

Land Tenure and Land Administration in Western Europe

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Historic development

- Roman law
 - Absolute ownership
 - Dominion
- Germanic law
 - User rights
 - Village and family ownership
- Feudalism 500-1500
 - personnel servitudes
- Physiocracy 1700
 - enclosure/land consolidation
 - individualisation
 - cadastre
- Liberalism 1800
 - land market
- Social welfare 1900
 - land market control

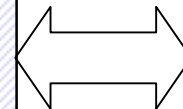
Land registration

- Ownership registration
 - court proceedings, chronological
 - deed registration person-based (southern and western Europe)
 - title registration parcel-based (northern and central Europe)
- Land parcel registration
 - Fiscal cadastre
 - Real property registry
 - Land information system (multi-purpose cadastre)

The Swedish Land Information System

• Real Property Register

- Area
- Address
- Coordinates
- Easements
- Buildings and apartments
- Public land use regulations



Geographic data bases

- Land use
- Topography
- Hydrology
- Vegetation
- Constructions

Land Register

Title and Owner
Mortgages
Encumbrances

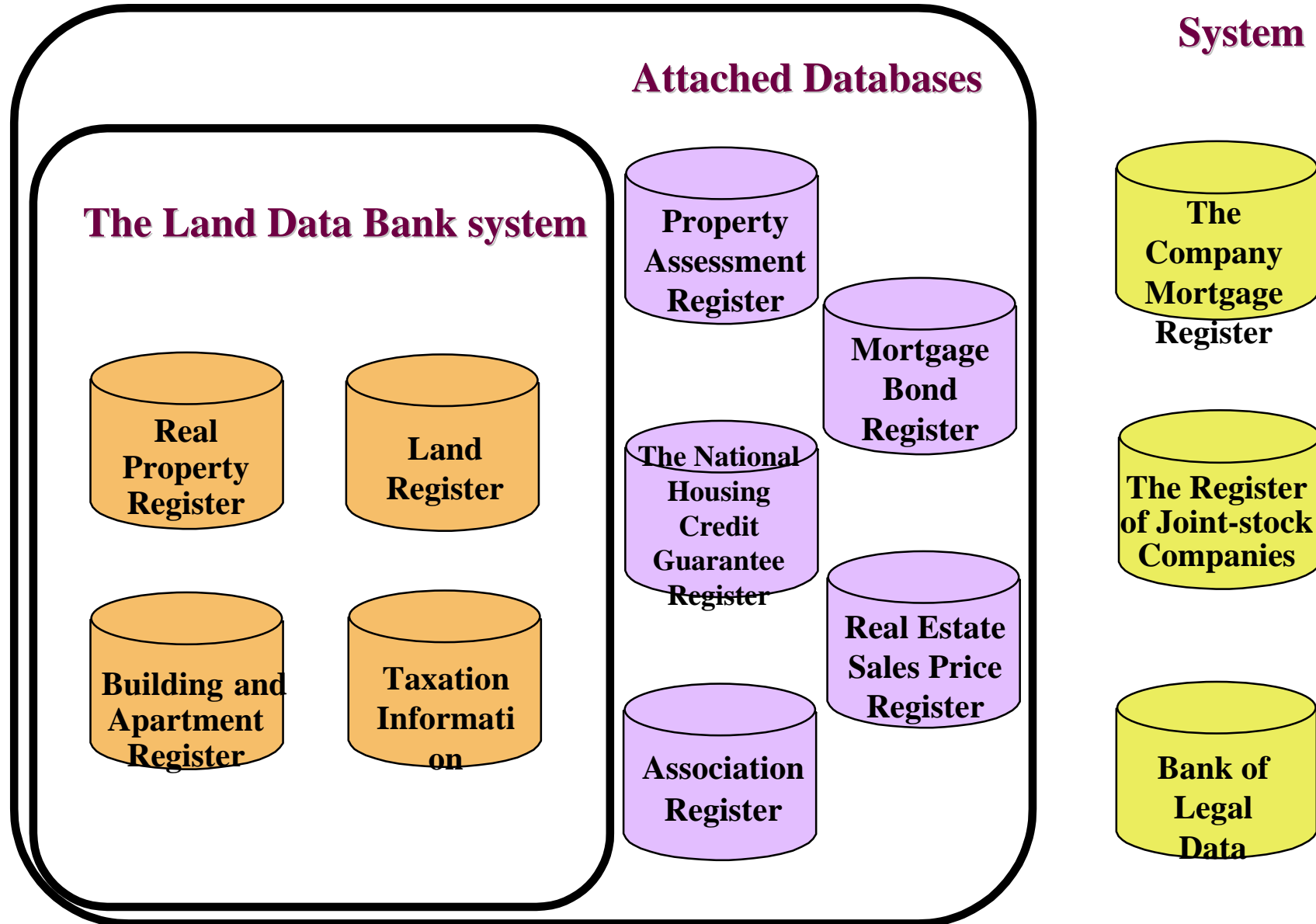
Taxation Register

Land Use
Constructions
Value

Population Register

All people living at
the real property, civic
number, postal address

Links to External Databases Swedish Land Data Bank System



Role of land administration

for sustainable development

- Real property market
 - Provide information and protect legal rights
 - Buyer/seller/third party/credit organisations/local and central governments
- Role in development (rural and urban)
 - Market control, acquisition, subdivision
 - Public land acquisition
 - Comprehensive land consolidation
 - Strengthen tenants rights
 - Municipal planning monopoly
- Environmental control
 - General conditions on all land use/responsibility
 - Protection of areas of special interest
 - Environmental Impact Analysis

Land taxation

- Land tax
- Transfer tax
- Taxation of capital gain
- Taxation of development value

Transaction costs and taxation on the land market in some European countries

Country	Registration fee	Transfer tax	Taxation of development value	Taxation on capital gain	Real property tax
Austria	1%	3,5%	1%	Yes	1%
Denmark	DKK 700	1,2%	No	Yes	0,6-2,4%
England	Yes	1-2%	No	Yes	No
Finland	FIM 310	4%	No	Yes	0,2-0,8%
France	1%	9-15%	No	Yes	5-10%
Germany	Yes	3,5%	No	Yes	0,5-1,4%
Greece	Yes	9-11%	Yes	Yes	0.025-0,8%
Italy	3%	11%	No	Yes	0,4-0,7%
Netherlands	0,2-1%	6%	No	Yes	Yes
Norway	Yes	2,5%	No	Yes	0,2-0,7%
Sweden	SEK 700	1,5%	No	Yes	0,5-1,7%
Switzerland	0,1-0,3%	0,1-4%	0,05-0,2%	Yes	Yes

Imperfections

difference between countries

- Incompleteness
 - real/personnel rights
 - legal transactions
 - public law restrictions
 - not all countries digital
- Simple purpose
cadastre (only fiscal)
- Financing and organisation
 - graphics spending,
ownership owning

Changing environment

- Demography
 - ageing population
 - smaller households
 - concentration of growth
- Tenure
 - horizontal division of land, time sharing, joint ownership, combinations between leaseholds and ownership
- Public restrictions on land use
 - increasing for environmental and cultural values
 - decreasing for social values
 - private integrity

Organisational development

- Reduction of state funding, concentration to core activities, cost recovery.
 - Goal and result based management systems
 - More independence from government
 - More dependence of customer relations
 - Integration of organisations

Land Information Infrastructure

- Integration land-geographic information
- Standardisation-harmonisation
- Data collection faster and cheaper (private sector competition)
- Integration in Europe?

Conclusion

- Cadastral and land registration a cornerstone for social and economic development in Europe. Achieved through multiple use.
- Compare transaction costs USA-Europe. Europe systems in general cheaper and faster than in USA.