

Reorganisation and Restructuring of Land Registries: a statement by the European Land Registry Association

Statement by the Board of the European Land Registry Association (ELRA) concerning the reorganisation and restructuring of land registries:

ELRA represents 31 official land registry organisations from 22 member states of the European Union. The Association's primary purpose is to support the development and understanding of the role of land registration in real property and capital markets in Europe.

The ELRA Board is aware of proposals in a number of member states to reorganise and restructure land registries. Of course it is not for the ELRA Board to comment on the merits of any particular proposal. However, based on our experience, we would make the following general observations,

1. In every country, the Land Registrars are the experts in their field. We therefore believe that their views should be invited at an early stage in the process.
2. It is good practice that interested parties, including landowners, lenders, notaries and registrars, be consulted before proposals are finalised.
3. Any proposed reorganisation or restructuring should be mindful of the fact that, in order to give legal certainty and maintain the confidence of the market, land registries must perform, and be seen to perform, their functions independently. There must be no actual or perceived political or commercial influence or conflicts of interest.
4. Any proposal to move from a deeds system to a title or cadastral system must ensure the continuity of landowners' existing property rights.

Brussels, 26th May 2016