes are also the people of the community. If people have complete awareness and information about registration rules and regulations, first it will strengthen the volition of the individual to refrain from committing a crime and second it can be a barrier to committing a crime by others. Educational programs of the people in elementary level can begin from the Ministry of Education. Informing people through the press and television and radio and religious educations to feel responsible for losses from others' crimes and outcomes of the criminal actions is strongly effective in prevention of crimes. For example, registration of a property not required to the introduction of local witnesses to emphasis on possession and buying the property on behalf of the applicant and also confirming occupancy is

undeniable. The Article 23 of the law of registration reminds the necessity of submitting documents regarding possession and practically when examining the place by representative and registrar, the presence of local witnesses and confirming all mentioned items are necessary. Also, according to the Articles 1, 2, 4, 6, and the amendment Article 147 of the registration law, the necessity of confirming occupancy of the judge has been recalled and experts point to the need for the presence of a local witness. Therefore, if people do not have enough awareness regarding the effects, practices, and importance of their testimony, the registry applicant will easily register the same thing he wishes. Their testimony may be the only cause of issuing the illegal ownership document in the name of a non-owner. Regarding the employees of the registry office and notary bosses and notary assistants, organizing regular and continuous training courses and classes, the necessity of accurate apprenticeship for an appropriate period, continuous and accurate monitoring of registry staff, notary bosses and notary assistants can be effective in preventing crime and registration offenses.

The second topic: the role of registration references in preventing registration crimes

Since crime is an anti-social phenomenon, its territory permeates into registration law too, because registration law is a variety of regulations which governs the social relations of humans in the field of regulating documents, contracts, and mutual obligations. Registration laws which are a set of obligatory rules and regulations, in the implementation scene require a supporter to prevent registration crime and offenses. This supporter is registration references that can play a critical role in crime prevention.

Regarding the law of registration, it should be acknowledged that a large amount of this law has been used to prevent crimes. The registration law and bylaw, in various cases, provide references as competent components in the preliminary stages of registration that can best prevent the commission of registration crimes. Their function is such that before committing a crime, the non-forcible action must prevent its commission. Experts, representatives and registry officials may refuse to set up an expert report and perform registry practices in favor of those who illegally grasp the ownership of others' properties. Inspectors of the

supervisory boards and the supreme council of registration are also competent to prevent the full commission of a crime in advance, and the dispute resolution boards can suppress the initial actions of abusive individuals who want to grasp the illegal possession and occupancy of others' properties.

**A- Experts, representatives and registry officials:**

If you apply for registration of properties, experts and representatives of registry offices refer to the place and help clarify the status of property and possession through their research. In fact, the expert report which is set up after and based on research is the cornerstone of registration preliminary practices. Experts and professional representatives make expert comments by conducting research and specialist surveys and if the requested property does not belong to the applicant and the mentioned applicant wants to register other's property, by setting up and submitting expert reports, informs the applicant's lack of ownership regarding the application for registration to the registry office or the dispute resolution boards. Also, by observing the registration representative's report, the registration officials refuse to pursue the case and set up the declaration and issue the registry notice and therefore, they prevent property's registration and committing a criminal action. Experts can play a very sensitive role. The cases in the dispute resolution boards should be referred to the experts for further examinations and all cases with the subject of registration application as unknown-owner properties should be referred to the registration representative in order to local research. Also, a registration representative is a member of all dispute resolution boards and has the right to make decision and is the main decision maker regarding the registration applications of unknown-owner properties. Therefore, registration experts, representatives and officials by complete and exact information about law and registry issues and more research regarding registration applications by proper practices can impede committing crimes including issuance of the opponent possession document, registration of other's property, selling other's property and other crimes within the scope of registration law.

**B- Inspectors, supervisory boards and the supreme council of registration:**

The inspector is the one who deals with the work of employees and staff on behalf of the ministries, organizations and offices and inform the accuracy or inaccuracy of their work to the boss or minister. Inspections from registry offices and their performance and their records as well as notary publics are performed by provincial registry inspectors and expedition inspectors from the Registration of Documents and Real Estate, and if the functions of registry offices and notary publics are not continuously inspected, if the mentioned authorities have delinquent staff, they may be liable for committing crimes or pave the way to commit crimes without fear of inspecting and announcing the violation inspection. But in the inspections carried out, whenever the grounds for the violation or illegal performance of the employee of a registration office or the notary boss or the notary assistant becomes clear, then further offenses and crimes will be prevented by announcing the violation and illegal function and consequently, by announcing the committed crime and introducing the criminal or the offender it can provide an introduction to repressive responses.

Also, Article 25 of the Law on Registration of Documents and Real Estate has announced the duties and competencies of the Registration Supervisory Board. According to the first paragraphs of this article, the determination of the obligation to amend or revoke the application for registration in the event of conflict and confusion in the seizure of persons or the creation of disputes between individuals and registry offices in accepting the application for registration and fixing the mistake of setting up the documents and complying with the regulations are up to supervisory boards. Provincial supervisory boards include the general director of provincial registry office or his representative, two of the provisional court judges, and the Supreme Court of Registry has two branches of documents and real estate consisting of two of the provisional court judges selected by head of the judiciary and the head of registry office in the real estate branch and the head of documents in the document branch of centrals council. The votes issued regarding the authorities expressed by the Provincial Registration Supervisory Boards can be appealed and reviewed by the Supreme Council of Registration, and

supervisory boards or Supreme Council of Registration by revoking the registration application or modifying it or removing the intruder in acceptance of registration application, and also by resolving mistake in document regulation can carry out a preventive action regarding registration crimes or violations.

### **C- Dispute resolution boards:**

Regarding the dispute resolution boards, three references should be mentioned: 1- Dispute resolution boards under the amendment Articles 147 and 148 of the registration law; 2- The Investigation Board of the Status of Ownership under Article 140 of the Third Plan of Economic and Social and Cultural Development of the Islamic Republic of Iran; 3- The dispute resolution board under the law of the issuance of the ownership document of the areas where their registered documents and records due to the imposed war or natural disasters such as floods, fires, earthquakes and ... has disappeared. The mentioned board is responsible for issuance of positive or negative vote regarding the individual's registration application on immovable property. Dispute resolution boards under the amendment Articles 147 and 148 of the registration law consisted of one of the judges of the judiciary appointed by the head of the judiciary, the boss of the registry unit, and a registration expert by assigning the head of the registration of documents and property department. The board of issuance of the ownership document in the implementation of Article 140 of the Third Plan of Economic and Social and Cultural Development consists of general director of provincial registration, chief justice of the city and the general director of the Housing Foundation of the Islamic Revolution or his representative; and the dispute resolution board regarding war-torn areas consists of the responsible authority for reconstruction, head of registry office or the assistant registrar of registry office, two trustees introduced by the representative or local representatives in the Islamic Consultative Assembly, mayor or the local municipality assistant concerning cities and sherrifdom or its assistant outside the city.

Regarding the registration application in mentioned boards, the cases are referred to registration experts in order to consider and research in the place and if a person by introducing himself as the owner intends to sell a property to

another person or people who do not possess a property or wants to register that property in the name of himself, the mentioned boards, according to the report of an expert or self-examinations and during investigations that have been performed in the board session on the applicant, discover the truth and prevent committing a crime via issuance of a negative vote.

So in relation to the forgery in the registration of documents and real estate it should be noted that if formal or informal documents and writings are subjected to cheating and manipulations totally or partially, then it will lead to disturbance in social relations, affray, and material or spiritual or social losses. some cases have been mentioned concerning the Articles related to forgery of identity card documents in Articles 48 to 50 of the registration law, but one of the most important articles of the registration law of documents and real estate in relation to registration crimes is Article 100 of the registration law in which 9 types of registration forgery crimes have been articulated such as material and provisional and spiritual forgery, which include:

- Registration of forgery documents
- Registration of documents without the presence of the document owner
- Registration of documents without the presence of real agents
- Registration of documents with unrealistic date
- Hiding or eliminating the registration notebooks
- Removing the papers of registration notebooks
- Cancelling the credit of document registration fraudulently
- Registration of documents by knowing lack of possession of the owner of the document
- Registration of documents that have been expired.

In almost all instances that the legislator has mentioned forgery, he has discussed the use of the forged document too and has assigned the same punishment for this crime. It is noteworthy that the mean by usage is not making practical use of the forged document, but as the word "usage" shows, this crime will be realized by just committing actions like "applying, submitting and providing, relegating, using, citing, exchanging and so on".



## ■ CONCLUSION

There are three main categories of registration crimes. The first category includes particular registration crimes. These crimes have been expressed in distributed cases and regulations consisted of opponent transaction, assigning the person who claims to register a property as a poor person in order to evade the right of a party that the related judgment has issued a sentence in his favor by the competent court according to Article 45 of the law of registration, doing a real estate transaction that has an opponent possession document and also avoidance of the notary boss of assistant deprived of serving in the notary public regarding submitting the related documents to jurisdiction and competent authorities assigned by the registry offices. Another category of crimes are called registration crimes because of the great similarity to the forgery crimes and include forging official documents special to employees and components of the registration of documents and real estate and the owners of notary publics, not-true confirmations by the employees and components of the registration of documents and real estate.

Finally, there are also some registration crimes that have been termed due to their similarity to betrayal and fraud have been called registration crimes judged as betrayal and fraud. These crimes are almost numerous, such as: colluding of the custodian or the endowment representative with the applicants for property registration, the application for registering other's property and showing oneself as the non-real owner of a property, betrayal or collusion of the trustee with another person, etc.

The criminalization of registration crimes is a process by which some behaviors in the field of registration are included in the criminal law. The extent to which these rules are spreading under the pressure of public opinions, it creates more criminals too.

As mentioned, training the notary bosses and notary assistants and other employees of the registry office can prevent the occurrence of crimes. Another way of prevention is notifying people that is extremely associated with the culture of a nation. Culture plays a very important role in human behaviors and interpersonal relationships. A rich culture is the biggest barrier and obstacle against

deviations and aberrations. On the contrary, an inappropriate culture, even in the presence of other material conditions, not only will not lead individuals and will not be able to ensure their prosperity, but it is itself an additional causative and destructive factor in this regard. By raising the awareness of people, their culture will enhance and, in turn, it will prevent crimes.

A large number of registration crimes are committed by ordinary people. Hence, people can play an effective role in the prevention of registration crimes and this awareness is achieved through education. The first institution to inform the people of the family. Parents are the first ones who affect the mood of the children in the family. They base the foundations of moral virtues or wickedness of their children through their actions and movements, and provide grounds for social or anti-social behaviors. After the institution of family, school and education are the institutions that contribute to the task of training and the process of informing and socializing people. Another important contributors that are as important as family and school include the media, the press and the mass communicational institutions. By the identification and analysis of cultural, social, economic and political problems and also via adopting strategies and applying appropriate practices, the mass media can play a significant role in reducing the amount of registration crimes. Because of the broad spectrum of the audience, media can help lead public opinions to a certain path.

## ■ DECLARATIONS

### **Authors' Contributions**

All authors contributed equally to this work.

### **Competing interests**

The authors declare that they have no competing interests.

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