



***COOPERATION
IN PUBLIC-PRIVATE
PARTNERSHIP***

*United Nations Economic Commission for Europe
Committee on Human Settlements
Working Party on Land Administration
Vienna, 12. – 13. September 2002*



**United Nations
Economic Commission for Europe**

COOPERATION IN PUBLIC-PRIVATE PARTNERSHIP

**United Nations Economic Commission for Europe
Committee on Human Settlements
Working Party on Land Administration
Vienna, 12. – 13. September 2002**

Imrich Hornansky, Juraj Vališ

valis@vugk.sk



CADASTRE AND LAND REGISTRATION

- The cadastre and land registration sector is one of a number of sectors which provide essential services within a market economy and play a large part in supporting the four freedoms (movement of goods, services, people and capital).
- The establishment of a fully functional cadastre and land registration sector is one of the key elements of the economic transformation process, as it provides the guarantee for private property and safe and secure legal title to all land and property. It provides the fundamental mechanism for the recording and transfer of assets from one legal entity to another, establishes usage rights, and provides the basis for credit through mortgage and security for development financing, and hence provides the operating framework for all Land Market activity.



ORGANISATION

- **The Geodesy, Cartography and Cadastre Authority (GCCA) of the Slovak Republic was established as an independent authority (at the Ministry level) consisting of a central executive branch, three supporting institutes and a national network of regional and district cadastral offices.**
- **In 1993 new legislation was passed to establish the new "Cadastre of Real Estates" as a unified system consisting of both a textual part (legal and administrative record) and a graphical part (cadastral map) which would provide the registration of ownership (title) for all land and property.**



ORGANISATION

- **The GCCA is charged with responsibility for the management and upkeep of all land registration and cadastral records within the country. It also has responsibility for the provision of basic geographic data (geodetic control, state map series and other geographic data).**
- **In the past ten years the GCCA has concentrated upon the immediate reforms necessary to support the establishment of the legal framework for private property; the establishment of a national network of offices able to serve the needs of clients.**



LEGAL FRAMEWORK FOR GCCA ACTIVITIES

The following basic laws and decrees govern activities in the field of geodesy, cartography and cadastre on the territory of the Slovak Republic

- **Act No.215/1995 on Geodesy and Cartography**
- **Act No.162/1995 on Real Estate Cadastre and record of ownership and other rights to Real Estates (Cadastral Law)**
- **ActNo.216/1995 Chamber of Surveyors and Cartographers**



All of them regulate the cooperation between public institutions and private sector and additionally declare the need of certifications about special professional qualifications, that are divided:

- into the authorised verification of selected geodetic and cartographic activities according to a separate regulation in one's own name or in the name of a cadastral office,
- into the authorised verification of selected geodetic and cartographic activities according to a separate regulation in the name of a budget organisation, a legal person and the Railways of the Slovak Republic, the object of activity of which is the execution of geodetic and cartographic activities, to its worker,



THE STATE TASKS

in providing geodetic and cartographic activities are being fulfilled by:

- GCCA, Cadastral offices and legal persons established by GCCA for the provision of geodetic and cartographic activities,**
- Ministry of Defence of the Slovak Republic,**
- Ministry of Transport and Telecommunications of the Slovak Republic,**
- Ministry of Agriculture of the Slovak Republic,**
- Ministry of Environment of the Slovak Republic**
- Ministry of Internal Affairs of the Slovak Republic**



LEGAL AND NATURAL PERSONS TASKS

who execute the selected geodetic and cartographic activities are obligatory especially:

- a) to execute them in binding geodetic systems and localisation standards,**
- b) to provide there authorised verification,**
- c) to provide the numbering of geodetic points of minor controls in cooperation with a cadastral office,**
- d) to give over, free of charge, a survey sketch or a resultant documentation about lot boundary staking-out to the state documentation within 30 days from their execution,**
- e) to give, free of charge, the results of measuring or digitalisation and projection of objects which are taken over to the basic state map series at large scale or which are a content of the thematic map series at large scale to an extent of over 0,25 km² to the state documentation**



CHAMBER OF SURVEYORS AND CARTOGRAPHERS

The Chamber is a self-governing, professional organisation, which associate the surveyors and cartographers, who authorizationally verify the selected geodetic and cartographic activities. The Chamber gathers only the professionals, which undertake geodetic and cartographic works. In spite of this fact, the competencies of the Chamber coming out of the law permit to intervene in to the areas, which concern the entire professional public.



MAIN CHAMBER TASKS

- a) represent, defend, and shift for professional, social and economic interests of the Chamber members,
- b) give and withdraw the licence for performance of the authorised surveyor's and cartographer's activity on his own behalf, on his own responsibility,
- c) keep the list of authorised surveyors and cartographers,
- d) care for the professional acting of the Chamber members, for acting in accordance with the general obligatory legal rules which adjust their position and performance of their activities, and with the Chamber regulations,



- e) organise and guide the qualification examinations,**
- f) conduct the disciplinary dealings against the authorised surveyors and cartographers,**
- g) determine the fee for the qualification examination, the fee for the licence for performance of the activities of the authorised surveyor and cartographer and the membership dues for the Chamber activities,**
- h) cooperate with the central state administrative authority of geodesy, cartography and cadastre by legislation of the general obligatory legal rules of this branch.**



FUTURE VISIONS

Within the market economies in recent years there has been a reappraisal of the role of government and its supporting institutions. Government is increasingly seeking ways of divesting it self of responsibilities for many aspects of administration, through contracting out, public (private sector partnerships) reassessment of core business areas and concentration of increasingly scarce public sector resources on essential matters.

The traditional viewpoint of organisations that are considered to be offices of the State Administration is that they are mandated with specific (usually administrative or technical) tasks, which must be carried out according to precise Government regulations, often spelling out in great detail the technical standards to be implemented.



FUTURE VISIONS

There is an overriding political decision that will dictate policy development concerning finance of the sector. The Government is faced with a choice between the following three alternatives:

- a/ The state is correcting past injustice. The state is therefore responsible for correction of past misdeeds or providing compensation. In this case the state must pay.**
- b/ The state must "kick start" the land market process and spur on the economic transition, and so state investment is justified economically.**
- c/ The user pays. The person who receives the (financial) benefit of a process should bear the costs.**



FUTURE VISIONS

The following issues arise:

- costs of modernisation
- reassessment of the core business activities
- determination of the market needs
- staff and professional development in order to retain staff in an increasingly competitive labour market
- modern management practices, staff retraining and the introduction of IT
- reduction of state contribution and increase of cost recovery
- public/private sector cooperation and alternative structural models
- quality control and standards, there is a shift from licensing to quality assurance methods



FUTURE VISIONS

There is a move in many governments towards increased cost recovery and most Authorities in market economy countries, where they exist, are able to reduce dependence on state funding. Some are essentially private companies.

The long-term vision of GCCA is to reduce its direct funding and become a self-sustaining organisation.

However, considerable strengthening will be required.



United Nations
Economic Commission for Europe



Juraj Vališ
valis@vugk.sk