The Use of Cadastral Information in Projects Financed by the EU: The Hellenic Cadastre

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Acknowledgements

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♦ Basic information about Greece
♦ The history of establishing a Cadastre in Greece
♦ The Hellenic Cadastre Project
♦ Procedure for developing the Hellenic Cadastre
♦ Progress of the Cadastral Survey Studies
♦ Future Planning
Basic Information about Greece

- Population: ~11,000,000
- Area: ~132,000 sq kms
- Population density: ~80 inhabitants per sq km

Administrative structure
- 13 Regions
- 55 Prefectures
- ~1033 municipalities (5775 back in 1997)
Peculiarities of the country

♦ Highly fragmented land
♦ There are no titles for many real properties in the country
♦ The existing deeds registration system does not check, and therefore guarantee, the legality of the registered transactions
♦ The State does not know its real property
  ‣ There are no forest maps for the most part of the country
  ‣ The coastline and the beach-line have not been officially drawn
♦ A considerable amount of the real property owners in Greece may live in another country (Greeks abroad, owners from other countries)
♦ Very complex legislation dealing with real properties (co-existence of the civil code with special customary legal ownership in specific areas)
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The History of the Cadastre in Greece

- **1836** First decree
- **1853** Registry System
- **1895** Proposal for new law
- **1911** Law for the cadastre
- **1917** Cadastre of Thessalonica
- **1923** Codification of cad. areas
- **1930** Cadastre of Dodecanese
- **1932** Cadastre of vineyards
- **1943** Kalithea/P. Faliron
- **1973** 1st Face of New Cadastre
- **1986** HEMCO
- **1994** Hellenic Cadastral Project
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The Purpose of HEMCO:
- The development, maintenance and update of a cadastre in Greece.
- The geodetic and mapping coverage of the country.
- The inventory and mapping of the natural resources.
- The creation of a land and environment data bank.

The Jurisdiction of HEMCO includes:
- The responsibility to create basic and derivative maps, diagrams as well as to update, revise and maintain them. The approval, the coordination and the supervision of all the cartographic and cadastral programs of the public sector.
- Organizing aerial photography and photogrammetric programs for public services.
- The cooperation with the public services for the creation and maintenance of thematic maps.
- The development, maintenance and updating of the Greek Cadastre and of an information system for the land and the environment.
- The drawing up of specifications, regulations and pricing for related works.
- The development of research and informatics in fields related to its purpose.
- The execution on any additional project, necessary for the accomplishment of its mission.
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- 1986 Establishment of HEMCO
- 1994 Hellenic Cadastral Project
KTIMATOLOGIO SA

- KTIMATOLOGIO SA is a private company with sole shareholder the Minister of Environment, Physical Planning and Public Works.
- The company was established in 1996.
- The mission of the Company is to:
  - plan, develop and operate the National Cadastre
  - assign to third parties, according to the law, the planning and development as well as the extension of the National Cadastre program and the supervision and guidance of the execution of the relevant contracts, the control of the relevant studies and the necessary supplies.
  - undertake the execution of the contracts on the development parts of the Cadastre assigned by HEMCO.
  - proceed to administrative, financial and technical activities which are necessary for the implementation of Cadastre program.
  - provide counseling to HEMCO and propositions on issues related to the above.
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The mission of the Hellenic Cadastre is to develop a general, uniform, systematic and always updated registration of land properties and the rights that exist on them in Greece. This information will be guaranteed by the Greek State.

In addition, the Hellenic Cadastre may serve as a source of valuable information that can be used for the development of the country.
Principles of the Cadastre (L. 2664/98)

♦ the principle of Parcel-based organization of cadastral information, which requires the creation, maintaining and permanent updating of the cadastral diagrams,

♦ the principle of controlling the legality of titles and other necessary information, for the acceptance of an application for registration in the cadastral records,

♦ the principle of maintaining the chronological order of the cadastral registrations, depending on the time of submission of the relevant application (the principle of time priority),

♦ the principle of publicity of the cadastral books,

♦ the principle of assurance of public trust, in order to protect every bona fide involved who relies on the cadastral registrations, and

♦ the principle of suitability of the Cadastre as a receptive system to other additional categories of information at any time in the future (principle of the open Cadastre).
Legislation about the Hellenic Cadastre

- **Law 2308/1995** “Cadastral Survey for the establishment of the National Cadastre. Procedures preceding the First Registrations in the cadastral records and other provisions “

- **Law 2664/1998** “National Cadastre and other regulations”
Real Properties for the HC

♦ Land Parcels
♦ Horizontal Ownership
♦ Vertical Ownership
♦ Composite Vertical Ownership
♦ Special Property Objects
♦ Mines
Examples of Registered Rights

- Ownership
- Usucaption
- Habitation
- Notification
- Mortgage
- Servitude
- Seizures
- Long-term leasing
- Time-sharing leasing
Documents maintained by the HC

- Cadastral maps
- Cadastral tables
- Cadastral books
- Cadastral diary
- Owners’ alphabetical index
- Archive of titles and other documents
- Archive of cadastral survey data
Authorities responsible for the Hellenic Cadastre

♦ Overall responsibility: The Ministry of Environment, Physical Planning and Public Works

♦ Responsibility for the development of the HC: KTIMATOLOGIO SA

♦ Responsibility for the operation of the HC: HEMCO

♦ Funding: The Greek State & the European Union
The European Union

- From the initiation of the Hellenic Cadastre Project, the European Union played a crucial role through the General Direction XVI “Regional Policy” (now DG “REGIO”), since they considered the HC as a powerful tool that would contribute substantially to the development of the country.

- The initial proposal of the Project was submitted and approved for co-financing for the period 1994-1999 within the Operational Program “Environment” of the Second Community Support Framework and its first stages were funded 75% by the EU and 25% by the Greek State.

- Because of the difficulties experienced in the 3 pilot programs, the Greek authorities could not achieved the initial objectives and the E.C. reduced its financing accordingly.

- Several issues were raised by the EU by the end of the Second Community Support Framework, but these are being settled by the new management of KTIMATOLOGIO SA and HEMCO.

- The Commission intends to include the Cadastre in the Third Community Support Framework (2000-2006), after all issues are resolved between the Commission and the Greek authorities.
Other Public and Private Bodies involved

♦ The Greek Government
  Ministry of Justice
  Ministry of Finance and Economics
  Ministry of Agriculture
  Ministry of Interior, Public Administration, and Decentralization

♦ Public sector organizations
  Hellenic Military Geographical Service
  Mortgage / Registry offices
  Judges (Objections & Appeals Committees)

Private sector agencies
  Hellenic Cadastre Consult
  Engineering firms (mostly surveying)
  Lawyers
  Foresters
  Notaries
  Aerial photography firms
  GIS vendors and developers
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Procedure for developing the Hellenic Cadastre (l. 2308/95) - 1

- International Tender for Cadastral Survey Studies
- Signing of the Contract
- Preliminary study
- Development of the base maps
  - Aerial photography
  - Compilation of orthophotomaps
  - Compilation of topographic maps
  - Determination of temporary property boundaries
- Development of forest maps
- Collection of declarations of property rights
- Production of preliminary cadastral maps and tables
- First public Presentation (“Suspension”) of the declared property rights
- Submission of Objections
Procedure for developing the Hellenic Cadastre (l. 2308/95) - 2

- Judging the Objections
- Correction of cadastral maps and tables based on the ruling of the Objection Committee
- Second public Presentation ("Suspension") of the declared property rights
- Submission of Appeals
- Judging the Appeals
- Correction of cadastral maps and tables based on the ruling of the Objection Committee
- Completion of the Cadastral Survey and recording the first registrations in the Cadastral Books.
Orthophotomaps
Development of Forest Maps

Recent orthophotmap

Orthophotmap of 1945
Identification of real property boundaries on orthophotomaps
Declaration of real property rights (1.2308/95)

Information about the rightholder

Information about the real property

Information about the right
First Suspension Data

Cadastral Maps

Cadastral Tables
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Current projects

- A’ Pilot
- B’ Pilot
- 1st Main
## Cadastral Survey Studies in Progress

<table>
<thead>
<tr>
<th>Program</th>
<th>Number of studies</th>
<th>Number of municipalities (1997)</th>
<th>Area in sq kms</th>
<th>Number of owners</th>
<th>Declared rights</th>
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<td>A’ pilot</td>
<td>30</td>
<td>66</td>
<td>2.300</td>
<td>500.000</td>
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<tr>
<td>B’ pilot</td>
<td>25</td>
<td>54</td>
<td>1.200</td>
<td>300.000</td>
<td>500.000</td>
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<tr>
<td>1º main</td>
<td>38</td>
<td>221</td>
<td>5.000</td>
<td>1.700.000</td>
<td>3.500.000</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>93</strong></td>
<td><strong>341</strong></td>
<td><strong>8.500</strong></td>
<td><strong>5.000.000</strong></td>
<td><strong>5.000.000</strong></td>
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Future Planning

- Adoption of a strategic plan for the continuation and completion of the Project based on the same principles laid out in the existing legal framework
- Simplification of the procedure for the development of the cadastre (elimination of the first-degree objection committee)
- Reconsideration of the criteria of selecting the areas that will be included in the Cadastre:
  - Adopt as a unit size of a cadastral survey study the area of competence of a Mortgage / Registry Office.
  - Ability to self-finance the rest of the Project (mostly urban areas)
- Better utilization of cartographic data sets existing in other government agencies and of existing legal records of the Mortgage / Registry Offices
- Standardization of the existing procedures for real property transactions (eg. standardized notary deeds)
- Development of an integrated Cadastral Information System