

SECTION “A”: LAND REGISTER UNIT

IMOLA WS 1 Conclusions

Vienna 12 March 2015



Section “A” Guidelines

- Search of a connecting factor for the template: **bottom up** method
- **Minimum common denominator**
- Adviseable **flexibility** regarding to “A”
 - ELRD scope should embrace as many Land Register (LR) Units as possible
 - Otherwise, many LR Units could be excluded from ELRD scope



Minimum common denominator

■ Minimum common denominator:

➤ **LR UNIT**

- ✓ *[LR Units are all properties or entities with individual register and/or LR number or title number assigned in accordance with each Land Register system]*

■ Minimum common denominator for purposes of description:

- **IDENTIFIER (ID) of LR Unit**
- **LOCATION of LR Unit**



Levels and branches of information

■ LEVELS OF INFORMATION

- ☐ Basic
- ☐ Supplementary
- ☐ Extended

■ BRANCHES

- ☐ (Basic)
 - ☐ Location (ISA core location)
 - ☐ Identifier (ID)
- ☐ Supplementary
 - ☐ Land use
 - ☐ Nature
 - ☐ Boundaries
 - ☐ Size
 - ☐ Price/value
- ☐ Public limitations...

(Data should be used by national systems within their rules or practices)



LR Unit as object: subdivision

1. LR Unit—Property
2. LR Unit—Cadastral parcel
3. LR Unit—Property—Apartment
4. LR Unit—Special property
5. LR Unit—Property rights
 - LR Unit subdivision as a way **to facilitate** identification and further description of each
 - Choices on LR Units are **decided by each system** (the one which turns out adequate for it).



LR UNIT—PROPERTY

- Considered as broadest meaning
- To be used
 - If there's register number only and no cadastral ID for properties
 - If properties (and register number) does not coincide with parcels (and their cadastral ID)
 - Eventually, matched both if there were a similarity or within disclaimer (see below)



LR UNIT— PARCEL

■ **PARCEL DIFFERENT FROM PROPERTY**

- Defined by parties in deed, eventually on parcel
- Cadastral ID and register number shouldn't be matched (or within disclaimer)

■ **PARCEL SIMILAR TO PROPERTY**

- Conclusive boundaries or coordinated properties
- Cadastral ID and register number can be matched



LR UNIT—APARTMENT

- ID LR Unit:

- ☐ Frequent LR Unit consequently with individual register number
- ☐ Individual cadastral ID not so usual for flats

- Specifics regarding to description of apartments

- ☐ Relationship with block and condominium
- ☐ Storey, share in condominium, etc



LR UNIT—SPECIAL PROPERTIES

- Difficulties in ID

- ☐ As property can have an individual register
- ☐ Could comprise several cadastral parcels and consequently cadastral identifiers

- Specifics regarding to description, usually more complex



LR UNIT—PROPERTY RIGHTS

- Several legislations recognize individual register number to certain property rights
- Object is this right itself
- Cadastral ID not probable, register number at least



UNITS IN THE EVENT OF PERSONAL FOLIO (*DEED SYSTEMS*)

- Out of scope? It's mostly a property template
- ELRA aims personal folio systems are in scope
 - ELRA defends legal diversity,
 - Deed systems are as registration systems as title systems



GUIDELINES

- “B” is decisive for personal folio systems ergo the starting point is the person
- An important step would be to link cadastral parcel or property
 - In practice cadastral information is required for the contract although parties define property in the deed
- “Deed” might be linked for “entitlement”
- The event of Register of mortgages might fit or be adapted to “LR Unit-Property rights”
- Contributions of Contact Points from Deed systems



■ THANK YOU VERY MUCH for your
attention

Jorge López
IMOLA WS1 coordinator

