





Personal data protection and Land Registration

Presented by Elena Prada - Legal and IT Support Office - Servizio Libro fondiario e Catasto

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A special thank goes to the Director of the Legal and IT Support Office dott.ssa Elena Costa and all her staff June 12th, 2025 Trento

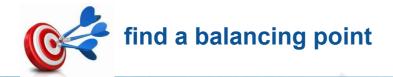




Trentino's Land Registry - processing of personal data ➤ art. 4 - 6 - 9 lett. g) GDPR

- ➤ fully digital procedure totally public
- ➤ redacted LR documents (536 acts in 2024)
- > Land Registrar as "authorised for the processing"

	3 1 2	Operatore : RUTX1898	Data : 06/08/2021	
Giornale tavolare				
Numero/Anno GN:	8 / 2020 Ufficio tavolare: Cavalese			
		Data evasione domanda		
Data/tenore decreto: 26-03-20	021 / accolto	Data evasione domanda		
Domanda telematica		Conservazio	ne	
Codice invio 3005	666 Invio: data 25-03-2020 09:53:58 573486		Invia in Conservazione	
Richiedente				
Presa in carico 25-03-2020 17:22:1	2 Esito Anomalie	Stato c	onservazione Non inviato	
Fascicolo	Integrazione da Openkat:			
Nome documento	Progr. Tipo documento	Descrizione	Sens Openk cons. Integ.	
102_2020_8_T1.pdf	1 Domanda tavolare		N	
102_2020_8_T2.pdf.p7m 102_2020_8_T4.pdf.p7m	1 Decreto tavolare 1 Titolo			
102_2020_8_14_public.pdf	1 Titolo			
	11100			
	Forms 266022			
		visualizzare/scaricare documenti contenent sensibili.		
Scarica fascicolo zippato Abilit	a integrazione da Openkat Gar		stituisci doc Elimina doc	
Decreto - Note				
Conservatore	Giudice		<u>×)</u>	-
Conservatore	Giudice			
		27 T C 2722 - 2 22	11 22 22 1	
Scarica P7M Stam	pa domanda telematica Visualizza esito cont	rolli Tutti documenti non sensibili	Invis a Digitav	





Is it arduous to define a personal data according to art. 4 - 6 - 9 GDPR?

or

the real point is the evaluation of what is to be considered "necessary for reasons of public interest" + proportionate to the aim pursued

Trentino's Land Registry is totally public \rightarrow the **balancing point** involves the proportionality principle and the reasons that justify a data processing in accordance with a task carried out in the public interest on the basis of Union or MS law.



European overview



public



The European Land Registry Network (ELRN) was created in 2010 to facilitate a friendly access to land registry services at European level.

ELRN CURPTAN

Members

- Members Austria Hungary Belgium Ireland Bulgaria Italy Croatia Latvia Lithuania Cyprus Estonia Luxembourg Finland Malta France Poland Greece Portugal
- Romania Slovak Republic Spain Sweden

Spain Sweden The Netherlands

Observers Members

Bosnia and Herzegovina Turkey Ukraine

Partners

CENoR Università di Trento - Facoltà di Giurisprudenza

Estonia

Slovenia

Publicity principle

systems more open / systems more restrictive

A) Austria, Bulgaria, Portugal, Romania - totally

- A) Croatia Estonia Poland Spain Lithuania
 - only judicial authorities are allowed to display
 - LR information, or only Notaries or only if the
 - request is justified by a legitimate interest

Claude Sapiano's questionnaire - ELRN workshop 2022 Malaga







Open data

- information is available for everyone to access, use and share
- published by governments on freely accessible portals
- information about local areas, or statistics on topics such as the economy, health and the environment
- Structured, machine-readable and well-maintained
- Usually accompanied by an open license
- Easier to understand, access and consume





Public data

- any data that is in the public domain
- broader category, encompassing various formats and sizes, including raw data
- open data is a subset of public data
- documents can only be accessed with a freedom of information request
- data not in machine readable format







European Directive 2019/1024 article 2 - definition of OPEN DATA:

... (13) 'machine-readable format' means a file format structured so that software applications can easily identify, recognise and extract specific data, including individual statements of fact, and their internal structure; (14) 'open format' means a file format that is platform-independent and made available to the public without any restriction that impedes the re-use of documents







High-value datasets

European Directive 2019/2014 - art. 13 and followings
listed in Annex I
1. Geospatial
2. Earth observation and environment
3. Meteorological
4. Statistics
5. Companies and company ownership
6. Mobility.

land registry data might be intended in terms of high-value datasets and, consequently, governed by Directive 2019/1024





Personal data and AI

- the processing of personal data implies specific precautionary measures when using AI technologies
- AI Act Regulation n. 2024/1689 artt. 10 and 59
- strict link between data training and testing processes and the GDPR rules





Personal data - open data - high value datasets - AI INTERCONNECTION



variegated, complex and fast-changing landscape

Data Data Protection

combine the transparency, publicity, open data, reuse principles with the personal data protection principle



CASE STUDIES

- 1. sexual transition court decision
- 1. who asked for LR documents or excerpt referred to my property?
- 1. the Dutch case



CASE STUDIES

- 1. sexual transition court decision
- a) particular categories of personal data (art. 9 of the GDPR)
- a) displayed only the Court decision number and the final judgement that describes the registry office information of the applicant
- a) historical excerpt



CASE STUDIES

- 1. who asked for LR documents or excerpt referred to my property?
- a) rejected all these requests
- a) requests not justified by a legitimate interest
- a) should access to access logs be granted, and if so, under what conditions?



CASE STUDIES

- 1. the Dutch case
- a) restriction for the functionality 'search by name' by categorising users into 4 categories
- a) explicit warning by the Dutch Cadaster
- a) the Court upheld the appeal a full search by name has been reintroduced
- a) ! the topic of limitations of the function "search by name" is more relevant than ever !



general trend towards an increased awareness of what personal data rights are

> increased responsibility for Land Registrars

QUALITY OF DATA

HATERS







Data quality in Land Registration

- Accuracy in procedures
- Sufficient time to make well-founded decisions
- ongoing training and professional development to maintain and enhance our expertise





THANK YOU FOR YOUR ATTENTION

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PROVINCIA AUTONOMA DI TRENTO