



WORKSHOP “THE ROLE OF LAND SURVEYORS IN THE MAINTENANCE OF CADASTRE”

Summary Report

National Mapping and Cadastral Agencies (NMCAs) by administrating national cadastres and land registries are in daily contacts with land surveyors. Principal and common activity of land surveyors in the market is to provide accurate data about real estate. However because of cultural, political, legal and other national specifics each country follows “own” approach developing a national legal and organizational model in respect to these regulated professionals. 39 experts from 16 European countries representing NMCAs, European / national professional surveyors associations and European Commission came to Vilnius (Lithuania) at 23-24 March 2006 for a discussion aiming to better understand a diversity of the national models in Europe, to share best practice, and to indicate common aspects that shall be taken into account developing national strategies and applying EU regulations in the future. The workshop was organized by EuroGeographics and hosted by National Land Service of Lithuania and Center of Registers of Lithuania.

Bozena Lipej, the chair of the EuroGeographics expert group on Cadastre and Land Registry opened the workshop highlighting a great interest from European NMCAs on the role of surveying profession in surveying market in Europe – not the free market, but rather the regulated market where a license is required and where quite different situation in European countries is construed. It is expected that the workshop would facilitate an exchange of ‘best practice’ and will contribute to better collaboration between EuroGeographics members and surveying communities.

Saulius Urbanas (National Land Service of Lithuania) introduced attendees with the summary of the survey for general information about requirements for land surveyors. The information was gathered from 25 countries. It was agreed that the document provides very useful overview and to be updated and maintained by the EuroGeographics expert group.

Alain Goudet (representing two professional associations: Geometer Europas and The Council of European Geodetic Surveyors) stressed a complexity of the surveyors activities serving customers needs (that differ from country to country) and highlighted a need of high qualification requirements toward surveyor’s liability. Geometer Europas has published the “Multilateral Accord” document, in which an engineering diploma (high education of 5 years) is strongly recommended. In respect to the “globalization” issues Mr Goudet pointed a fact that thanks to the Directive on Professional Qualification two Belgium surveyors obtained a right operating in France.

Sophie Maletras (European Commission DG Internal Market and Services) gave an update on the Proposal directive on Services in the internal market. In respect to the surveyor’s activities she well pointed cross connectivity between the proposal Directive and the Directive on Professional Qualification. EU internal market leads toward liberalization including surveyor’s activities. Members States are not allowed to restrict national markets, but national requirements for surveyor’s activities to be respected. Coordinating body in each member state should be nominated. The coordinating body will set transparent national qualification requirements for surveyors, develops procedures for applicants from other EU countries and assures a control of national surveyors well collaborating with the coordinating bodies from other members states.

A number of national presentations from Lithuania, Denmark, Germany, Hungary, The Netherlands and Scotland (UK) showed different organizational and legal frameworks toward activities of land surveyors. Despite the presented differences everyone stressed on the need of proper qualification requirements, definition of levels for surveyors’ regulations in Europe, development of legal instruments and improving Public-Private partnership facilitating land surveyors activities.

Peter Creuzer (UNECE Working Party on Land Administration) introduced participants with the completed study on Public Private Partnership (PPP) focusing on land surveyor’s activities. The study, which is based on questionnaire results, indicates common definition, actual principles, benefits and

obstacles applying PPP in different countries. He highlighted that PPP gives mutual benefits for both private and public authorities and today's PPP arrangements goes beyond traditional contracts.

Attendees separated to two groups for the breakout session discussion:

- Group One covered responsibilities of land surveyors and common characteristics in national models
- Group Two discussed about issues in regard to land surveyors activities and challenges toward EU regulations.

Final conclusions:

- There is a big variety of national models in the maintenance of cadastre on the market, but all define certain level of State responsibilities for supervising cadastral surveying.
- It is important to define personal surveyor's responsibility – e.g. individuals rather than juridical person should obtain a license.
- A number of common characteristics within activities of land surveyors shall be indicated:
 - qualification requirements;
 - compulsory insurance for indemnity against to a loss for third parties;
 - combination of technical and legal aspects;
 - a need of coordinating structures (Chamber or Association).
- Major responsibility of land surveyor is technical – e.g. to execute cadastral measurements. However in many cases he acts as a lawyer, valuator, controller or validator.
- Surveyor always is a mediator between parties (land owners and the State).
- EU internal market leads toward liberalization and globalization – surveyor's market cannot remain isolated. However a network of EU national coordinating bodies is a precondition for cross border surveyors activities. Each country defines national requirements for surveyor's activities, but the requirements should be fair and transparent.
- PPP dialogue and cooperation between NMCAs, EC, WPLA, CLGE, Geometer Europas and other international and national bodies sharing 'best practice' and providing guidance for improving legal and organizational frameworks that relevant to land surveyors activities should be continued.
- It is important to better understand a state of the art in different countries, therefore the expert group will maintain common characteristics and the inventory on general information about land surveyors activities.
- EuroGeographics expert group will continue to work on further developments in regard to requirements and issues related to land surveying activities. This will be taken on board discussing the new work plan in the next expert group meeting in Vienna.

The workshop presentations and related material are available on the EuroGeographics website http://www.eurogeographics.org/eng/05_groups_Cadastre.asp