

# The new Legal Regime of Cadastre and It's Challenges

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# The new Legal Regime of Cadastre and It's Challenges

## Summary:

Vector cadastral parcels;

Why a new legal regime for cadastre;

NCIS scheme;

Cadastral operations on NCIS;

Professional activity;

Next actions.

# Portugal

## Mainland Portugal

(278 municipalities)

118 municipalities with cadastre for tax purposes

7 municipalities with multifunctional cadastre

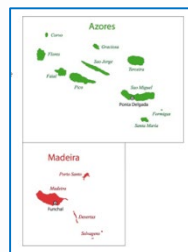
153 without cadastre

**In Azores and Madeira cadastre is the responsibility of the regional governments**

### Azores

19 municipalities

(<http://www.ideia.azores.gov.pt>)

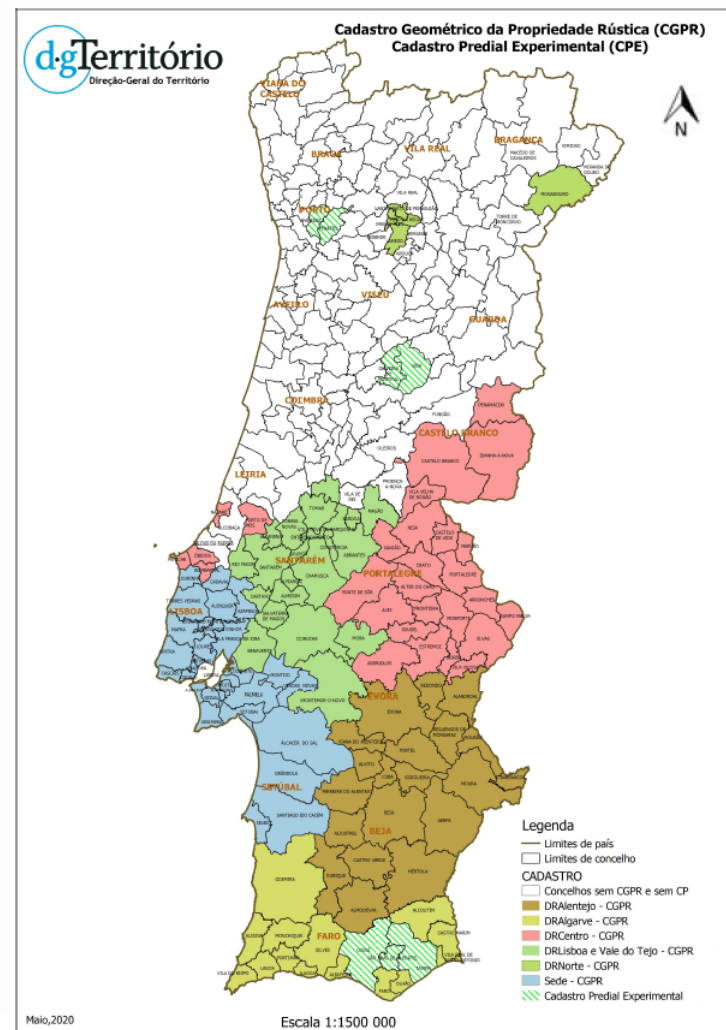


### Madeira

11 municipalities

(<https://www.madeira.gov.pt>)

**10 municipalities with cadastre for tax purposes in Azores & Madeira**



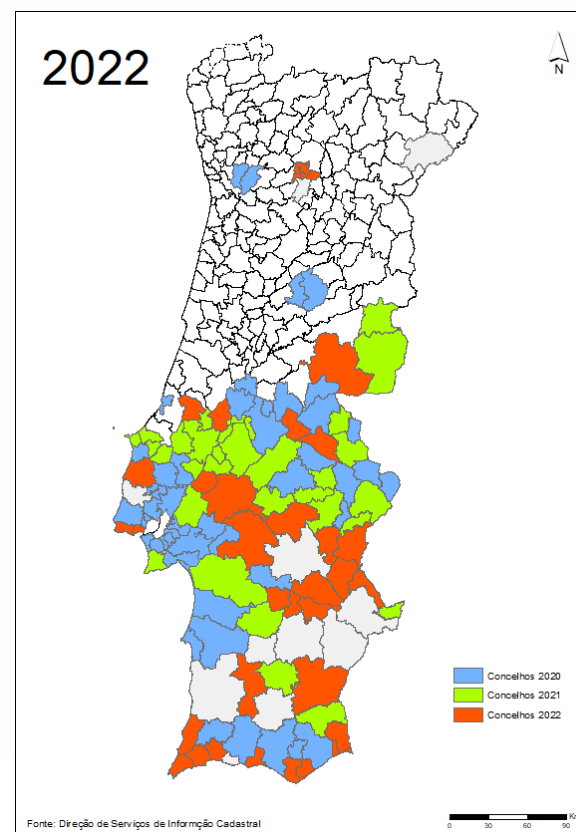
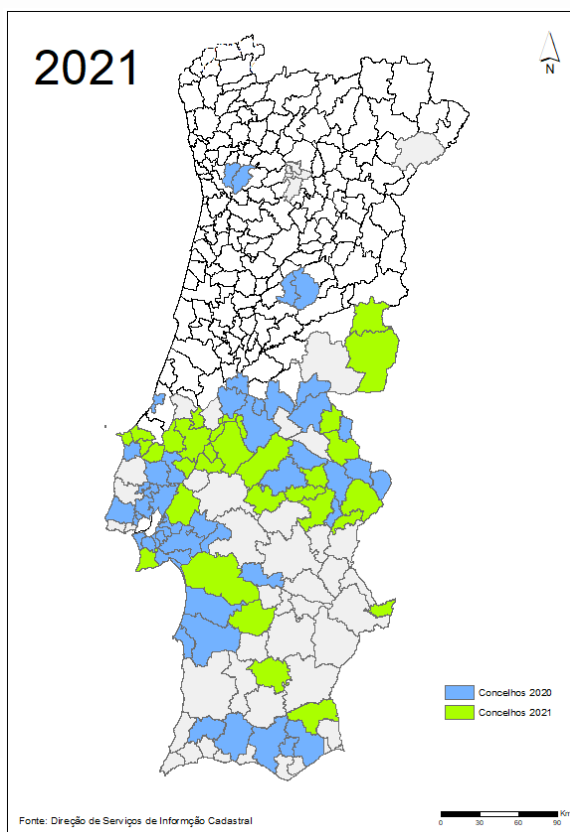
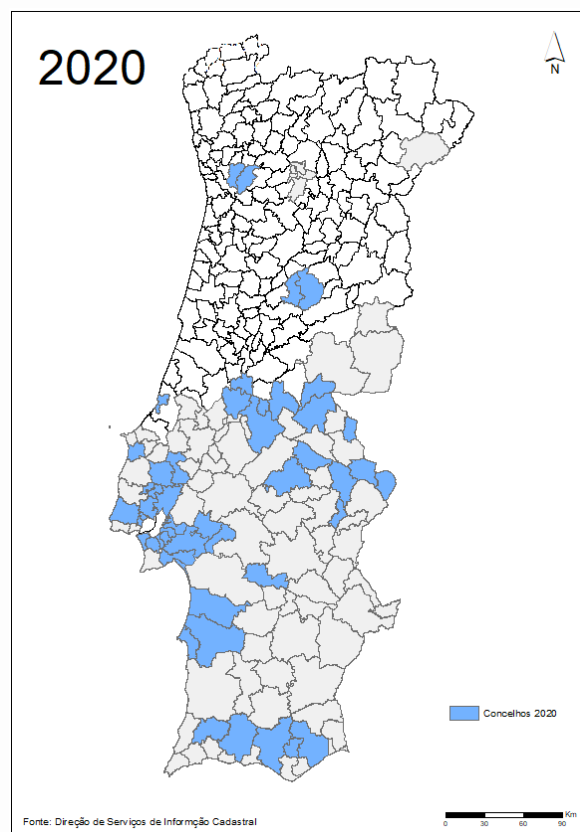
# Vector cadastral parcels

## Availability of cadastral parcels geometry on vector format

**Law n.º 65/2019, of August 23<sup>rd</sup>**

(Maintains in force and generalizes the application of the simplified cadastral information system)

Year	2020	2021	2022
Nº of councils	40	34	34





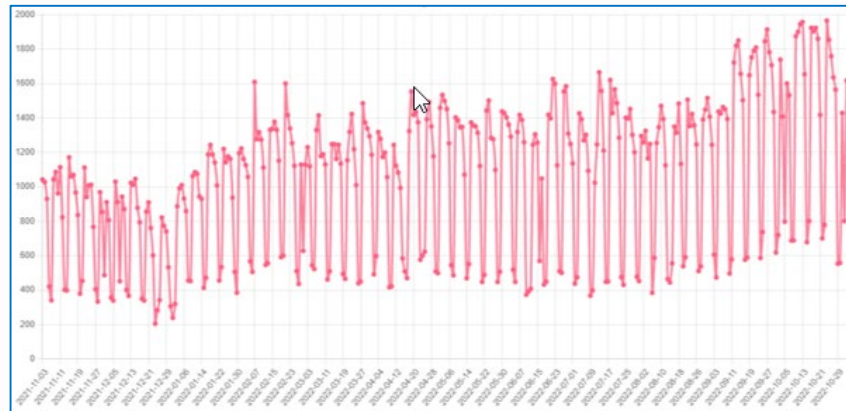
# Vector cadastral parcels – some Statistics

Number of available cadastral parcels :

1 543 982 prédios em cadastro disponíveis online

Number of daily users :

Last year, duplicate from 1000 users to 2000.



Number of visits by municipality in last 100 days:

Ranking	Concelho	Tipo	Visitas
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1	SINTRA	CGPR	20828
2	SILVES	CGPR	17280
3	LOULÉ	CP	13277
4	CASTELO BRANCO	CGPR	13152
5	ABRANTES	CGPR	12068
6	GRÂNDOLA	CGPR	11890
7	SANTIAGO DO CACÉM	CGPR	10801
8	TRINHÃO	FCDP	8466



# Why new Legal Regime for Cadastre?

## Why

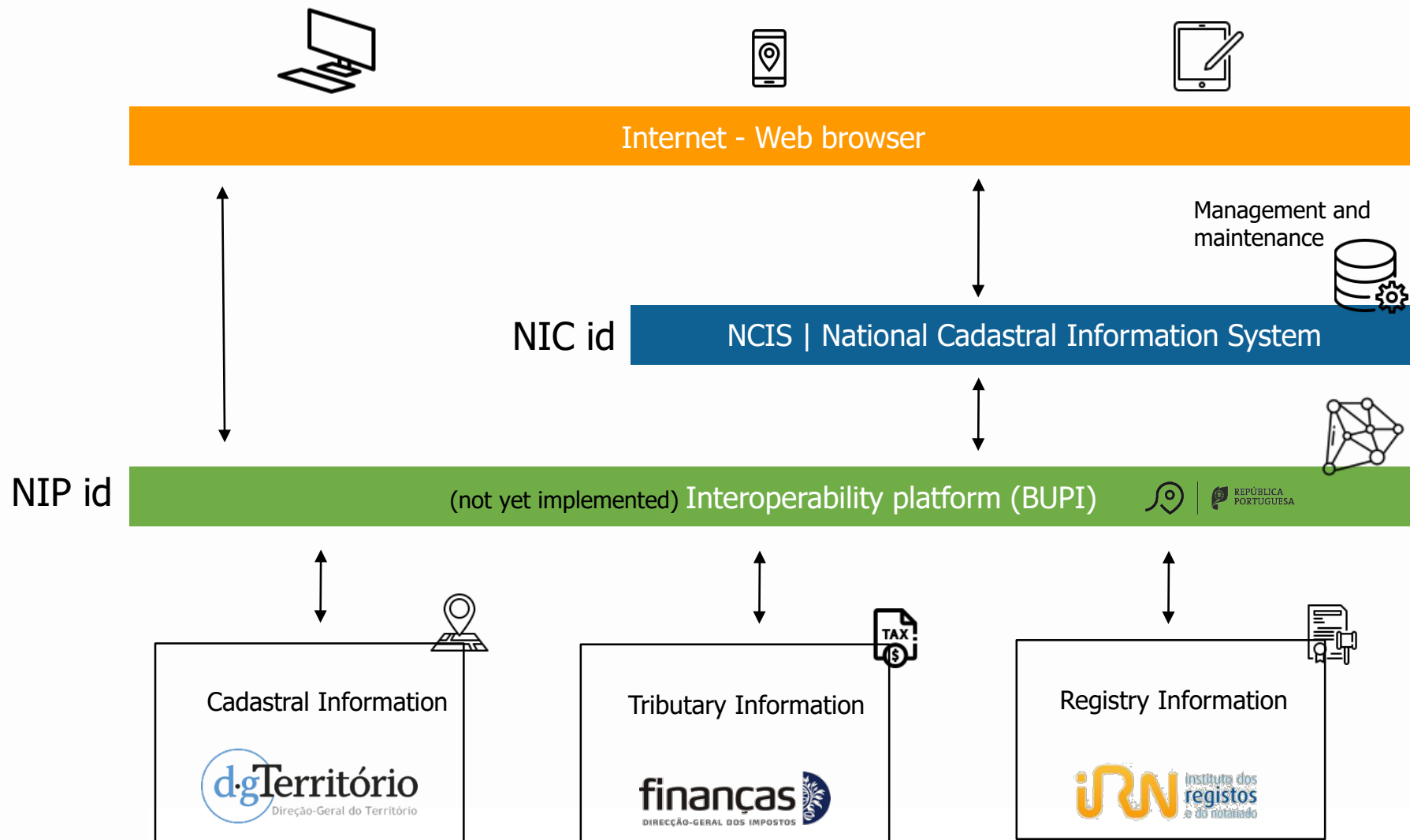
The lack of an up-to-date legal regime for the cadastral information (Update of the current cadastral regime, Decree-Law No. 172/95, of July 18, decision-making on land use, occupation and exploitation.

The lack of a maintenance regime that ensures the updating of information on the cadastral parcels resulting from land cadaster operations carried out under the experimental regime of land cadaster approved by Decree-Law no. 224/2007, of 31 May, prevents knowledge of changes introduced as a result of acts and legal transactions carried out on the parcels after the date of entry into force of the cadastral parcels.

## Goals

Cadastre, spatial planning, civil protection, legal certainty in the real estate market, tax equity, modernization of Public Administration, digital transition, territorial cohesion

# NCIS scheme





# Cadastral operations on NCIS

**The Cadastre Legal Regime establishes a model to integrate information into cadastral map, articulation of data from Public Administration entities and communication with citizens to knowledge of territory, its characteristics and its Owners.**

# Cadastral operations on NCIS - Integration

## Integration operation on cadastral map

It promote the integration into cadastral map of geometrically configured parcels within the scope of specific legal regimes:

- municipality detailed plans with registration effects;
- allotment operations;
- rural reparcelling operations and expropriations.

Allows the integration of validated georeferenced graphic representations (simplified cadastral information) that are accepted by the confining owners or that do not record delimitation conflicts with contiguous parcels.

# Cadastral operations on NCIS - Execution

## Simple cadastral execution

Applies to a single cadastral parcel or to a contiguous parcels from same owner;

The cadastral owner is responsible for promoting the operation, contracting a qualified TCP for this purpose;

TCP is responsible for initiating and executing the operation, as well as to submit data to NCIS;

The non-existence of all required declarations of confining elements implies the existence of a period of public participation;

TCP is ultimately responsible for the technical quality of data, as well as for compliance of applicable legal norms;

Once the operation is completed, the cadastral map identifier (NIC) is assigned to new parcels that become part of Cadastral map;

The TCP and the cadastral owner are responsible for promoting the harmonization and allocation of the NIP. By interoperability it will be automatic.

## Systematic cadastral execution

Applies to a set of contiguous cadastral parcels located in the intervention area;

The promoting entity, legally qualified, is responsible for promoting and coordinating the operation, contracting a qualified TCP or an authorized company for this purpose;

If the promoting entity is legally qualified, it may carry out the operation itself;

The named TCP is responsible for initiating and managing the operation, as well as well as to submit data to NCIS;

This operation always implies the existence of a public consultation period;

The appointed TCP is ultimately responsible for the technical quality of data, as well as for compliance of applicable legal norms;

Once the operation is completed, the cadastral identifier (NIC) is assigned to the cadastral parcels that become part of Cadastral map;

The TCP and the cadastral owner are responsible for promoting the harmonization and allocation of the NIP. By interoperability it will be automatic.

# Cadastral operations on NCIS - Maintenance

## Maintenance operation – in development

The cadastral maintenance duty is responsibility of cadastral owners and all entities, public or private, that, on their own initiative or in strict compliance with the attributions defined to them by law, to promote alterations on cadastral data and parcels;

This operation is always carried out through a TCP;

TCP is responsible for initiating and executing the operation, as well as for submitting data to on NCIS;

The non-existence of all required declarations of confining elements implies the existence of a period of public participation;

TCP is ultimately responsible for the technical quality of the data, as for compliance of applicable legal norms;

Once the operation is completed, a new cadastral map identifier (NIC) is assigned to the cadastral parcels that become part of the Cadastral map. The deleted NIC are in historic as well geometries;

In maintenance operations, the harmonization and assignment of NIP identifier is mandatory.

# Professional activity - Cadastre technicians



## We have legislation for:

Decree-Law 172/95, July 18

Access conditions for enterprises authorization, to execute cadastre activities.

Law 3/2015, January 9

Regulation of access and exercise of the professional activity of cadastre.

Ordinance 380/2015, October 23

Regulation for duration and contents of the complementary training course in cadastre and for certification of entities that intend to provide this training.

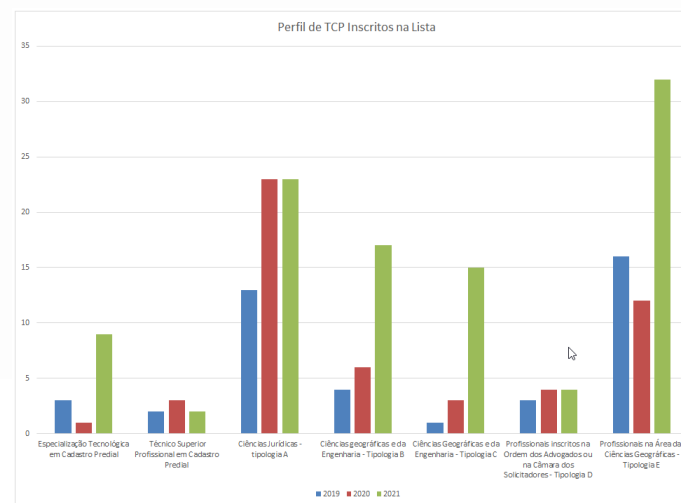
Ordinance 222/2019, July 17

Approves the fees amounts

## Who is on the list Year 2022:

**121** Cadastre Technicians (TCP)

**12** enterprises that have a  
cadastre technician in their staff



# Professional activity – Changes by new legal regime

## Professional activity of cadastre

**CADASTRE NEW LEGAL REGIME  
WILL DISCIPLINE** CADASTRE  
ACTIVITIES THAT WAS ONLY A  
RESERVED COMPETENCE OF DGT

### CHANGES ON TCP CADASTRE ACTIVITIES

- In addition to carrying out works only within the MAINTENANCE of the CADASTRAL PARCELS.
- ✓ Starts to carry out work within the scope of EXECUTION, INTEGRATION and MAINTENANCE operations of CADASTRAL PARCELS.
- ✓ And it starts to access the NCIS as a support for the EXECUTION, INTEGRATION and MAINTENANCE operations of CADASTRAL PARCELS, on processing flow in system.

### FEES:

**Inscription on list** of Cadastre Technicians (TCP) – Annual.

**Access Credential to NCIS for TCP** – renewable from 10 to 10 years.

**Mere Prior Communication** for enterprises – renewable from 5 to 5 years.

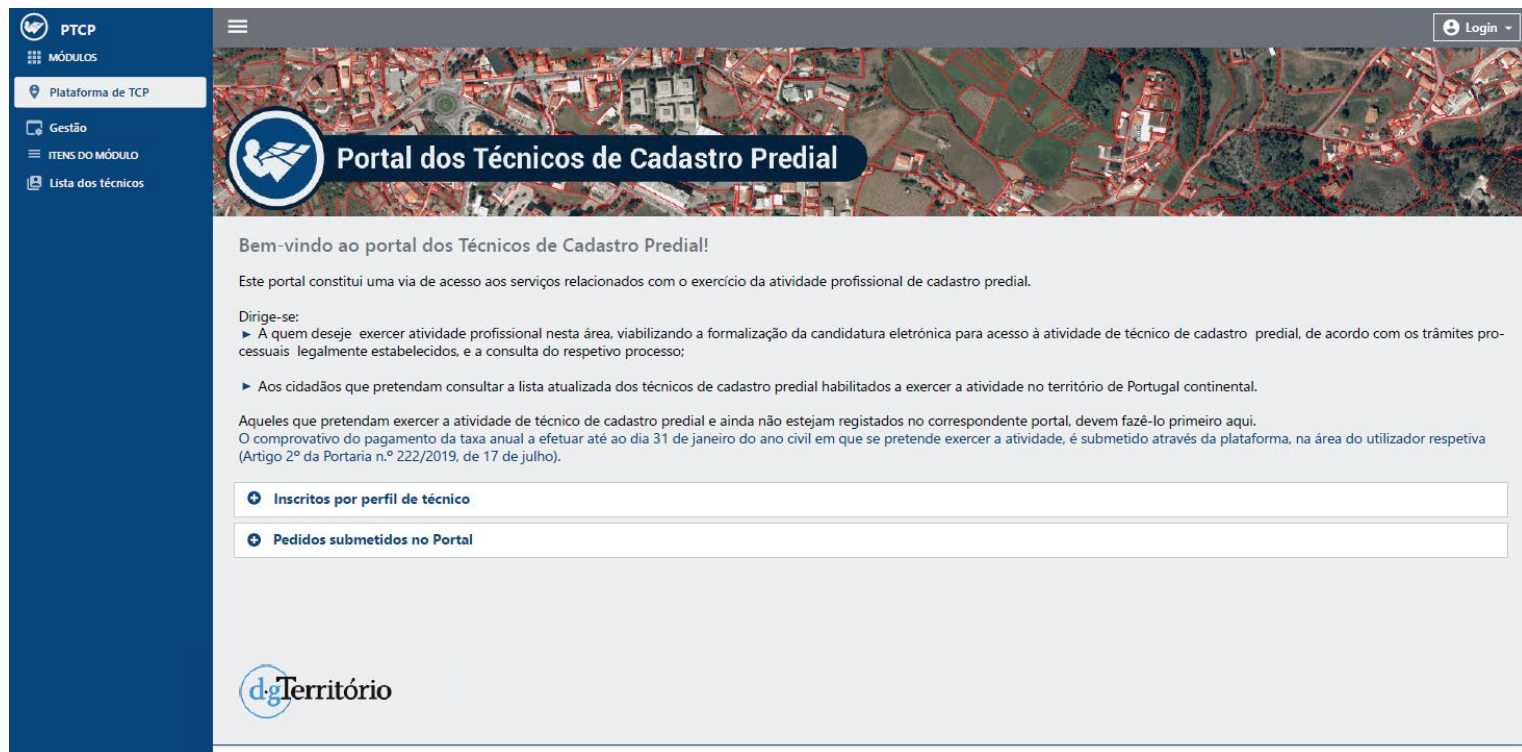
**Training Entities Certification** - renewable from 5 to 5 years.

# Professional activity - Cadastre technicians new platform

This new platform responds to requests from cadastre technicians, companies and training entities.

Available in two languages (Portuguese and English).

Satisfies the Agency for Administrative Modernization (AMA) requirements, related to forms for interactions with citizens.

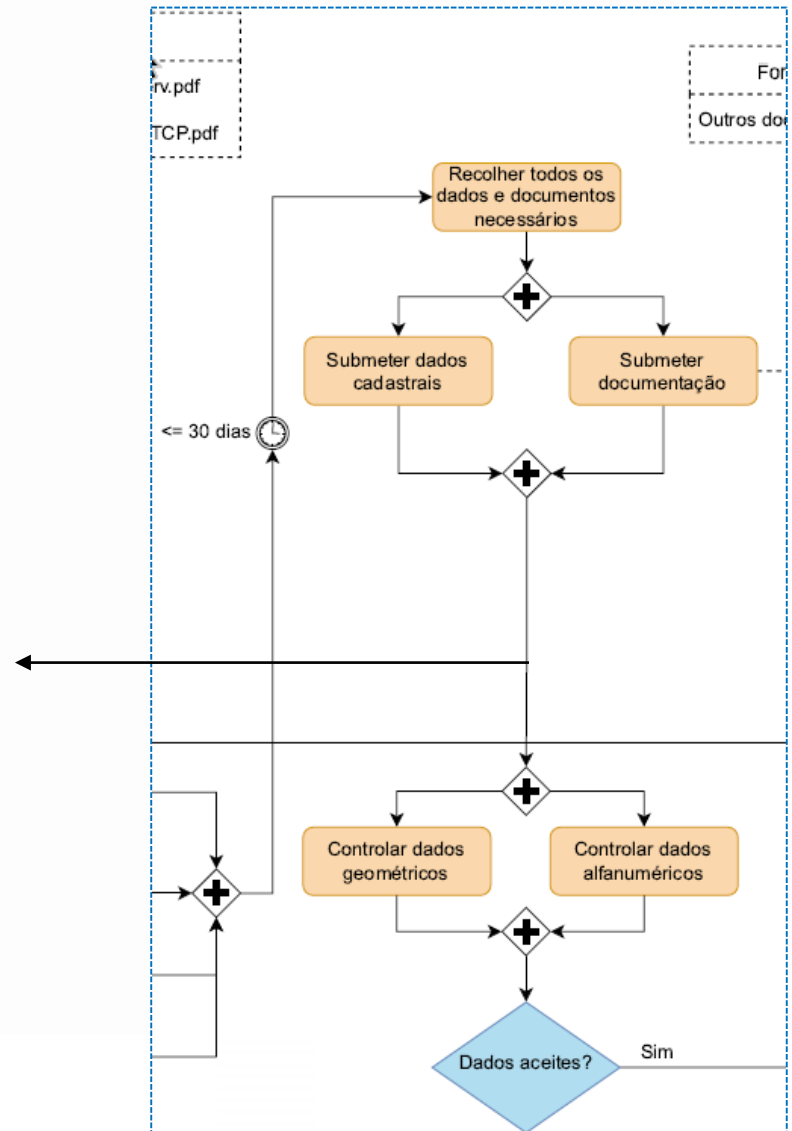




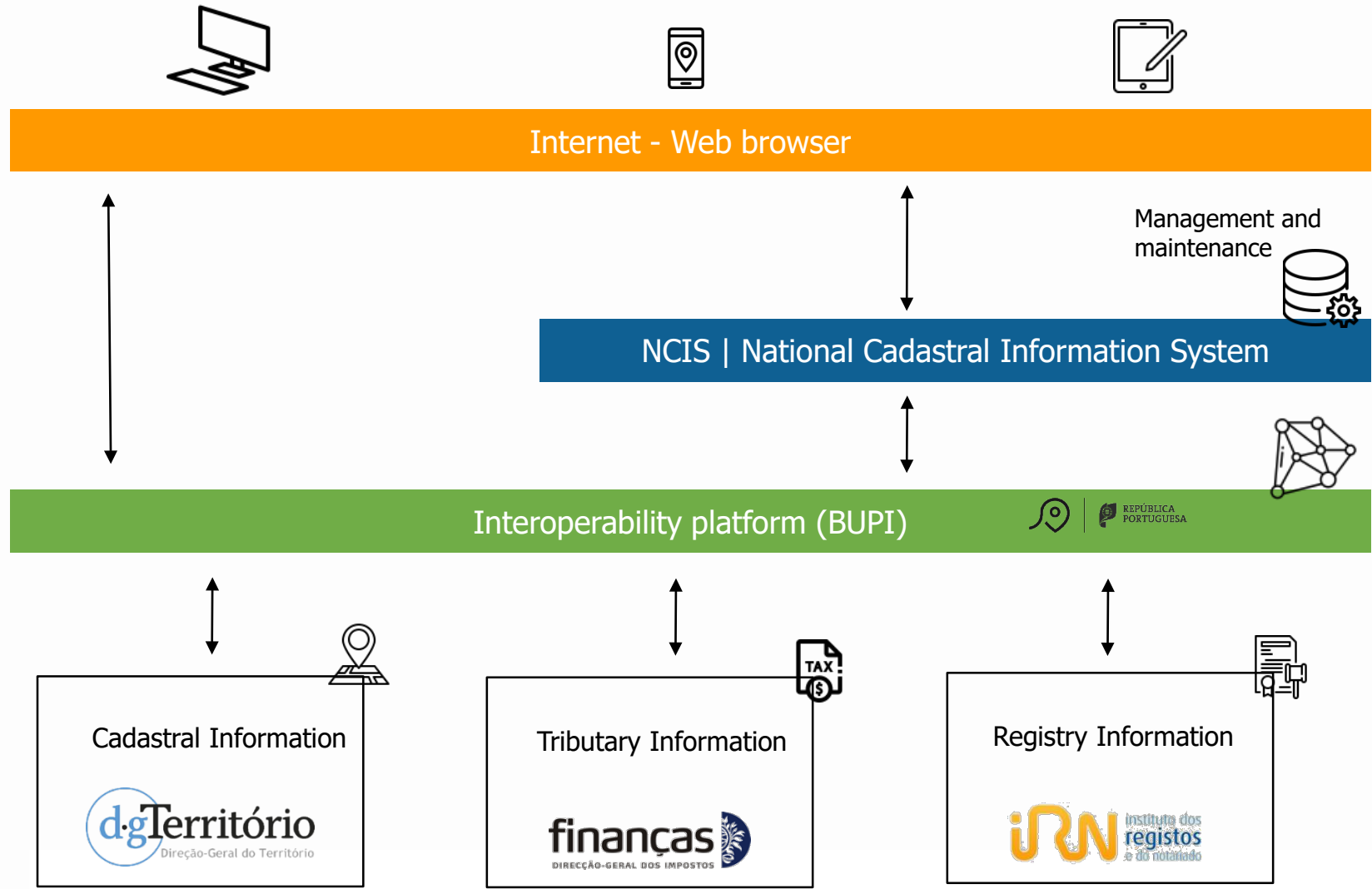
# New Actions

**Extract from the TCP maintenance procedure flow**

**Link with decision support tool on cadastral parcels division**



# New actions - interoperability



# The new Legal Regime for Cadastre and Its Challenges

**Thank you for listening.**

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