

MEET ELRA'S LAND REGISTRY ASSOCIATIONS

Interview with Colegio de Registradores (CORPME)

••••• The organization

1. What are the main responsibilities and key tasks of your organization within your country's land registry system?

In Spain, registrars of land, business, and movable property registries are mandatory members of the Spanish Public Corporation of Land, Business and Movable Property Registrars (Colegio de Registradores de España (CORPME)).

This corporation is governed by a board, which includes the president (or chair), vice-president, a secretary, and 12 registrars overseeing various areas.

Externally, CORPME is part of the Ministry of Justice and represents Spanish registrars before public administration, citizens, and businesses.

Within the organization, Colegio de Registradores de España has the function of helping Spanish registrars in the performance of their professional duties, coordinating their professional activity, ensuring their ethical and professional conduct and, in all cases, the correct exercise of their functions.

••••• Objectives

2. How does your work within your association align with ELRA's objectives?

The work and activity of ELRA has had and, continues, to have a direct influence on the CORPME work programmes.



Since the beginning of ELRA, CORPME has sought to participate actively in the European Land Registries Association for several reasons:

Mr. Enrique Maside

Director of European Affairs



Responsible for the European Affairs division that oversees relations with European institutions, registrars from EU Member States, and matters concerning European and private international law.

Firstly, to have a better understanding of the registry systems in other EU Member States and to exchange experiences that help us to improve our systems.

Secondly, we have always believed that a platform of many registries is the best possible way to engage with the European institutions.

Finally, it is a forum that transcends the professional sphere and allows us to create bonds of friendship.

Over the last few years, we have seen ELRA's importance in our internal work increase steadily.

ELRA closely follows the activity of the European institutions and detects the legislative dossiers that are being processed and will have a direct impact on the activity of the land registries of all Member States. **Many of the matters on which ELRA works often result in the approval of directives and regulations that will be applied by European registrars.**

This anticipatory work by ELRA enables national registers to prepare for internal reforms that will allow us to best meet the objectives of the European legislator. By carrying out this work in advance, we can adapt to the reforms required by modernisation and continuous improvement, while maintaining the essential principles of the registry systems.

Digitalisation

We all know what the main lines of this legislature were, digitalisation, environmental transformation and the firm commitment to sustainability and the strengthening of the internal market. **All of them led to the enactment of many rules that have a direct impact on land registers all over Europe.**

Environmental transformation

Internal market

Examples include European legislation on **money laundering** which explicitly refers to land registers, legislation on the **energy efficiency of buildings** which considers energy efficiency as a legally relevant quality, legislation on the **protection of adults in cross-border situations**, new rules on **regularisation and harmonisation in insolvency**, rules on the **cross-border transfer of mortgage claims** and rules on **consumer protection**.

●●● Impact of EU Regulations on CORPME

3. How has the EU regulation of the last legislature impacted on your registry organisation?



IMOLA IV Kick-off Conference,
November 2024, Brussels

In a very significant way. **Since May 2024, the land registry in Spain has been fully electronic.** The regulation by which the registry has become fully electronic in Spain was the transposition of the **European directives on digitalisation**. For this reason alone, the last European legislative term has become part of the history of the land registry in Spain.

During the European legislature from 2019 to 2024, **we have witnessed one of the most active legislative periods of the European institutions;** never before during a legislature has so much legislation been enacted.

Many of the rules that have been approved during the last European legislature are currently being transposed by the Member States and, like some of those mentioned, will have a direct impact on land registers.

This is to be welcomed insofar as it entails a modernisation of our institution and a continuous spirit of improvement, but at the same time, it is to be hoped that the 2024-2029 legislature will take into account the need to approach change with caution and moderation.

Europe has made a giant leap forward in recent years, positioning us as a key global continent. We should be proud to be part of such an exciting present, while at the same time addressing with moderation the many challenges we face.

In any case, the existence of Associations such as ELRA allows us to look to the future with optimism and joy, because only journeys made with good companions allow us to go far.

Contact Point at the European Land Registry Network



Interview with M^a Teresa Touriñán

The Role of Contact Point at the Network (ELRN)

2. How long have you been the CP of your association? What is the role of the CP?

I have been the Contact Point since 2012. Firstly, helping the deputy Contact Point and after, heading the team of Spanish land registrars in charge to attend ELRA.

Contact Point's Main Roles:

- 1 Firstly, towards **ELRA is the voice of the national land registration systems**. It is **integrated into the ELRN**, and it oversees answering the **factsheets**, participating in ELRA's **workshop** and **seminars**, and stating the national position to any matter that ELRA requires.
- 2 In the opposite way around, the **Contact Point is the "ears" of the national land registrars in the Association**. This means that the Contact Point is, for example, in charge of advising national land registrars of any matter concerning them at the European level or, sharing best practice and projects developed in land registration in other member states.

••••• The Foundation of CORPME

1. When was your organization set up?

The creation of the Public Corporation of Registrars of Spain dates back to May 1934. Through a decree signed by the Minister of Justice Cantos Figuerola and the President of the Republic Alcalá Zamora, this public law corporation was established as an answer to the need to regulate and organize the profession of registrar, providing a unified organizational structure for registrars. In this way, a regulatory framework for their activity was established and coherence and homogeneity were promoted in the registry system, by unifying criteria and procedures in all registries in our country.

Since then, CORPME has worked uninterruptedly with a spirit of constant improvement of the registry institution and with a clear vocation for public service.

••••• Challenges

3. What are the challenges of being a CP?

The key issue of being a Contact Point is to find a good balance between the national land registration system and the goals of European legislation and global trends.

The Contact Point needs a good knowledge of its national land registration system to be able to explain it to foreign colleagues and European authorities. In particular, it needs to be aware of the **latest news and developments** at national level to share them with the association and to keep updated.

The **Contact Point** needs a good knowledge of its **national land registration system** to be able to explain it to **foreign colleagues and European authorities**. In particular, it needs to be aware of the **latest news and developments** at national level to share them with the association and to keep updated.

Additionally, it must be **open-minded** to understand how land registration is developed in **other legal systems and to adapt foreign rules** or concepts to its own land registration system.

A broad **knowledge of European law** is also necessary as one of main tasks of ELRA as the **Contact Point keep updated other Contact Points** on European law matters that may affect land registration.

4. Why is the role of the CPs within ELRA crucial?

Contact Points provide ELRA with the Member States' point of view.

Its point of view is necessary as without it, the ELRA board could not have a global pan European vision on any matter concerning land registration.

The contact points also **provide ELRA with the latest national trends on land registration by sharing the best practices**, allowing ELRA bodies to stay updated. Additionally, as ELRA keeps regular contact with European authorities, they also get advantage from the work of the contact points in ELRA.

On the other hand, as the CP represents its own national land registration systems, **the CP role in ELRA is very important to outload the national perspective in any ELRA topic or UE challenge**.



••••• Fact Sheets

5. In 2023 and 2024, you launched various questionnaires on limitations for foreigners to complete by the members of the network. Now, the Fact Sheet has been published on the ELRA website. From your point of view, how do these Fact Sheets help other member organizations and what impact do they have on the European Union?

The Fact Sheet on Foreign Limitations may help national member states to identify the differences in this matter across various countries represented in ELRA. This is also helpful for European authorities to compare national legislations.

I have outlined the different interests on this issue (economic protection, residential value protection of military defensive exclusion measures), as well as the different approaches (open or strict) to foreign acquisitions country by country.

Finally, the importance of the role of the land registries in this matter arises, as they are final keepers of the legality of the right transmission in most cases, avoiding unfair or illegal acquisitions from occurring.



Restrictions on the Purchase of Immovable Property by Non-EU Citizens: A Study and Presentation of New Findings at the Malta ELRN Workshop, María Teresa Touriñán



INTERVIEW PROJECT: MEET ELRA'S LAND REGISTRY ASSOCIATIONS



Av. de Cortenbergh, 66
1000 Brussels (Belgium)

secretariat@elra.eu



DISCLAIMER The content of this pages represents the views of the author only and is his/her sole responsibility. The European Commission does not accept any responsibility for use that may be made of the information it contains