



The EU cadastral information systems - The German System -



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland

AMTLICHES DEUTSCHES VERMESSUNGSWESEN

Some Facts about Germany



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland



**The Federal Republic of
Germany consists of
16 states („Laender“)**

Capital: Berlin

Area: 357.023 sqkm

Inhabitants: 82,5 mio.

Official Surveying and Mapping in Germany



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland



Official surveying and mapping belongs to the responsibilities of the 16 states, not to the federal level

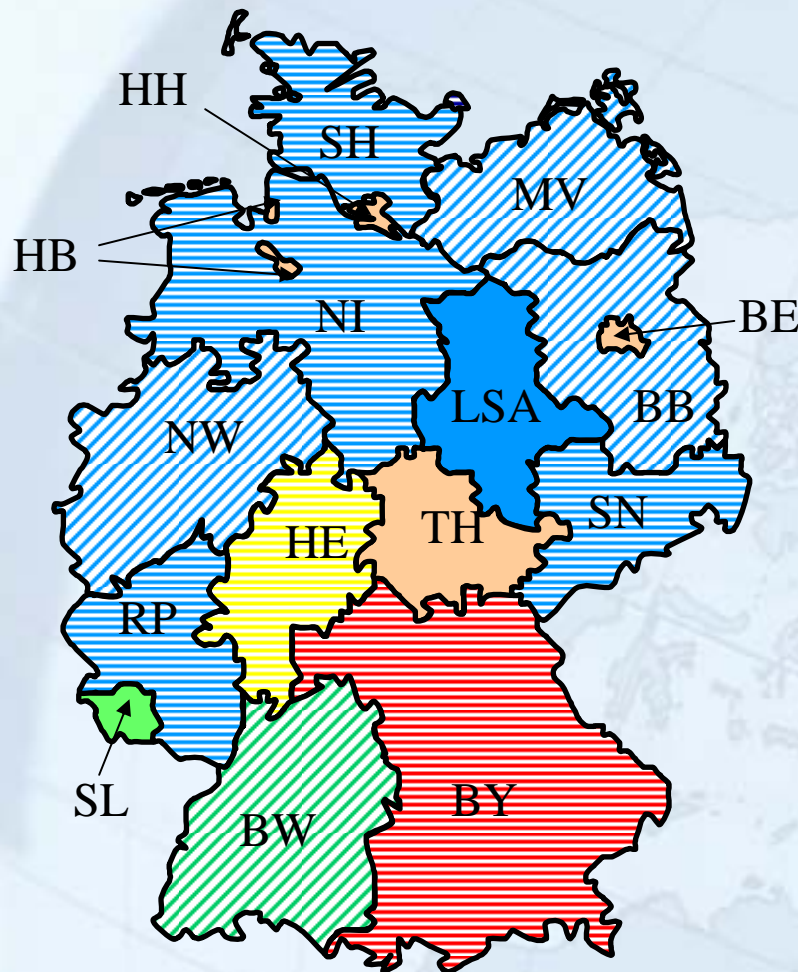
State Survey and Real Estate Cadastre in one authority, but different organisational structures

The private sector – licensed surveyors - is in 15 states involved in cadastral surveying

Ministries of Reference



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland



- Ministry of Interior
- Ministry of Economy
- Ministry of Planning
- Ministry of Environment
- Ministry of Agriculture
- Ministry of Finance
- State Level
- Municipal Level

Without hatching: 1 organisation

Some figures



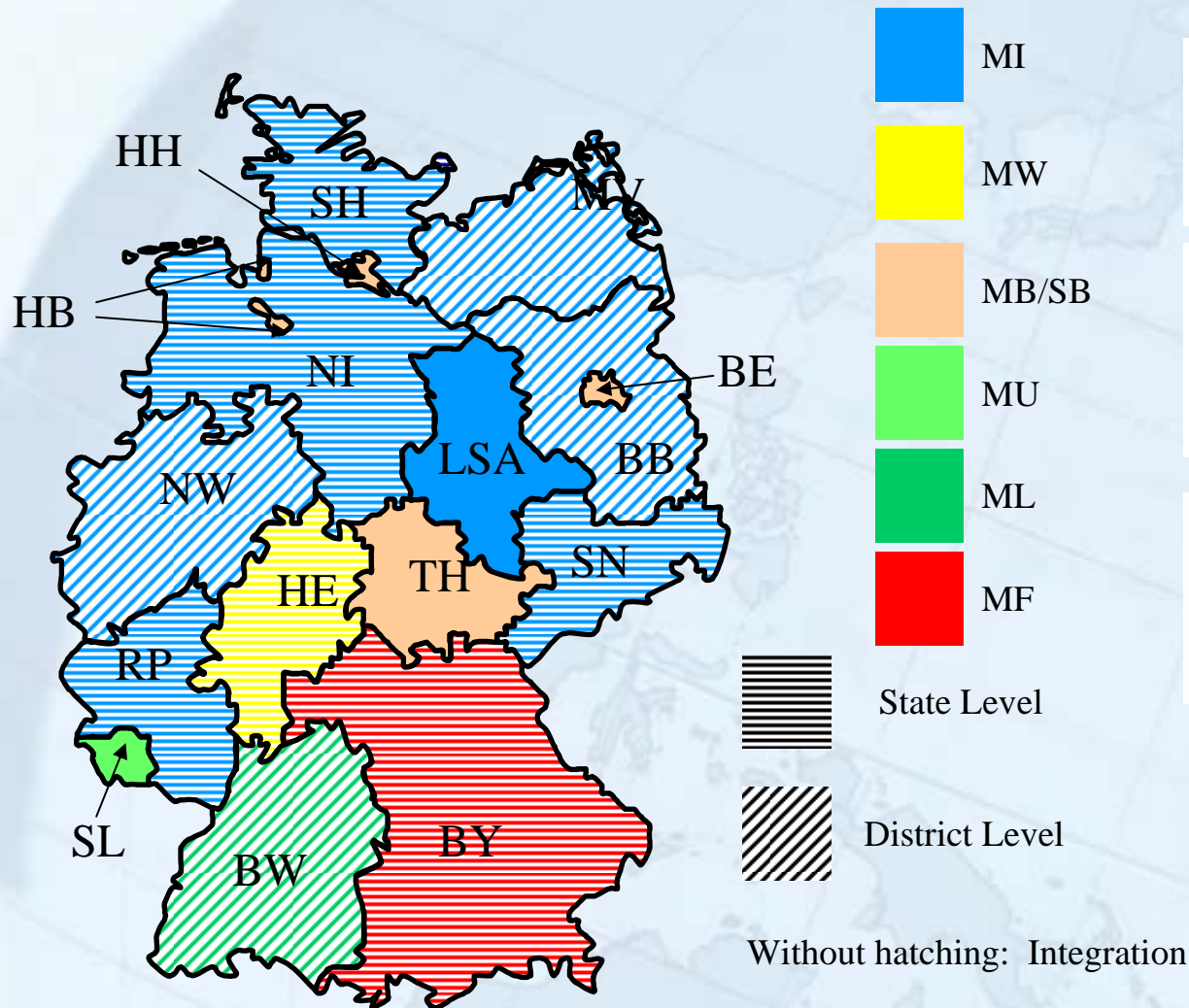
Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland

- **Parcels:** **62 mio.**
- **Regional cadastral and geoinformation offices** **ca. 250**
(on average 325.000 inhabitants, 1.400 km²,
245.000 parcels per cadastral office)
- **State survey offices** **16**
- **Number of staff** **ca. 25.000**
- **Federal authorities**
 - **Federal Agency for Cartography and Geodesy (BKG)**
 - **Bundeswehr Geoinformation Office (BGIO)**
 - **Federal Waterways Administration**

AdV – an umbrella organisation on voluntary basis



Arbeitsgemeinschaft der Vermessungsverwaltungen der Länder der Bundesrepublik Deutschland



Bund-Länder-Arbeitsgemeinschaft **ARGE**
LANDENTWICKLUNG

**German
Geodetic
Commission**

Tasks and Responsibilities of AdV



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland

- **Recommendations, guidelines and binding regulations for state survey and real estate cadastre in Germany**
 - **All decisions of AdV are recommendations and have to be transformed into state laws**
- **Co-ordination of state overlapping projects**
- **Co-operation in research, development and application of technical methods and procedures**
- **Representation of official surveying and mapping of the federal states of Germany in international organisations and co-operation at international level**

Private sector (licensed) - 1 -



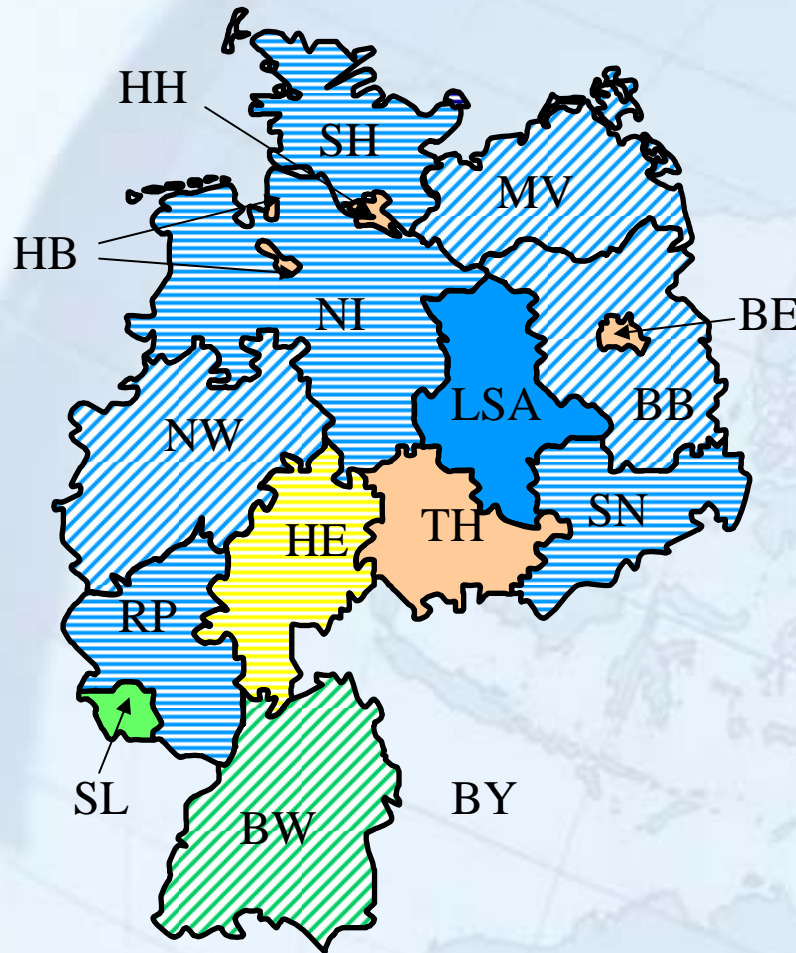
Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland

- **Licensed surveyors in 15 states**
- **Job of a licensed surveyor is regulated by state laws**
- **Job is understood as a regulated profession (Art. 45 EG Treaty of Rome) and therefore no PPP**
- **Number of licensed surveyors: ca. 1500**
- **Number of staff : ca. 15.000**
- **Ca. 1300 licensed surveyors are member of BDVI (voluntary association, no chamber)**

Private sector (licensed) - 2 -



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland



The licensed surveyor is a freelancer, but part of the official surveying and mapping

The license is given by the government to an individual not to a company

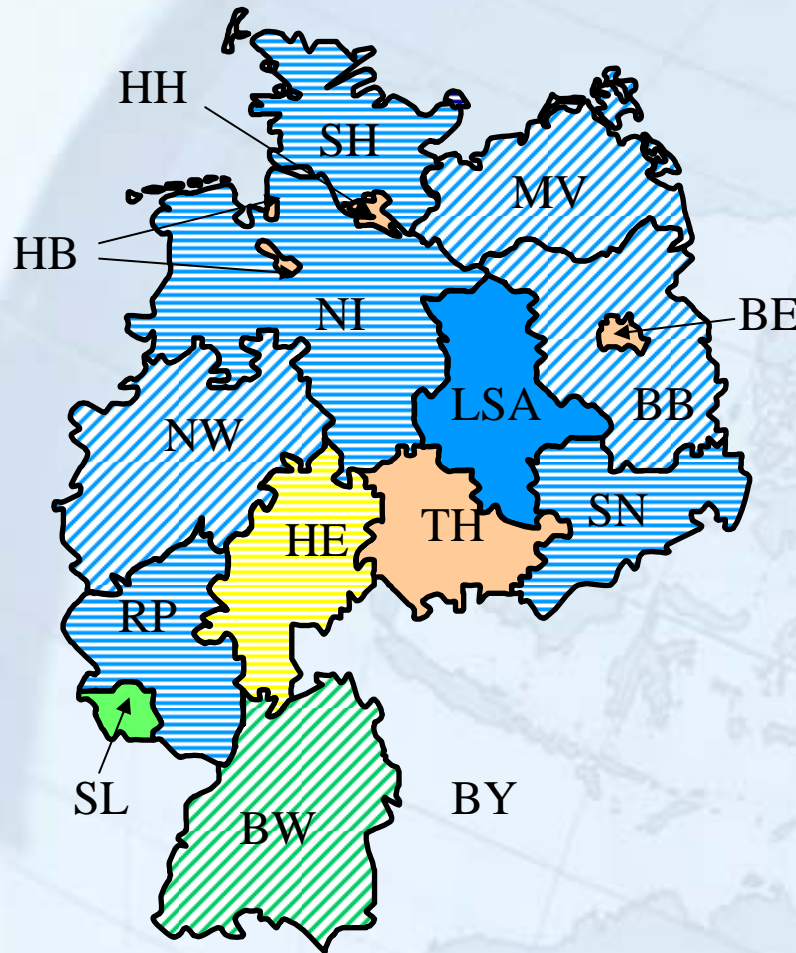
He/She is licensed only for one state

The licensed surveyor is acting on behalf of that state

Private sector (licensed) - 3 -



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland



The licensed surveyor is supervised by the state not by a chamber.

The licensed surveyor has the same education as comparable civil servants (4-5 years university plus 2 years of additional traineeship with state examination).

Same scale of fees as the public sector to avoid unfair competition.

Private surveyors



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland

- **There are also private surveyors besides the licensed surveyors (e.g. for engineering surveying)**
- **The licensed surveyor can also act as private surveyor, but then he/she is not acting as licensed surveyor (no use of that title)**

Real Estate Cadastre



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland

- Real estate cadastre is operated under state law by cadastral offices; depending on the organisational structure in the state cadastral offices belong to state or administrative district level
- The real estate cadastre in Germany is defined as the official register of all parcels and buildings in a state, in which all parcels are described with graphical and textual data.
- In addition it contains additional information, like the results of the official soil taxation.
- Buildings are integral part of the parcel.
- Freehold flats are registered, but no information about the size etc. of the flat.
- With some parts of its contents the cadastre enjoys the "public faith" of the land book, like parcel-identifier in maps and records.

Content



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland

Today:

- Cadastral register („cadastral book“) ALB (Automated Cadastral Register)
- Cadastral map ALK (Automated Cadastral Map)

In the future (from 2009):

- ALKIS: integrated system of the cadastral register and the cadastral map
- Data structure is compliant to ISO norms and OGC standards

Access and Services



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland

- **The real estate cadastre is a public register.**
- **An individual may get access to it, if it has a so called legitimate interest.**
- **The online access to the real estate cadastre is restricted to authorised persons or institutions (e.g. licensed surveyors, notaries, local authorities).**
- **Local authorities and licensed surveyors are in some states also entitled to offer the data under the same conditions to citizens.**

Land Registry



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland

- **Since 1900 land book in Germany is part of the voluntary jurisdiction.**
- **Land Registry is operated by the land registry offices in the local courts under federal law (Civil Code, Land Registry Act – „Grundbuchordnung“-).**
- **The real estate cadastre is mentioned in the Land Registry Act:
§2 Art. 2:
The properties are named in the land register according to the official register (real estate cadastre).**

Land Registry



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland

- **The land book shows the legal status of all real properties, which are described by reference to the real estate cadastre.**
- **All real properties have to be registered (exception for local authorities and churches; ca. 5%).**
- **In its documentation and publication role it works as the statutory basis for property conveyance, in particular to ensure unequivocal status of ownership and other titles, as well as for mortgage loans.**
- **There are no online links between cadastre and land registry.**

Real Estate Taxation



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland

- **The cadastral authorities are not directly involved in the real estate taxation, but they assist the tax offices with their information and store the information for rural land (values of the soil taxation).**
- **The structure of the German real estate taxation system includes different levels of burden tax that are related to each government levels provided by the Constitution: Federal Government (Bund), Regional Governments (Länder), and Municipal Governments (Gemeinde). Each of these bodies has its own power in making laws in the sectors expressly specified in the Fundamental State Law and has a marked financial autonomy that comes both from the collection and management of the taxes.**



**Mille grazie per
l'attenzione
Thank you very much
for your attention**



Arbeitsgemeinschaft der Vermessungsverwaltungen
der Länder der Bundesrepublik Deutschland

AMTLICHES DEUTSCHES VERMESSUNGSWESEN