

Workshop on Land Register and Cadastre Structures in the Danube Region

Status Quo in the Danube-Region

Workshop Report, December 12th, 2016 supplemented by the CapaCity Workshop *Land Information Systems in the Danube Region* (June 2017)

Written by

Mag. Thomas Prorok

DIⁱⁿ Nikola Hochholdinger

Mag.^a Alexandra Schantl

Andreas Valenta, MA

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I Introduction

The countries in the Danube Region have put strong efforts in developing land register and cadastre over the last years. Nevertheless not in all of the countries a 100 percent coverage has been reached so far. Due to the fact that only a high quality of land register and cadastre structures ensure legal security both for owners and real estate businesses and thus preventing corruption, PAC 10 of the EU Strategy for the Danube Region has been started a series of activities in order to support and strengthen the capacities of land register and cadastre systems in the countries concerned.

In this context the workshop “Land Register and Cadastre Structures in the Danube Region”, took place in Vienna on Wednesday, 19th of October 2016.

The workshop aimed at:

- ☐ Providing transparency of the status quo of land register and cadastre in the countries of the Danube Region
- ☐ Elaborating a joint understanding on land register and cadastre
- ☐ Initiating a network of practitioners and experts in this field
- ☐ Sounding out cooperation possibilities and development potentials.

Furthermore the workshop served as basis for further activities in this subject area.

The workshop was organized by the KDZ-Centre for Public Administration Research on behalf of the PAC 10 and in close cooperation with the Austrian Federal Office of Metrology and Surveying (BEV).

Some country overviews on land register and cadastre structures in the Danube Region include additional information from a follow-up workshop in June 2017 in Belgrade.

II Agenda

Date: October 19, 2016, 9 am – 5 pm

Place: Bundesamt für Eich- und Vermessungswesen (BEV), 8th Floor, Room A 803,
Schiffamtsgasse 1-3, 1020 Vienna

TIME	CONTENT	EXPERT
09.00	Welcome and Introduction to the Workshop Objectives, Presentation of Participants, Q&A	Claudia Singer Priority 10 – Institutional Capacity of the EU Danube Strategy, City of Vienna Thomas Prorok , Deputy Director of the KDZ
Moderation: Alexandra Schantl, KDZ		
09.30	Main Challenges of Land Register & Cadastre	Wernher Hoffmann President of the Austrian Federal Office of Metrology and Surveying (BEV)
	The Austrian Land Register Database	Manfred Buric Department for Legal Informatics, Federal Ministry of Justice in Austria
	Inputs and Discussion	
10.45	<i>Coffee Break</i>	
11.00	The Austrian Land Register: Legal and Technical Aspects	Alexander Winkler Civil Law Notary and Member of the Chamber of Civil-Law Notaries of Vienna, Lower Austria and Burgenland
	Land Register and Cadastre in the Danube Region: Surveying Experiences	Harald Meixner Meixner Vermessung ZT GmbH, Vienna
	Cadastre, Spatial Data Infrastructures and eGovernment in Bavaria	Michael Stockwald Head of the Technical Division & Deputy Head of the Regional Department for East Bavaria of the Bavarian Agency for Digitisation, High-Speed Internet and Surveying
	Inputs & Discussion	
12.30	<i>Lunch</i>	
13.30	Introduction and Presentation of the KDZ-Matrix on the Status Quo of Land Register & Cadastre in the Danube-Region	Nikola Hochholdinger KDZ

14.00	Status Quo of Land Register & Cadastre in the Danube-Region Common Collection of Additional and Missing Information Elaboration in working groups	Nikola Hochholdinger Thomas Prorok Alexandra Schantl Andreas Valenta KDZ All participants
15.00	<i>Coffee Break</i>	
15.15	Areas of Improvement in the Danube-Region Common Collection of Improvement Areas in the Field of Land Register and Cadastre in the Countries and Future Common Development Steps of Land Register and Cadastre in the Danube Region Open space working groups	Nikola Hochholdinger Thomas Prorok Alexandra Schantl Andreas Valenta KDZ All participants
16.30	Sum up and Next Steps	Daniela Urschitz Priority 10 – Institutional Capacity of the EU Danube Strategy, City of Vienna
17.00	End of the Workshop	

III List of participants

Table 1: List of participants

First Name	Last Name	Country	Job Title	Organisation
Blaž	Barborič	Slovenia	Project manager	Geodetic Institute of Slovenia
Manfred	Buric	Austria		Department for Legal Informatics, Federal Ministry of Justice in Austria
Marian	Čeh	Slovenia	Asist.Dr.	University in Ljubljana, Faculty of Civil and Geodetic Engineering
Julius	Ernst	Austria		Austrian Federal Office of Metrology and Surveying (BEV)
Dusan	Hanus	Slovakia	Civil Servent	Geodesy, Cartography and Cadastre Authority of the Slovak Republic
Martina	Hercegova	Czech Republic		Czech Office for Surveying, Mapping and Cadastre
Nikola	Hochholdinger	Austria	Research Associate	KDZ Centre for Public Administration Research
Werner	Hoffmann	Austria	President	Austrian Federal Office of Metrology and Surveying (BEV)
Lubica	Hudecova	Slovakia	Teacher	Slovak University of Technology, Faculty of Civil Engineering
Harald	Meixner	Austria	CEO	Meixner Vermessungs ZT GmbH
Petra	Nemcová	Slovakia		Research Institute of Geodesy and Cartography in Bratislava
Alexandru	Paladi	Moldova	Head of Development Department	State Enterprise "Cadastru"
Nedžad	Pašalić	Bosnia Herzegovina	Head of Geoinformatics Department	Federal Administration for Geodetic and Real Property Affairs
Ema	Pogorelnik	Slovenia	Senior Adviser	Surveying and Mapping Authority of the Republic of Slovenia
Thomas	Prorok	Austria	Deputy Managing Director	KDZ Centre for Public Administration Research
Franc	Ravnihar	Slovenia	Senior Adviser	Surveying and Mapping Authority of the Republic of Slovenia
Peter	Repan	Slovakia	Owner, CEO	Progres CAD Engineering, s.r.o.
Alexandra	Schantl	Austria	Senior Expert	KDZ Centre for Public Administration Research
Gerda	Schennach	Austria	Chair of the FIG Commission 7 - Cadastre and Land Management	Austrian Federal Office of Metrology and Surveying (BEV)
Claudia	Singer	Austria		PA 10 EUSDR, City of Vienna
Ileana	Spiroiu	Romania	Deputy Director General	National Agency for Cadastre and Land Administration
Michael	Stockwald	Germany	Head of the Technical Division	Bavarian Agency for Digitisation, High-Speed Internet and Surveying
Kiril	Stojanov	Bulgaria	National Delegate	Union of Surveyors and Land Managers, FIG
Mihai	Taus	Romania	Land Registrar	Romanian Land Registrars Association
Daniela	Urschitz	Austria		PA 10 EUSDR, City of Vienna
Andreas	Valenta	Austria		KDZ Centre for Public Administration Research
Alexander	Winkler	Austria	Civil Law Notary	Chamber of Civil Law Notaries of Vienna, Lower Austria and Burgenland

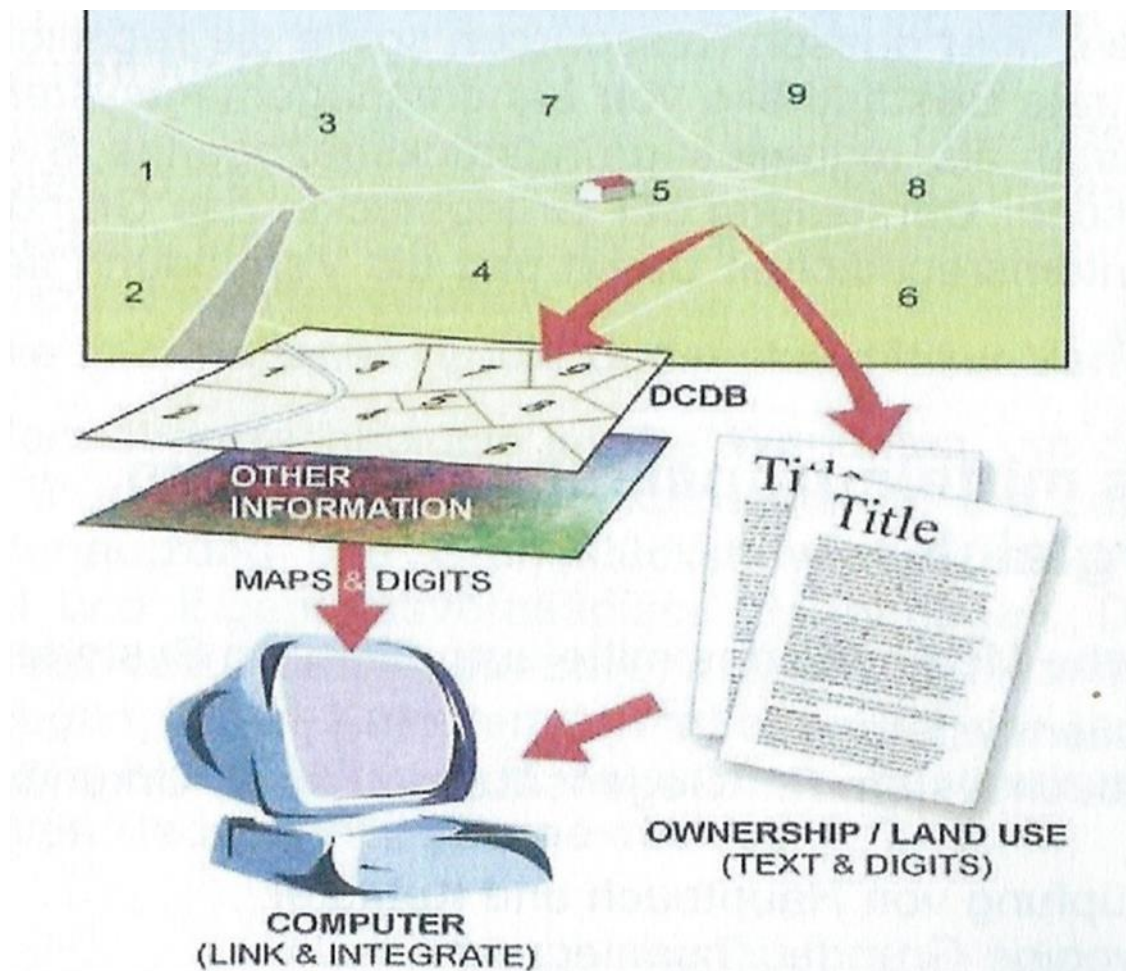
IV Results

1 Overview about land register and cadastre

Purpose:

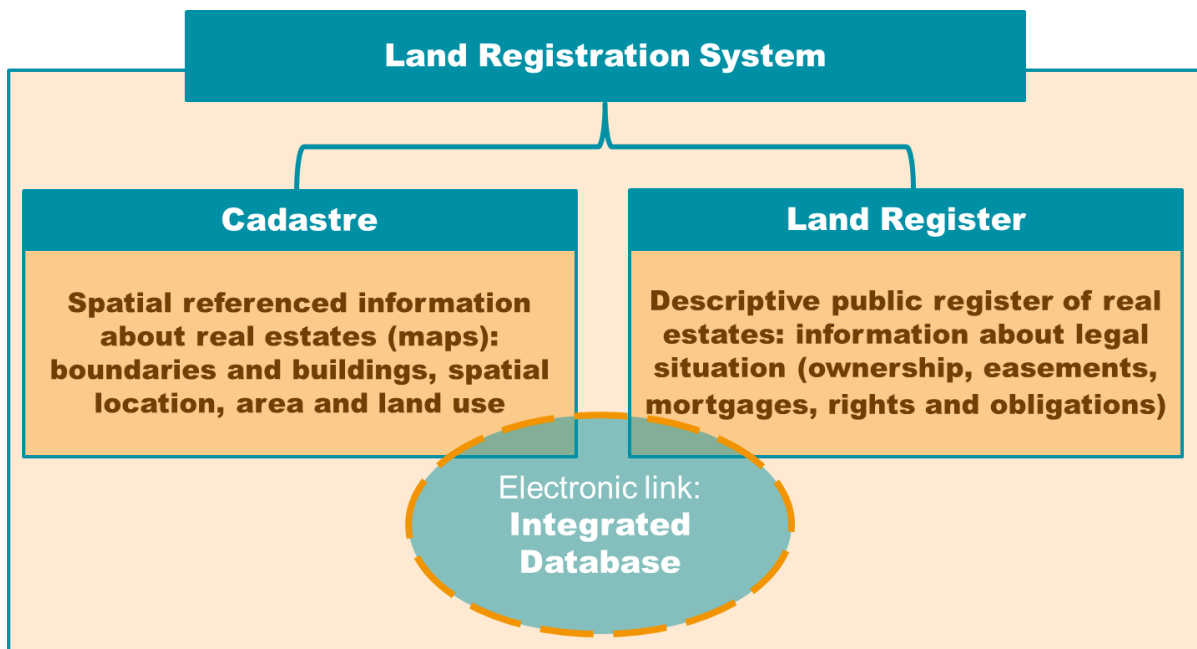
1. Basis for **taxation of land** / real property
2. **Protection of ownership**
3. Additional use: Planning and administration, environment protection, state subsidies ...

Figure 1: Basic Concept of Land Registration Systems



Source: Abart, Ernst, Twaroch: Der Grenzkataster, p.30.

Figure 2: Definitions – Common Understanding



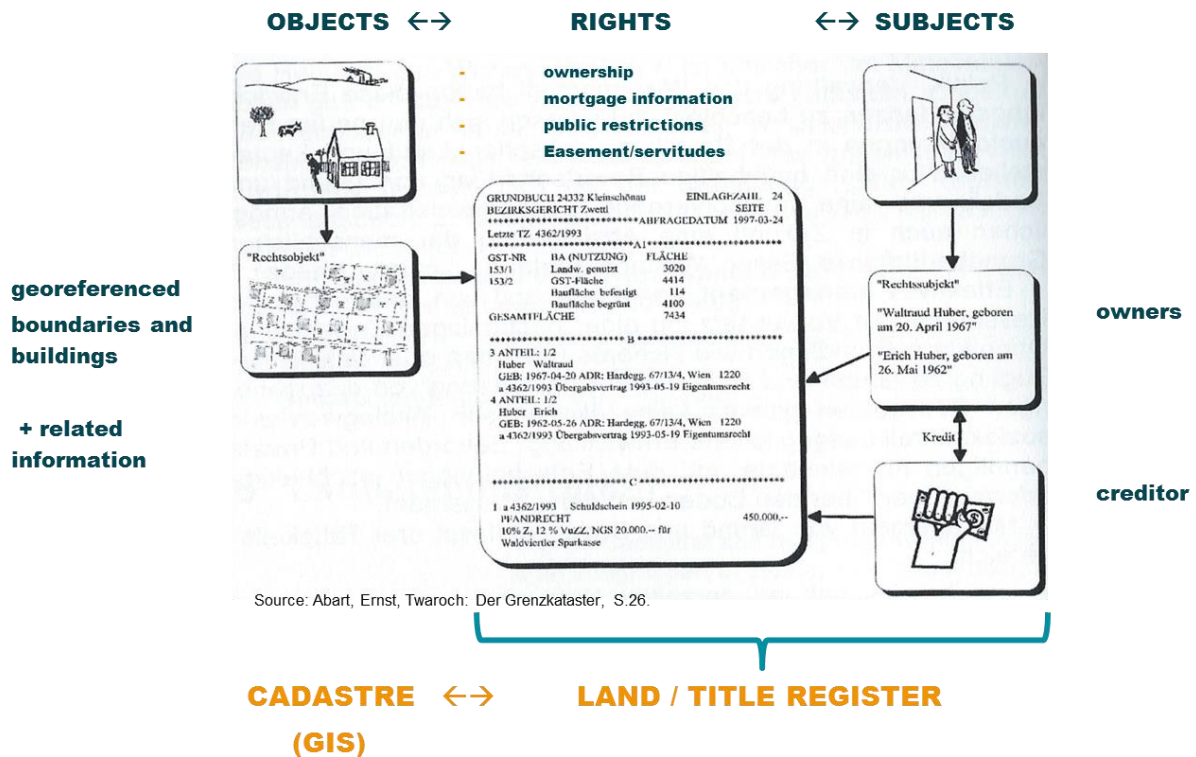
Source: KDZ: own creation 2016.

Figure 3: The two basic systems of registration in the Danube Region

Title Registration	Deeds Registration
<ul style="list-style-type: none"> • Principle of general ledger (land book) • Principle of registration and reliance • Registration by a public authority • Link between Cadastre and Land Register • Legally binding through registration 	<ul style="list-style-type: none"> • Mainly in anglo-american countries • Entry in Register of „Deeds“ is only declaratory • Purchase of real rights (in rem) through conclusion of a contract and presentation of signed deed • Insurances against legal risks

Source: KDZ: own creation 2016.

Figure 4: Components of Land Registration Systems



Source: Abart, Ernst, Twaroch: Der Grenzkataster, p.26; KDZ: own editing 2016.

Networks and Surveys

European Union

- European e-Justice Portal – information about land registration in EU member states
- CLGE (Council of European Geodetic Surveyors)
- PCC (Permanent Committee on Cadastre in the EU)

EULIS (European Land Information System)

ELRA (European Land Registry Association)

- The ELRN (European Land Registry Network)
- Projects IMOLA (Interoperability model for Land Registers) and CROBECO (Cross Border e-Conveyancing)

EuroGeographics

- CLRKEN (Cadastre and Land Registry Knowledge Exchange Network)

WPLA (Working Party on Land Administration, UNECE)

- Survey on land administration systems (UN)

2 Land register and cadastre in the countries of the Danube Region

As preparation for the workshop criteria for the comparison of land register systems have been defined and a desktop research of the Danube Region countries has been made.

The information of the following tables is based on the replies of the country experts. The following differentiation has to be made:

- ☐ Countries not participating in the workshop
- ☐ Countries participating in the workshop
- ☐ Countries participating in the workshop and providing additional input to the criteria

Table 2: Presence at the Workshop

Country	Not participating	Participating	Participating & additional data
Austria			
Bosnia and Herzegovina			
Bulgaria			
Croatia			
Czech Republic			
Germany			
Hungary			
Moldova			
Montenegro			
Romania			
Serbia			
Slovakia			
Slovenia			
Ukraine			

Source: KDZ: own creation 2016.

2.1 Workshop participants with additional data input

Table 3: Land registration system of Bulgaria

Indicator	Bulgaria	
Basic informations		
type of land registration system	Deeds system (it also includes sub-registration of rights, like right of use, or a right to build)	
organisational system: one hand or separated organisations (organisational link)	separated	
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	No (the cadastre and the property register should be mutually interconnected)	
Homepage	www.cadastre.bg; www.registryagency.bg	
	Land Register	Cadastre
responsibility		
responsible governmental level	national	national
operating level	regional	regional
responsibility by law	ministry of justice	ministry of regional development / Agency of Geodesy, Cartography and Cadaster
executive office	district courts	cadaster service offices
queries		
involvement of private parties: notary and advocate / surveyor	full obligatory involvement	authorized personnel with special qualifications
availability		
public access	Yes (for certain data a proved interest should be declared)	
online access	Partly (only the cadastral map can be accessed currently)	
costs (fees)	should be performed free of charge (for large part of the services fees are asked)	
quality aspects		
nationwide uniform		
area of land registered/state of digitalization		80% (but still there are urban territories not digitized, and digital agricultural and forest cadaster to be transferred to the Cadaster Agency)
currentness of data/registers - update	updated uppon request of a change	updated uppon request of a change
main content and purpose		
registrable rights		

Source: KDZ: own creation 2016.

Table 4: Land registration system of the Czech Republic

Indicator	Czech Republic
Basic informations	
type of land registration system	middle european system ("title")
organisational system: one hand or separated organisations (organisational link)	one hand
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	one database
Homepage	http://www.cuzk.cz/
responsibility	
responsible governmental level	national
operating level	regional
responsibility by law	central federal authority (CUZK)
executive office	regional surveying offices
queries	central federal authority (CUZK)
involvement of private parties: notary and advocate / surveyor	private licensed surveyors
availability	
public access	Yes
online access	Yes
costs (fees)	Partly (more detailed informations are paid)
quality aspects	
nationwide uniform	Yes
area of land registered/state of digitalization	digitalization of maps is about to end 31.12.2017
currentness of data/registers - update	Yes
main content and purpose	
registrable rights	

Source: KDZ: own creation 2016.

Table 5: Land registration system of Moldova

Indicator	Moldova
Basic informations	
type of land registration system	Title system (though some issues are taken from deed register system)
organisational system: one hand or separated organisations (organisational link)	actually in one hand but will be probably divided
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	Yes
Homepage	www.arfc.gov.md ; www.cadastru.md
responsibility	
responsible governmental level	national
operating level	national
responsibility by law	Agency of Land Relations and Cadastre
executive office	State Enterprise "Cadastru" (39 cadastral offices)
queries	SE "Cadastru"
involvement of private parties: notary and advocate / surveyor	private surveyors, court executors
availability	
public access	Yes
online access	Yes
costs (fees)	partly free
quality aspects	
nationwide uniform	Yes
area of land registered/state of digitalization	about 70 % (the actual issues are emitted both in digital and hard form. The historical archive has been digitalizing partly) and 90% of the floor plans
currentness of data/registers - update	the registration is mandatory; though there is no established deadline after transaction.
main content and purpose	
registrable rights	register contains the data about the object (destination, surface, cad.number), the data of owner, type of property rights, encumbrances

Source: KDZ: own creation 2017.

Table 6: Land registration system of Slovakia

Indicator	Slovakia
Basic informations	
type of land registration system	middle european system ("title")
organisational system: one hand or separated organisations (organisational link)	one hand
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	Yes
Homepage	www.skgeodesy.sk
responsibility	
responsible governmental level	national
operating level	regional
responsibility by law	central federal authority
executive office	regional offices
queries	national, regional
involvement of private parties: notary and advocate / surveyor	private licensed surveyors
availability	
public access	Yes
online access	Yes
costs (fees)	partly yes (for legal purpose)
quality aspects	
nationwide uniform	yes
area of land registered/state of digitalization	100%
currentness of data/registers - update	daily
main content and purpose	
registrable rights	yes

Source: KDZ: own creation 2016.

Table 7: Land registration system of Slovenia

Indicator	Slovenia	
Basic informations		
type of land registration system	middle european system ("title")	
organisational system: one hand or separated organisations (organisational link)	separated	
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	Yes	
Homepage	https://evlozisce.sodisce.si/esodstvo/index.html	http://www.gu.gov.si/
	Land Register	Cadastre
responsibility		
responsible governmental level	national	national
operating level	regional	national and regional
responsibility by law	local courts	local cadastral offices
executive office	local courts	local cadastral offices
queries	local courts	local cadastral offices
involvement of private parties: notary and advocate / surveyor	notary and advocate	private licensed surveyors and project engineering company
availability		
public access	Yes	
online access	Yes	
costs (fees)	court fees	fee for proffessionall use (reuse) individulas free of charge
quality aspects		
nationwide uniform	Yes	Yes
area of land registered/state of digitalization	100%	100%
currentness of data/registers - update	Daily updating	Daily updating
main content and purpose		
registrable rights	all substantive legal rights	

Source: KDZ: own creation 2016.

2.2 Workshop participants

Table 8: Land registration system of Austria

Indicator	Austria	
Basic informations		
type of land registration system	middle european system ("title")	
organisational system: one hand or separated organisations (organisational link)	separated	
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	Yes ("Grundstücksdatenbank")	
Homepage	www.bev.gv.at	
	Land Register	Cadastre
responsibility		
responsible governmental level	national	national
operating level	regional	national and regional
responsibility by law	Ministry of Justice	Ministry of Economy / Federal Office of Metrology and Surveying (BEV)
executive office	district courts	surveying offices (41)
queries	Ministry of Justice	Federal Office of Metrology and Surveying (BEV)
involvement of private parties: notary and advocate / surveyor	authentication of signature	surveying officer / engineering consultants
availability		
public access	Yes	
online access	Yes	
costs (fees)	Yes (queries)	
quality aspects		
nationwide uniform	Yes	Yes
area of land registered/state of digitalization	100%	100% Digitale Katastralmappe (DKM)
currentness of data/registers - update	constantly	constantly
main content and purpose		
registrable rights	mortgages, servitudes and other real rights	

Source: KDZ: own creation 2016.

Table 9: Land registration system of Germany

Indicator	Germany	
Basic informations		
type of land registration system	middle european system ("title")	
organisational system: one hand or separated organisations (organisational link)	separated	
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	Yes ("Liegenschaftskataster")	
Homepage	www.adv-online.de	
	Land Register	Cadastre
responsibility		
responsible governmental level	national	regional (Länder)
operating level	regional or local	regional or local
responsibility by law	Land registry office (Grundbuchamt)	Home office, ministries of finance or ministries of economy of the "Länder"
executive office	local courts (Amtsgerichte)	surveying offices
queries	ministries of justice of the "Länder"	surveying offices
involvement of private parties: notary and advocate / surveyor	authentication of signature	public ordered surveyors (except Bavaria)
availability		
public access	only by persons who can show a legitimate interest	
online access	No	
costs (fees)	Yes (queries)	
quality aspects		
nationwide uniform	Yes	No
area of land registered/state of digitalization	100%	100%
currentness of data/registers - update	constantly	constantly
main content and purpose		
registrable rights	mortgages and other real rights	

Source: KDZ: own creation 2016.

Table 10: Land registration system of Bosnia and Herzegovina

Indicator	Bosnia and Herzegovina	
Basic informations		
type of land registration system	middle european system ("title")	
organisational system: one hand or separated organisations (organisational link)	one hand	
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	No	
Homepage	www.rgurs.org	
	Land Register	Cadastre
responsibility		
responsible governmental level		national
operating level	local	national and local
responsibility by law		Federal geodetic authority
executive office	municipal courts	municipal cadastral offices
queries		
involvement of private parties: notary and advocate / surveyor	notary	private geodetic company
availability		
public access	Yes	Yes
online access	partly	Yes
costs (fees)		
quality aspects		
nationwide uniform		
area of land registered/state of digitalization	100% (Federation of Bosnia & Herzegovina and Republika Srpska)	62% in the Federation of Bosnia & Herzegovia 79 % in the Republika Srpska
currentness of data/registers - update		
main content and purpose		
registrable rights		

Source: KDZ: own creation 2016.

Table 11: Land registration system of Romania

Indicator	Romania
Basic informations	
type of land registration system	middle european system ("title")
organisational system: one hand or separated organisations (organisational link)	one hand
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	Yes
Homepage	www.ancpi.ro
responsibility	
responsible governmental level	national
operating level	regional
responsibility by law	central organisation of cadastre and land book
executive office	regional cadastre and land administration offices
queries	
involvement of private parties: notary and advocate / surveyor	private authorized (licensed) surveyors
availability	
public access	partly (the legal information is 100% public while the deeds information is only accessible by persons legitimated)
online access	The status of application is online, but not the process. Land book certificates can be provided online.
costs (fees)	Yes
quality aspects	
nationwide uniform	
area of land registered/state of digitalization	25 % as per February 2017
currentness of data/registers - update	
main content and purpose	
registrable rights	

Source: KDZ: own creation 2017.

2.3 The non participating countries

Table 12: Land registration system of Croatia

Indicator	Croatia	
Basic informations		
type of land registration system	middle european system ("title")	
organisational system: one hand or separated organisations (organisational link)	separated	
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	No	
Homepage	www.dgu.hr	
	Land Register	Cadastre
responsibility		
responsible governmental level		national
operating level		national and regional
responsibility by law		central cadastral offices
executive office		regional cadastral offices
queries		
involvement of private parties: notary and advocate / surveyor	authentication of signature	
availability		
public access	Yes	
online access	partly	
costs (fees)		
quality aspects		
nationwide uniform		
area of land registered/state of digitalization	100%	99,40%
currentness of data/registers - update		
main content and purpose		
registrable rights		

Source: KDZ: own creation 2016.

Table 13: Land registration system of Hungary

Indicator	Hungary
Basic informations	
type of land registration system	title registration
organisational system: one hand or separated organisations (organisational link)	one hand
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	Yes
Homepage	www.mhtehi.gov.hu
responsibility	
responsible governmental level	national
operating level	regional
responsibility by law	Ministry of Agriculture
executive office	land offices
queries	
involvement of private parties: notary and advocate / surveyor	authentication of signature / licensed surveyors
availability	
public access	Yes
online access	Yes
costs (fees)	
quality aspects	
nationwide uniform	
area of land registered/state of digitalization	100%
currentness of data/registers - update	
main content and purpose	
registrable rights	

Source: KDZ: own creation 2016.

Table 14: Land registration system of Montenegro

Indicator	Montenegro
Basic informations	
type of land registration system	title registration
organisational system: one hand or separated organisations (organisational link)	one hand
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	
Homepage	http://www.nekretnine.co.me
responsibility	
responsible governmental level	
operating level	
responsibility by law	
executive office	
queries	
involvement of private parties: notary and advocate / surveyor	
availability	
public access	
online access	
costs (fees)	
quality aspects	
nationwide uniform	
area of land registered/state of digitalization	
currentness of data/registers - update	
main content and purpose	
registrable rights	

Source: KDZ: own creation 2016.

Table 15: Land registration system of Serbia

Indicator	Serbia
Basic informations	
type of land registration system	title system
organisational system: one hand or separated organisations (organisational link)	one hand
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	Yes
Homepage	www.rgz.gov.rs
responsibility	
responsible governmental level	national
operating level	national and regional
responsibility by law	central cadastre and land administration office
executive office	regional offices
queries	
involvement of private parties: notary and advocate / surveyor	no involvement (land book) / private licensed surveyors
availability	
public access	Yes
online access	yes
costs (fees)	
quality aspects	
nationwide uniform	
area of land registered/state of digitalization	100%
currentness of data/registers - update	
main content and purpose	
registrable rights	

Source: KDZ: own creation 2017.

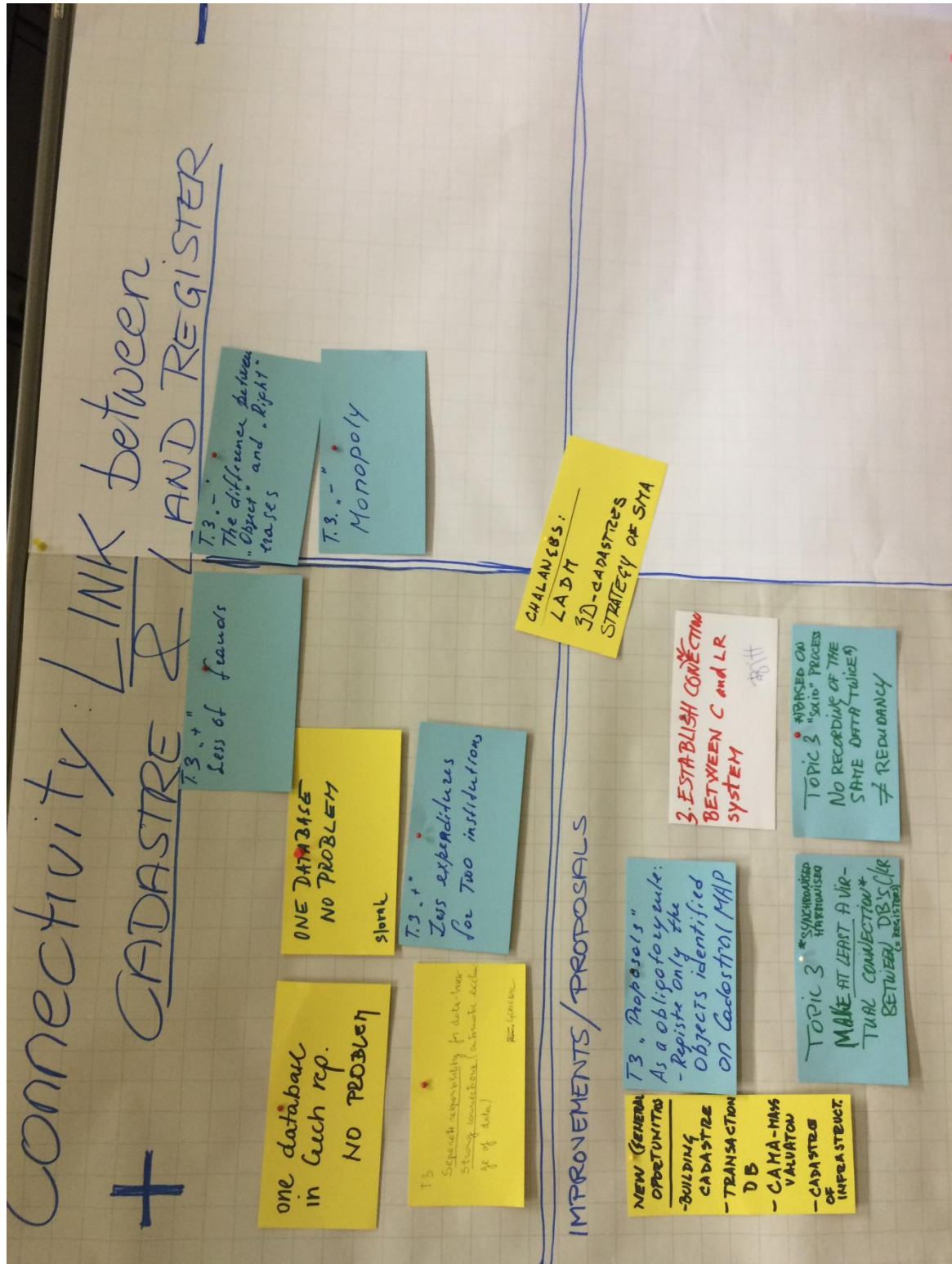
Table 16: Land registration system of the Ukraine

Indicator	Ukraine
Basic informations	
type of land registration system	title registration
organisational system: one hand or separated organisations (organisational link)	one hand
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	
Homepage	land.gov.ua/en/
responsibility	
responsible governmental level	national
operating level	regional or local
responsibility by law	
executive office	
queries	
involvement of private parties: notary and advocate / surveyor	
availability	
public access	
online access	
costs (fees)	
quality aspects	
nationwide uniform	
area of land registered/state of digitalization	
currentness of data/registers - update	
main content and purpose	
registrable rights	

Source: KDZ: own creation 2016.

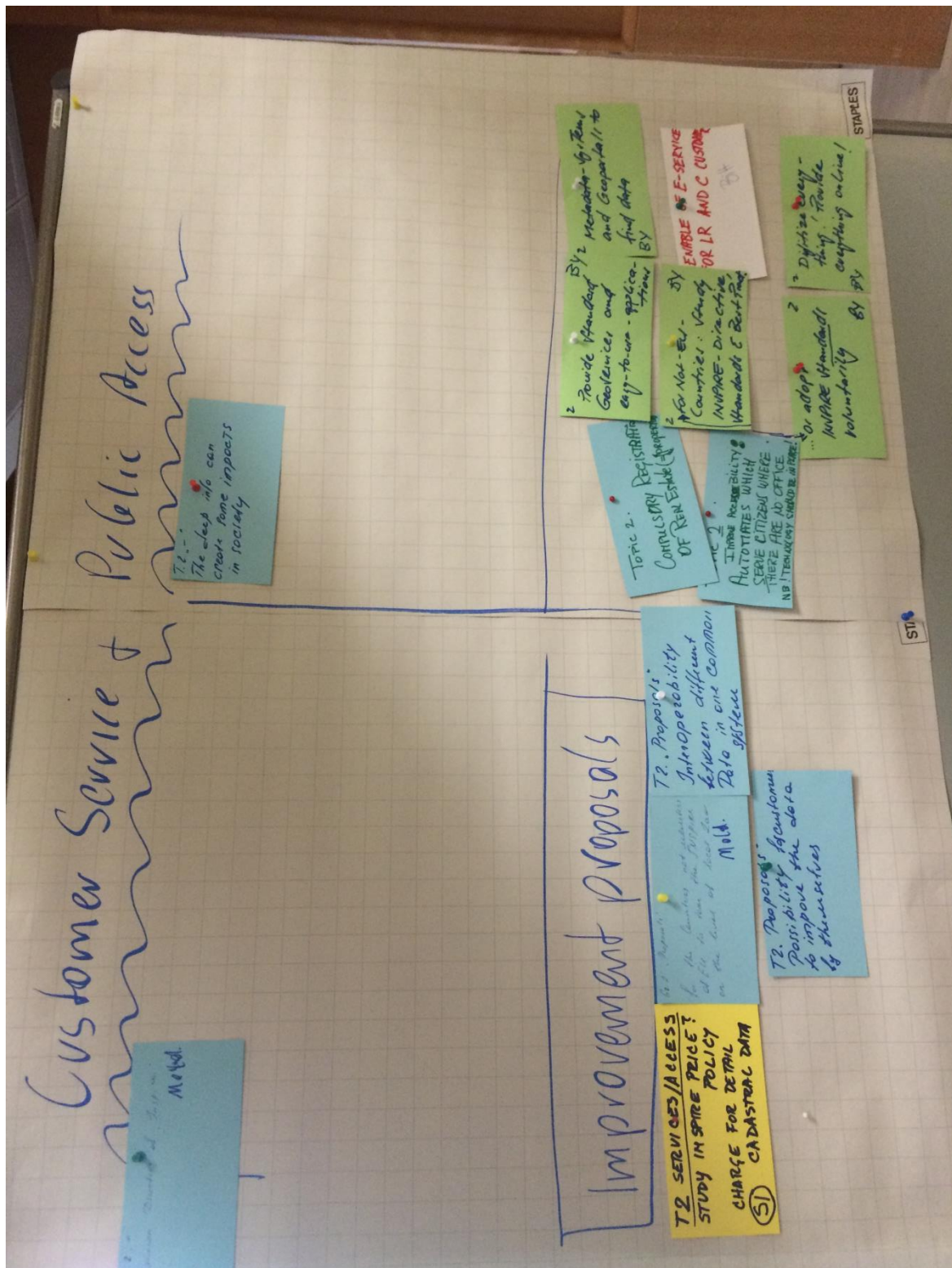
V Photo documentation – areas of improvement

Figure 5: Connectivity of cadastre and land register



Source: KDZ: own photo 2016.

Figure 6: Customer service and public access



Source: KDZ: own photo 2016.

QUALITY OF DATA + LEGAL SECURITY

QUALITY

- Topic 1: Improving the accuracy of the national cadastre system
- Topic 1: + State stimulates Market by security
- Topic 1: + GOOD quality DATA can be used for projects
- Topic 1: + IMPROVEMENT PROPOSALS
 - TOPIC 1: + CENTRALITY CENTRAL DATABASE INTERACTION LINKED DATA (PERSONAL IDENTIFICATION)
 - TOPIC 1: + IMPROVEMENT PROPOSALS
 - TOPIC 1: + IMPROVEMENT PROPOSALS: Buy a plot rather than #172
 - TOPIC 1: + IMPROVEMENT PROPOSALS: Q (Δ bounding) → Purpose
 - TOPIC 1: + IMPROVEMENT PROPOSALS: WE NEED NEW SURVEYING AND REAL SURVEYING IN SR (OUTSIDE INTERVIEW)
 - TOPIC 1: + IMPROVEMENT PROPOSALS: more new mapping in each rep.

LEGAL SECURITY

- Topic 1: + Quality Costs !!!
- Topic 1: + Geopoints (officially reference data must be born for specific data) (BY)
- Topic 1: + Actuality of geodata best geometric accuracy (BY)
- Topic 1: + To use Metadata of level of Quality
- Topic 1: + Responsibility for Data identification. Should be taken by executor.
- Topic 1: + MAKE UPDATE OF CADASTRAL DATA AND LR

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19.08.17

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KDZ
Zentrum für Verwaltungsforschung

Guglgasse 13 · A-1110 Wien
T: +43 1 892 34 92-0 · F: -20
institut@kdz.or.at · www.kdz.or.at