



United Nations Economic Commission for Europe

WPLA

Fees & Charges in Cadastre and Registration

Guidelines & Proposals for Best Practice

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WPLA Fees and Charges Study – Best Practice

- This presentation offers an overview of a report that was commissioned by WPLA and recently published.
- The report identifies guidelines and proposals for best practice with respect to fees and charges using information from the 2007 WPLA Questionnaire and experience and understanding within WPLA.
- Results from the Questionnaire were presented at the WPLA session in Geneva in November 2007. The findings of the initial study were discussed at the WPLA Workshop in Cavtat in October 2008.

- Whilst the initial information for the study came from the results of the WPLA Questionnaire further searches were made of published sources, both paper and WEB based.
- A major source of information for the report is the practical experience and understanding of the implementation and management of registration and cadastre which resides within WPLA.
- As a consequence the guidelines and proposals that appear in the report are based on real experience. They are open to debate and it would be foolish to pretend that they are not subject to change.

The report contends that Fees and Charges:

- Are a major component of cost, cost management and cost recovery;
- Cannot be considered in isolation;
- Cannot be seen simply as a tool to recover costs; and
- The management of the overall costs of an organisation is an integral part of “best practice” with respect to fees and charges.

What is Best Practice?

- “Best practice means finding – and using – the best ways of working to achieve your business objectives. It involves keeping up to date with the ways that successful businesses operate – in your own sector and others – and measuring your ways of working against those used by the market leaders.” And
- “Applying best practice means learning from and through the experience of others.”

(Cranfield University School of Management, UK)

Best Practice (2)

- The countries affiliated to WPLA have a wide range of different cultures, sizes, politics, populations, traditions and philosophies, resources, current development situations and future development needs. As a consequence
- What is best for one may be unworkable for another.
- Best practice must be society specific and there is no “One answer fits all”.
- Only the individual state or jurisdiction can decide what is “best” in their individual circumstances

Guidelines and proposals for “Best Practice”

The proposals must be considered in the context of the individual country, institution or organisation concerned. They are presented under the following headings:

- Institutional
- Fees, Charges and Costs
- Administrative and Technical
- Market Related

Proposals for “Best Practice” – Institutional (1)

- Governments, responsible ministries and institutions should work together to define Policies, Strategies and Standards under which Real Property Cadastres and Registers are to be created. These should take into account state, regional and geopolitical requirements (e.g. the EU).
- Strategies on Real Property Cadastres and Registers should be realistic, achievable and based on the needs, economy and market situation of the individual state.
- Policies, strategies and standards should be kept under review to ensure that they respond to the needs of society and do not become outdated or unworkable

Proposals for “Best Practice” – Institutional (2)

- Administrations should be encouraged to quickly create new laws or modify old laws to support new technologies.
- Laws and regulations should be written in a way that allows changes and improvements to be made in processes but minimises the need for changes in legislation.
- Where suitable for a country or jurisdiction one organisation should have overall responsibility for registration and cadastre.

Proposals for “Best Practice” – Fees, Charges and Costs (1)

- Always remember that data is never “free”, someone has to pay for it.
- Only the individual state or jurisdiction can decide how to identify costs and allocate fees and charges.
- Fees and charges should be based upon the needs of society.
- Before defining a pricing strategy and setting fees and charges identify the real costs of the operations concerned.
- The development of registration and cadastral systems may be justifiably subsidised where the benefits accrue to the general populace.
- In mature systems costs should be born by the user

Proposals for “Best Practice” – Fees, Charges and Costs (2)

- All users (public, private, State, or Governmental) should pay for information, data or services. (An exception to this is where there are statutory requirements for the “free” exchange or supply of information.)
- Charges should be set to recover costs plus a reasonable return on investment where this is allowed. (Some jurisdictions either restrict or do not support this approach.)
- Negotiate with data holders to use their data for the register and cadastre as sharing, exchange or purchase is invariably cheaper than new data capture

Proposals for “Best Practice” – Administrative & Technical(1)

- Encourage the development of “one-stop-shops”, locations where users can access a broad range of functions.
- Encourage the use of electronic documents and the use of e-signatures.
- Review tasks where users have to meet officials to ensure that as many tasks as possible are dealt with in a single visit.
- Do not demand high technical specifications unless there is a proven need for them and the cost benefits are clear.
- Define your objectives or outcomes first and if necessary take advice from specialists before setting appropriate technical specifications.

Proposals for “Best Practice” – Administrative & Technical(2)

- Try for the best possible answers within applied financial constraints but be realistic.
- Research all data that can help create and complete the land register and cadastre.
- Use recognised geo-referencing systems to facilitate the linking of datasets. These should be modern international systems or national systems with published transformation parameters.
- Accept levels of cadastral measurement that will produce credible, useable and cost effective answers .

Proposals for “Best Practice” – Administrative & Technical(3)

- Analyse cadastral costs where specifications are complex or appear to be unrealistic and if necessary try to have the specifications relaxed to a more cost effective level.
- Collect data only once and ensure that it is available to other institutions.

Proposals for “Best Practice” – Market Related

- Support the exchange of information between countries in the ECE Region and the development of “Data about Data” (Metadata).
- Make information available in a form that fulfils customer’s needs and wishes, where they want it and at a price they are prepared to pay taking into consideration the cost-recovery principle.
- All Cadastres and Registers and data sources should publish “privacy policy statements” that clearly outline the rights of users and data suppliers. The statements should take into consideration the balance between “rights to information” and “rights to privacy”.
- Be aware of changing market conditions and be prepared to change pricing strategies.

Conclusions

- The individual country or jurisdiction must decide what is “Best” in the context of their individual needs.
- What is best for some will be impracticable, unworkable or even illegal for another.
- It is extremely difficult to define specific proposals for “best practice” that are suitable or appropriate for all.
- Because many countries utilise similar solutions does not mean that the solutions are “best” for everyone.

Thank you for your time.