The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

The relation between the private surveyors and the Land Registry / Cadastre

Maurice Barbieri
President CLGE

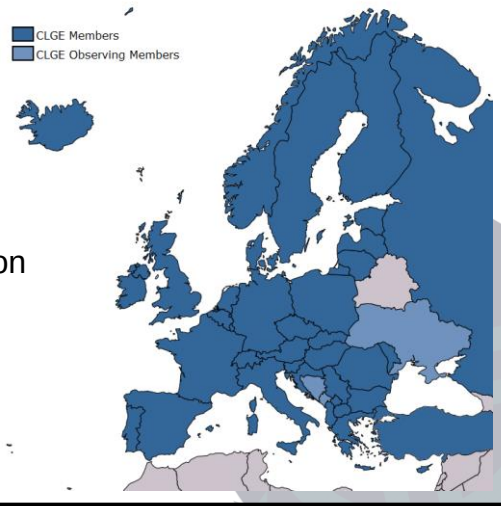
FIG 7 Coimbra 26 10 2016

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

Leading Surveyors Association

- 37 Member countries
- + 3 Observing members
- 28 EU Members States
- >> 100.000 Surveyors

- Requires close cooperation
  - FIG, YSEN, …
  - EuroGeographics, PCC
  - European Bodies
  - National Associations



The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

Incoming Board 2016 - 2018

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

Executive Board

President
Maurice Barbieri (CH)

Secretary-General
Vasile Chiriac (MD)

Treasurer
D. Seitz (DE)

Vice-President
V. Tikhonov (RU)

Vice-President
Duncan Moss (GB)

Vice-President
Nicolas Smith (FR)

Vice-President
M. De Buitleir

Vice-President
Mairolt Kakko (ES)

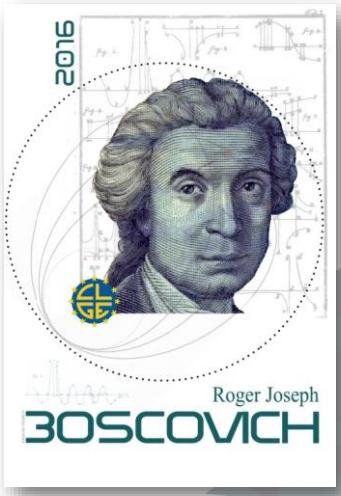
Vice-President SA
Rudolf Kolbe (AT)

IG - PARLS
Clemens Kiepke (DE)

FIG Young Surveyors
Diana Becirevic (HR)

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

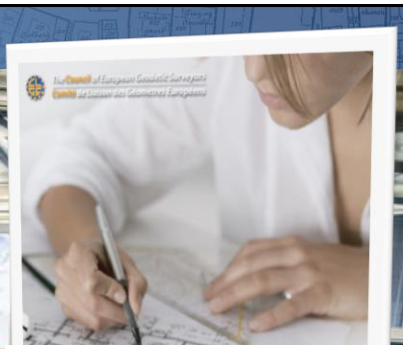
European Surveyor 2016



The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

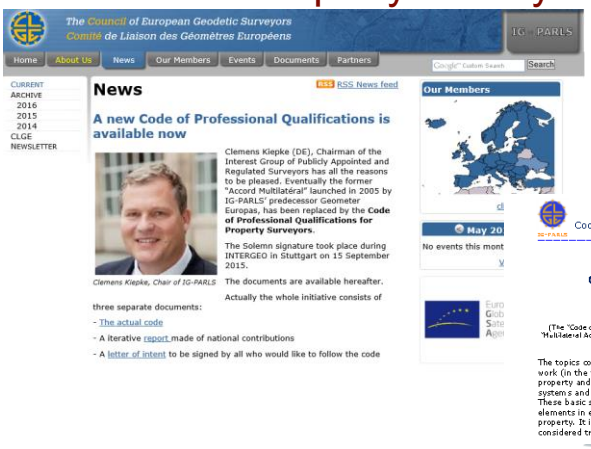
IPMS Coalition

ILMS Coalition



www.eureal.eu

"Code of Professional Qualification for Property Surveyors"



The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

BlueParking.eu

www.BlueParking.eu

(GNSS surveys to map P
for disabled people)

Marine Cadastre

June 2014 in Athens, PCC, CLGE, EuroGeographics, ELRA, EULIS decide to start a common project "Marine cadastre", the goal was to prepare a report containing a review of the relevant policies in the EU and register the current status (initiatives, implemented projects, legislation, competencies) that apply in the field of the marine cadastre in the EU member states.

The provisory contents of the project are:
-EU Policy and legal context
-Blue Economies
-Interconnectivity between Marine Cadastre and Blue economy

CLGE will coordinate this study, with the help of OGE (French association of surveyors). CLGE VP Nicolas Smith is in charge of the project.

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

QUESTIONNAIRE ON MARINE CADASTRE

In June 2014, a joint project between CLGE (Council of European Geodetic Surveyors) and PCC (Permanent Committee on Cadastre) was launched. Other associations such as Eurogeographics, EULIS and ELRA also joined this project.
The output will be to create a case study about Marine Cadastre. Other European associations joined this project which could give useful guidelines for European Countries that intend to create a marine cadastre. By highlighting key aspects, such as the need for standards and to share best practice the intention is to enable national level projects to be compatible with each other and inter-operable across Europe.

There are four stages to the project:

1. To collate the different texts, documents, directives etc. from the European Union which deal with the subject of Marine Cadastre.
2. To issue a questionnaire to interested parties and expert groups.
3. To analyse the responses to the consultation with a view to define the most important issues that will need to be addressed in the creation of a Marine Cadastre e.g. data themes, data quality, data currency/maintenance, formats, coordinate systems, understanding the user community/customer, choice of platform (technology, tools, functionality, support for devices etc.), business models etc.

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

CLGE Students' Contest

Common declaration CLGE UINL

UINL-CCNI

Notaries of Europe

Based on the Declaration of the

FIRST EUROPEAN ROUND TABLE OF SURVEYORS AND NOTARIES

organized in Stuttgart, Germany, on Tuesday 15th September 2015

"The Round Table of Surveyors and Notaries, gathered in Stuttgart, Germany, on the 15th September on the initiative of CLGE and UINL-CCNI, engages for a trustworthy immovable property system as a fundament of modern society.

The Round Table participants are convinced that this requires a structural guarantee of the state provided through public registers based on clear regulations.

To reach this goal there is an essential need of a strong cooperation in this process between Surveyors and Notaries.

It also requires a strong education and qualification as well as an organized continued development for both Surveyors and Notaries.

By signing this declaration, the participants recommend and support that the associations of Notaries and Surveyors will cooperate at Global, European and National level. They suggest to draw up and sign a "Memorandum of Understanding" as a roadmap for future collaboration."

the two leading European Associations CNUE and CLGE, solemnly confirm

this intentions in presence of UINL, as witness,

Riga, 23rd of September 2016

Michel Merlotti
UINL-CCNI President

Paolo Pasqualis
CNUE President

Maurice Barbieri
CLGE President

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

CLGE Seminar in Riga

LMB

State Land Service of the Republic of Latvia

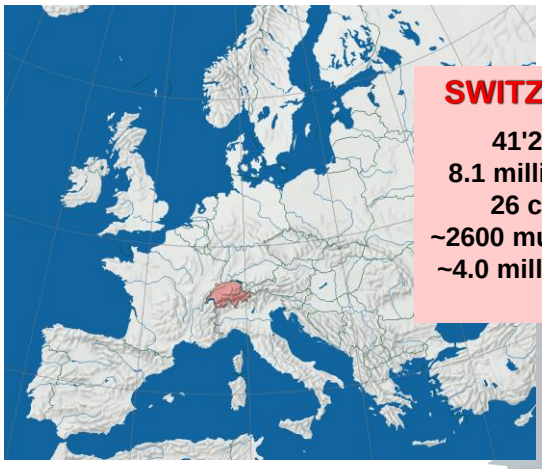
CLGE SEMINAR

"COOPERATION OF PUBLIC AND PRIVATE SECTOR IN LAND MANAGEMENT"

The Swiss case: 100 years of PPP

Maurice Barbieri, President CLGE
On behalf of IGS

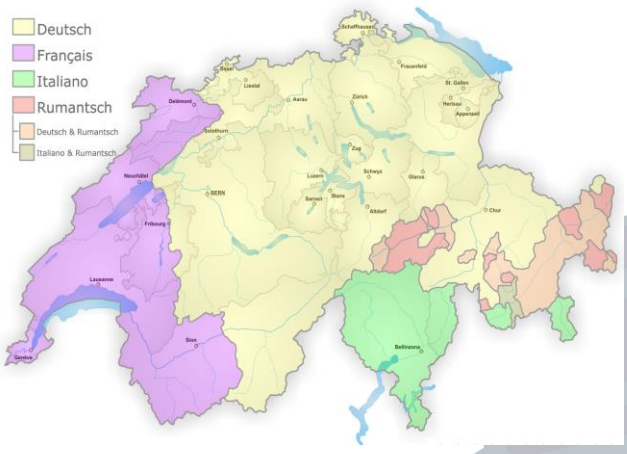
Basic Dimensions



SWITZERLAND

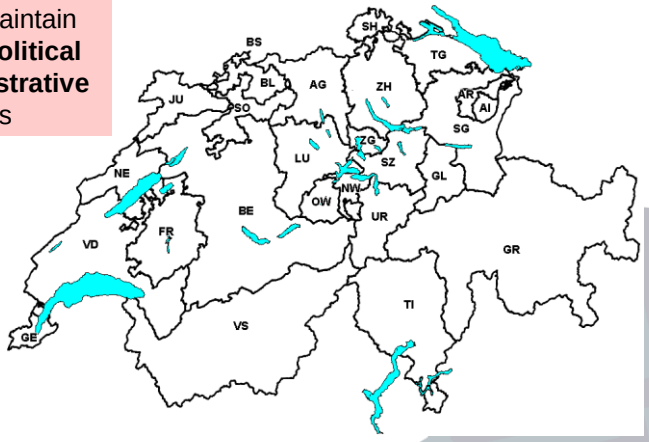
41'290 km²
8.1 million people
26 cantons
~2600 municipalities
~4.0 million parcels

Four official languages



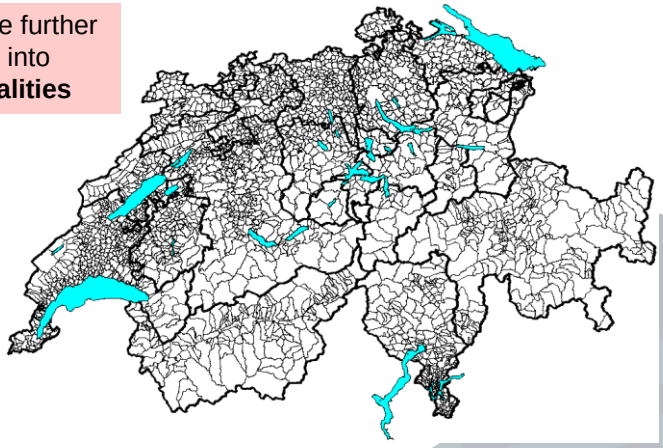
Federal Country with 26 Cantons…

Cantons maintain their own **political** and **administrative** bodies



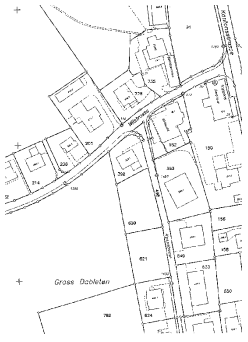
… and 2596 Municipalities

Cantons are further divided into **municipalities**

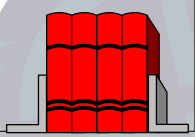


Swiss cadastral system

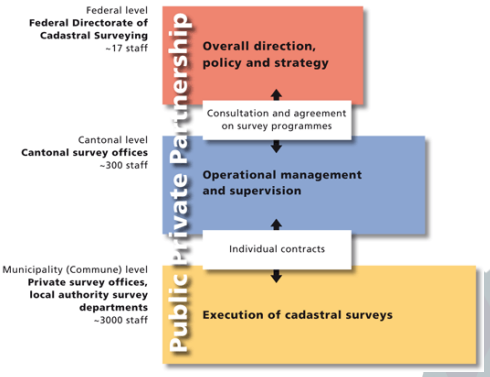
Cadastral Surveying ⟷ **Land Registry**



- main book
- auxiliary registers (in particular the list of property owners)
- deeds (records and evidences)
- description of properties
- day book



Roles in cadastral surveying



Cadastral surveying in Switzerland is an effective example for public private partnership. There is a close cooperation between public authorities – the Federal government, cantons and municipalities – and the private sector.

19

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

Role of Private Sector

Public Sector

- **legislation (Federal and cantonal level)**
- **financing structure**
- **setting standards**
- **supervision**
- **co-ordination**
- **verification**

Private Sector

- **production**
- **maintenance**
- **service to clients**
- **innovation**

Two Partners in a Public Private Partnership

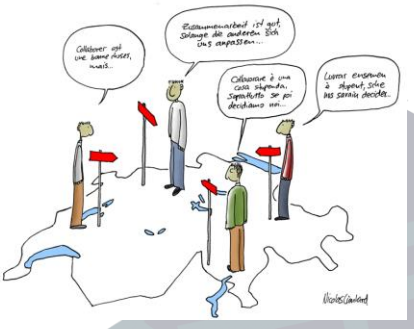
20

Role of Private Sector

Surveyors entrusted with cadastral surveying are carrying out a sovereign function and are in this respect regarded as persons of public trust.

Private Sector – Why?

- By delegating sovereign duties to the responsibility of the private sector, the federal government can reduce its administrative work load.
- The potential for innovation is
- Considerably increased by including the private sector
- The private industry is based locally = customer proximity
- Peripheral regions are provided with quality work places



Private Sector – Why?

- Initial Survey and Renewal of the cadastral survey
- Continuous and periodic updating
- Data Processing
- Data management and data backups
- Data delivery
- Consulting

- \+ Private mandates

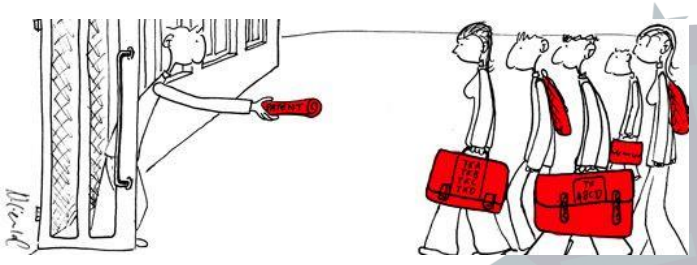
The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

Private Sector – Why?

Licensed land surveyors who have successfully completed the Swiss Federal certifications and who are registered in the Register of Licensed Land Surveyors are authorized to perform independent (self-employed) work within Cadastral Surveying.

License and Register: Why?

- A license issued to cadastral surveyors and an entry in the register for licensed surveyors guarantee a minimal standard of professional and personal competence in cadastral surveying.
- Through the Federal Register for licensed surveyors, the surveying ordinance makes a clear distinction between an educational certificate, professional practice and disciplinary measures.



The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

Path to License for Cadastral Surveyor

Academic education			Practical experience 2 years		State examination	Register
Master of Federal Institute of Technology (ETH), Universities, Universities of Applied Sciences	1	2		1	License	Professional accreditation

1 Desk study accreditation of academic requirements by Cadastral Surveying Commission

2 Additional modules to meet requirements are optional

Academic requirements

a. Scientific requirements
- mathematics
- physics

b. Geomatics
- basic geodesy
- geodetic measuring techniques and evaluation methods
- error theory and adjustment compensations

c. Information technology
- computer sciences
- geoinformation systems

d. Surveying in Switzerland
- national surveying
- cadastral surveying

e. Land management
- land use planning and regulations
- real estate reallocation and regulations
- property and real estate appraisal

f. Swiss law
- general legal studies
- laws pertaining to property and real estate
- laws in surveying and geoinformation
- laws concerning construction, planning and environment

g. Corporate management
- business administration
- project management

Universities

Federal Institute of Technology and Universities of Applied Science…

ETHZ Eidgenössische Technische Hochschule Zürich

EPFL École polytechnique fédérale de Lausanne

FHNW Fachhochschule Nordwestschweiz

HEIG-VD Haute École d'ingénieurs et de gestion du Canton de Vaud

State exam covers four topics

- Cadastral surveying
- Geomatics
- Land management
- Corporate management

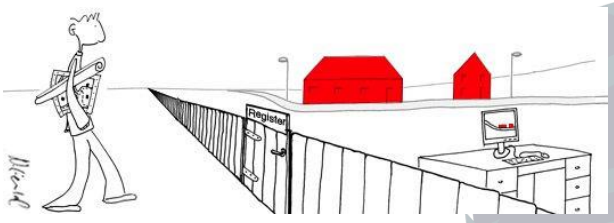
Patent

Ivo Schätti

Patentierter Ingenieur-Geometer

Register of surveyors

- Only for persons practicing in cadastral surveying in the private sector and in public institutions
- Duties and supervision apply to the persons registered
- Accreditation to carry out the functions of a licensed surveyor



Organization of the PPP in cadastre

In the German speaking part of Switzerland:

- Contracts between the surveyor and the municipalities (in general for 5 years)
- Fixed prices (x% of the official pricing list HO 33)
- Contracts obtained by public tender
- Exclusivity of all the official measurement jobs for the contracted surveyor
- The surveyor is also responsible for data hosting and transmission of information (fixed fee per year)
- Only the non-official cadastral jobs and the jobs concerning the whole territory of a municipality (initial survey, renewal, land management,…) are submitted to a public tender

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

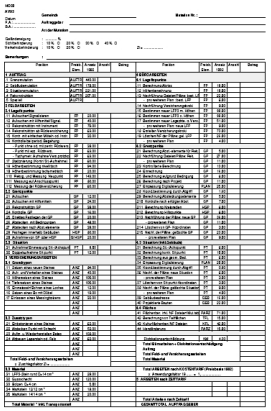
Organization of the PPP in cadastre

In the French speaking part of Switzerland:

- All official surveying work is subject to an offer
- The land owner or client can solicit offers from several surveyors.
- Generally, the surveyors use the HO 33 pricing list to establish the offer.
- Only the jobs managed by the administration are submitted to a public tender (initial survey, renewal, land management..).
- For the periodic updating (mostly new constructions), there are many systems (Fribourg: the surveyor is contracted and paid by the canton (HO 33). The owner pays a fixed fee.

Organization of the PPP in Switzerland

- The HO 33/TH 33 is a jointly approved price list (IGS/cantons) for the periodic updating
- It is applied in the most of the cantons.
- It is periodically updated
- It is legally accepted by the cantons (not considered as a cartel pricing list)

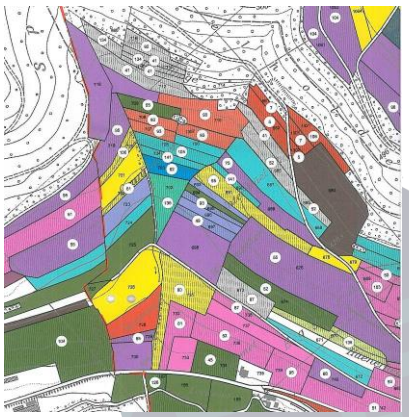


33

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

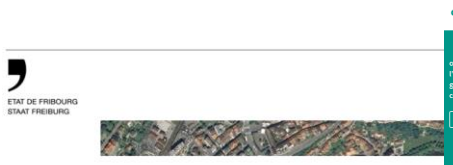
Organization of the PPP in land consolidation

- Land consolidation is also made by private surveyors
- Multidisciplinary team
- Licensed Surveyor as key person
- Every step is based on legislation
- No civil servant or notary is needed
- Forced procedures or voluntary procedures
- The State (CH + cantons) finances 80% of the works



34

Public Data / Open Data



ETAT DE FRIBOURG
STAAT FREIBURG

Registre foncier de la Sarine RFSa
Rue Joseph-Piller 13, CP 1302
1700 Fribourg

Commune: **Fribourg**
No OFS: 2196

No Immeuble: **10142**

Informations sur la propriété:

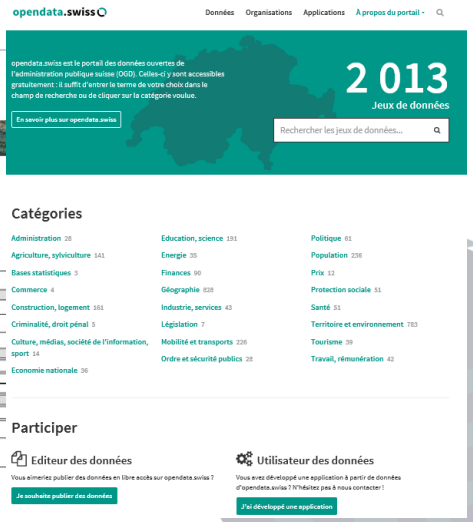
Propriété
VAUDOISE VIE, Compagnie d'Assurances

État descriptif de l'immeuble:

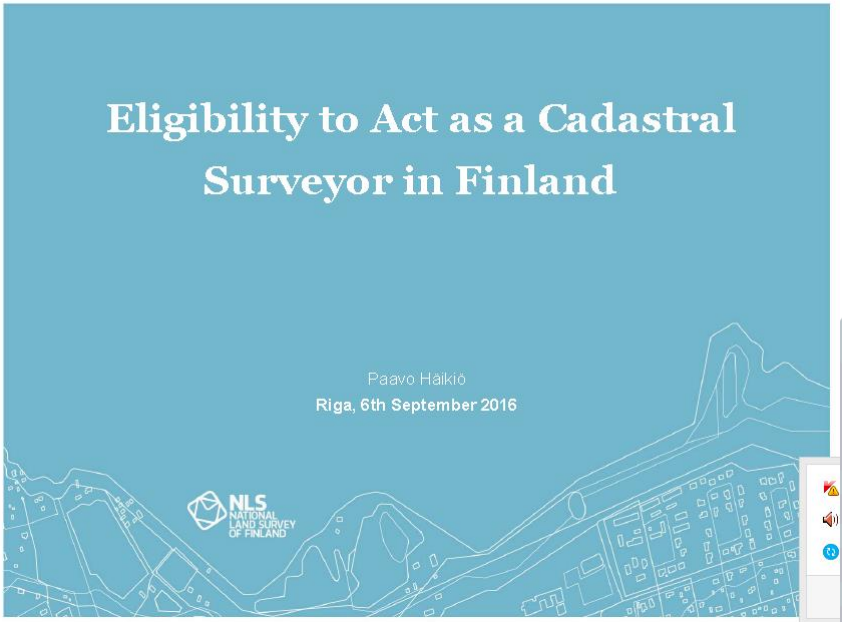
No immeuble	Genre	No Plan	
10142	B-F	82	

Bâtiment(s)	No Ass.	Rue
Habitation mixte	17	Avenue du Midi

Visualisation du plan sur le guichet cartographique du canton de Fribourg:
> voir le plan...



The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens



Land surveyors

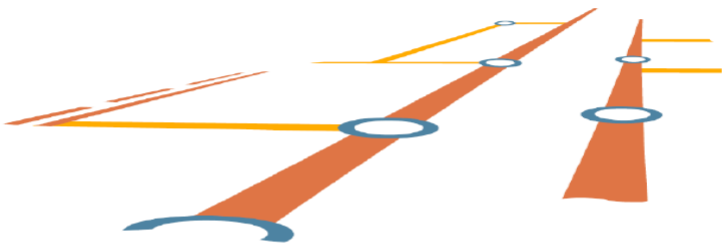
- Real Estate Formation Act section 4

The cadastral procedure is executed by a land surveyor and two trustees (*executors*). A cadastral procedure other than the partitioning of a joint property unit, re-allotment, urban land replotting and the forming of jointly owned forest may be executed by the land surveyor without the trustees if use of the trustees is not necessary and the use of trustees is not demanded by an interested party.

NLS NATIONAL LAND SURVEY OF FINLAND

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

DdL



The Danish Cadastral Cooperation Model

Torben Juulsager
The Danish Association of Chartered Surveyors (DdL)

Seminar | "Cooperation of Public and Private Sector in Land Management"
Riga | 22. september 2016

The Danish Cadastral System

Basic organization

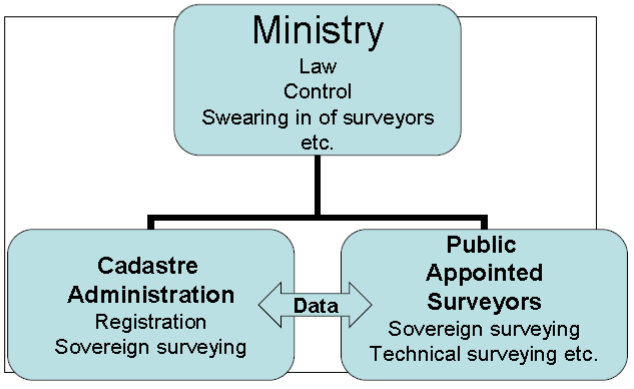
- The Danish cadstral system is organized as a title system
  - Titles are registered in the land register based on cadastral identification / registration
- Public-private-partnership
  - The Danish Geodata Agency – state authority for registration of real property and overall responsibility for the cadastral system including licensing chartered surveyors.
  - Practicing chartered surveyors – a regulated profession. Cadastral work may only be performed by practising chartered surveyors and their assistants who are licensed chartered surveyors.

Publicly appointment in cadastral affairs

Dipl. – Ing. Clemens Kiepke
Publicly appointed surveying engineer (PAS)
Vice President of the German association of publicly appointed surveyors
Teacher at the university of Hamburg for cadastral surveying

BDVI

Example for a state organization of surveying authorities



BDVI

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

Cadastral surveying in the Netherlands

almost exclusively by Cadastral employees

Eric Hagemans, Kadaster

CLGE Riga, september 22 2016

kadaster
feitelijk verrassend

The Dutch cadastral surveyor

- (nearly) only own employees
- Educated on professional level, both survey and legal aspects
- Legal aspects in the proces by notary and registrar (academic)
- We don't have independent surveyors with a licence for cadastral surveying

"a little bit jealous!?"

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

ÚGKK SR
Úrad geodézie, kartografie a katastra Slovenskej republiky

Licensing System in Slovakia

Riga, 22.9.2016 Dušan Hanus, Róbert Jakubáč,

Geodetic and cartographic activities

- geodetic and cartographic activities can be carried out by **an individual** who
- has secondary or higher education in the field of geodesy and cartography
- has a trade license or is in an employment relationship with a person who is authorized to carry out geodetic and cartographic activities
- geodetic and cartographic activities can be carried out by a **legal entity** whose
- responsible representative has secondary or higher education in the field of geodesy and cartography and has at least three years of experience in the field
- license to carry out geodetic and cartographic activities is not conditioned to membership in the Chamber of Surveyors and Cartographers

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

Authoritative verification of results of selected geodetic and cartographic activities

- authoritative verification of the results of selected geodetic and cartographic activities is carried out by **an individual** who meets requirements set by law
- conditions for obtaining a license to authoritatively verify the results of selected geodetic and cartographic activities:
- university degree in Geodesy and Cartography

- special professional qualification

- authorization granted by the Chamber of Surveyors and Cartographers

MAA-AMET

Certification of surveyors in Estonia

Karin Kollo (PhD)
Advisor
Estonian Land Board

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

MAA-AMET

Geodetic regulation

- Geodetic regulation is divided
  - National geodetic networks – Ministry of the Environment → Land Board (**Spatial Data Act**)
  - Cadastal works – Ministry of the Environment → Land Board (**Land Cadastre Act**)
  - Contructional geodesy – Ministry of Economic Affairs and Communication (**Building Code**)
- Local municipalities

CLGE Seminar „Cooperation of Public and Private Sector in Land Management"
Riga, 22.09.2016

MAA-AMET

Land consolidation and cadastral surveying

- Professional certificate of land surveyor in the field of land consolidation
- License for cadastral surveys (issued by ELB)
  - person has performed two test assignments and has passed an examination in the theory and practice of land consolidation
  - Requirements: higher education or secondary or vocational secondary education in land consolidation or surveying and 3-years of professional experience

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

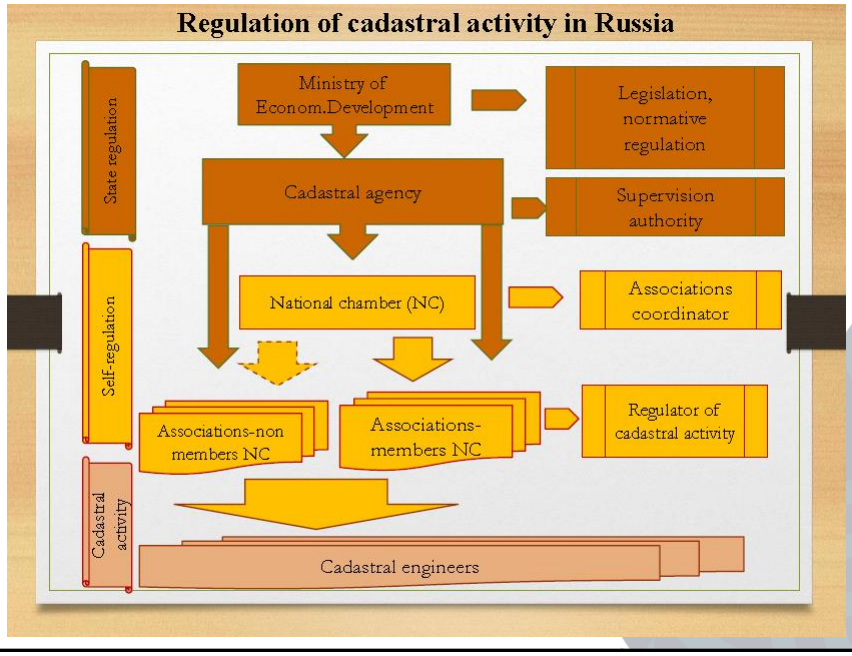
Regulation of cadastral surveyors activity in Russia: new Federal Law

Vladimir Tikhonov,
Director,
National Chamber of cadastral engineers,
vvt2609@mail.ru

www.roscadastre.ru
123458, г. Москва, ул. Таллинская, д. 32,
корпус 3 офис 10,
+7 (495) 518-93-19/20, info@roscadastre.ru

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

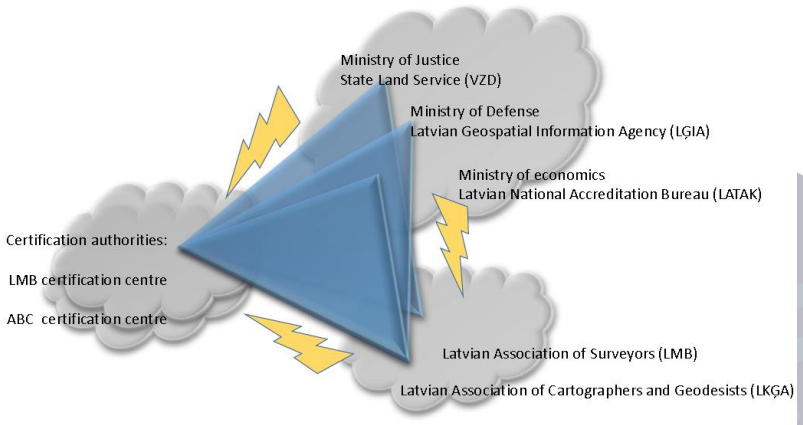
Regulation of cadastral activity in Russia



The Council of European Geodetic Surveyors

Cooperation Triangle of Certification in Latvia

Riga, 2016



The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

Riga Seminar

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

Council of European Geodetic Surveyors
&
Latvian Association of Surveyors

Riga Declaration

Gathered in Riga, from 22nd to 24th September 2016, for a seminar on the "Cooperation of the Public and Private sector in Land Management" and its second annual General Assembly, CLGE solemnly stresses the following conclusions

"The guarantee of immovable property rights is an intrinsic part of our economy and society.

The continuum of systems presented in Riga, based on a mix of public and private surveying, reveals that property rights are typically guaranteed by the State, in its sovereign role, and with varying degrees of participation from the private sector.

The enormous importance of immovable property to our economies underlines the need for the regulation of surveying in order to achieve the adequate protection of property rights and to protect the public interest.

The digital transformation underway in our sector shows that the surveyor has a fundamental role in creating the future geo-digitally enabled world."

Riga, 23 September 2016,

Maurice Barbieri
CLGE President

Baiba Ziemele
LMB President

Riga Declaration

"The guarantee of immovable property rights is an intrinsic part of our economy and society.

The continuum of systems presented in Riga, based on a mix of public and private surveying, reveals that property rights are typically guaranteed by the State, in its sovereign role, and with varying degrees of participation from the private sector.

The enormous importance of immovable property to our economies underlines the need for the regulation of surveying in order to achieve the adequate protection of property rights and to protect the public interest.

The digital transformation underway in our sector shows that the surveyor has a fundamental role in creating the future geo-digitally enabled world."

The Council of European Geodetic Surveyors
Comité de Liaison des Géomètres Européens

Thank you for your attention