

— The PGI must also undertake the coordination and standardisation of cadastral activity required or executed by other competent entities, in order to minimise:

- duplication of work,
- misuse or dispersion of funds, which are always scarce.

This will require greater coordination and closer cooperation between the parties that intervene in these matters (organisms producing the basic geographical information, private sector, organisms coordinating the legal situation of property, and institutional and private users):

— Coordination with other member States relative to the objectives, methods and structure of cadastral data, their integration in an information system and the exchange of data between institutions.

— Definition of the policy of availability of cadastral information, means, prices, data forms, copyrights, etc.

I conclude with a special salute to the great majority of my colleagues in the PGI who, believing in and aware of the importance of this Congress, have come here at their own expense.

Thank you for your attention. ■

Coordination experience among the Member States

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Existing Legislation

Surveying law and legislation on the registration of real estate belong to the sphere of national legislation. In Finland and Sweden application of surveys is exceptionally wide compared with practices in other EU Member States and they constitute features of governmental power and of civil and administrative law.

Directive 95/46/EC «On the Protection of Individuals with Regard to the Processing of Personal Data and on the Free Movement of Such Data» has been issued as a means to influence directly national legislation and to harmonise the EU market. The first article of the directive ratifies two leading principles that seem indirectly to affect extensively the entire base register system. These principles are linked to the privacy of natural persons, the processing of personal data and the free flow of personal data between Member States. Firstly, when processing personal data, the Member States must guarantee basic rights and freedoms and especially citizens' right to privacy. Secondly, the Member States cannot restrict or forbid the free movement of personal data between Member States for privacy reasons. The conformity of base registers (incl. the Cadastre) may be important for the sake of their intelligibility and data transfer promotion.

Finland and other Nordic Countries

Due to the common history of Finland and Sweden, laws on surveying and registration have the same origin. Governmental power, i.e. surveyors of the State and municipalities, has played and still plays a central role in surveying. Procedures for surveys have been included in indemnity assessment procedures as well and redemptions are conducted in survey procedures. The basis for foundation of the Cadastre in Finland as well as in other parts of Europe has been fiscal reasons, i.e. compilation of fiscal catalogues. User-oriented information service demands on data contents of the Cadastre have been imposed no earlier than during the last century. Tiling all register units is an example of the need for alteration in rights registration. Previously the legislation was concerned with registration of privately owned properties (taxable land) only.

Membership period in the EU

Finland has been a member of the EU for eight years. This is a short period of time to assess EU membership's effect on real estate registration. As I mentioned before, laws on surveying and registration of real estate are national legislation. During membership the law on surveying and partially the law on cadastral registration were renewed. At the same time the Code of Real Estate, which describes real estate rights, was renewed as well. Renewal of these laws is based purely on national interests. A proposal for a Land Information System (containing the Cadastre and the Land Register) and information service therein was submitted last autumn to the Parliament and is currently under debate. In connection with the proposal preparation legislation on information service connected to land information was investigated in Europe and especially in the EU Member States. Soon it transpired that legislation like this is quite new in Europe.

Experience in Practice

Nordic Joint Projects

Nordic surveying authorities Maanmittauslaitos (Finland), Lantmäteriet (Sweden), Kort-og Matrikelstyrelsen (Denmark) and Statens Kartverk (Norway) together with Helsinki Technical University, Stockholm Royal Technical University, University of Aalborg and Norges Landbrukshøgskolan launched in autumn 1999 a joint research project that aimed to compare real estate rights and their registration. The study has advanced so far that it can be published by the end of this year. One preliminary observation reveals how important it is to define exactly those concepts that should be compared, and mentions the need for going deeply into metadata: data about data. One aim of the study was to initiate new research that could be exploited at the European level as well. There are expectations that at least the results gained from the research methods used could be exploited.

Another remarkable Nordic study carried out during the membership period was the study on usability of land consolidations for solution of land-use problems. The study results directly influenced the renewal of Finnish surveying law.

Experience in the WPLA Organization

Finland has taken part in the activity of the WPLA and its predecessor MOLA throughout their existence. The

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experience gained has been positive. Documents drawn up for Land Administration Guidelines have provided good descriptions for the development of a new land administration system not only for countries in transition but for the old market economy countries as well. Inventories on the existing situation serve the old market economy countries for the same purpose, of which Finland has had good experiences in the Nordic cooperation.

Investigations indicate that the national legislation has strongly directed surveying, cadastral registration and registration of rights. It is evident that a wider harmonisation of legislation would irrevocably lead to harmonisation of work processes and data systems. As long as data processing is manual, things are in a sense simpler, modelling and standardization of data are not absolutely necessary. Now that digitalisation has emerged throughout Europe over the last ten years, it can be considered as a possibility. Digitalisation requires data modelling at a higher level compared with the manual techniques when data transfer over borders is desired. The need for cooperation and coordination of the EU Member States – the so called old market economies – is perhaps based on the requirement for digitalisation of the land information.

EULIS project

The «European Land Information Service» is a tangible project aiming at development of an international land information service. Finland is currently an active participant. The starting point of the project —customer orientation— focuses the viewpoint from relations between authorities to customer needs. The focal point will be improvement of data usability through use of the latest technology. Experiences gained thus far suggests that the matter must be handled from the metadata basis in order to define what the question deals with. In the every phase of the EULIS project land transactions, legal effects of registrations and rights and obligations of the parties are described in their respective countries. Furthermore register systems on land information and their data contents are described. At the European level this is the most deeply probing investigation ever conducted to compare different systems. Not until at this level a proper comparison and possible co-ordination of systems can be started, as far as there then any more is a need for it.

The National Board of Patents and Registration of Finland has been involved in the implementation of the European Business register, which is an information service similar to EULIS and provides data on enterprises acting in Europe. Finnish experience with the EBR has been positive,

indicating that there is an indisputable need for base registers throughout Europe.

Need for Development Based on Experiments

Customer investigations have revealed that real estate information users would like to have more services than existing systems can provide. Spatial (map) data on real estate is required, suggesting that map data must be included in the sphere of information service—not only data on borders but also topographic data in the form of maps or orthophotos superimposed on them. Furthermore, data on land use-rights and restrictions are desired to be described as spatial objects and linked spatially with real estates. These needs require the ability to manage the completeness of complex data systems. On the other hand, it means creation of common data models and standards over Member State borders. This work is in a hurry and its priority shall be increased. The present digital cadastral used must be developed into «metadata-cadastrés», since most of the prevailing systems are no longer sufficient in surroundings perfused by an increasing number of regulations and growing complexity.

In the further development of European land information systems and information services, there is a need to define the goal we have been striving to obtain. At national level, functioning systems have been created for each Member State. Creation of a common European land information system is an imposing economic, juridical, procedural and data management challenge. Its suitability must be investigated critically. New feasibilities for use in information technology and the continuously increasing possibilities they provide present us with further economic results. A common system may not be the intrinsic value but the extensive use of land information throughout the EU. There is a need for increased use of land information. Currently it is required for cross-border land markets, mortgaging over borders, environmental monitoring, statistics and managing of CAP subsidies system.

The Cadastre itself is the core of the land information system, as an independent system its value is not as high. Existence of data on land rights and restrictions, whether it concerns ownership, encumbrances or land-use rights and restriction, must be available. Even this is not enough. Data on citizens and enterprises, i.e. socio-economic data, should be made available and made possible to integrate with land information. How to split these different themes into systems and organise them is not essential, but the completeness of these systems is. This information infrastructure is a crucial factor for the development and social stability of society. ■