

# Co-ordination Initiatives for the Creation and the Updating of the Cadastre

1st Congress on Cadastre in the  
European Union

# Situation in the EU

- **15 EU member states with very different methods concerning cadastre and land registration**
- **Several accession countries, whose legal general framework must be harmonised with EU-standards and who are supported by EU-programs and projects**
- **The EU is supporting efforts for minimum legal standards; a kind of coordination can not be seen at this moment**

# Situation in European Cadastre

- 1. Different terminology**
- 2. Different functions**
- 3. Different legal responsibilities**
- 4. Different responsibility assignment**

# 1. Different terms

- **Land registration for legal aspects**
- **Cadastral for the real attributes of land and buildings**
- **WPLA: Land Administration as generic term for land registration and cadastral**

## 2. Different functions

### **Cadastre**

- **as an information system that provides basic informations for planning institutions, for economic development, for transparency of administration activities,**
- **as a proof for the taxation objects „land and buildings“,**
- **as a basis for planning and real estate regulations,**
- **as a scale for the determining of other contributions and dues,**
- **as a proof for the scope of any kind of rights on real properties.**

# 3. Different legal competences

- **Preponderant distribution of competences:**
  - **Land registration: Justice**
  - **Cadastral: Interior, finance, building and planning, environment**
- **Consistent administration competences, but different legal competences.**
- **Obligation to association at different competences, to**
- **guaranty a consistent access.**

## 4. Different responsibility assignment

- **Acceptance of responsibility by state or local institutions**
- **Responsibility is accepted central or decentralized**
- **Consistent methods (standards) are guaranteed**

# Meaning of Cadastre from a political, legal and economic point of view

**Cadastre ...**

- **fulfils fundamental basic functions for the social, cultural and economic development of every state,**
- **is the essential corner post of the constitutional guarantee of property,**
- **provides varied informations about land and buildings,**
- **makes a great contribution to transparency of state and local activities.**

**UNECE: „Social and Economic Benefits of Good Land Administration“, 1998**



Platzhalter für den Vortrag von  
Vortrag von Herrn Creuzer

# Situation in Germany (1)

**In accordance with our constitution the states (Länder) are competent for the cadastre.**

**This situation requires enormous efforts of coordination, to guarantee a minimum of consistency in Germany.**

**Coordination and unification are of particular importance, because on the one hand land registration belongs to the state responsibilities, but on the other hand cadastre is an important part of land registration.**

# Situation in Germany (2)

**The task of coordination in Germany is performed by the AdV since 1948 (Working Committee of the Surveying Authorities of the States of the Federal Republic of Germany).**

**Assembly and working groups develop the conditions of unification and give recommendations for legislation and administration.**

# Situation in Germany (3)

**Already the paper-based Cadastre was kept with nearly standardised methods.**

**Harmonisation of digital methods will in particular be guaranteed by ALKIS (Official Cadastre Information System).**

**This system is based on international standards.**

**At the moment it is even tested under these international standards (ISO-testbed).**

**It is created as an open system, so that questions of competence will play an inferior role in the future.**

**Cross-border access to data is aspired with the help of Geodata Portals.**

# Situation in Germany (4)

**The same conditions count for geotopographic informations concerning the forms of appearance of the earth's surface.**

**These Informations are given by the ATKIS (Authoritative Topographic and Cartographic Information System).**

# Declaration and Permanent Committee on Cadastre (1)

**The principles of this declaration are considered as a first approach, that needs to be differentiated.**

**Only really significant principles should be formulated.**

**There should be space reserved for own legal regulations.**

# Declaration and Permanent Committee on Cadastre (2)

**Uniformity should be achieved at following items:**

- **Any kind of rights on real properties must be proved.**
- **The access to these informations must be as open as possible.**
- **The system of cadastre/land registration must be based on a unified geodetic reference system and mapping system.**
- **The system of cadastre/land registration must be a „multi purpose“ basic information system.**
- **The use of this system must be obliging for all public institutions, concerning their areas of responsibility.**

# Declaration and Permanent Committee on Cadastre (3)

**The Declaration and the Permanent Committee are focussed on the EU-members.**

**Accession countries should be included in the new process to bring legal and technical standards in line with general EU-standards.**

**The EU-efforts in creating a European Geodata Infrastructure should be considered.**

**The results of the cadastre development process should be comparable in the EU and probably all over Europe considering the historical and legal roots of the states.**

**The development of modern cadastre should be based both on modern information technology and international technical standards created by ISO and OGC.**