



Cadastre to the Municipalities

by

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The legislative framework



- Law 59.1997 under which the Government was made responsible for the reorganization of financial, human, instrumental and organizational resources to be allocated and transferred in order to achieve decentralisation;



- Legislative decree 112 of 31st March 1998 which provided a list of the land register functions reserved by the central government (art.65) and exercised also through the establishment of a technical body (art. 67), as well the ones transferred to the municipalities since 2001 (art. 66).



LAND AGENCY (art. 65)

- **definition of the rules and procedures for:**
- classifying property (land and buildings)
- calculating the so-called “cadastral income”
- Land registry mapping/map updating
- **Maintaining land registers**
- **controlling the quality of the information, monitoring and certified management of the related updated flows**

LOCAL AUTHORITIES (art. 66)

- **management of the land (and building) registers for:**
- Conservation/updating purposes
- use
- **reviewing the estimates and classification (according to article 65)**



DETERMINATION OF RESOURCES FOR THE DECENTRALISATION PROCESS

MAIN DECREES:

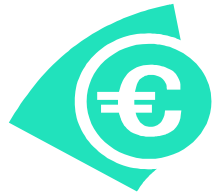


- Decree of the President of the Council of Ministers of 19th December 2000 which set out the necessary human and financial resources to be transferred to the municipalities:



- 4.000 members of the staff





- 41.317.000 euros/year of funding



- Decree of the President of the Council of Ministers of 21st March 2001 which re-allocated the resources provided under the previous DPCM at the provincial level



- The future DPCMs will precisely determine the resources to be transferred to each local Authority deciding to directly exercise the land register functions (either individually or in partnership) without entering into an agreement with the Agency



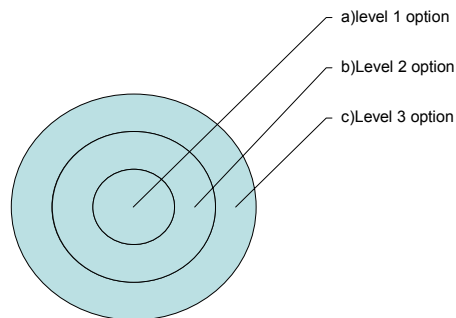
- **DECENTRALISATION OF THE CADASTRE:
THE DECREE IS PUBLISHED**



- **The Decree of the President of the Council of Ministers of 14th June 2007**, providing for the decentralisation of the land functions to the municipalities, in pursuances of article 1 paragraphe 197 of law 296.2006, was published in the Official Journal n. 154 of 5th July 2007



Local authorities are required to choose from among 3 options





a) Level 1 option:

- consulting the national land register database and cadastral measurement services;
- certifying the cadastral documents stored in the automated database;
- updating the land register database by processing the title variation application and the requests for correcting administrative data, including the data relating to placenames;
- collecting fees and charges in connection with the land register functions



b) Level 2 option (apart from the functions of level a):

- formally assessing, accepting and recording the technical updating reports relating to the register of buildings;
- comparing the technical updating reports and outcome reports to the *Land Agency* with the records filed by the Local Authority with respect to the definition of the updating of the register of buildings;
- Formally assessing and accepting the technical geometric updating reports of the land register;
- Formally assessing, accepting and recording the crop variation reports relating to the land register



c) level 3 option (apart from the functions of level a):

- formally assessing, accepting and recording the technical updating reports relating to the register of buildings;
- formally assessing, accepting and recording the technical geometric updating reports of the land register;
- formally assessing, accepting and recording the crop variation reports relating to the land register;
- Defining the updating of the land register database, based on the applicant's proposals or on the results of formal assessments



Notification of the choice of the 3 options within
90 days



TYPE OF DATA SUPPLIED BY THE AGENCY TO THE LOCAL AUTHORITIES

- 2 types of telematic data:



- “on demand” for all the Local Authorities concerned**, published on a specific request and concerning with regard to both land/building register and vectorial maps:
- all the actualized land registry data at a date selected by the Local Authority;
 - the updates made in a certain time interval



“specific” to the Local Authorities, or files containing:

- the data relating to registrations and variations to be supplied in pursuance of article 34 quinquies of Law 80.2006;
- the data relating to the “*Adempimento Unico*” (*Single Formality*) to be supplied for local property tax management purposes;
- the extraction of all the metrical data of the register of buildings, actualized to the date of production, for local waste disposal tax management purposes;



- the updating of the metrical data of the register of buildings, recorded over a period of time determined for local waste disposal tax management purposes;
- the outcome of the activities of relaxation of the single property units.



PROCEDURES FOR TRANSMITTING AND EXCHANGING DATA

2 data transfer procedures:



1. Supply of land register data via the web
2. Interchange system



APPLICATION PROCEDURE:

- 2 copies of the “standard terms and conditions of the service”
- the card for activating the service
- the data protection information
- a copy, with autograph signature, of an identity document of the manager in charge of access to the portal



COST OF THE SERVICES:

The services put into place by the Land Agency to ensure the telematic use of the land register database **are provided free of charge**



The only costs the municipalities will be required to pay are those for the web connection



IMPLICATIONS/BENEFITS:

- improve the integration of the technical and administrative cadastral and municipal functions;
- improve knowledge of the land and buildings and, therefore, optimize the related taxation processes;
- foster the process of alignment between land register and municipal data;
- make available to the public a more user-friendly, functional and effective service as physically provided at the local level and not exclusively in the province of reference



The municipalities that do not enter an application by 3 October 2007 may decide within 15th July 2009



Thank you very much for your attention!

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