

Updating of cooperation between Land Register and Cadastre in Austria

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Content

- Administrative and technical data of Austria
- Institutional and legal framework
- Process of registration
- Cooperation between Land Register and Cadastre
- Updating of cooperation BEV - MoJ (Ministry of Justice)

Administrative and technical data of Austria (1)

- 83,8 thousand km²
- 8,4 million inhabitants
- 2.518 municipalities
- 9 federal provinces
- Capital: Vienna
- EU-membership since 1995

Administrative and technical data of Austria (2)

41 Cadastral offices

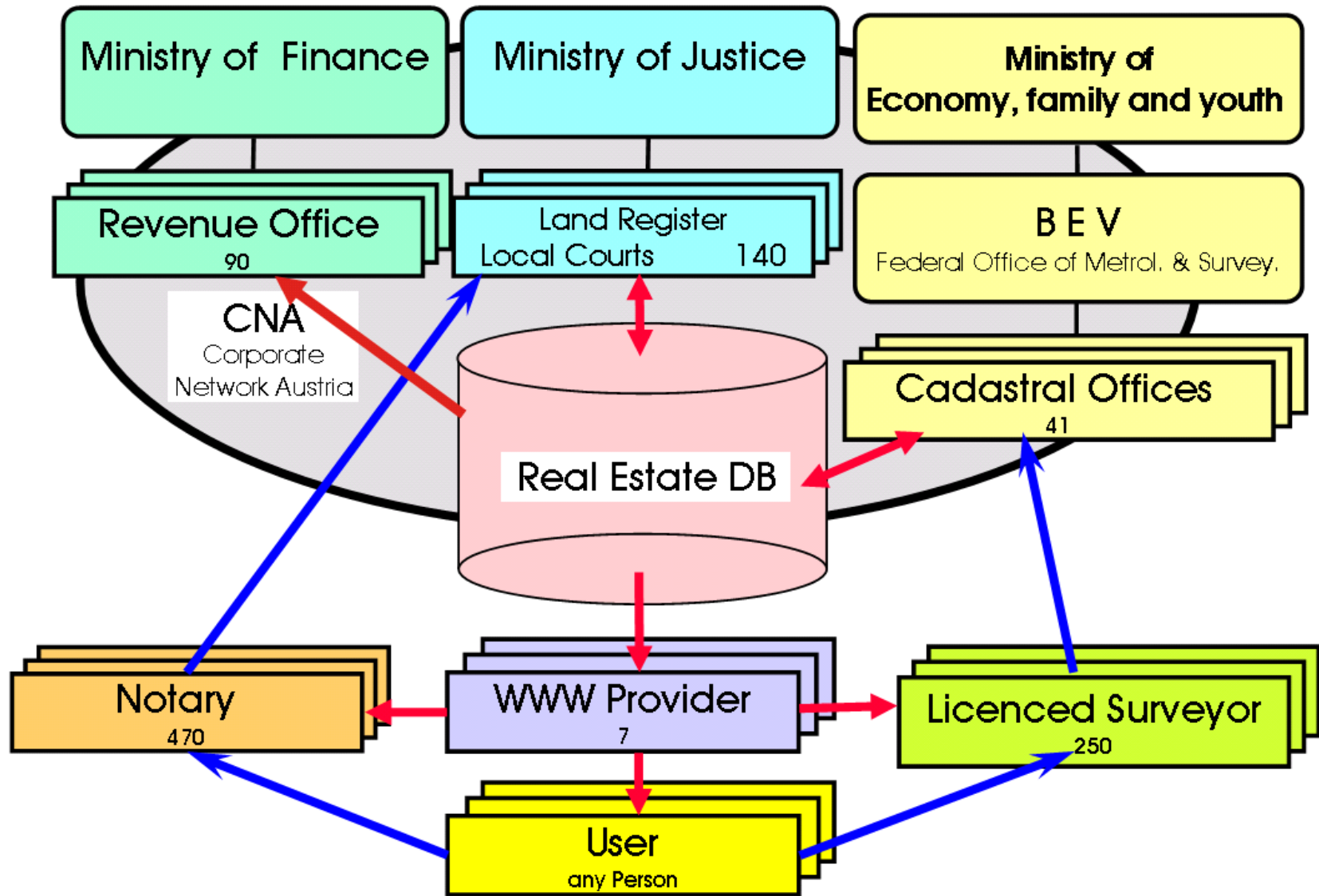
- Average of cadastral parcels:
260.000
- Average changes per year:
30.000 parcels
- Altogether 600 cadastral experts
and administrative staff
- Tasks: Cadastre, geodetic
network, digital landscape model
and soil evaluation, etc.

140 Land Register Offices

- Average of property units
(1-n parcels): 20.000
- Average changes per year:
2.000 property units
- Altogether 300 registrars and
administrative staff
- Tasks: ownership of parcels,
flats, buildings, rights,
restrictions, obligations, etc.

Institutional and legal framework (1)

- Separated competencies between two different organisations
 - Cadastre: BEV and subordinated cadastral offices (41)
 - Land Register: Ministry of Justice (MoJ) and local courts (140)
- Connected via the Real Estate Database
 - Data are stored in connected databases
 - Rights, restrictions, obligations, land use and geometric description
- Strong cooperation between BEV and MoJ



Institutional and legal framework (3)

- No overlaps of competencies
- Coordination/cooperation between public authorities and private sector is regulated by law and is working well in practice
- Full access to information and all data but maintaining within the frame of their competences
- Liability on data is guaranteed by the state
- Access to data via web or directly via network

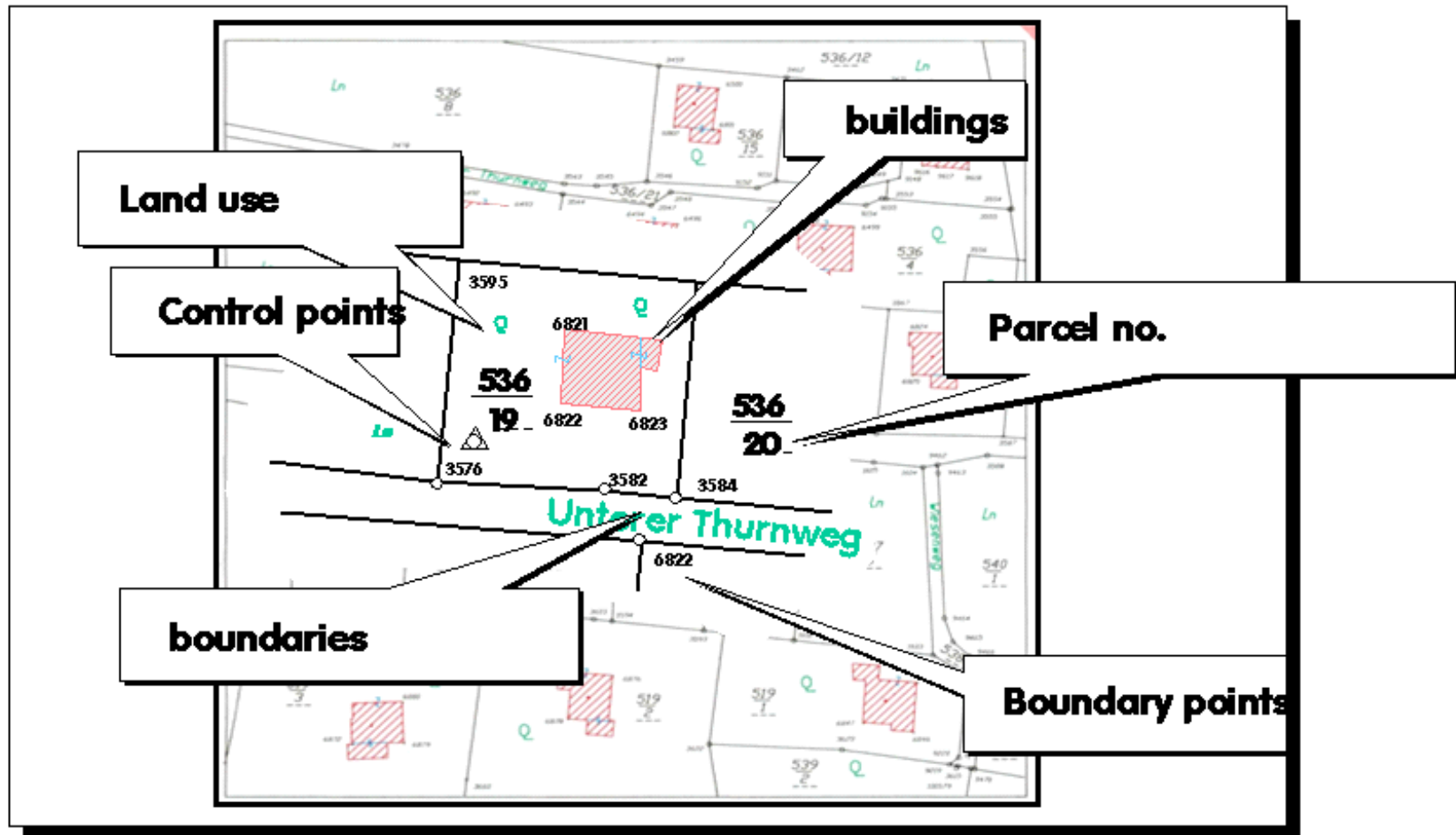
Institutional and legal framework (4)

- Since 1871: Conformity between Cadastre and Land Register by law (start of a long lasting cooperation - nearly 140 years)
- Land Register Act (1981) and in Surveying Act (1969):
 - (1) Cadastre and Land Register shall be kept in conformity with each other. the register of parcels shall be connected to the main book of the Land Register.
 - (2) The Land Register Court shall be informed by means of application forms on results of official acts possibly involving entries into the Land Register.
 - (3) The Land Register Court shall, at reasonable intervals, be supplied with copies of the cadastral map for use as land register map.

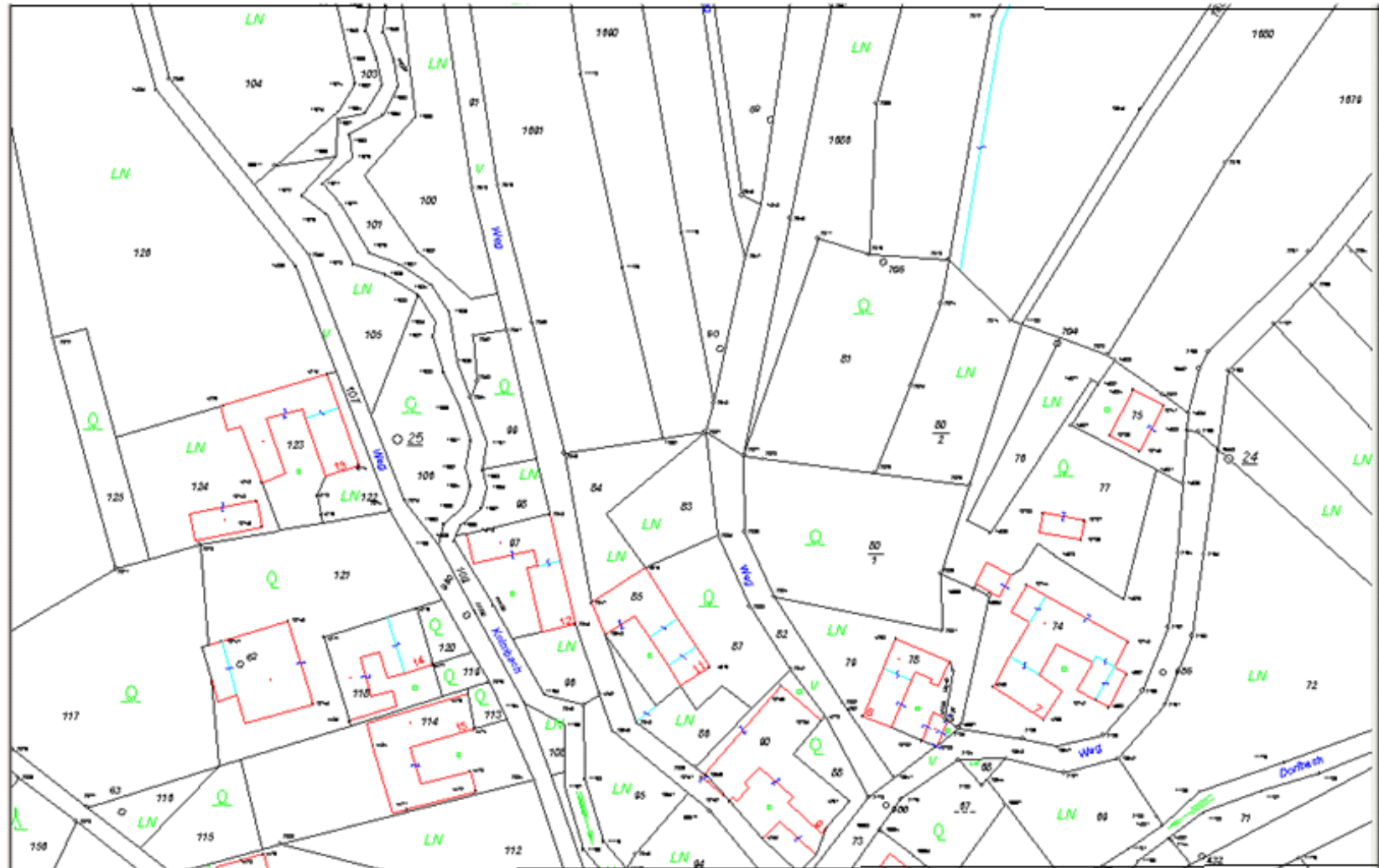
Institutional and legal framework (5)

- Cadastre Principles
 - Public register – access for anyone
 - Nation-wide availability / world-wide availability
 - Competence of the cadastral offices
 - All changes registered since 1883
 - Archives for surveying documents
 - Main parts of Cadastre are
 - Digital cadastral map
 - Register of parcels
 - Surveying documents

Digital Cadastral map 1:1000 (excerpt)



Digital Cadastral map 1:1000 (extract)



Extract from Real Estate Database

AUSZUG AUS DEM GRUNDSTÜCKSVERZEICHNIS
 KATASTRALGEMEINDE: 31106 Eltendorf
 VERMESSUNGSAMT: Oberwart

 EINGABE: 38

NUMMERIERUNG: fortlaufend
 GRENZKATASTER: TNA
 ***** 2006-11-27

Cadastre
data

GST-NR	G	MBL-BEZ	BA (NUTZUNG)	FLÄCHE	EMZ	VHW	GB-NR	EZ
38		7421-24/2	*	791		499/1998	837	
			Baufl. (Gebäude) T	439				
			Baufl. (befestigt) T	233				
			Baufl. (begrünt) T	119				
			Eltendorf 16					

Land Register
data

EZ	LNR	EIGENTÜMER
837	1	ANTEIL: 1/2 Ernst Julius Dipl.-Ing. GEB: 1959-02-28 ADR: Eltendorf 165 7562
	2	ANTEIL: 1/2 Ernst Cornelia Mag. GEB: 1961-11-16 ADR: Eltendorf 165 7562

***** 2006-11-27 10:19,07228 BA ***** ZEILEN: 21

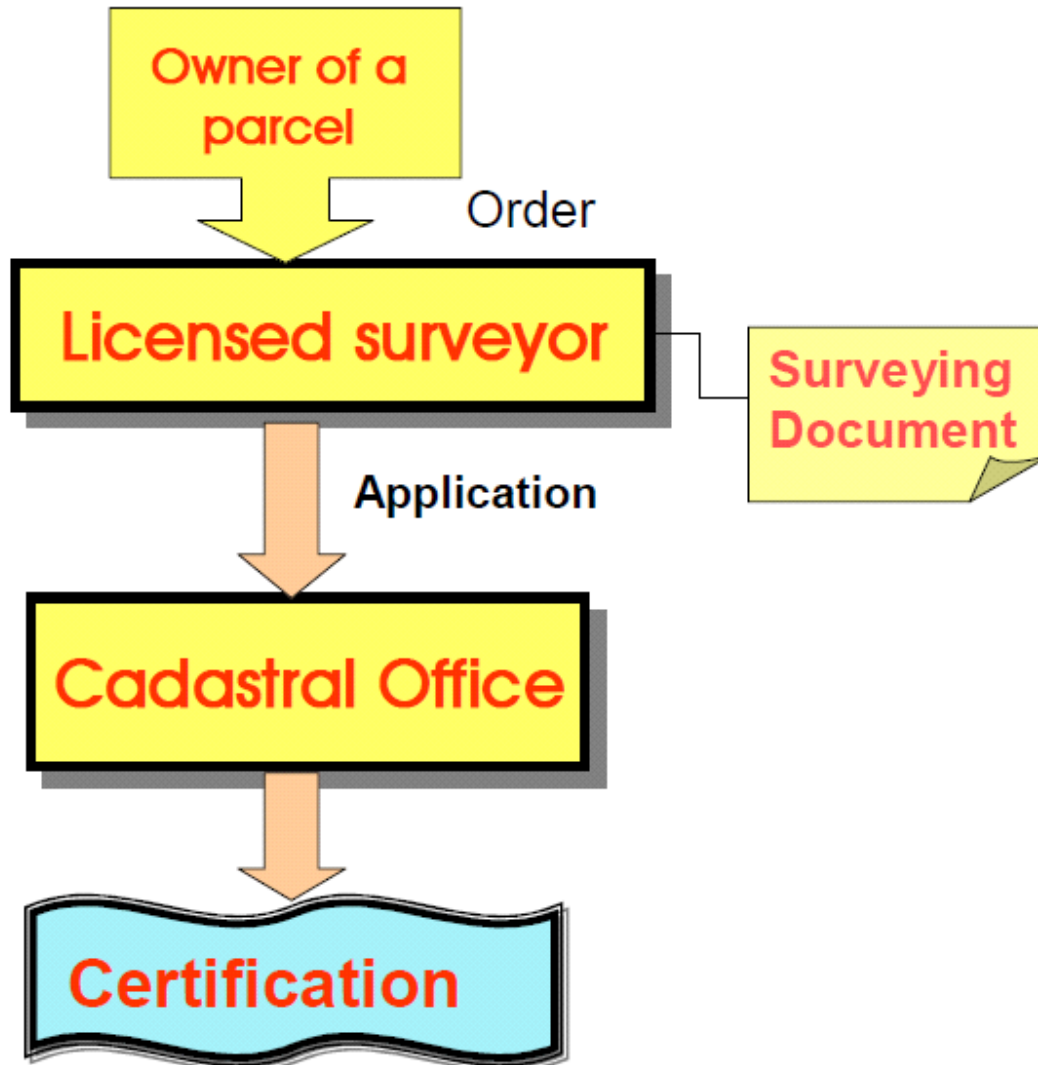
Institutional and legal framework (9)

Real Estate Database - some figures

- 2-4 Mio. Data transactions per month
 - 20% Cadastral information
 - 80% Land Register information
- 15 Mio. € income per year
 - increasing 10% per year (depending on economy situation)
 - to Ministry of Finance
- Approximately 60% credit institutes, banks,...
- Approximately 30% public administration
- Approximately 10% surveying sector

Process of registration (1)

- Owner of the parcel contacts a private licensed surveyor
- Private licensed surveyor creates a surveying document as a result of consultations with all neighbours of the parcel
- Surveying of the boundary points etc.
- Application at the cadastral office for an certification of the surveying document by the owner or a notary or the private licensed surveyor as the owner's substitute
- Formal check regarding legal and technical conditions by the cadastral office
- Certification of the surveying document by the cadastral office



Order to subdivide a parcel

Negotiation with owners,
surveying of the parcel
surveying document

Formal check of legal and
technical conditions:

- surveying order
- Technical aspects
- Digital Cadastral Map

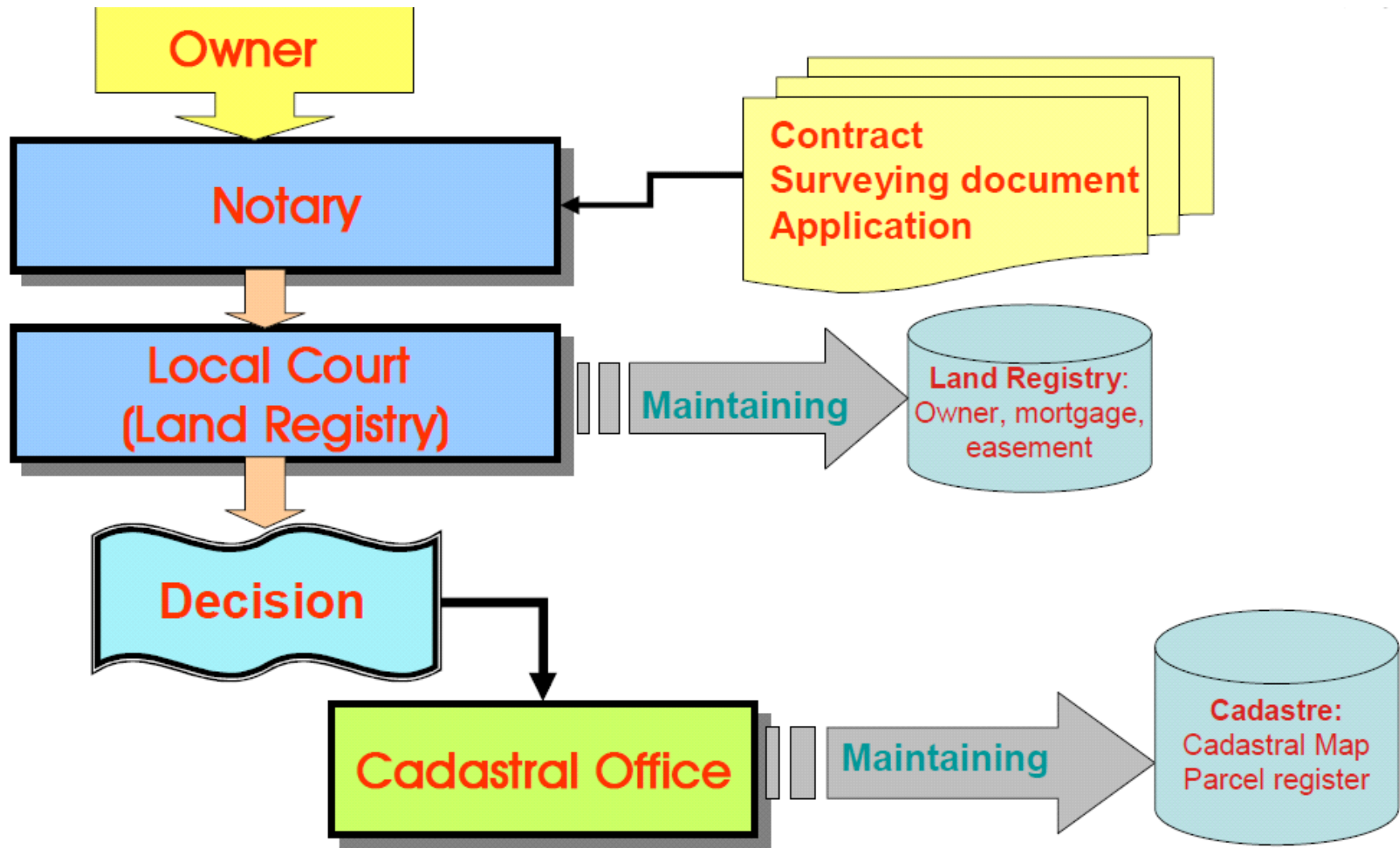
needed for application
at local court

Process of registration (3)

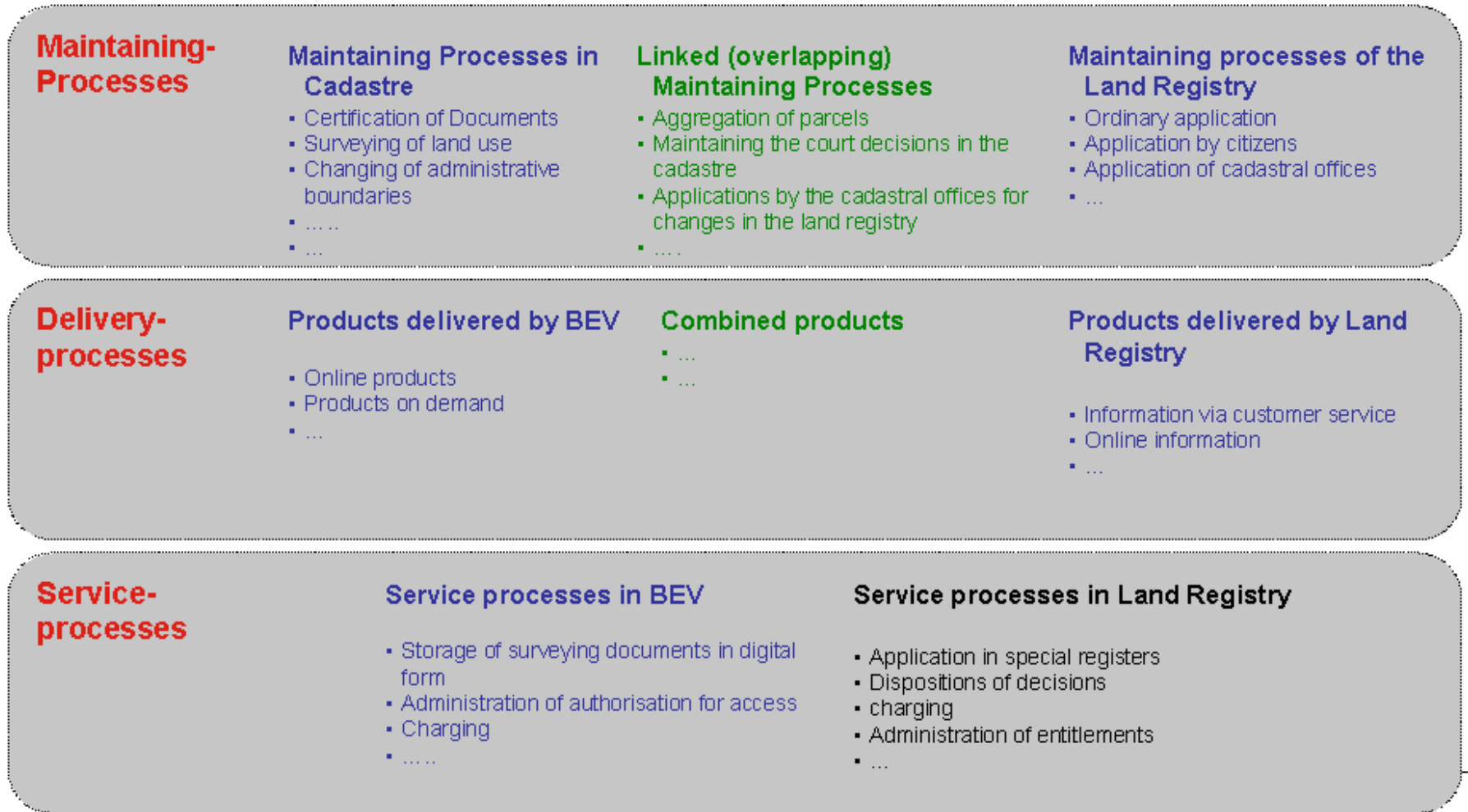
- Notary (or owner himself) applies for registration in the Land Register at the local district court
 - The surveying document, the certification of the cadastral office and other documents (e.g. the contract, approvals of the municipality) are required
- Check of the application by the local district court
- Finally the legal decision by the local district court

Process of registration (4)

- Now the conveyance of freehold is entered into the Land Register
- Local district court sends a copy of the decision to the Cadastral office
- Cadastral office updates the Cadastre (Real Estate Database and cadastral map)
- And the subdivision documents are included in the collection of documents



Cooperation Land Register - Cadastre (1)



Cooperation Land Register - Cadastre (2)

- Maintenance of data/information in digital form
- Documents between Cadastre and Land Register in an “analogue form and way”
 - applications and documents are delivered in form of letters
- Time lag between maintaining of Land Register and Cadastre
- Documents are stored in analogue form in archives

Updating of Cooperation BEV - MoJ (1)

- Shifting of responsibility for applications and services from MoJ to the BEV (2008)
- Analysis of all processes, products, services
- Elaboration of a common project between MoJ and BEV to develop a “New Real Estate Database”

Updating of Cooperation BEV - MoJ (2)

Fully “digital” processes between Cadastre (cadastral offices) and Land Register (local courts)

- Online application
- Reduction of duration of registration processes
- Online access for status at work

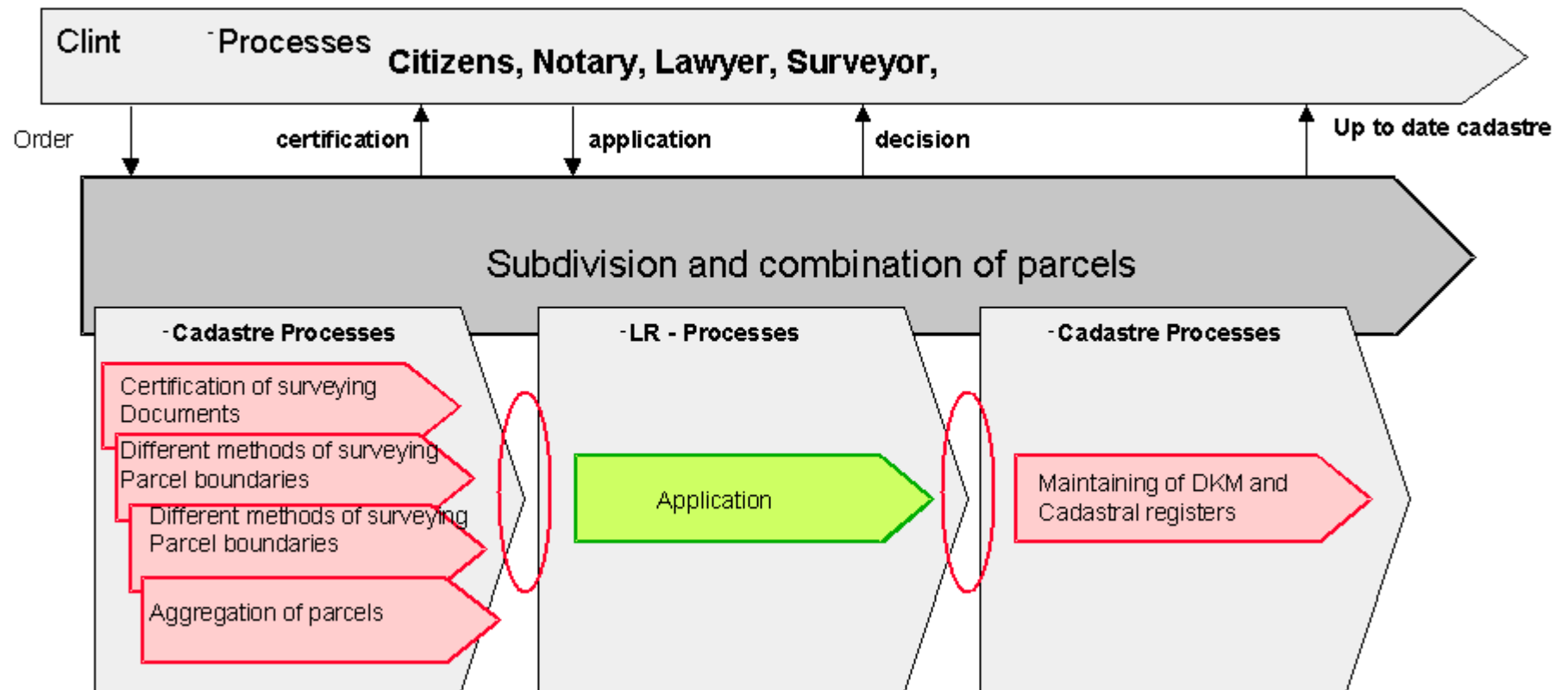
Updating of Cooperation BEV - MoJ (3)

- Joint project between BEV and MoJ to develop a new integrated system
 - Full integrity of data for Cadastre and Land Register
 - State-of-the-art access to information (portal, web services,...)
- No shifting of competences
- No separation of integrated system of Cadastre and Land Register

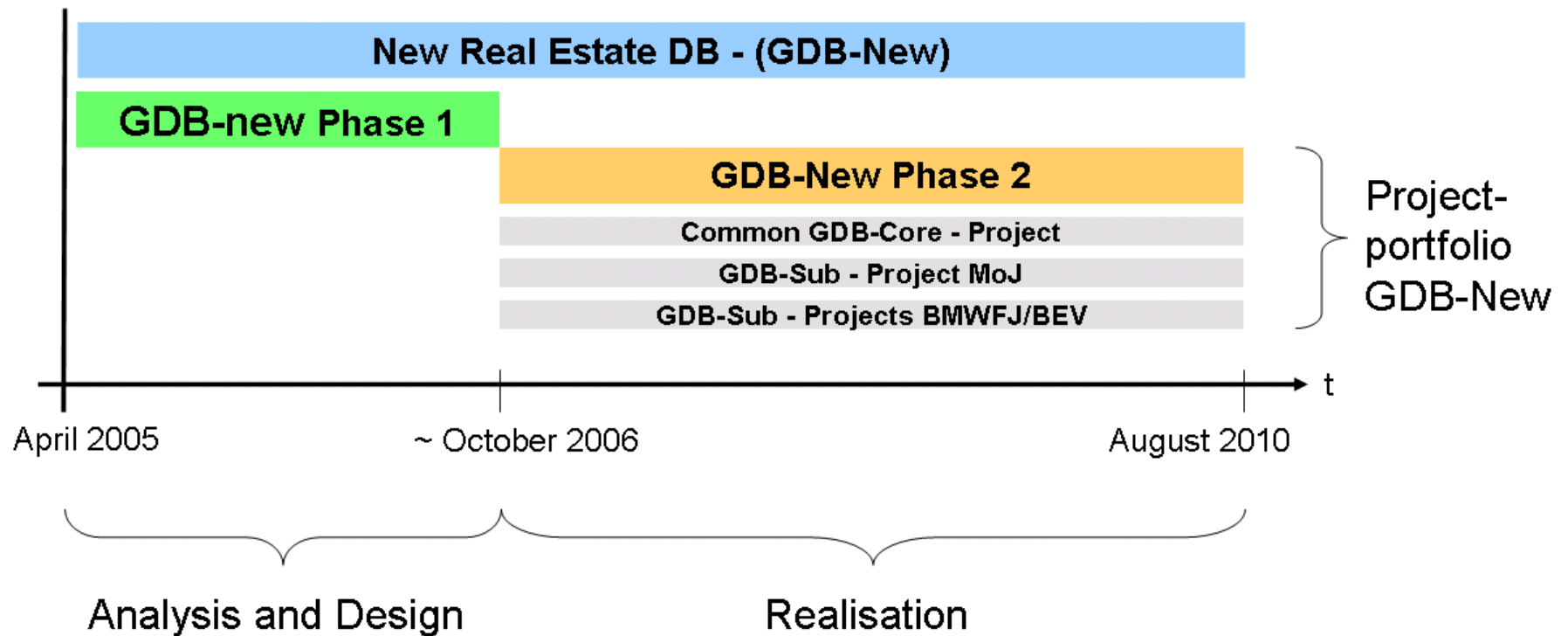
Updating of Cooperation BEV - MoJ (4)

- Stimulate economy and optimize business processes
 - Market driven products
 - Accelerate processes
 - Provide an infrastructure for e-Government
 - Optimize internal processes
 - Standardizing of the system
 - Design of new processes for Cadastre and Land Register

Subdivision and aggregation of parcels



Timeframe of project for New Real Estate Database



Thank you for your attention!

See you: www.bev.gv.at

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