

European Requirements for Property (Cadastral) Surveyor Activity – Revision of 2018

This questionnaire is designed to gather and analyse information on the activities of surveyors involved in surveying and mapping in the context of property and cadastral surveying, specifically surveying and mapping for property registration, across the 40 member states of CLGE. It is an updating and enlargement of a similar questionnaire and report carried out in 2008. Many reviewers have experienced difficulty in completing the previous edition of this questionnaire due to ambiguity regarding the terminology used to describe both the surveyor and the processes. The following glossary should be looked at carefully and the meaning, as given, applied wherever the terms are used in the questionnaire. Note that these definitions are more restrictive, and sometimes different in meaning, when compared to the normal everyday meanings of these terms. This is deliberate to achieve a more focussed and unambiguous analysis and report. Where the term is in CAPITAL LETTERS, anywhere throughout the questionnaire, these definitions apply and they should only be understood as defined. Where terms are in 'lower case', they can be interpreted in the usual meaning.

In completing the questionnaire a tick-box reply should be made wherever possible. In the event that there are ambiguities or variations with regard to the circumstances in your particular state a comment box relating to each question, or group of question, is provided to allow you to briefly clarify the issue.

GLOSSARY

CADASTRE – A database, consisting of maps, geographic coordinates and legal/administrative documents defining and guaranteeing, by the state, the location and extent of parcels of land, primarily for taxation and valuation purposes.

CADASTRAL AUTHORITY – A state authority which controls the CADASTRE and is the guarantor of the validity of the CADASTRE and the data and guarantees contained in it.

CADASTRAL MAP – A map, or maps, in large scale paper format, or digital/coordinate format, under the control of the CADASTRAL AUTHORITY indicating the location and extent of CADASTRAL PARCELS to which legal/administrative attributes and guarantees by the CADASTRAL AUTHORITY apply.

CADASTRAL PARCEL – A unique spatial area, indicated on a CADASTRAL MAP, by which a specific land extent is spatially defined, to which a specific set of legal, administrative and other characteristics, as required by the CADASTRE, apply.

CADASTRAL SURVEYING – All aspects of surveying and mapping, technical, administrative and legal, associated with the provision of maps and related data for CADASTRAL MAPS.

CONCLUSIVE BOUNDARY – A legal boundary between PROPERTIES whose location and nature is declared by the PROPERTY REGISTRATION AUTHORITY to be a FIXED BOUNDARY and is registered and guaranteed as such. The definition of such a CONCLUSIVE BOUNDARY may be by means of textual descriptions of physical features, by dimensions and by mapping and coordinates, though it should be noted that survey, mapping and coordinates are not essential to the process of definition.

CONTINUING PROFESSIONAL DEVELOPMENT (CPD) – Ongoing education, training and maintenance of expertise, required of practitioners by a SURVEYORS' PROFESSIONAL ASSOCIATION or a LICENSING AUTHORITY as a condition of continued membership or registration.

DETERMINED BOUNDARY – See CONCLUSIVE BOUNDARY.

FIXED BOUNDARY – In some jurisdictions the term FIXED BOUNDARY is used interchangeably with PRECISE BOUNDARY.

GENERAL BOUNDARY – A boundary, indicated on a CADASTRAL MAP or a PROPERTY REGISTRY MAP which defines the boundary between two adjacent CADASTRAL PARCELS or REGISTERED PROPERTIES to a low level of precision, where this indication provides no definitive evidence of the location of the boundary on the ground and the location of the boundary, so indicated, is not guaranteed by the CADASTRAL AUTHORITY or the PROPERTY REGISTRATION AUTHORITY.

LEGAL BOUNDARY- A legal boundary is a surface separating two PROPERTIES where legal attributes pertaining to the PROPERTIES change.

LICENCED PROPERTY SURVEYOR – A PROPERTY SURVEYOR who requires, and has been issued with, a licence, or permit, to practice RESERVED ACTIVITIES in PROPERTY SURVEYING, by the CADASTRAL AUTHORITY, the PROPERTY REGISTRATION AUTHORITY, or a LICENSING AUTHORITY, or is entered on

a state register of LICENCED PROPERTY SURVEYORS, or who is a member of a SURVEYORS' PROFESSIONAL ASSOCIATION, membership of which has been recognised as constituting a licence to practice RESERVED ACTIVITIES. The right to practice such RESERVED ACTIVITIES is legally restricted to those holding such a licence.

LICENCING AUTHORITY. An authority with the power to license and control the activities of LICENSED PROPERTY SURVEYORS and oversee their performance (see note later in this glossary on the differences between a LICENSING AUTHORITY (Regulatory Authority) and a SURVEYORS' PROFESSIONAL ASSOCIATION (Professional Body/Association).

MONUMENTATION – The use of physical markers to define spatially the location of the boundary corners or boundary change points of PRECISE BOUNDARIES of PROPERTIES or CADASTRAL PARCELS.

PRECISE BOUNDARY – A boundary, indicated on a CADASTRAL MAP or a PROPERTY REGISTRY MAP which defines the boundary between two adjacent CADASTRAL PARCELS or REGISTERED PROPERTIES to a high level of precision, including geodetic coordination, this definition being guaranteed by the CADASTRAL AUTHORITY or PROPERTY REGISTRATION AUTHORITY to take precedence over other evidence of boundary. This PRECISE BOUNDARY mapping may be supplemented by MONUMENTATION.

PROPERTY – A spatial extent to which legal attributes such as ownership, title, burdens, encumbrances or other legal rights or obligations apply. PROPERTY encompasses a wider meaning than land and includes buildings and other artificial artefacts.

PROPERTY REGISTRATION AUTHORITY – A state authority which controls the PROPERTY REGISTRY and guarantees the legal rights and obligations contained in it. (Note this function may be carried out in some states by the CADASTRAL AUTHORITY, but not in others)

PROPERTY REGISTRY – A database, archive or record which identifies PROPERTIES within a state to which the state provides guarantees regarding ownership, title, burdens, encumbrances and other legal rights and obligations associated with the PROPERTIES. It should be noted that a PROPERTY REGISTER and a CADASTRE may operate as an integrated entity in some states while in others they may operate as separate entities under different administrations. It should also be noted that the spatial extent of PROPERTIES may not always be coterminus with the spatial extents of CADASTRAL PARCELS.

PROPERTY REGISTRY MAP – A map or other spatial location system which identifies and defines REGISTERED PROPERTIES in the PROPERTY REGISTER (note in some states this map and the properties identified on it may be identical to the CADASTRAL PARCELS contained in the CADASTRE, but not in others)

PROPERTY SURVEYING – All aspects of surveying and mapping, technical, administrative and legal, associated with the production of maps, coordinates, other geodetic products, and data, related to the measurement and spatial definition of physical property, whether land, buildings or any other natural or artificial constructions, in a legal context, whether for PROPERTY REGISTRY purposes or for CADASTRE purposes.

PROPERTY SURVEYOR – A professional geodetic surveyor who has a high level of skills and qualifications in PROPERTY SURVEYING for the purpose of submitting mapping and related data to a CADASTRAL AUTHORITY or PROPERTY REGISTRATION AUTHORITY for inclusion in the CADASTRAL MAP or PROPERTY REGISTRY MAP or database.

PUBLICLY APPOINTED LIBERAL SURVEYOR – A PROPERTY SURVEYOR who, although a professional in private practice, is appointed to his role as a LICENCED PROPERTY SURVEYOR by the state and operates under state authority. A PUBLICLY APPOINTED LIBERAL SURVEYOR will carry out judicial roles in the context of the maintenance of the CADASTRE and PROPERTY REGISTRY.

REGISTERED PROPERTY – An extent of land or other property to which rights of ownership, title or other registered legal attributes applies, where these rights are recorded in an official register or database and are guaranteed by a state authority.

RESERVED ACTIVITY – PROPERTY SURVEYING activities which may only be legally performed by a LICENSED PROPERTY SURVEYOR or by employees of the CADASTRAL AUTHORITY or PROPERTY REGISTRATION AUTHORITY. Not all PROPERTY SURVEYING activities need necessarily be RESERVED ACTIVITIES.

SURVEYORS' PROFESSIONAL ASSOCIATION – A professional body or association to which PROPERTY SURVEYORS may gain membership by the achievement of stringent levels of technical qualification (normally to CLGE Code of Professional Qualification level), professional behaviour standards, ethics, and continuing education. Such associations will normally issue accreditation to members in the form of diplomas and post-nominal letters (see later note in this glossary on the differences between a SURVEYORS' PROFESSIONAL ASSOCIATION (Professional Body/Association) and a LICENSING AUTHORITY (Regulatory Authority)).

Differences between a LICENSING AUTHORITY (Regulatory Body) and a SURVEYORS ASSOCIATION (Association / Professional Body)

LICENSING AUTHORITY (Regulatory Body)

- Acts in the interest of the public and has processes open and accountable to the public and the profession
- Independent of professional bodies
- Promotes the process of regulation
- Administers a single register of practitioners who meet agreed criteria.
- Works with the profession to agree and oversee minimum standards.
- Sets requirements for generic continuing professional development (CPD)
- Publishes codes of conduct and/or ethics
- Has a 'council' or governing body which includes lay and professional representatives
- Has published complaints and disciplinary procedures
- Provides information to the public about the profession and what to expect.
- Liaises with government and other organisations when required.

SURVEYORS' PROFESSIONAL ASSOCIATION (Association/Professional Body)

- Acts in the interest of the Profession
- Independent of the regulatory body
- Promotes and supports the practitioners and the profession
- A membership organisation of professional practitioners
- Ensures members meet its own standard's which are at least those required by the regulatory body but may exceed them.
- Many professional bodies provide information on insurance for members
- Ensures members meet requirements for CPD.
- Have codes for members, which would be at least that required by the regulatory body
- May also have a council or governing body with lay representation
- May also have complaints & disciplinary procedures
- If necessary will liaise between practitioners and the regulatory body in the case of a complaint.
- Provide information to the public.
- Ensures courses cover the core curriculum.
- Some professional bodies are linked to specific schools so would run and develop courses. Others hold lists of suitable schools.
- Professional bodies may also liaise with other organisations and government, but not as the 'voice' of the discipline.

Questionnaire – Country or state

General Background

The questions posed in this initial general background section are intended to get a general picture of PROPERTY SURVEYING in your country so that the following sections of the questionnaire can be better understood in this particular context. If none of the provided options give an exact fit to the situation in your country, please tick the option that comes nearest and provide clarification in the *Comments and Extra Information* box. For those states where PROPERTY SURVEYING practice is controlled at a federal or regional level, with different systems at sub-member state level and where the differences in procedure are considerable, a separate questionnaire should be completed for each federal or regional state. Where the differences are minor, a single questionnaire for the member state will suffice, with comments about federal or regional differences in the appropriate comment box.

Q 1.1. Does your state operate a CADASTRE?

Q 1.2. Does your state operate a PROPERTY REGISTRY?

Comments on Q1.1 and Q1.2:

Q 1.3. Which of the following best matches the surveying and mapping practice for the CADASTRE/PROPERTY REGISTRY system in your country? (Tick one option only)

2. CADASTRAL PARCELS or REGISTERED PROPERTIES, whose PRECISE BOUNDARIES are surveyed and mapped independently by precision methods such GNSS and total station technology with a system of ground markers or MONUMENTATION, the locations, as surveyed and defined, are guaranteed by the state.
1. As in 1. above but without the addition of physical ground markers or MONUMENTATION.
3. CADASTRAL PARCELS or REGISTERED PROPERTIES are defined based on large scale National Mapping Agency topographic mapping, where the parcel boundaries are coincidental, in terms of geometry and coordinates, with lines indicating topographic features on the NMA mapping, but remain GENERAL BOUNDARIES.
4. CADASTRAL PARCELS or REGISTERED PROPERTIES whose GENERAL BOUNDARIES are mapped by visual inspection, relative to large scale NMA topography (i.e. without field survey)

but consisting of a fully independent layer where there is no exact coincidence of geometry or coordinates.

5. CADASTRAL PARCEL or REGISTERED PROPERTY definition based on index mapping only, showing the location of parcels relative to each other and relative to major topographic features such as roads or waterways, sufficient to allow parcels to be identified on the ground, but lacking precise accuracy, i.e. GENERAL BOUNDARIES.

Comments on Q1.3:

Q 1.4. Who performs property surveying i.e. field surveying, measurement and data collection?:

- Public servants
- Publicly appointed surveyors
- Regulated (licenced) surveyors
- Professional surveyors without licence
(e.g. SURVEYORS PROFESSIONAL ASSOCIATION member)
- Unqualified members of the public
- Other (please specify)

Comments on Q1.4.

Q 1.5. Who integrates the collected data into the cadastral or property register database?:

The surveyor

The cadastral or property registration authority

Other authority (if so, please specify)

Comments on Q1.5

Q 1.6. Is there separate mandatory validation of the data submitted for inclusion in the cadastral or property register database?

If so, at what stage in the process and by whom?

Comments on Q1.6

Q 1.7. For property surveyors to legally practice, is it mandatory to be a member of a:

Chamber

Association

Official register or list

Other (please specify)

Comments or extra information on Q.1.7:

Q 1.8. Which of the following activities use the same specific CADASTRAL PARCELS as managed by the CADASTRAL AUTHORITY for carrying out their operations in your country?

1. Registration of legal property rights (PROPERTY REGISTRY).

2. Valuation for taxation purposes (CADASTRE).

3. Distribution of agricultural subsidy and management of agricultural improvement.

4. State control for the purposes of environmental protection.

5. State control for the purposes of heritage protection and related matters.

6. Planning development control in the context of town and country planning.
(for instance, land use control)

Comments on Q1.8:

Property Surveyors, Authorities and Associations

Q 2.1. What is the title of PROPERTY SURVEYOR in the official language(s) of your country? Add a translation in English also.

Q 2.2. Does the PROPERTY SURVEYOR practice:

As a private individual (unrestricted liability) ?

Within a juridical entity (limited company or similar)?

With some other form of legal professional protection (please specify)

Comments on Q2.2.

Q 2.3. Are both CADASTRE and PROPERTY REGISTRY carried out by a single authority or two separate authorities?

Single authority

Separate authorities

Other

Comments on Q.2.3.

Q 2.4. Name of the state CADASTRAL AUTHORITY? (In the case of there being multiple authorities within a member state, for instant in a federal state, list all authorities and the sub-administrations to which they refer. Provide separate questionnaires returns for federal or sub-administrations if there are large difference in procedure between such administrations)

Q 2.5. Name of the state PROPERTY REGISTRATION AUTHORITY? (if different from CADASTRAL AUTHORITY) (In the case of there being multiple authorities within a member state, for instant in a federal state, list all authorities and the sub-administrations to which they refer).

Q 2.6. Name of the LICENSING AUTHORITY? (In the case of there being multiple authorities within a member state, for instant in a federal state, list all authorities and the sub-administrations to which they refer)

Q 2.7. Name of SURVEYORS' PROFESSIONAL ASSOCIATION(S)? (name all if more than one)

Q 2.9. If more than one, do you have any liaison group which unites the associations?

Name of liaison group (if relevant)

Comments on Q2.4. to Q.2.9.

Q 2.11. Number of PROPERTY SURVEYORS who are members of a SURVEYORS' PROFESSIONAL ASSOCIATION?

Q 2.12. Number of PROPERTY SURVEYORS operating in your country who are not members of any association?

Q 2.13. Number of companies that carry out PROPERTY SURVEYING in your country?

Comments on Q2.11 to Q2.13:

Q 2.14. Are there legal requirements before a PROFESSIONAL SURVEYORS' ASSOCIATION can be established?

Q 2.15. Must there be a minimum number of members before a PROFESSIONAL SURVEYORS ASSOCIATION can be established?

Q 2.16. Is the establishment of a code of professional standards and a code of ethics a pre-requisite for the establishment of a PROFESSIONAL SURVEYORS' ASSOCIATION?

Q 2.17. Any other requirements?

Comments on Q.2.14 to Q2.17

Surveyor association activities

Q 3.1. Which of the following activities does your association(s) engage in?

- Representation and lobbying for the rights and interests of the association's members
- Development of professional activities, technical standards and ethical standards and their adoption by the association's members
- Quality control of PROPERTY SURVEYOR'S activities
- Organisation of continuing education for the association's members

Comments on Q3.1

Q 3.2. Which of the activities listed below are:

- (A) NOT** carried out by a PROPERTY SURVEYOR?
- (B)** Normally practiced by a PROPERTY SURVEYOR?
- (C), A RESERVED ACTIVITY** for PROPERTY SURVEYORS?

	(A)	(B)	(C)
Advice / consultancy for the landowner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cadastral (technical) field measurements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marking of parcel corners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Certify cadastral maps	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Registration of updated cadastral data to CADASTRE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Land price valuation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Building price valuation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Spatially defining easements or servitudes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments on Q3.2:

Laws & Licensing

Q 3.3. Which law(s) control the operation of the CADASTRE? (provide links to the relevant legislation online if possible).

Q 3.4. Which law(s) control the operation of the PROPERTY REGISTRY? (provide links to the relevant legislation online if possible)

Q 3.5. Which law(s) regulate the LICENCING AUTHORITY? (provide links to the relevant legislation online if possible)

Q 3.6. What is the period of validity of a licence to practice as a LICENSED PROPERTY SURVEYOR?

 Years

Q 3.7. Is there a maximum age limitation to practicing as a LICENSED PROPERTY SURVEYOR?

Comments on Q3.3 to Q3.7:

Education & Training

Q 4.1. What is the minimum post-secondary education required for membership of a SURVEYORS' PROFESSIONAL ASSOCIATION? (state duration, degree and disciplines)

Q 4.2. What is the minimum post-secondary education required to become a LICENCED PROPERTY SURVEYOR (state duration, degree and disciplines)

Q 4.3. Are there any additional requirements, over and above those outlined above, which an applicant must satisfy before applying to become a LICENCED PROPERTY SURVEYOR?

Q 4.4. What organisation(s) are responsible for training and education of PROPERTY SURVEYORS? (list both educational institutions and other organisations as relevant)

Q 4.5. Are there varying grades of PROPERTY SURVEYOR with different levels of responsibility, for instance, professional, associate, technician, student, within SURVEYORS' PROFESSIONAL ASSOCIATION? If so please detail.

Comments on Q4.1. to Q4.5:



Experience and continuing professional development

Q 5.1. Is a compulsory period of professional practice experience required to become a member of a SURVEYORS' PROFESSIONAL ASSOCIATION?

Years

Q 5.2. What is the compulsory period of professional practice experience required to become a LICENSED PROPERTY SURVEYOR?

Years

Q 5.3. Are there requirements for improving and maintaining the competence of PROPERTY SURVEYORS who are members of a SURVEYORS' PROFESSIONAL ASSOCIATION (Continuing Professional Development - CPD)?

Q 5.4. Are there requirements for improving and maintaining the competence of LICENSED PROPERTY SURVEYORS (Continuing Professional Development) if different from that required for membership of a SURVEYORS' PROFESSIONAL ASSOCIATION?

Q 5.5. What organisation(s) provide CPD?

Q 5.6. Who controls or monitors CPD compliance?

Control bodies and appeals

Q 5.7. What organisation(s), is responsible for control of quality of PROPERTY SURVEYORS' or LICENCED PROPERTY SURVEYORS' deliverables and/or supervises PROPERTY SURVEYORS' activities, if different from the SURVEYORS' PROFESSIONAL ASSOCIATION or the LICENCING AUTHORITY?

Q 5.8. What sanctions apply in the case of inappropriate work quality, inadequate service or unprofessional behaviour by members of a SURVEYORS' PROFESSIONAL ASSOCIATION.

Q 5.9. What sanctions apply in the case of inappropriate work quality or unprofessional behaviour by LICENSED PROPERTY SURVEYORS?

Q 5.10. Is there an official appeals procedure in such cases?

Comments on Q5.7 to Q5.10:

Insurance & Liability

Q 6.1. Is professional liability insurance compulsory for PROPERTY SURVEYORS practicing as members of a SURVEYORS' PROFESSIONAL ASSOCIATION?

Q 6.2. Is professional liability insurance compulsory for LICENCED PROPERTY SURVEYORS?

Q 6.3. Is a PROPERTY SURVEYOR fully responsible for quality and correctness of the property survey that he performs?

Q 6.4. Is there a minimal level of compulsory insurance cover (monetary sum) required to practice as a PROPERTY SURVEYOR?

Q 6.5. Is there a limitation period, beyond which a PROPERTY SURVEYOR is no longer liable for errors or other negligence?

Q 6.6. By whom are PROPERTY SURVEYORS insured? (State, SURVEYORS' PROFESSIONAL ASSOCIATION, commercial insurance companies?)

Comments on Q.6.1 to Q6.6:

Project Development

CLGE ExBoard meeting in Slovenia. Mr. Ernst proposals.

Final version of the questionnaire.

Computer model for answering using the Survey Monkey software.

Now the model is in process of testing (end of November).

Cooperation with the PCC

1. We ask PCC to draw a letter of support that will be added to our message sending the Survey.

2. Announce (and ask PCC to appoint POC's for national delegates) that PCC is willing to participate in the quality check to be performed on national level.

3. Ask PCC to appoint their representative(s) to be part of the joint working group responsible for the preparation of the final project report text.