

CADASTRE AS A TOOL FOR IMPLEMENTING LAND POLICY

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ABSTRACT

Starting from the FIG Statement on the Cadastre which defines the cadastre as an information system for rights, use and values of real properties, the paper highlights the importance the cadastre has as a tool for land reforms in the Scandinavian countries. Based on that, the paper will also comment on which role the cadastre is playing for land reforms in South East Asia, e.g. Vietnam and the Philippines and in Southern Africa, e.g. Zambia and Mozambique.

One conclusion will be that the cadastre in the Scandinavian countries not only has been an information system, but also a tool to promote economic and social development through land reforms. Similar development can be seen in other countries. The cadastre can be an active tool to support land reforms in many other countries in the world in order to promote social and economic development in a sustainable manner.

In Sweden, Finland and partly Norway, the cadastral procedures, headed by a land surveyor is the first instance in a legal system to facilitate land development, implement land policies and secure property rights. This function, which is based on the responsibility of the cadastral authority to be active and responsible for investigations needed for decisions-making, combined with the decision-making capacity itself has given those countries a very efficient, speedy and reliable institution for implementation of different land policies. The policies have changed over time but the cadastral procedure for implementation has been developed and adopted to shifting policies.

The legislation covered by the cadastral organisation includes:

Rural areas

- Land consolidation
- Sporadic land changes, mutations
- Rural land acquisition
- Price control and influence on price development
- Social support to less favoured land users or tenants
- Land taxation
- Land banking

Urban areas

- Municipal planning monopoly
- Municipal land banking
- Pre-emption and expropriation
- Valuation regulations regarding values connected to present land use and expectations (speculations).
- Land consolidation and mutations
- Acquisition control

All areas

Modern forms for stable co-operation on joint facilities like roads, parking places, playgrounds, fishing and hunting rights etc
Access to limited rights for cables, wires, pipelines, etc for many applications.

Vietnam

The cadastral system is the major implementer of land administration system, based on rights on land use, combined with responsibilities, which to large extent has increased production in agriculture and forestry and is expected to contribute to the development of sustainable land use and an urban based economy-

Philippines

The comprehensive agrarian reform is mainly focused on the change of the land tenure and ownership of land in the country. The aim is to strengthen equity in access to land for rural development and rights of the tenants on large estates. The cadastral issues are an essential part of the reform, which progress has varied over time.

Mozambique

The cadastral system in Mozambique is the main implementer of the land policy and the guarantee that existing traditional or occupancy rights are not abused by investments in new developments. The legislation offers possibilities to reach agreements between investors and other interests through a cadastral procedure.

Zambia

The new land law offers possibilities to combine the issuance of land titles with the responsibility to pay ground rents. Part of the ground rents will be directed to a land development fund, which will be used to promote development in rural and urban areas. Thus, the cadastral system is directly contributing to social and economic development.

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BIOGRAPHICAL NOTE

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