



## New cadastral law in Norway

New opportunities for the Norwegian surveyor

Intergeo, München  
October 11 2006

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The presentation will focus on...

- New law on the cadastre
- The ongoing discussion whether the Norwegian land surveyor conducting cadastral surveys shall be a private or public surveyor



## Norway in statistics

- Total area 324.000 sqkm
- 4,6 million inhabitants
- 2,4 million properties
- 95 % of properties in private ownership
- 80 % of families own their house
- 99 % of farms owned by private, single farmers - 20 hectares on average
- Only high mountains in general state ownership
- Almost all construction financed by mortgaging, total value of registered collateral 2000 billion NOK = 3 x annual state budget



## The Norwegian Association of Surveyors

- 1020 members
  - 800 in the job market
  - no unemployment
- Most of the members educated as land surveyors at UMB
  - master level
- 80 % working within the public sector
  - only a handful of our members work with cadastral surveys



## Development in Norway

- Now implementing two reforms:
  - Reform of the land registry
    - from 87 local courts to one central office
    - implementation 2004 - 2007
  - New law on the cadastre
    - adopted by the Norwegian Parliament on June 18 2005
    - still not put into effect



New law on the cadastre





## The Norwegian Cadastre

- Different cadastral systems up to 1980
  - Towns
    - surveying and mapping of boundaries
    - issuing surveyors certificates
    - identification of properties by addresses
  - Rural areas
    - property subdivisions conducted by 3 laymen
    - no surveying and mapping
    - boundary description registered in the land register



## The present law on the cadastre

- Present law on the cadastre was put into effect in 1980, main new elements was:
  - New cadastral register – GAB
    - nationwide cadastral register
    - database operated by the Ministry/The Mapping Authority
    - the municipalities responsible for registration of data
    - not integrating cadastral map
  - Compulsory land survey of new boundaries
    - municipal monopoly on legal boundary surveys was introduced, also in rural areas
- Needs for reforms were acknowledged already early 90s



## Why reforming the law on the cadastre?

- Poor data quality in the Cadastre (GAB)
  - many municipalities are too small and weak, providing poor services
- No on-line access to nationwide cadastral maps
  - but presented on web-sites by some municipalities
- No registration of public restrictions on land
- No provision for making properties in strata
- Long waiting times for surveys in some municipalities
- Large variations in prices for surveys (1000-3000 USD)
- Limited service from the municipalities to clients;
  - no specific education requirements for the municipal surveyors
  - focus on surveying of property boundaries only



## New law on the cadastre – what is to be achieved?

- Main goals:
  - better quality in registers
  - meeting new demands of the land market
  - better services to users
- Measures to be taken:
  - adding a digital cadastral map to the Cadastre
  - registering public restrictions in the cadastre
  - adding two new types of property objects:
    - volumes under or above the surface, 3 D properties
    - land in joint ownership
  - introducing private licensed surveying companies



## The land surveyor in Norway



## The Norwegian land surveyor

- The municipal surveyor
  - no specific education required
  - shall survey boundaries pointed out by the land owner
  - no competence to decide if there is a boundary dispute
  - usually bac + 2 or bac + 3
  - a handful municipal surveyors with master degree
- The private surveyor
  - 20 - 25 surveying companies carrying out cadastral surveys
  - no education requirements for cadastral surveys
  - specific education requirements for setting out work
- The land consolidation court judge
  - special court handling disputes over boundaries and other land rights
  - will also make the related surveys
  - the judge must be a special surveyor with 5 year degree (master)



## The municipal monopoly on cadastral surveying

- 431 municipalities in Norway, and large variations
  - Oslo - 538.000 citizens
  - Modalen - 350 citizens
- 30.000 cadastral surveys nationwide
- Workload less than one man-year for a majority of municipalities
- Responsible for all cadastral surveys
- The municipality can outsource cadastral surveys to private surveyors
- Approx. 10 % of the surveys outsourced to private surveying companies



## New opportunities for the private surveyor?

- The new cadastral law provides legal basis for private surveying companies to do cadastral surveys
- The municipalities can however decide to continue the arrangement with legal surveys as a municipal monopoly task
  - Private surveying companies will then not get access, unless engaged by the municipality
- Leading surveyor in surveying company – master or bachelor
  - Proposed in by-laws, sent out on hearing in April 2006
  - 140 ECTS in surveying, law, land management
- But it's politics.....



## And the politicians decide...

- The new law on the Cadastre passed the Parliament in June 2005
  - after a proposal by a right-oriented government
- A new government takes over in October 2005
  - The Labour Party, The Socialistic Left Wing Party and the Centre Party - constitutes a left-oriented government
- August 22 2006: the Government announces that it will reverse the privatisation process and continue with the municipal monopoly
  - "to ensure equal services nationwide"



## The future development

- The municipal monopoly will thus continue under the present government
- The discussion whether cadastral surveys shall be
  - a public duty conducted by at municipal surveyor
  - or a service offered by a licensed surveyor
- will continue!



Thank you!