

EuroGeographics' Vision on Cadastre and Land Registration in Europe 2012

Peter LAARAKKER, the Netherlands

Key words: Cadastre; Digital cadastre; e-Governance

SUMMARY

EuroGeographics is an European umbrella association for national geodetic, cartographic, topographic, cadastral and increasingly for land registry organisations. The vision of EuroGeographics is to achieve 'interoperability' of the members' national land and geographic information assets to provide Europe with an information asset that will enable it to become the most competitive and sustainable economy in the world. More than half of members of EuroGeographics are responsible for the development and maintenance of national cadastres and land registries and many of those organisations already work on cross-border issues. In the last few years EuroGeographics put many efforts to strengthen its activities in the field of cadastre and land registration. To express its ambition to become a major key player for geographic and land information in a pan-European context, EuroGeographics established the Cadastre and Land Registry Group.

The long term goal of the Cadastre and Land Registry Group is to become a driving force in the European real estate field of work with the means of relevant and reliable results, value added non-competitive cooperation, partnerships and raising professional profile and awareness. The current focus of the group is to:

- provide an information resource (knowledge bank) about different cadastral and land registry systems in Europe to allow benchmarking of organisations,
- define the role of the cadastral parcel in INSPIRE and national spatial data infrastructures with impacts on cadastre and land registry operations,
- be involved and to be a partner in the development of European Union policies related to mortgage funding,
- maintain common characteristics and an inventory on general information about land surveyors activities, professional standards and share best practices in public private partnership,
- provide a forum for the cadastral and land registry organisations and associations in Europe to exchange best practices and strategies, to discuss project developments and extension of services to other countries and to exchange work plans and information,
- exchange best practices, inform EuroGeographics members about the professional development, discuss professional matters and raise awareness.

The most important activity of the group was the development of a new vision statement for cadastre and land registration in Europe by 2012. This paper deals with the vision statement.

EuroGeographics' Vision on Cadastre and Land Registration in Europe 2012

Peter LAARAKKER, the Netherlands

1. BACKGROUND

More than 30 EuroGeographics members are responsible for the development and maintenance of national cadastres and land registries. This responsibility requires many of them to work on cross-border issues. EuroGeographics is committed to the effective coordination and representation of the issues which impact on and arise from cadastral and land registry activities.

The EuroGeographics Cadastre and Land Registry Group provides a focus for these activities within the broader Association's remit.

The goal of the Cadastre and Land Registry Group is to act as a driving force in the European real estate field of work through the sharing of knowledge and a programme of relevant project work. We are committed to doing this through non-competitive cooperation, partnerships and by raising professional profile and awareness.

The aims for the Cadastral and Land Registry organisations is encapsulated in this vision statement. It has been widely discussed in many meetings in collaboration with the PCC and has been approved by both organisations during 2007.

The vision statement was prepared by a team of EuroGeographics' professionals: Peter Laarakker (Chair), the Netherlands, Bozena Lipej, Slovenia, Helge Onsrud, Norway, Saulius Urbanas, Lithuania and Wilhelm Zeddies, Germany.

“The Cadastre and Land registry organisations of Europe will provide state of the art services to the Real Property and land information market within the e-government framework by co-operating in the building of national and European Spatial Data Infrastructures.”

2. RATIONALE

Cadastral and real property information and other information produced and distributed by Cadastre and Land Registry organisations is an integral part of national and European spatial data infrastructures. The organisations responsible for real property registration and information are faced with huge challenges resulting from technical developments world wide and from the political changes taking place across Europe. More and more legislation produced by the European Union is affecting the work of Cadastre and Land Registry organisations. To provide a focus for these organisations strategies, in response to these

challenges, the Vision Statement was prepared. It may also be used in the external communication of the Cadastre and Land Registry organisations intent to their stakeholders, including national and European institutions.

Cadastral and real property information is required by the INSPIRE directive that creates obligations to the Member States to create access to national spatial data infrastructures. The European Union is also developing its policies for an open mortgage market in Europe which is crucial to facilitate the single financial market. Cross Border real property transactions are increasing rapidly in Europe. In some regions a considerable amount of real property sales are with non-resident purchasers or professional investors. The White Paper on Mortgage Credit in the EU issued in December 2007 makes clear the Commissions ambition regarding the access to and availability of cadastral information in relation to mortgaging.

In parallel with this the European Union and national governments are developing policies for e-government. Cadastre and Land Registry organisations throughout Europe must respond to this and the fast technical developments and market demands which stimulate e-commerce.

This Vision Statement sets out an ambitious vision for the services which European Cadastre and Land Registry organisations should provide to private and public users. It will help them maintain their role as providers of essential information and services to the real property market, as well as meeting the wider needs of the market, both public and private, within national and European SDIs.

The Vision Statement looks some five years ahead setting the targets for 2012. Cadastre and Land Registry organisations recognise the fact that they have different mandates and operate on different economic models and that their state of development differs. This means that not every organisation can achieve the status described in the vision by 2012. Whilst national policies must be respected the Cadastre and Land Registry organisations recognise the way ahead laid down in this vision.

Cadastre is a type of land information system that records parcels of land. It includes juridical, fiscal, land-use and multi purpose cadastres. The Land Registry contains information about legal rights to real property objects, such as information about ownership, servitudes and mortgages. The two registers are organised in different ways throughout Europe. It is a trend that the two registers are maintained by a single organisation operating a combined database, but many countries have separate organisations and separate databases for the two types of real property information.

In the past many international organisations have been active to formulate the principles and benefits of cadastre and land registration or to describe the future of these functions. International Federation of Surveyors has formulated its 'Cadastre 2014', the UN Working Party on Land Administration its 'Guidelines' and the Permanent Committee on Cadastre its 'Statement on Cadastre'. The EuroGeographics Vision Statement on Cadastre and Land Registration elaborates on this work and refers to the documents and websites mentioned in the references.

Many members of EuroGeographics have contributed to the development of these visions through their involvement in these organisations. The EuroGeographics sets a framework for the development of Cadastre and Land Registry organisations in Europe in the coming years and to focus the activities of these associated organisations so that we do *'provide state of the art services to the Real Property and land information market within the e-government framework by co-operating in the building of national and European Spatial Data Infrastructures'*

3. RECOGNISING THE TRENDS AND CHALLENGES

Emerging cross border real property markets in Europe

The European Union plans through the Lisbon agenda to be the most competitive economy in the World. The real property market and related financial markets play an important part in the economy of the European Union. Open real property markets are vital to developing the European single market. Effective and efficient cadastral and land registration processes will significantly contribute to the objectives of the Lisbon agenda. Cadastre and Land Registry organisations recognise that they are responsible for essential services to the evolving cross border real property markets in Europe. They know they have to facilitate securing real property sales and mortgages across national boundaries by ensuring the availability of real property data across national borders.

Development of national and European spatial data infrastructures

Cadastral information is an important component of the European Spatial Data Infrastructure as defined in the INSPIRE directive. The cadastral parcel is of vital importance to this infrastructure, creating one of the 'core' reference datasets for interoperable spatial information. It creates the link between the information in the legal domain, both public restrictions and private encumbrances, as well as other information like environmental, land use, valuation, agricultural and zoning information. This information has to be interoperable with other data in the public and private sector to create an effective national (and European) Spatial Data Infrastructure.

Increasing needs for integrated information and services

Cadastre and Land Registry organisations recognise the fast developments in e-government and e-commerce and that these will play an increasingly important role in real property transactions. Tomorrow's actors in the real property market will expect to find all relevant information for a real property transaction in electronic form at one place on the Internet, and that he or she is able to complete the transaction in electronic form. Relevant information needs to be integrated, being the classical cadastral and land registry information and also information on public restrictions on real property, land use zoning and environmental protection.

The ever widening role of Cadastre and Land Registry organisations

Cadastre and Land Registry organisations understand that they can fulfill an ever widening role with respect to the development of an efficient real property market. They recognise that they have to be active partners in legal and other relevant developments to fulfill their responsibilities as key service providers to the real property market as well as to other users of real property information in the public and private sector. The Cadastre and Land Registry organisations also recognise that, outside their basic obligations, they have to engage in ensuring additional services needed for efficient and secure transactions in real property, such as reliable access to real property prices.

The organisations also appreciate their important role in providing authoritative and reliable real property information to a spectrum of users in the public sector, at a national as well as on a local level. A well functioning cadastral and land registration system serves as the backbone of land administration in general. It will also play a major role in meeting land administration objectives.

Cadastre and Land Registry organisations recognise that cadastral and land registry data play an important role in spatial data infrastructures which are used for decision making and assessment of policy measures on environmental, social and economical issues. The creation of spatial data infrastructures at national, regional and European levels provides distributed access to real property and other spatial datasets which are needed by users from different sectors of society, such as environment, housing, transportation, agriculture and tourism. The current, mostly geo-information based, spatial data infrastructures need to be further developed with real property data, providing users with access to information on ownership, value and use, as well as the underlying topographic map and related address information.

Building-up public-public and public-private partnerships

Cadastre and Land Registry organisations understand that the private sector can play an important role in disseminating real property information and in facilitating access to real property information, tailored to the needs of various user groups. Partnerships with the private sector have to be built up to create these services. The organisations further understand that the private sector could provide specialised services to the organisations contributing to streamlining the public sector operations and reduction of costs.

Public-public partnerships will become increasingly important as government departments 'join up' their public sector databases to offer integrated and consistent information to their users. Such partnerships will also support co-funding and investment in new ventures.

Implementing the role in securing rights to real property

Cadastre and Land Registry organisations underline the overall importance of maintaining their role in guaranteeing ownership and securing rights in real property, and that continued public trust is crucial to the well being of the real property market.

Access to land and to tradable real property assets for social and economic development

Cadastre and Land Registry organisations recognise that access to real property and to services which secure transactions with real property assets are vital to social and economic development in all countries. It can be observed that countries with widespread and secured real property rights are most often countries with a good economy and that such services are still lacking in most developing countries as well as in economies in transition. Cadastre and Land Registry organisations understand that they should help in bridging the gaps and in facilitating that people in all countries have equal rights to have their assets secured and formalised.

4. VISION STATEMENT

The Cadastre and Land Registry organisations are committed to *providing ‘state of the art services to the Real Property and land information market within the e-government framework by co-operating in the building of national and European Spatial Data Infrastructures’*

In implementing this vision, the Cadastre and Land Registry organisations have identified and outlined the services which they should be able to provide by 2012. The order of the under-mentioned services does not reflect any hierarchy. For some organisations the focus will be more on the land market, for other organisation on building the national spatial data infrastructure. However as a community we have to render all services.

By 2012 Cadastre and Land Registry organisations in Europe will:

Provide state of the art services to the real property and land information markets. They will:

- Establish one-stop service portals that allow actors in the real property market to be able to find all information and government services that can be relevant for a regular real property transaction in electronic form. It is optimal to have a single organisation responsible for the related databases, but if that is not the case, relevant organisations should ensure common portals providing a single gateway to cadastre, land registry and other data like taxes, public restrictions, zoning, environmental and utility data. The real property market will function in an optimal way if access to information is open, only restricted by rules of privacy as outlined in national or European legislation.
- Ensure a network of co-operation with other institutions that is necessary to create the above mentioned one stop service portals.

- Anticipate and respond to new user requirements, such as for registering real property rights to volumes under or above the surface of the earth.
- Facilitate that relevant real property information is made available for value-added public and private information services as far as this is not conflicting with rights to privacy.
- Ensure that documents for registration in the cadastre and land register can be submitted in electronic form by professional agents and, when relevant, by the public.

Co-operating in building the National and European Spatial Data Infrastructure

- Ensure that cadastral and real property data are part of the development of national spatial data infrastructures to ensure harmonisation and interoperability of data, metadata and services on different levels and between different sectors.
- Ensure that relevant cadastral and real property information is standardised and described in meta data systems in such a way that it can be made available through the European spatial data infrastructure following the INSPIRE directive.

Supporting the European policies

- Support the implementation of legislation and technical solutions which facilitate secure mortgage lending across national borders.
- Participate in the EULIS (European Land Information Service) project or in corresponding pan-European real property information services which facilitate access to information needed for cross border real property transactions.

Building an efficient and effective organisation

- Ensure that the time and costs for registration procedures are reduced to the minimum.
- Have in place measurable performance indicators, including regular user satisfaction surveys.
- Have in place solutions which allow fees and duties called up by the registries to be paid by remote methods of e-payment.

Assisting Cadastre and Land Registry organisations in developing countries and transition economies

- Are ready to assist, through the relevant international organisations, in developing strategies and methods as well as in actions needed for implementing efficient and accessible cadastre and land registration services in developing countries and in transition economies, with the aim that all people should have equal rights to have their real property assets secured and formalised.

REFERENCES

1. Land administration guidelines, UN-ECE, 1996, <http://www.unece.org/hlm/wpla/publications/lguidelines.html>
2. Land administration in the ECE Region, developments, trends and main principles, UN-ECE 2005, <http://www.unece.org/env/documents/2005/wpla/ECE-HBP-140-e.pdf>
3. Cadastre 2014, FIG Commission 7, 1998, <http://www.fig.net/cadastre2014/>
4. Statement on Cadastre, FIG, 1995, <http://www.fig.net/pub/figpub/pubindex.htm>
5. Bathurst declaration, FIG, 1999, <http://www.fig.net/pub/figpub/pub21/figpub21.htm>
6. EuroGeographics, <http://www.eurogeographics.org>
7. United Nations Economic Commission for Europe, Working Party on Land Administration, <http://www.unece.org/hlm/wpla/welcome.html>
8. Permanent Committee on Cadastre, <http://www.eurocadastre.org>
9. International Federation of Surveyors, www.fig.net
10. Doing Business, The World Bank Group, <http://www.doingbusiness.org>
11. European Land Information Service, <http://www.EULIS.org>
12. European Land Registry Association, <http://www.europeanlandregistryassociation.com>
13. The Commission for Legal Empowerment of the Poor, <http://legalempowerment.undp.org/>
14. Integration of EU mortgage markets, European Commission, http://ec.europa.eu/internal_market/finservices-retail/home-loans/integration_en.htm
15. Infrastructure for spatial information in the European Community (INSPIRE-theme page) <http://www.ec-gis.org/inspire>

CONTACTS

Mr.ir. Peter Laarakker
Eurogeographics
Chairman working group on Vision
PO box 9046
7300GH Apeldoorn
THE NETHERLANDS
+31881833107
E-mail: Peter.laarakker@kadaster.nl
Website: www.eurogeographics.org