Modern Cadastres - Implications for Future Land Administration Systems - Bringing the World Together

Definition
(as used for the development of the Bathurst Declaration)

Land Administration

The processes of determining, recording and disseminating information about the tenure, value and use of land when implementing land management policies

Level	General Business	Global Development Business
Strategic (goal setting)	Sound economic development	Sustainable development
Management (measures to meet strategy)	Company management	Land management (ressource management)
Administrative (business processes)	Administrative unit	Land administration
Operation (tools for documenting and monitoring)	**Accounting system** • accepted principles of bookkeeping • reliable • complete • appropriate to needs • adaptable to development	**Cadastre** • accepted principles of documentation of rights/restr. • reliable • systematic • approriate to needs and laws • adaptable to development • public

Traditional Definition

Land Parcel

A land parcel is a piece of land with defined boundaries, on which a property right of an individual person or a legal entity applies.

Definition of Cadastre 2014

Land Object

A land object is a piece of land in which homogeneous conditions exit within its outlines. The legal land objects are described by the legal content of a right or restriction and the boundaries which demarcate where the right or restriction applies.
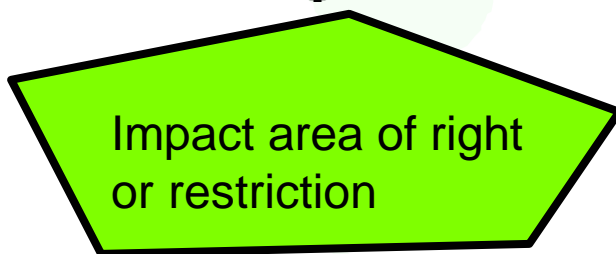
The coming into being of a Land Object

Process:

| A law defines the contents of rights or restrictions |

⬇

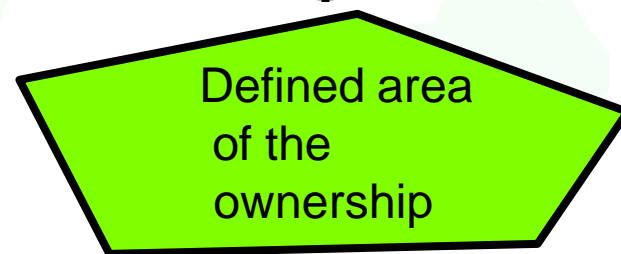| According to the law, the outlines of the effect of the right or restriction is defined (usually on a map) |

⬇

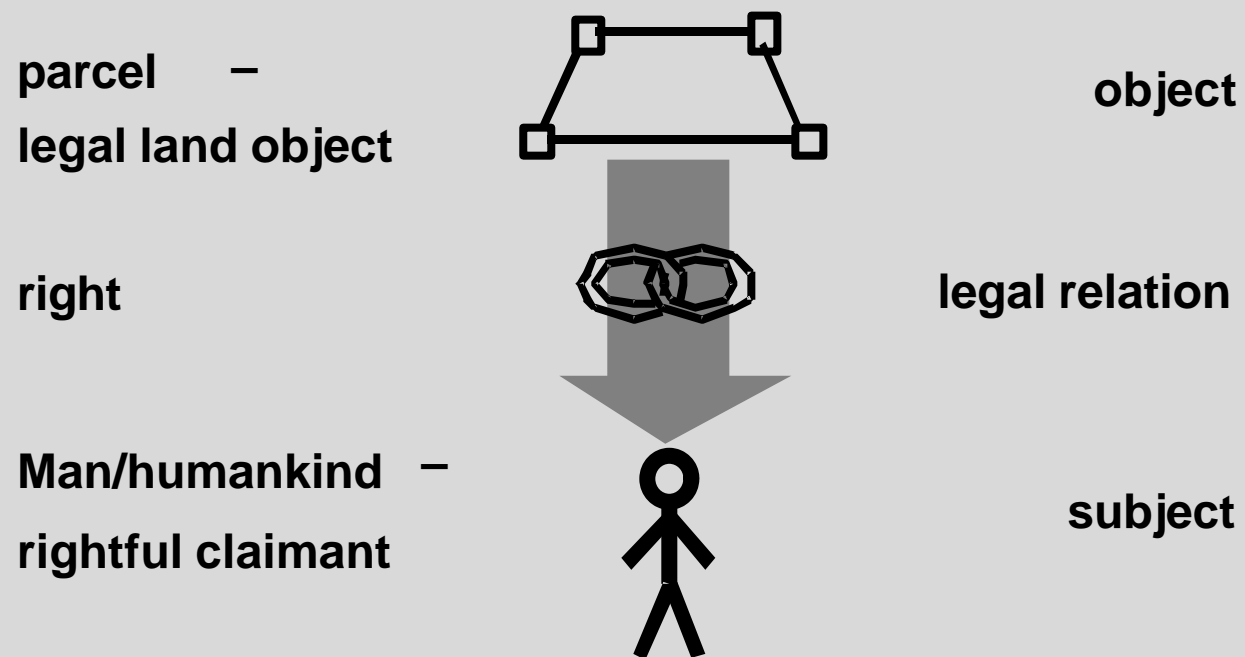Impact area of right or restriction

Example:

| The right to own land is defined by the land code |

⬇

| The piece of land, where the right of an owner is in effect is fixed by an agreement between owners |

⬇

Defined area of the ownership

Relation man/land
in Cadastre 2014

parcel   –

legal land object   object

right   legal relation

Man/humankind –

rightful claimant   subject

Traditional Definition

Definition of Cadastre 2014

Cadastre

Cadastre is a methodically ar-ranged public inventory of data concerning **properties** within a certain country or district, based on a survey of their boundaries.
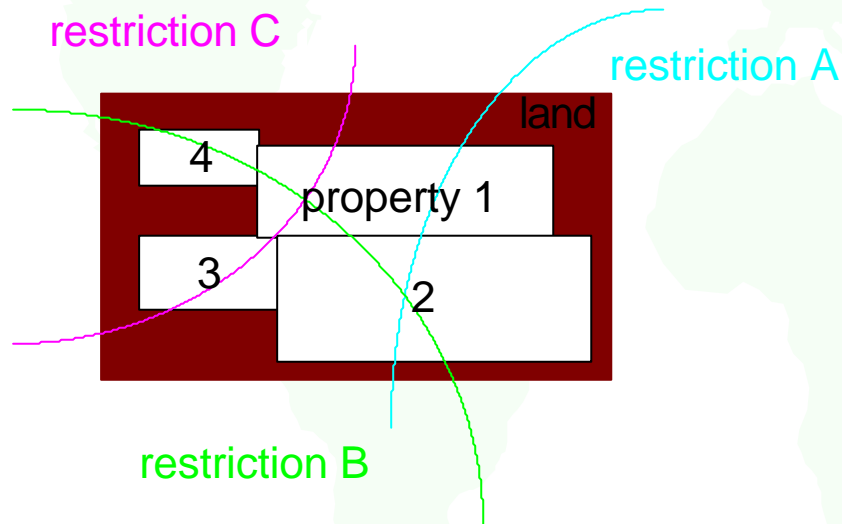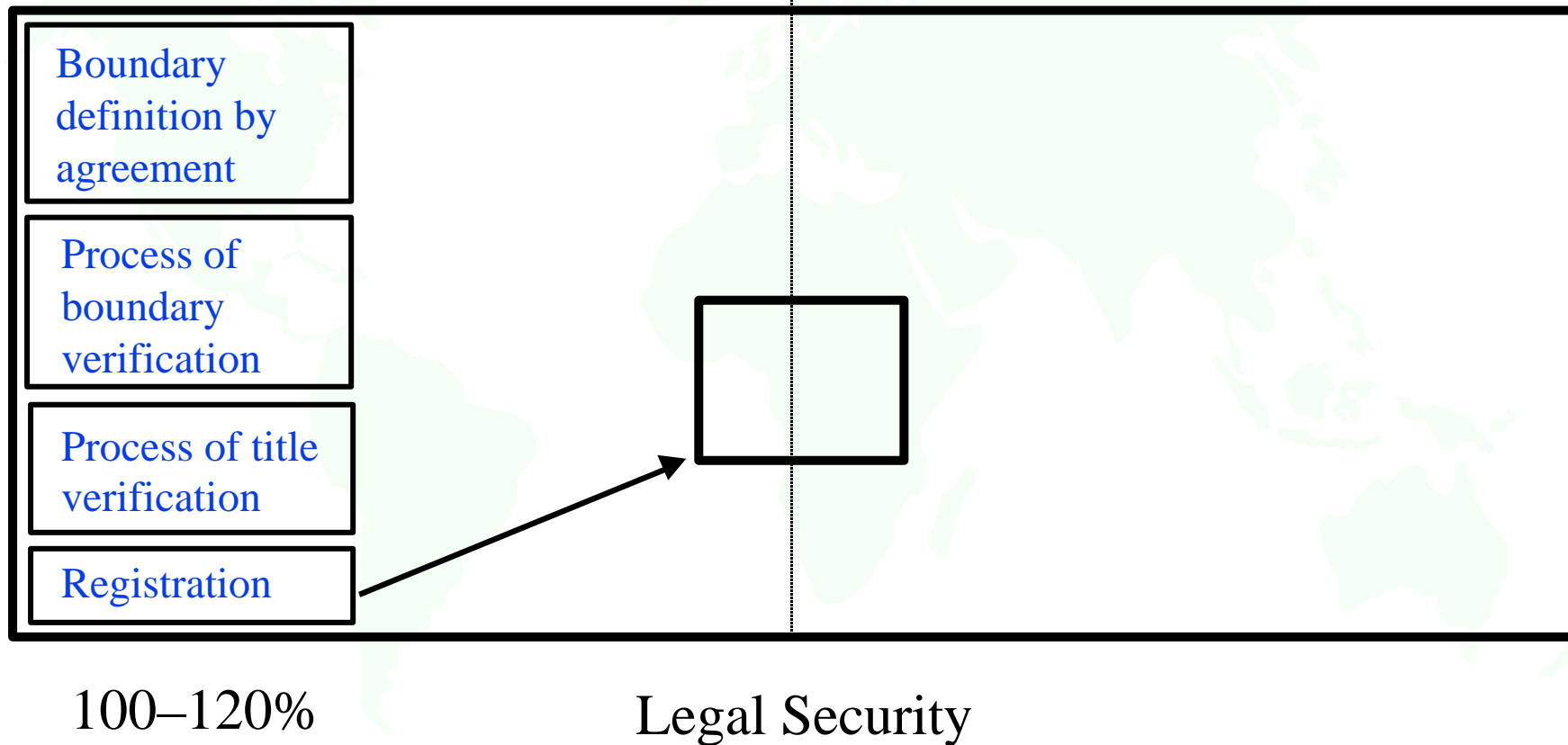
Cadastre 2014

Cadastre 2014 is a methodically arranged public inventory of data concerning all **legal land objects** in a certain country or district, based on a survey of their bounda-ries

Statement 1 on Cadastre 2014

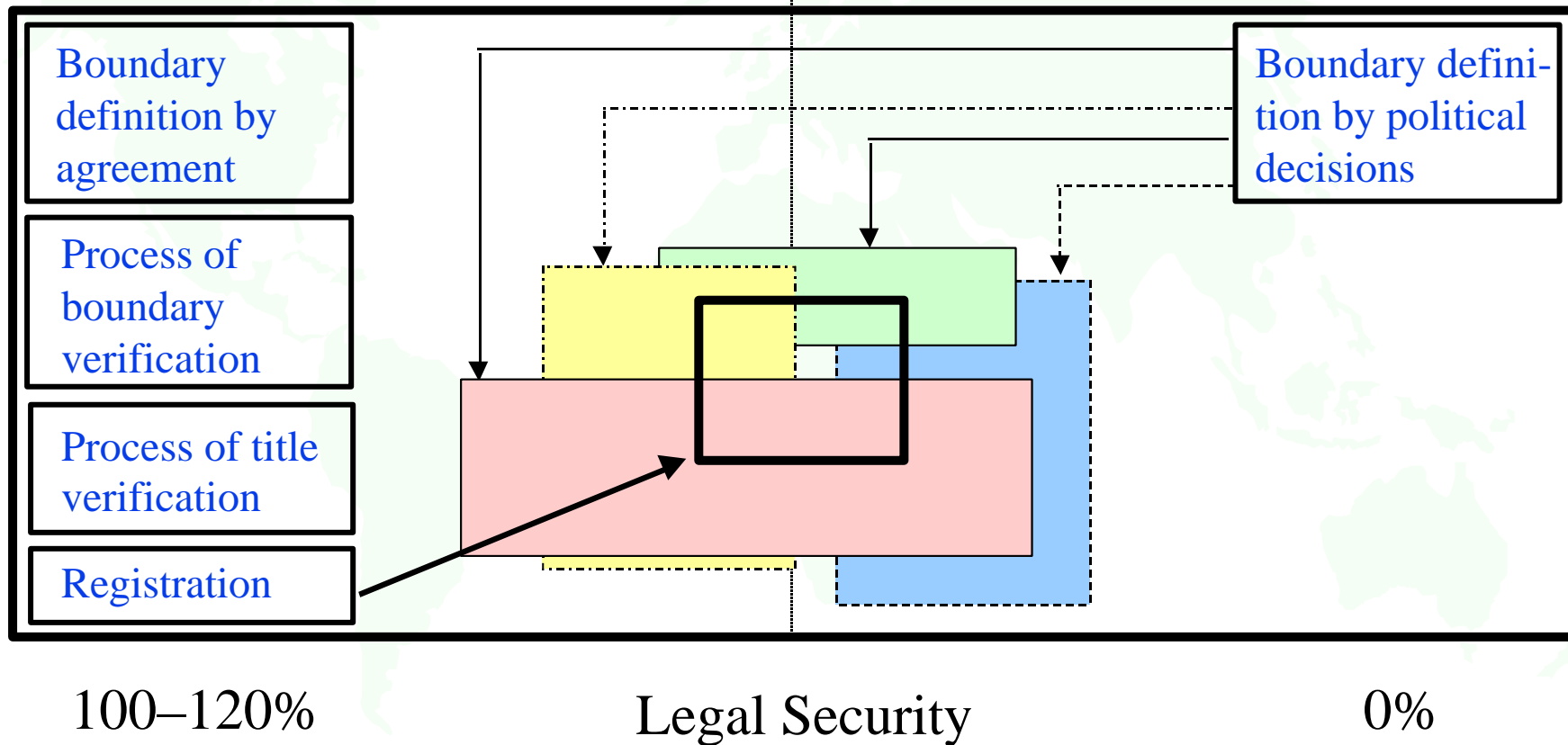**Cadastre 2014 will show the complete legal situation of land, including public rights and restrictions!**

restriction C

restriction A

land

4

property 1

3

2

restriction B

Traditional Cadastre based on "Private Law"

Boundary definition by agreement

Process of boundary verification

Process of title verification

Registration

100–120%   Legal Security

Traditional Cadastre based
on "Private Law"

Impacts from
"Public Law"

Boundary
definition by
agreement

Process of
boundary
verification

Process of title
verification

Registration

Boundary defini-
tion by political
decisions

100–120%   Legal Security   0%
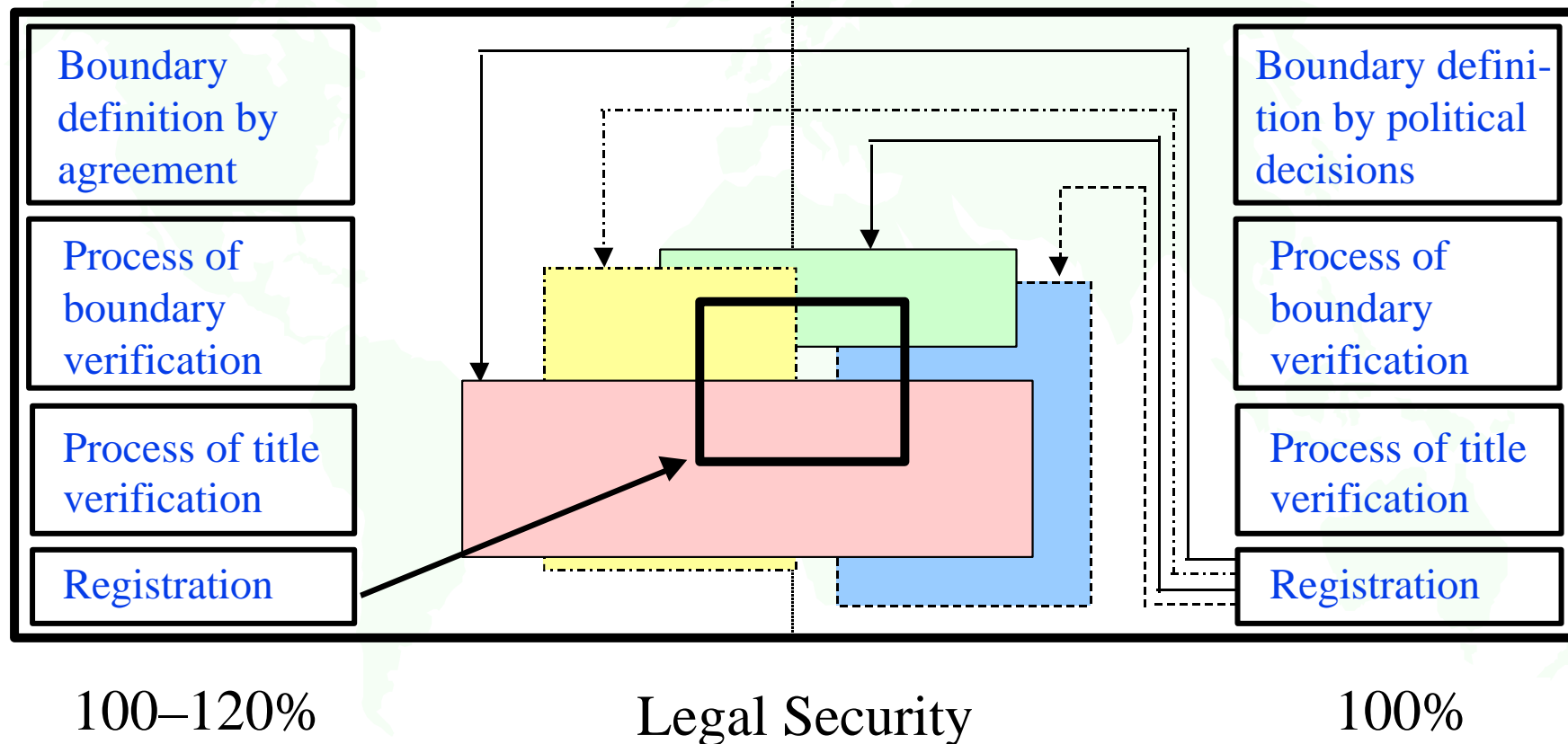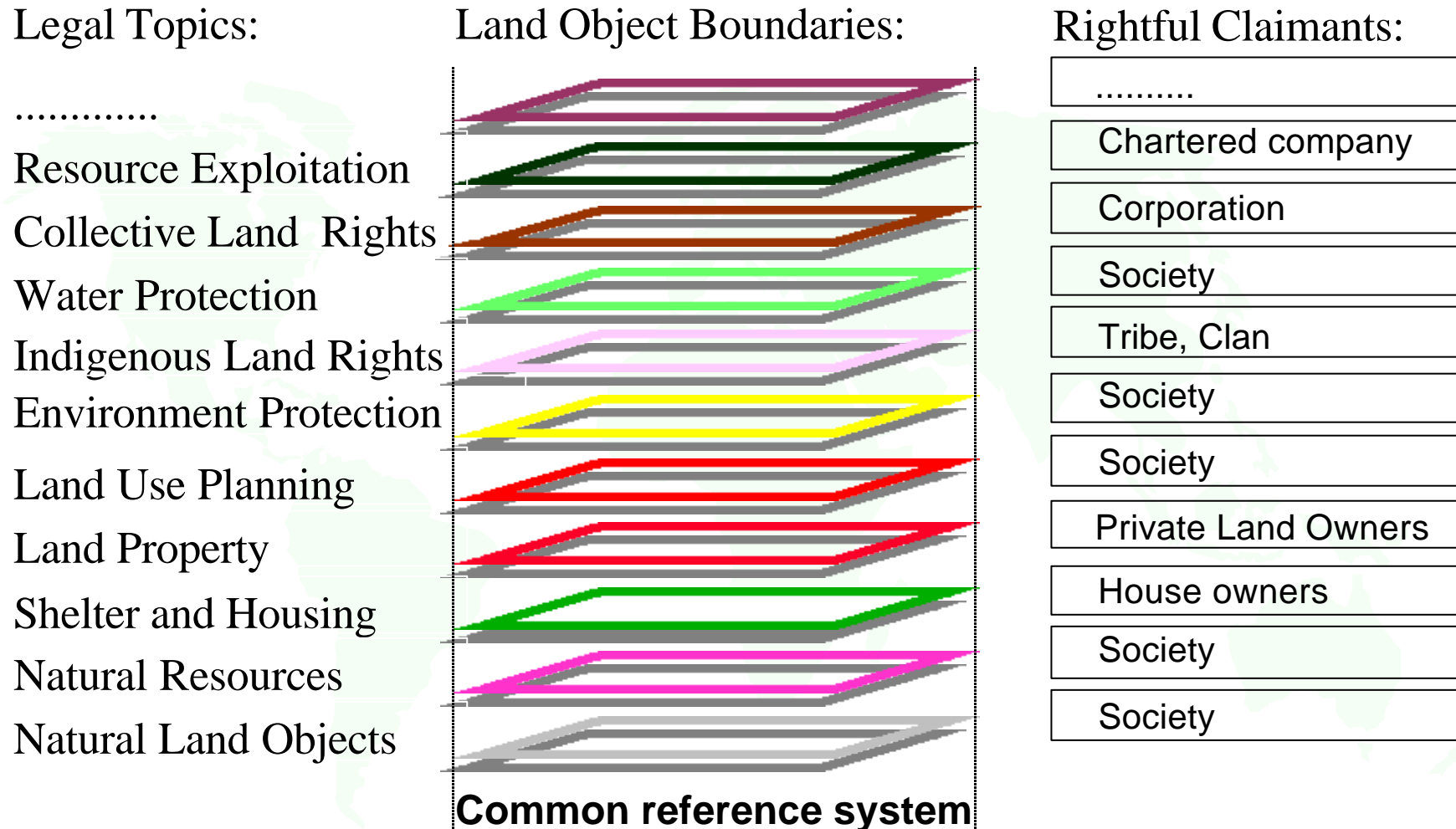
Cadastre 2014 documenting "Private Law" and "Public Law"

**Traditional Cadastre based
on "Private Law"**

**Impacts from
"Public Law"**

Boundary
definition by
agreement

Boundary defini-
tion by political
decisions

Process of
boundary
verification

Process of
boundary
verification

Process of title
verification

Process of title
verification

Registration

Registration

100–120%   Legal Security   100%

The principle of legal independence

Legal Topics: Land Object Boundaries: Rightful Claimants:

....

Resource Exploitation

Collective Land Rights

Water Protection

Indigenous Land Rights

Environment Protection

Land Use Planning

Land Property

Shelter and Housing

Natural Resources

Natural Land Objects

Common reference system

Rightful Claimants:
....
Chartered company
Corporation
Society
Tribe, Clan
Society
Society
Private Land Owners
House owners
Society
Society

Statement 2 on Cadastre 2014

maps

registers

statistics

The separation between 'maps' and 'registers' will be abolished!
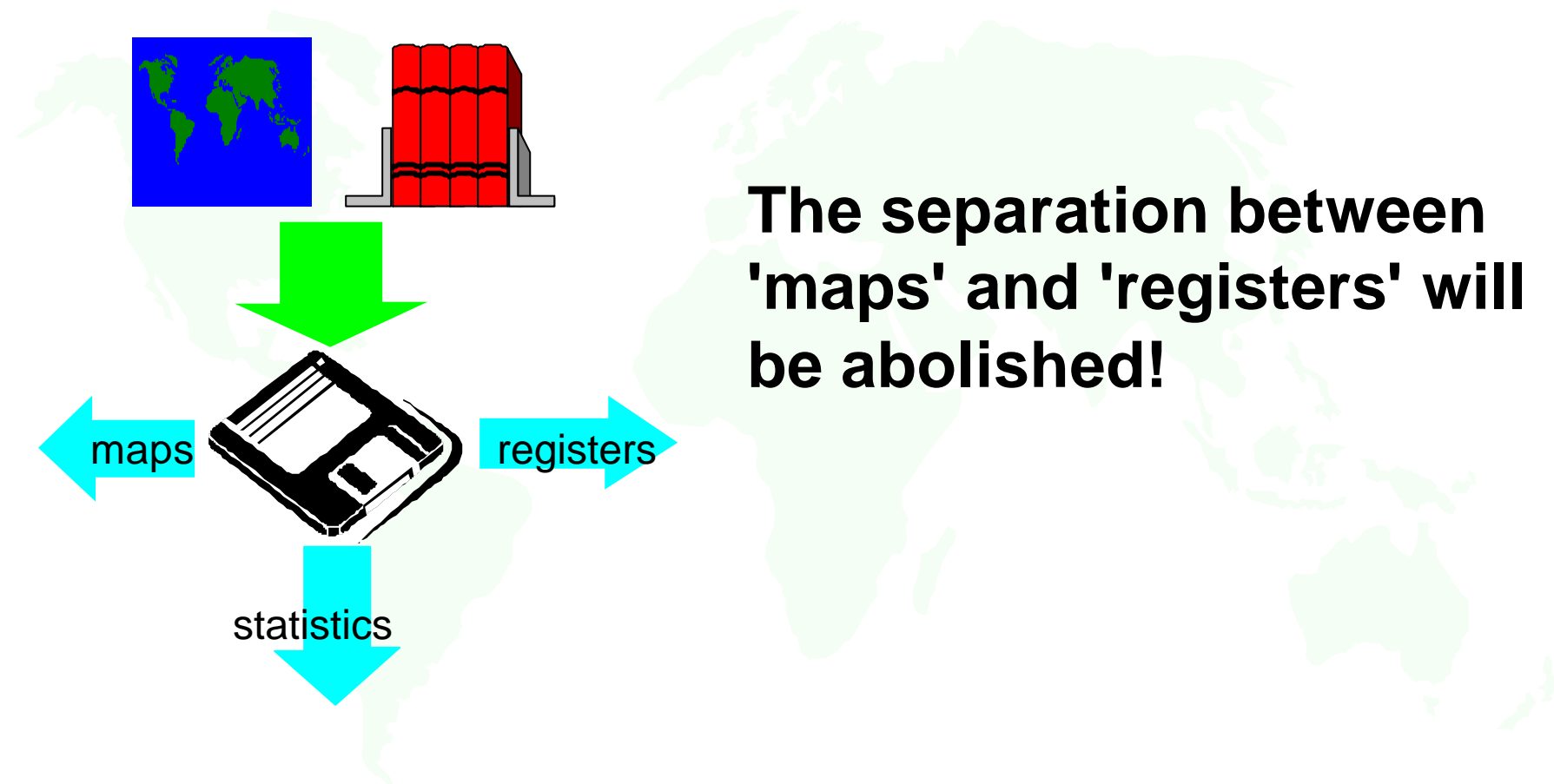
Statement 3 on Cadastre 2014

cadastral modelling

cadastral mapping

'Cadastral mapping' will be dead! Long live modelling!
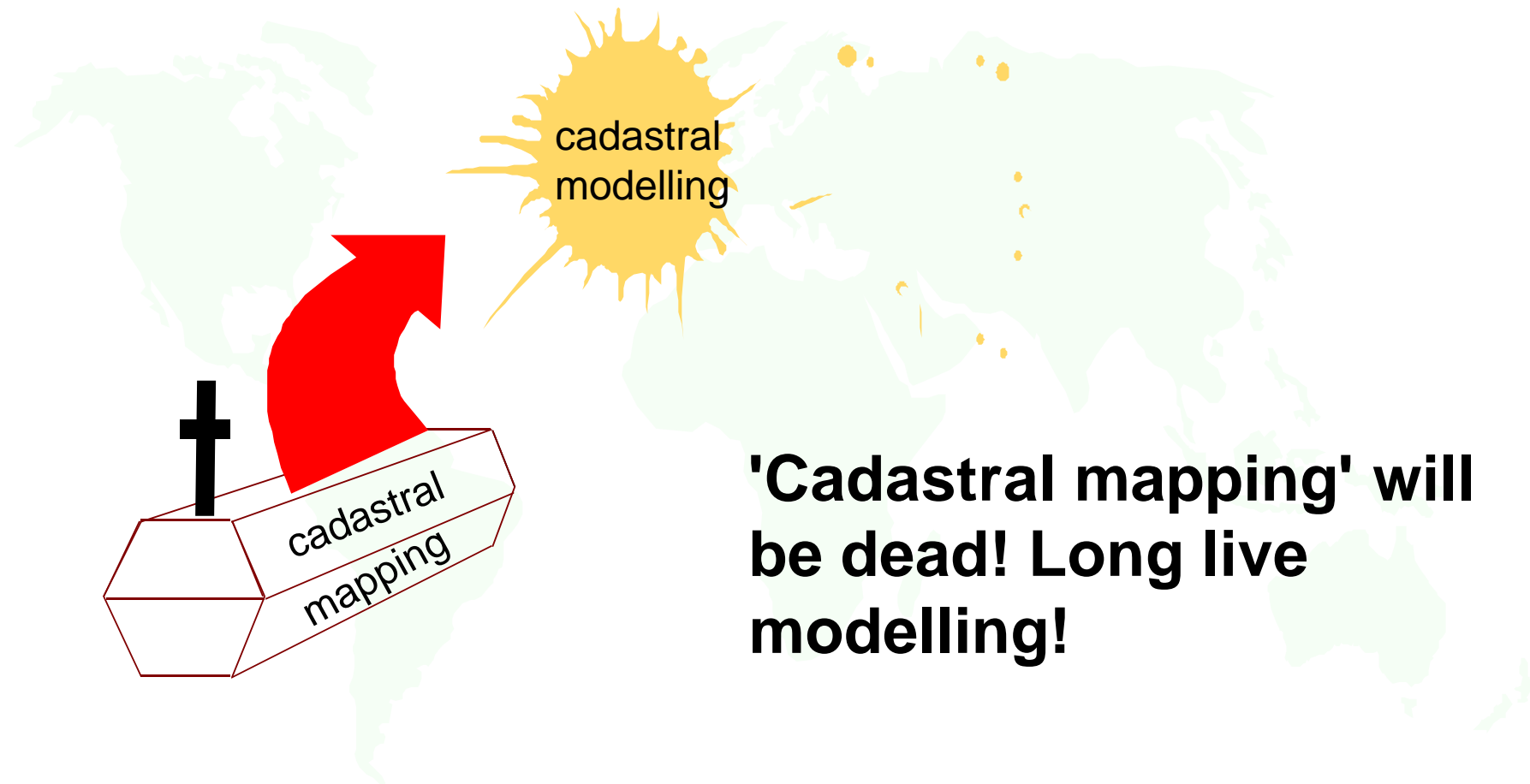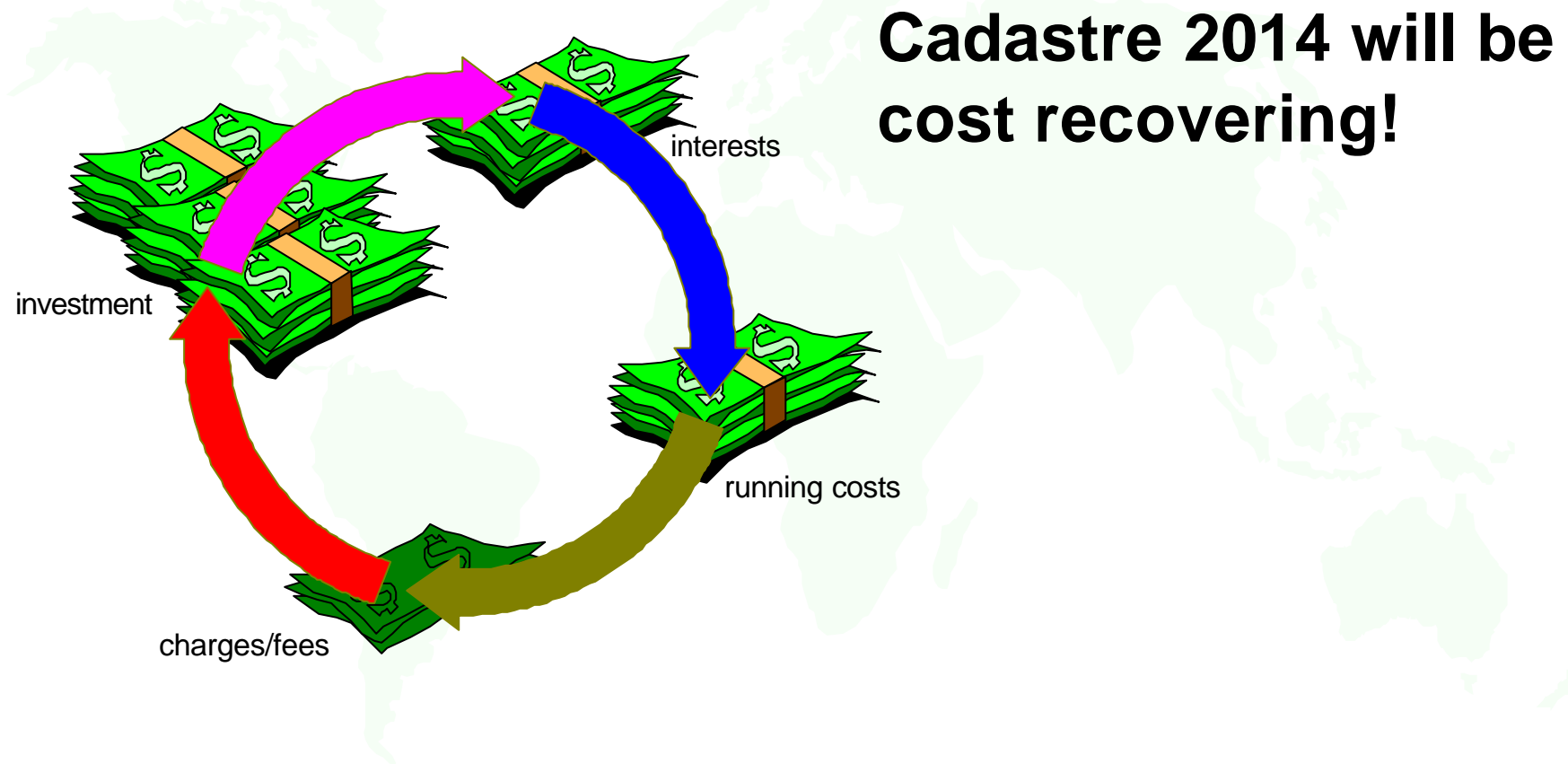
Statement 4 on Cadastre 2014
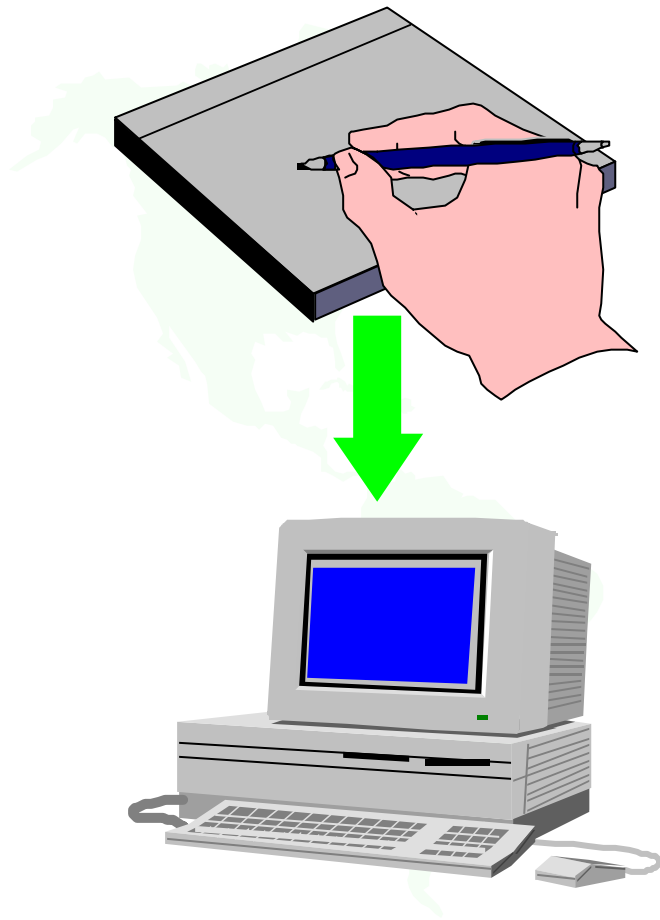
'Paper and pencil cadastre' will be gone!

Statement 5 on Cadastre 2014

Cadastre 2014 will be highly privatized! Public and private sector are working closely together!

Statement 6 on Cadastre 2014

Cadastre 2014 will be cost recovering!

investment

interests

running costs

charges/fees

Contributions of Cadastres to Sustainable Development

Indisputable facts avoid fruitless discussions

Complete and reliable information prevents time consuming data acquisition exercises
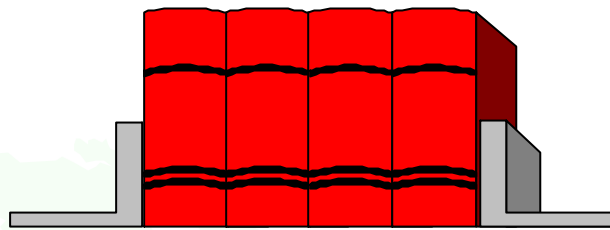
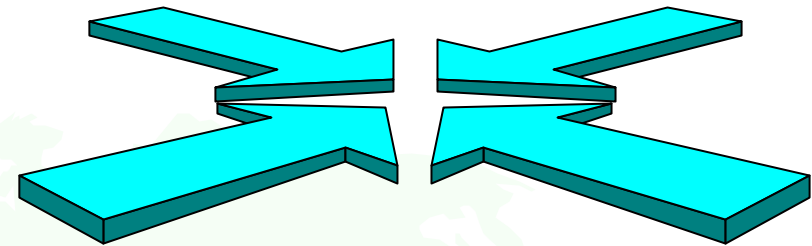Planned measures tested in the model prevent erroneous decisions

Business needs reliable
accounting!

Sustainable development
needs an accounting
system for land and
resources!

Modern Cadastres are the
accounting systems
for land administration!

Comparable principles

Converging legislation

Bringing the world together

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Thank you for your attention!