

# The Cadastre of Public-Law Restrictions on Landownership (PLR Cadastre) in Switzerland

Martine Besse (Switzerland)

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## SUMMARY

In Switzerland, the cadastre is organized as a Title Registration System, meaning the land property is guaranteed, as inscribed in the Swiss civil code since 1912. This guarantee is implemented by two tools directed by the Confederation: the cadastral surveying and the Land Register. The cadastral surveying provides the geometrical information defining the landownership, and the Land Register, an official record, lists all substantive rights pertaining to plots of land. Thus, through these two tools, the private law restrictions, which especially regulate purchase of land property and the rights between private individuals, are easily accessible to everyone.

Yet, landowners can't be in full possession of their property, as they are subject to restrictions due to public laws. For example, we can quote the restrictions concerning spatial planning as the municipal land use plans, the reserved zones along the national railways, along the airports, etc. As a matter of fact, the number of public-law restrictions has been estimated at more than 150 in Switzerland. Before the introduction of the PLR-cadastre, no central service showing these restrictions existed. The landowners had to collect the information in different federal, cantonal or municipal departments, which leads to a loss of time, a risk of forgetting, but above all, a lack of legal safety. These aspects had initially been discussed in the publication of "Cadastre 2014" in 1998 by the FIG.

As an answer to this problem, it has been decided to create the Cadastre of Public-law Restrictions on landownership. This new instrument completes the two others (cadastral surveying and the Land Register) in the management of the landownership and increase its legal security. It's an official information system which gathers the most important restrictions on landownership at one place. It's as easy to use and accessible as the Land Register for private law restrictions. The project took place in several steps. In 2012, the setting up started for eight pilot cantons and in 2014, the first

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PLR-Cadastre were online. Today, end of 2020, it's available on almost the whole territory of Switzerland (24 cantons out of 26) and is an essential tool for all the operators who work with the landowner property. In addition, having a numeric access to data has been even more appreciated in these times where human contacts must be limited.

This report will describe the PLR-Cadastre from its beginning, until its future developments and perspectives. It will discuss how such an undertaking has been able to be implemented and the challenges encountered. It will also overlook its benefits, the limits of the concept and the return on investment. I'm convinced this tool established by the Swiss Confederation can serve as an example for other countries.

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