

# Cadastral and Land registry in the Slovak republic

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# Main facts about Slovakia



- ▶ 49 034 km<sup>2</sup>
- ▶ 5.4 million inhabitants
- ▶ EU - 2004
- ▶ Euro - 2009

# Administrative division of Slovakia



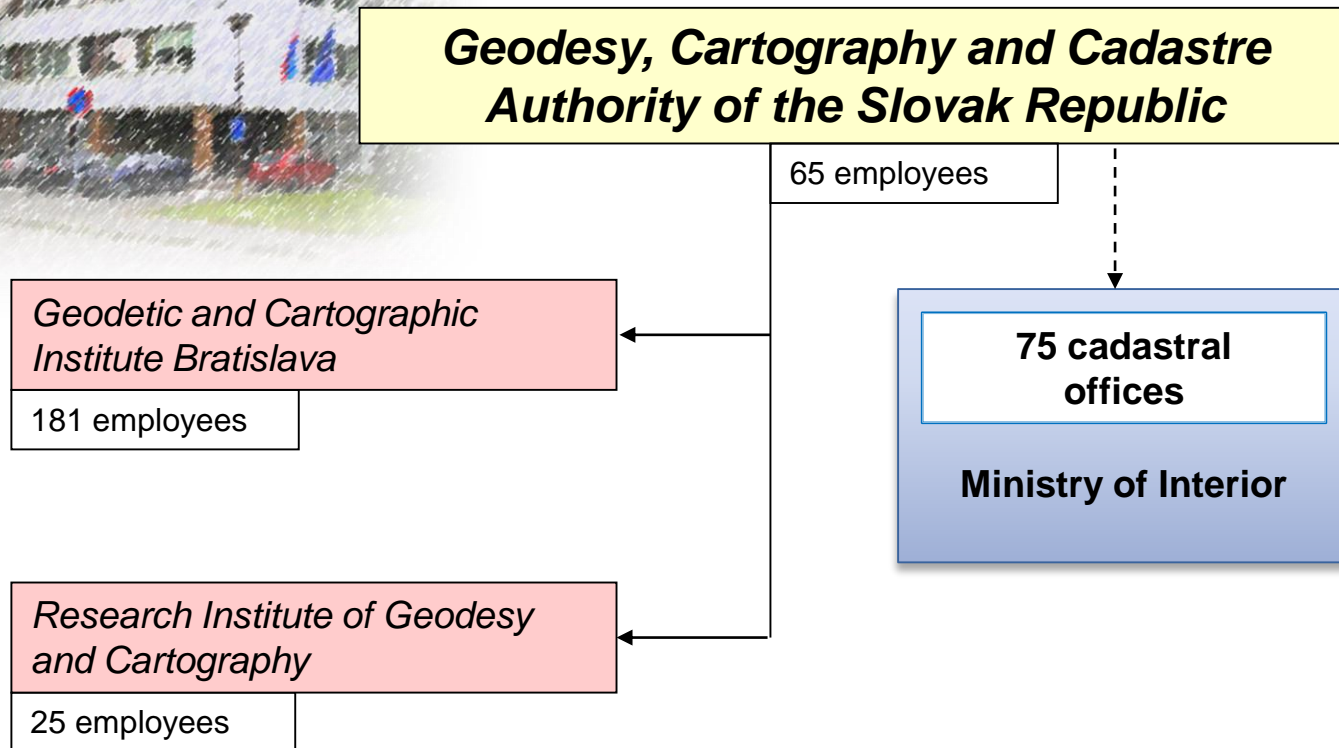
- ▶ 8 counties
- ▶ 72 districts – 75 offices
- ▶ 2927 municipalities
- ▶ 3559 cadastral districts

# State administration structure

## Government

- ▶ Ministry of Foreign Affairs
- ▶ Ministry of Economy
- ▶ Ministry of Defence
- ▶ Ministry of Interior
- ▶ Ministry of Finance
- ▶ Ministry of Culture
- ▶ Ministry of Justice
- ▶ Ministry of Agriculture and Rural Development
- ▶ Ministry of Environment
- ▶ Etc.
- ▶ Antimonopoly Office of the Slovak Republic
- ▶ Statistical Office
- ▶ **Geodesy, Cartography and Cadastre Authority**
- ▶ The National Inspection Office of Labour
- ▶ The Industrial Property Office
- ▶ Slovak Office of Standards, Metrology And Testing
- ▶ Nuclear Regulatory Authority
- ▶ Telecommunications Office
- ▶ Etc.

# Organisational structure



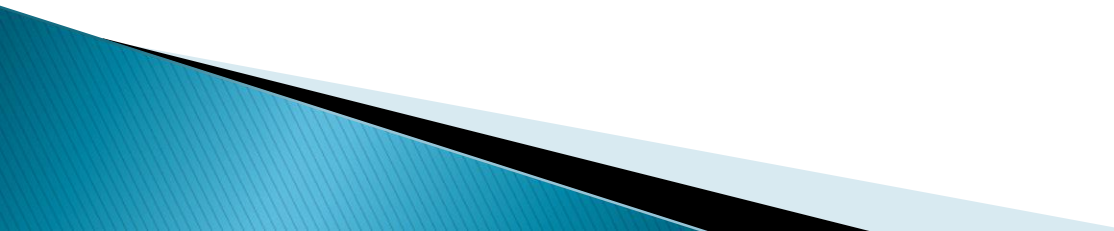


# Legislation

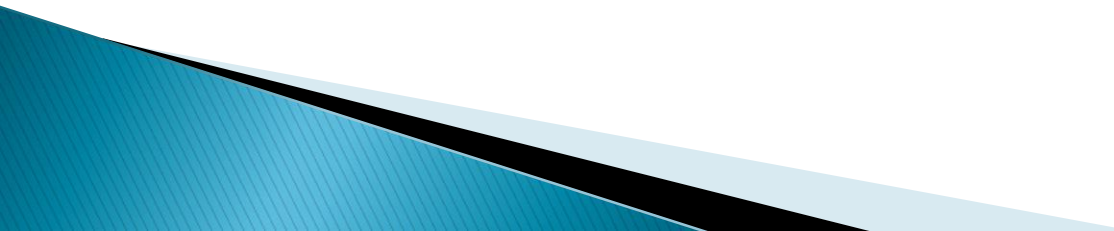
- ▶ Act on geodesy and cartography
- ▶ Act on real estate cadastre
- ▶ Decree of GCCA implementing Cadastral Act



# Main fields of activity

- ▶ reference systems, geodetic controls
  - ▶ real estate cadastre
  - ▶ topographic database, ortophoto, laser scanning
  - ▶ state maps
  - ▶ geonames
  - ▶ international cooperation
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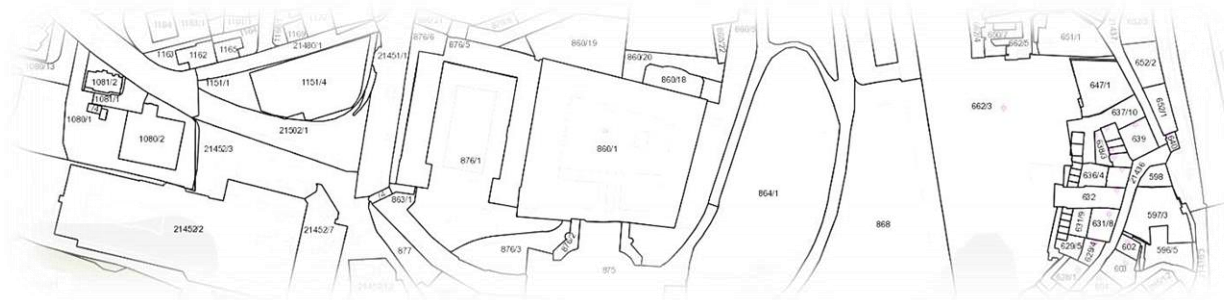
# International activities

- ▶ EuroGeographics
  - ▶ PCC
  - ▶ Cadastral services of the central European countries
  - ▶ EUREF, EUPOS
  - ▶ INSPIRE
  - ▶ cross-border topographic data harmonisation
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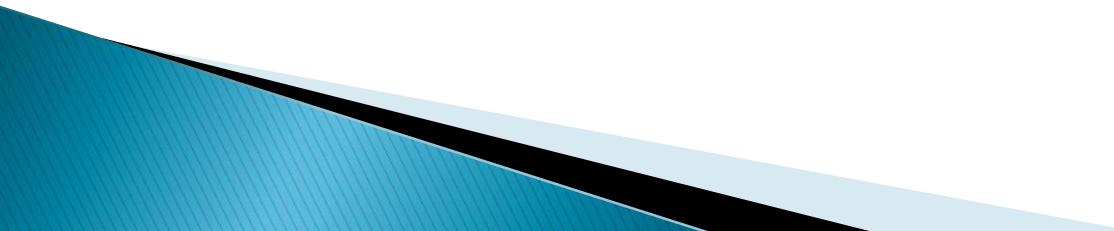


# Real Estate Cadastre in Slovak Republic

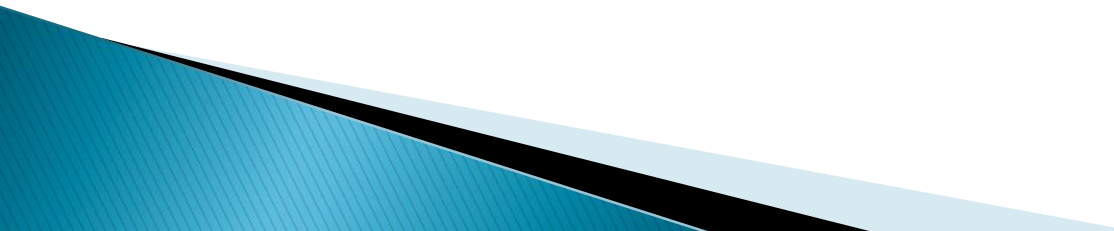
Real estate cadastre in the Slovak Republic is in terms of its definition a geodetic determination and description of properties. Naturally, it also contains information on rights to real estates. It represents an information system for protection of property rights, for tax and fee purposes, for property valuation and last but not least for protection of agricultural and forest land, for nature protection and for building of other information systems



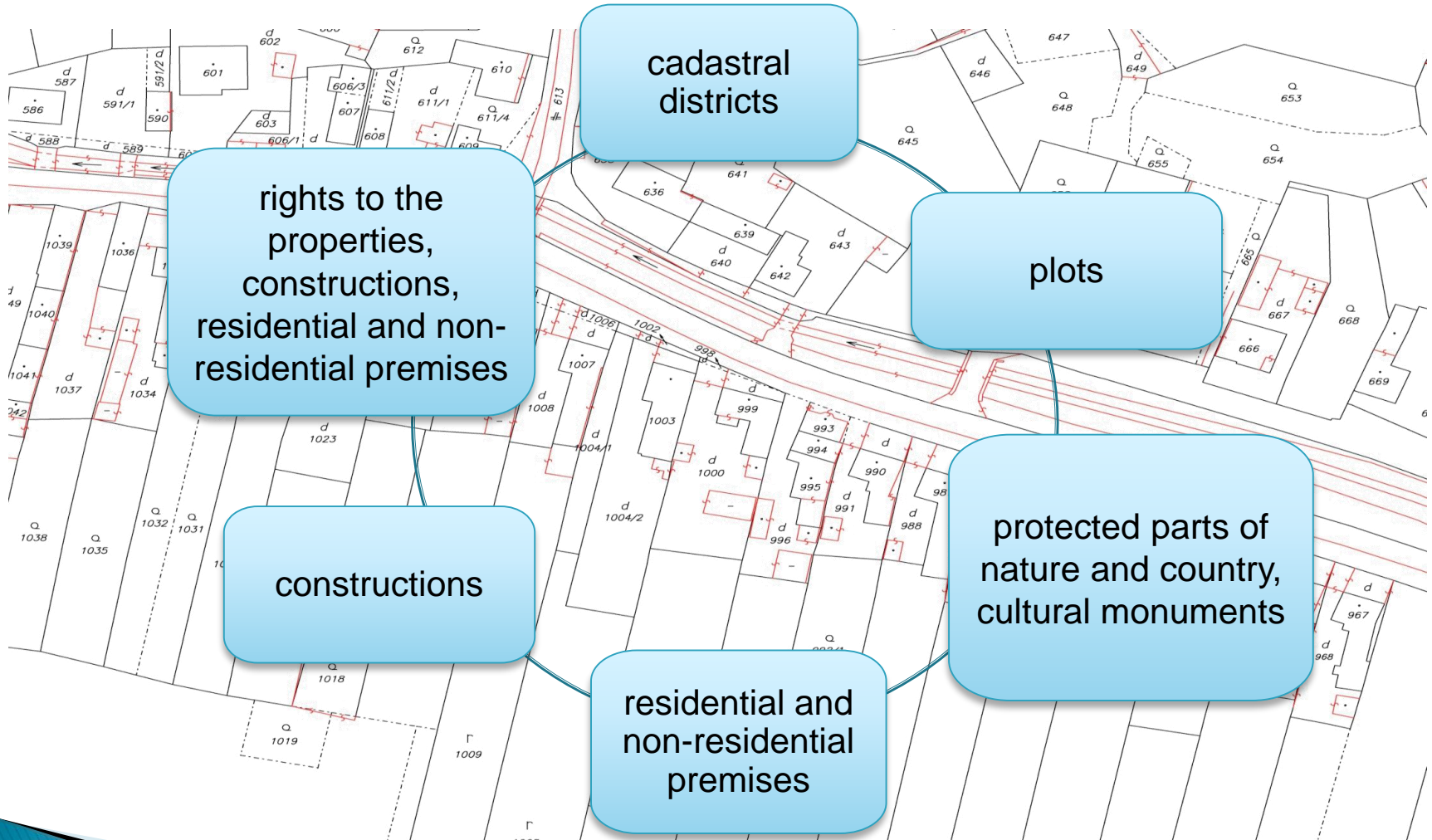
# Description of our system

- ▶ Cadastre and Land register in SR is one information system managed by state authority
  - ▶ It consists of written information and map information, statement, description and geometric expression of real estate
  - ▶ Negative consequences of its historical development
  - ▶ Cadastre seeks to respond to the current modernization and digitalization of the society
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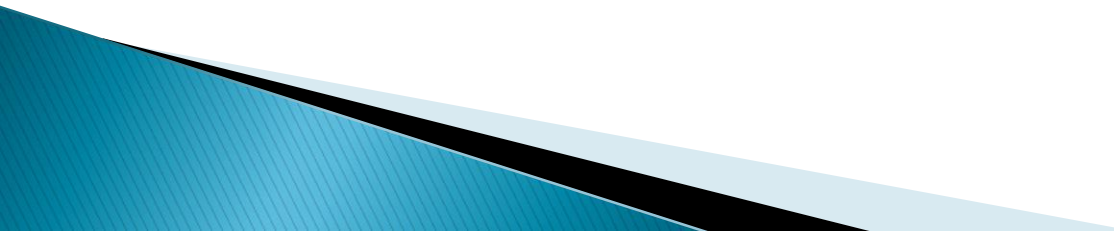
# Unified system

- ▶ Real estate cadastre is a unified information system containing data about real estate and rights regarding the real estate
  - ▶ It allows comfortable provision of comprehensive information about certain properties including legal relations to it
  - ▶ The operation of a unified information system is cheaper than running two separate specific information systems
  - ▶ Cadastral documentation is public – provides information to all persons without proving legal interest
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## Items recorded in the cadastre



# The main principles of cadastre


- ▶ **The principle of registration – intabulation**  
property and other rights in rem have to be registered in the cadastre
  - ▶ **The principle of public – formal publicity**  
everyone is entitled to inspect the cadastral documentation and make sketches from it
  - ▶ **The principle of credibility – material truth**  
cadastral data are credible and binding unless the contrary is proved
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# The main principles of cadastre

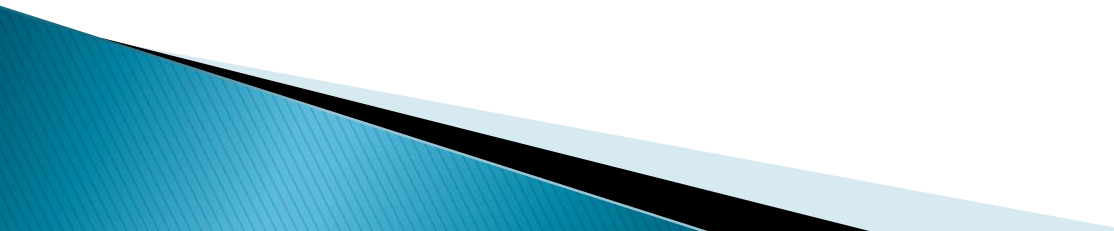
- ▶ **The principle of freedom**  
the proceeding of proposal for application shall be initiated only upon proposal of the party
  - ▶ **The principle of legality**  
cadastre is required to examine conditions for the possibility and validity of land registration
  - ▶ **The principle of priority**  
rights regarding the same property shall be entered in the order in which the contracts for registration are delivered
  - ▶ **The principle of speciality**  
it serves to ensure certainty, clarity and transparency of all recorded data
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# Purpose of use of the cadastre

- ▶ Purpose of law – to protect rights and ownership
  - ▶ Tax purposes – to determine amount of the fee
  - ▶ The valuation of real estate, particularly land
  - ▶ The protection of agricultural land and forest land
  - ▶ The creation and protection of the environment
  - ▶ The protection of mineral resources
  - ▶ The protection of national cultural heritage and other cultural monuments
  - ▶ protected areas and natural formations and other building systems property
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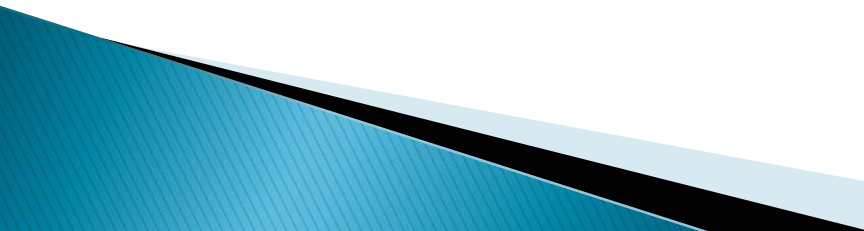
# Rights registered in the cadastre

- ▶ the ownership right,
  - ▶ mortgage,
  - ▶ servitudes,
  - ▶ the right of pre-emption if it should have the effect of iura in re,
  - ▶ data on the rights following from the administration of the state property, of the property of municipality and from the administration of higher territorial units,
  - ▶ the rights of locatio conductio to the estates if they last or should last at least 5 years
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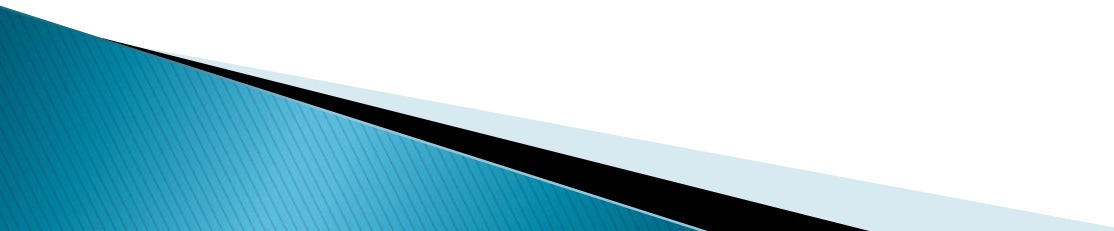
# Acquisition of ownership

- ▶ ownership of a thing may be acquired on the basis of a purchase, donation or other contract, by way of succession, on the basis of a decision of a state authority or on the basis of other facts laid down by an act
- ▶ **if a real estate property is transferred on the basis of a contract**, the ownership shall be acquired by entering it in the cadastre according to special regulations unless a special act stipulates otherwise

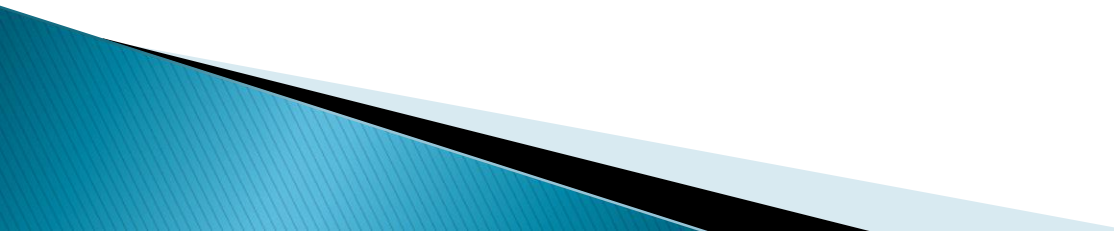
# Acquisition of ownership

- ▶ **the entry** of the rights to the real estate – the right to the real estate originates, changes or expires; administration fee; decision about a proposal
  - ▶ **the record** of the rights to the real estate – the record does not effect the origin, the change or the expiration of the rights to the real estates; no administration fee; no decision made in cadastral procedure
  - ▶ **the comments** of the rights are the operation of the Administration of the Cadastre which is determined to mark the facts or the relation to the real estate or to the person and which does not influence the origin, the change or the expiration of the rights to the real estates
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# Issues concerning the Cadastre


- ▶ great fragmentation of land ownership
  - ▶ incompleteness of registers
  - ▶ imperfection of cadastral registration
  - ▶ unsubstantiated ownership relationships
  - ▶ multiple ownership
  - ▶ negligible area, ...
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# Correction of Mistakes in the Cadastral Documentation

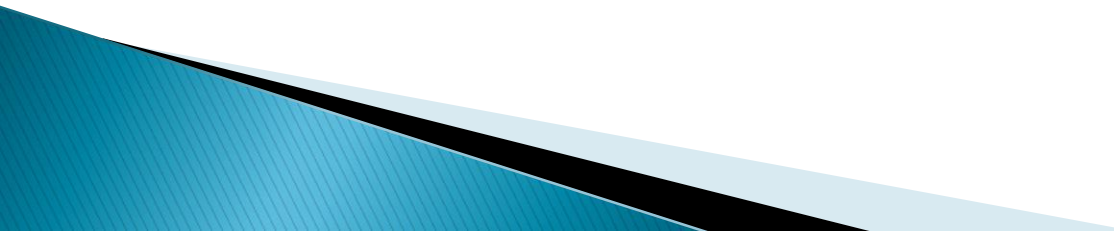
- ▶ the cadastral authority even without proposal
  - ▶ correct the cadastral data if they are in contradiction with the public deed or other deed or with the results of checking the changes of cadastral data or with the results of the revision of cadastral data,
  - ▶ correct the wrongly delineated boundary of the lots in the cadastral map in cooperation with the owners and other entitled persons,
  - ▶ in cooperation with state authorities, municipalities, notaries, the owners and other entitled persons correct the cadastral data made by mistakes in writing and counting and by other obvious faults in the written forms of the legal actions, in public deeds and in other deeds
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# Development in Slovak republic

- ▶ technical trends – automation system, scanning, digitizing, problem solving
  - ▶ 01.02.2004 – „[www.katasterportal.sk](http://www.katasterportal.sk)“ – information from cadastre is accessible on the Internet, free of charge, in accordance with law
  - ▶ free public portals now – [www.katasterportal.sk](http://www.katasterportal.sk) or indirectly via ESKN (Electronic land registry services) Information about property, owners, construction or relationship
  - ▶ information/deed from portal is informative
  - ▶ public document has to be issued by authority, marked by official stamp and administrative fee has to be paid
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# Main objectives and tasks of GCCA SR

- ▶ improve the quality of cadastral data
  - ▶ integration with other information systems of public administration
  - ▶ transition to modern database solution
  - ▶ finish with work on paper ownership documents
  - ▶ creation of a reliable system for the retrospective data analysis
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*Thank you for your attention!*