

Legal Security of the Cadastre supporting Sustainability

The value of the cadastre for economy and society

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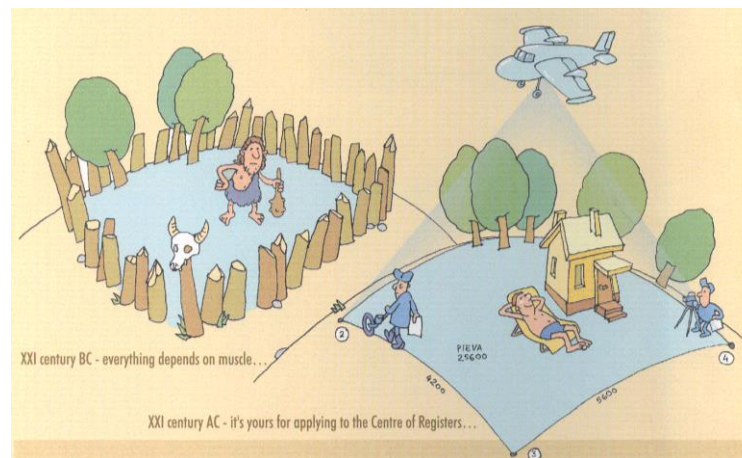
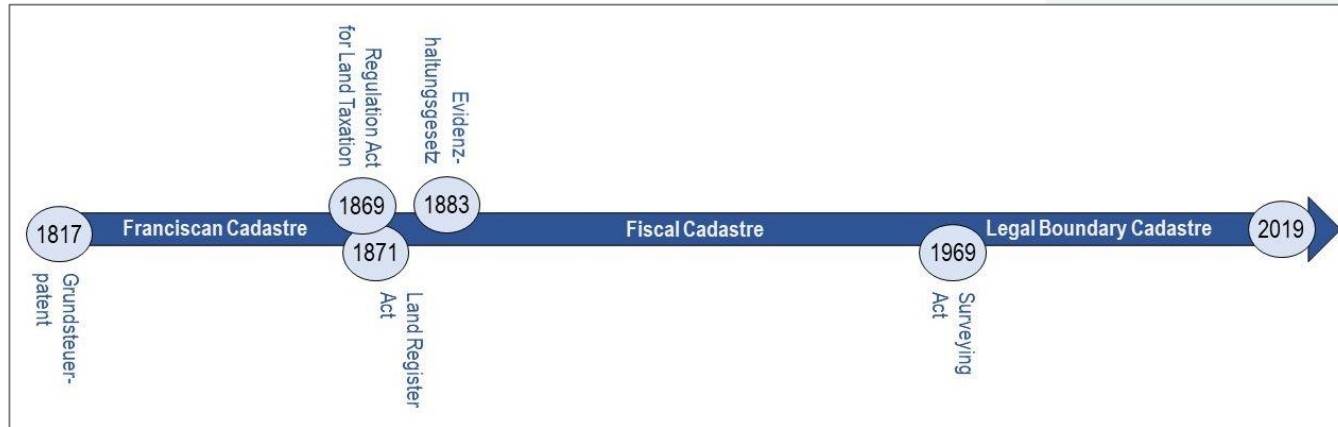


Main characteristics of the Austrian Cadastre



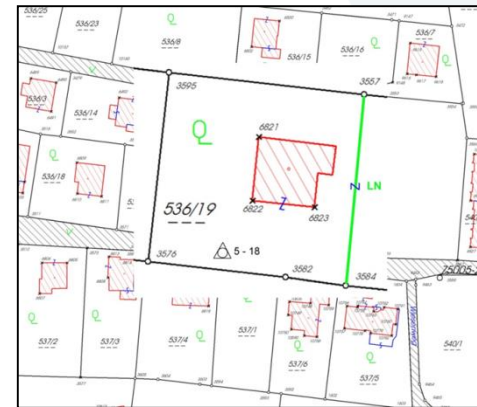
- Cadastre + LR in different organizations
- electronic workflow and fully digital processes
- public data and accessible to everyone via web portal
 - Online access to information (24/7)
- Complete documentation of changes
 - full record of any changes concerning parcels since 1883
- Advanced cooperation of private licensed surveyors and cadastral authority
 - Shared competences

Changig Role of the Cadastre



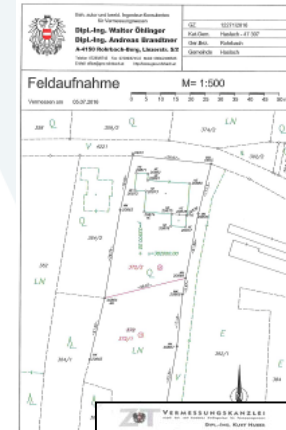
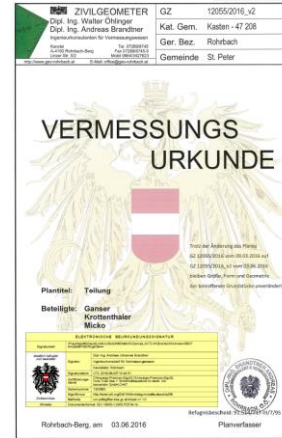
Legal Boundary Cadastre of Austria

- Since 1969 (Land Surveying Act)
- Special legal condition of the parcel
- Clear legal procedure with impact on legal security of the borders
- Competence to solve cadastral disputes in the competence of cadastral authority
 - > not in court of justice
- Reconstruct borders is possible all the time (Based on legal coordinates)



The legal Process

- Licensed surveyors or cadastral authority
- Boundary negotiations with all owners
 - mandatory signature
- Determination and marking of parcel boundaries by owners
- Surveying and preparation of a cadastral plan (document)
- verification by the cadastral authority and
- issue of a notification

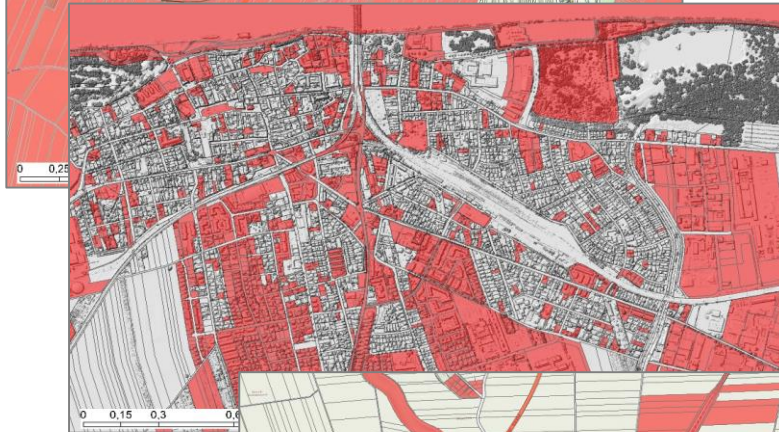


Status of Legal Boundary Cadastre



... in rural areas

1,8 Mill. Gst. (~ 18 %)



... around urban areas



.. Close to infrastructure facilities

Parcels colored red: Legal Boundary Cadastre

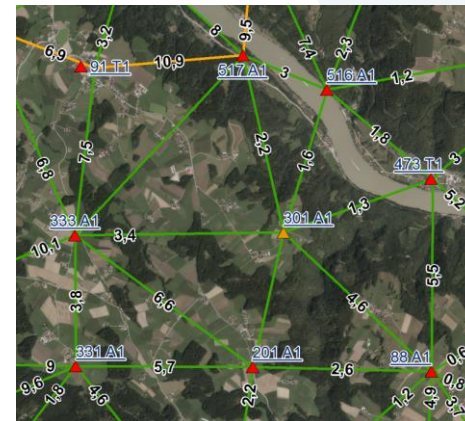
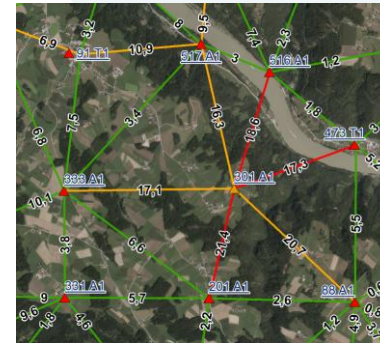
Multipurpose use

- used in a multipurpose sense as a **basic layer** at Information Systems
- an important infrastructure of a state and the public administration
- indispensable for public administration
 - Parcel based subsidies, property taxation
 - road construction, water management,
 - spatial planning and building law, asset management, environmental and climate protection, Forestry, Agriculture,



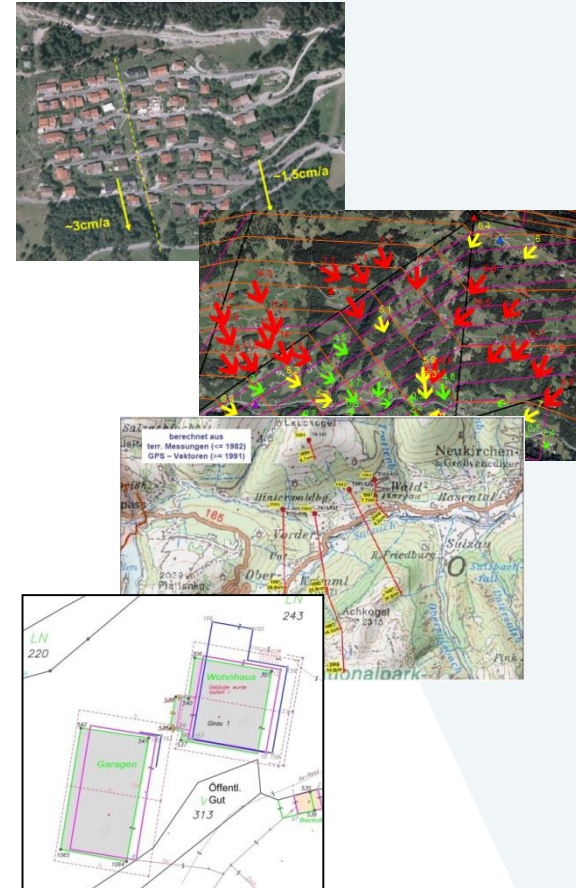
Challenge : Inhomogeneity in reference points

- Historic based deficit in reference points
 - Differences ETRS89 - MGI- System
 - Homogeneous coordinates in ETRS89
 - Analyse deficits of Reference points
- Local homogenization of the cadastre
- Prepare transfer of the cadastre to UTM/ETRS89



Challenge: Sliding movement of the ground

- especially in the alpine area
- new legal regulations for the cadastre
 - Consequences for legal boundaries cadastre
 - surveyor has to prove ground movements
 - complex handling of legal coordinates
- no legal boundary cadastre possible
- Solution for cadastre, but not economic consequences for the owners (> court!)



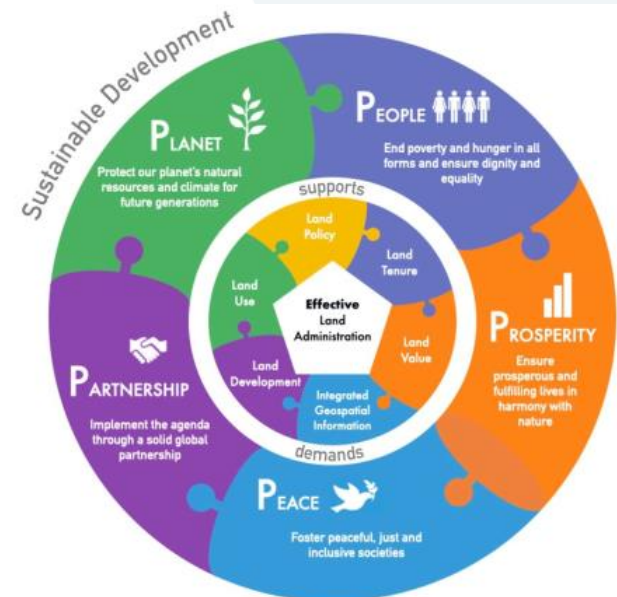
Land administration and the Sustainable Development Goals

- Land governance/administration should support Global Agenda 2030
 - Policies, processes, institutions
- Prerequisites to achieve SDGs and have legal certainty for citizens
 - Good geospatial information management
 - Sound land administration
- SDGs: goals with a significant component to land (1, 2, 5, 11, 15, 16)



UN-GGIM: Framework for effective Land Administration

- Develop confidence and trust, promote security and safety
- Supporting systems that are equitable and transparent...
- Ensure participatory land use and land use-planning
- Strengthen multi- disciplinary to achieve integrated geospatial information
- Encourage efficient, sustainable and fair land markets...
- Enable partnerships



Economic relevance of the cadastre in Austria

- Trust in data as basis for economic action -
Reliable information
- Impact on economy of Austria and high
social benefit
- the cadastre is decisive in both public and
private law
 - tax law, hunting law, real estate law,
agricultural law, contract law, housing law,
building rights, forest law, etc., etc.
- supports and simplifies a large number of
administrative processes in administration



What is the benefit of the cadastral service?

- guarantee of legal security and protection of trust and investment protection
- protection of public interests through transparent information
- basis for determining property values and taxation of real estate and property
- Traceability: every change is documented
- Timeliness and availability: data available online/at all times for official procedures and detailed questions



Benefit of the BEV as institution running the cadastre

- ensure the high quality of the Cadastre
 - internationally and recognized by citizens
- received a high level of trust
 - nationwide uniform regulations, uniform database for Austria



Thank you!

Questions?

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