

The Multipurpose Hungarian Unified Land Registry System

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SUMMARY

The Hungarian Unified Land Registry System, integration of Cadastre and legal registry (Grundbuch) on legal basis and institutional level. There is one institutional network, named Land Office, responsible for registration of legal transactions, cadastral mapping changes and dealing with other land and real estate property related activities.

As many countries in Western and Central Europe, from the middle of the 19th century, real estates were double registered in Hungary. On one hand land and real estate cadastre was created for the purpose of the state and politics for taxation. On the other hand was the factual land registry, which the negotiable and mortgaged real estate was involved in. The land registers and land cadastre were parallel used and mutual data exchange took place between them. After some time this fact resulted double data registration and this caused a lot of uncertainty in the use. These circumstances (and to avoid parallel data updating and registration) led to decision in 1971, that keeping records parallel is not authentic but unified registration has to be established, including all the data (mapping and legal) concerning the legal status of real estates. The new unified land registration was completed by the land office organisation for the entire country by communities in 1981.

The Unified Land registry System became a multipurpose system and since 90s started cost recovery approach. As a result of the multipurpose nature of the system, with effect from 1st January 2007 became self financing organisation

Hungary

Hungarian Republic is located in Central Europe.

Neighbouring countries: Austria, Slovak Republic, Ukraine, Rumania, Serbia, Croatia, Slovenia

Size in km²: 93 000

Population: 10, 3 million

Administrative units: 19+ 1 counties

3154 settlements (municipalities, local governments)

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1 HISTORICAL BACKGROUND

As many countries in Western and Central Europe, from the middle of the 19th century, real estate were double registered in Hungary. On one hand land and real estate cadastre was created for the purpose of the state and politics for taxation. On the other hand there was the factual land registry, which the negotiable and mortgaged real estate was involved in. The land registers were aiming at the security of ownership the unperturbedness of the land transactions as well as the creditors' interests. The difference between the land registers and land tax cadastre can be recognised by the diverging structure and authorisation. The land registers were within juridical scope while the land cadastre was a part of the public administration.

The land registers and the land cadastre were parallel used and mutual data exchange took place between them. After some time this fact resulted double data registration and this fact caused a lot of uncertainty in the use. These circumstances (and to avoid parallel data updating and registration) lead to decision in 1972, that keeping records parallel is not authentic but unified registration has to be established, including all the rights, data (mapping and legal) concerning the legal status of the real estates. The new unified land registration was completed by the land offices organisation for the entire country by communities in 1981. Since 90s they have started cost recovery approach and with effect from 1st January 2007 became self financing organisation.

2 LEGAL AND INSTITUTIONAL FRAMEWORK

The legal framework is existing, supporting the Unified Land Registry System.

The most important laws, ministerial decrees, professional regulations :

- Land Registry Law
- Land Surveying Law
- Land Law
- Condominium Law
- Building Law
- Ministerial decrees
- Professional guides, regulations

The legal registry (Grundbuch) and cadastre was integrated in 1972 on legal basis and institutional level.

The Unified Land Registry System has two aims to be pursued. Legally the land registers provide a kind of defence for the titles, deeds, etc. to real estate and also they give certainty for the bona fide holders as well as they promote the advantageous utilisation of the real estates. The economic aim to serve as a uniform base for establishing financial obligations for planning and supplying statistical data for the government, organisation of land utilisation and services for the whole society.

All of the land and real estate properties, including condominiums have been registered since 1981 by communities (settlements) with unique identifier and the entire country has been covered with cadastral maps since long time.

The real estate registration has been in digital form since 1997 and cadastral maps have been in digital form with effect from 1 st. January 2008.

The total number of land and real estate properties: 9 836 000

Number of parcels: 7, 3 million
Number of condominium units: 2, 536 million

The Unified Land Registry consist of

Real estate registration map- this is identical with the cadastral map and serves also for land surveying purpose.

The content of cadastral map: legal parcel boundary, administrative boundary, parcel number, building, street name and number, agricultural land cultivation, other attributes according to law.

Property sheet (legal document) consists of three parts

part I. Descriptive data (parcel number, address, site area, land use, features of cultivation, soil quality, etc)

part II. Titles i.e. data relating to the ownership (name, birth, address, personal id. number, etc.)

part III. All the other titles and rights (mortgages, restrictions, easements, public rights, etc.)

land book contains the descriptive data of every real estate inside the community, arranged according to the parcel number order showing the extent of the total area as well.

Archive of registered deeds, documents

3 ORGANISATIONAL STRUCTURE AND RESPONSIBILITIES

Ministry of Agriculture and Rural Development MARD

Department Land Administration and Geoinformation DLAG

20 County Land Offices CLO	Institute of Geodesy Cartography and Remote Sensing FÖMI	National Cadastral Program NCP
119 District Land Offices DLO		

4 ACTIVITIES OF LAND ADMINISTRATION, UNIFIED LAND REGISTRY SYSTEM

The activities of Land administration, the Unified Land Registry and background institutions, is a multipurpose nature in Hungary, covering the majority of mapping and land, real estate property related activities.

- registration of legal changes of rights related to land and real estate properties, maintenance of the digital land registry
- maintenance of digital cadastral maps
- quality control of cadastral mapping
- data service of legal and mapping information of properties
- data service of legal and mapping information via internet (TAKARNET)
- land lease registration
- protection of agricultural land
- Topographic mapping (analogue, digital)
- establishment and maintenance of horizontal and vertical control point network
- maintenance of administrative boundaries
- IT support for land administration institutions
- IT and mapping support of the EU agricultural subsidy system in Hungary
- monitoring of agricultural activities by remote sensing
- Etc.

5. RESPONSIBILITIES

MARD, DLAG	supervising, managing Land administration activities, creating laws, professional guides, instructions
DLO	registration of legal and cadastral mapping changes maintenance of digital legal and cadastral mapping data base selling of legal and cadastral mapping data, providing services land protection activities maintenance of land lease registration
CLO	second instance authority in legal and cadastral mapping matters supervising, managing DLO Activities maintenance of administrative boundaries of the county quality control of major cadastral mapping works providing mass digital data services
FÖMI	maintaining horizontal and vertical control point network Establishing GPS point network Topographic mapping maintenance of administrative boundary databases of the country developing, supporting IT systems for land administration institutions operating online TAKARNET services (digital legal and cadastral map data services) for external users and land offices remote sensing activities, supporting agriculture operating IT system, supporting EU agricultural subsidy in Hungary issuing professional guides, instructions, etc. international activities
NCP	National Cadastral Program as a governmental non profit company managing, financing countrywide digital cadastral mapping, financed by commercial bank loan

6. Number of staff

Total number of staff	4000
- legal departments staff	2400
- land surveyors	820
- management and administration	400
- land protection, land use, land lease	300
- IT support	100

Ministry of Agriculture and Rural Development

Department of Land Administration and Geoinformation 17

Number of higher educated staff

Legal	560
Land surveyors	470 (60 licensed)
Agric engineer	250
Other	230

7. NUMBER AND ROLES OF PROFESSIONALS RELATED TO THE UNIFIED LAND REGISTRY ACTIVITIES

Number of lawyers 1000

It's compulsory the involvement of lawyers in legal transactions

Number of licensed surveyors 2000

It's compulsory the involvement of licensed surveyors in cadastral mapping works (major, minor) which effect and change cadastral mapping data, information

8. PERFORMANCE OF THE HUNGARIAN UNIFIED LAND REGISTRY

8. 1. Registration of changes, maintenance of legal and cadastral mapping databases

District Land offices (first instance) receive 3,0- 3,5 million applications annually

2, 3 million applications for legal changes

- 700 000 transfers of ownership
- 800 000 mortgage registration, and release
- 800 000 other rights

200 000 applications for mapping changes and other cadastral mapping related activities

162 000 applications for land lease changes and other land protection related activities

500- 700 000 other applications (government and other authorities, citizens)

County Land Offices (second instance)

- number of appeals (legal, mapping) 15 000
- number of court cases related to land office decisions (legal and mapping) 2000

8.2. Data services

Land offices and FÖMI provide legal and cadastral mapping information, data and other services for external users and citizens generally for fees. There are exceptions (especially local authorities and government) defined by law. The sufficient revenue is very important because land offices and FÖMI became self financing with effect from 1st January 2007.

The Number of property sheet (legal document of the property) information is about 2,8 million annually

The number of property sheets for fee is about 1, 9 million.

The number of property sheets for free is about 0, 9 million

The number of online information through TAKARNET is about 3,0 million but increasing rapidly

The number of extract of cadastral maps is about 500 000, 400 000 paper copies, 100 000 in digital format.

Land offices and FÖMI also provide mass data selling and services (legal and mapping) for major external users (local authorities, public utilities, etc.), based on long term contract agreement.

9. FINANCIAL FIGURES (IN MILLION EURO)

As I mentioned before the land office institutions and FÖMI have been self financing since 2007 and their budget is based on their revenue. Unfortunately they have a limited freedom how to use it, the central government still defines the majority of figures in the central budget. The annual revenue and the budget as well, is about 100 million EURO (25 billion HUF)

components of the revenue(in million EURO)

- registration fee	37,2
- selling of legal information	28,8
- selling of cadastral mapping data	6,8
- cadastral survey services	9,2
- online and other services	18,0

10. SOME EXAMPLES OF SERVICES, PRODUCTS AND PRICES (IN EURO)

Legal

Registration of change in ownership/property	24
Registration of mortgage/property	48

Registration of foundation, changes of condominium /property 24

But maximum	400
Fast track registration	40
Certified property sheet (legal document of property)	16
Non certified property sheet	8
Copy of archived document/page	0,4

Cadastral map and other mapping services

Extract of cadastral map/parcel(A4,A3)	12
Copy of cadastral map (A0)	60
Data for private surveyors (minor cadastral works)/parcel	24
Copy of topographic map(paper)/sheet	6
Digital topographic map /sheet	20
Coordinates of control and geodetic points/coordinate	2,5-5
Certifying of cadastral plan made by private surveyors	3-42

11. IT SYSTEMS AND SUPPORT

FÖMI, Institution of Geodesy Cartography and Remote Sensing the background institution supporting the majority of IT systems within the institutional network.

The soft- wear applications for the maintenance of legal data, registration have been developed during 90s and still used. There are two different applications. The BIIR have been used in Budapest Land Offices and TAKAROS have been used country wide. Both of the systems must be renovated or replaced by new application soon.

For the management of digital cadastral maps, there are also different soft-wears in Budapest and county land offices. The Budapest Land Office applied first INFOCAM digital cadastral map management system, developed by the Swiss LEICA Geosystem in mid 90s. Two years ago Budapest introduced TOPOBASE Autodesk digital cadastral mapping application, developed by Swiss as well. The migration of data from INFOCAM to TPOBASE system will be completed in 2009.

FÖNYIR soft-wear used for land lease registration with link to the land registry database.

11. 1. Integrated land information services

The TAKARNET network, introduced in 2003, is the base of the land and real estate properties information services. FÖMI and Land Office network provides information (legal and mapping) of properties for external users, citizens but also for internal use.

At the moment only registered, authorized clients could use TAKARNET services, like lawyers, banks, local governments, central government, etc. Apart from the limited number of users, in 2006 we provided more than 3 million information.

Basic services

- legal information about properties (property sheet)
- cadastral map information service ,only in raster (PDF) form

other services

- billing information on TAKARNET services
- downloading standardized application forms
- property monitoring
- others

11.2. Future land information services

- topographic map database
- digital ortophotos
- digital elevation models
- satellite images

The extension of land information services, with the combination of legal and mapping land registry data, should lead to further wide range of services.

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BIOGRAPHICAL NOTES

Academic experience: Dipl.ing. land surveyor, MSc. Budapest Technical University
Certified engineer diploma, Budapest Technical University

Current position: chief advisor, Budapest Land Office

Practical experience: cadastral surveying, land administration, international expert in cadastre,
Land administration

International experience: Expert in Nigeria: 1977-79, 1982-86
Consultant, Moldova Cadastral Project 2007-

Activities in home and International relations member Hungarian Society of Surveying Mapping and Remote Sensing 1971-
Member of Juridical Experts 1995-
FIG Commission 7 delegate 1995-
Chair, FIG Comm. 7 Working group Land market 1998-2002
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