



PLF  - The Danish Cadastral System 

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## A Transparent Cadastral System

Fit for sustainable development and legal security  
The Danish public-private cooperation model



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### 0. Agenda

1. Introduction
2. The Danish cadastral system in extract
3. The Danish public-private cooperation model
4. Final remarks

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## 1. Introduktion

### 1.1 Basic framework conditions

- **Constitutional**
  - The Danish property marked is based on private ownership
  - Property shall be inviolable - protected by Constitution:  
*Constitutional Act § 73, 1: The right of property shall be inviolable. No person shall be ordered to surrender his property except when required in the public interest. It shall be done only as provided by statute and against full compensation.*




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## 1. Introduktion

### 1.1 Basic framework conditions



- **Spatial infrastructure**
  - Cadastral data are recognized as authoritative basic data – basic data are for free use for authorities and public



The Danish spatial infrastructure model (The Geodata Agency 2011)



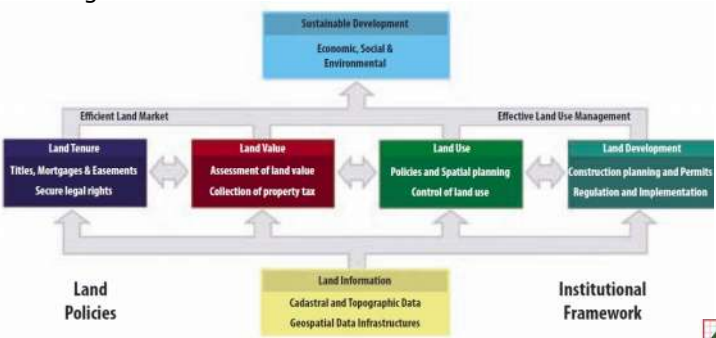
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## 1. Introduktion



### 1.1 Basic framework conditions

- Land management
  - A multipurpose cadastral system is a central tool in Danish land management



. A Global land management perspective (Enemark 2004)


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## 2. The Danish Cadastral system in extract

### 2.1 Basic identification in a Danish context

- Title system
  - The Danish cadastral system is organized as a title system
    - titles are registered in the land register based on cadastral identification
    - land and property is registered in the cadaster based on boundaries determined by cadastral surveys by private licensed chartered surveyors
- Consideration for “third parties”
  - Property formation and boundary determination must be done under respect of neighbors, rightsholders, legislation and public restrictions


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## 2. The Danish Cadastral system in extract

### 2.1 Basic identification in a Danish context

- **Cadastral work**
  - **Legal definition:** Includes the determination of boundaries and preparation of the documents necessary for registration of property and changes in the cadastre
  - **Public-private cooperation model** – two shared responsibility
    - **The Danish Geodata Agency** – state authority for registration of real property and overall responsibility for the cadastral system
    - **Practicing chartered surveyors** – cadastral work must be performed by practicing chartered surveyors in private practice and by their licensed assistants


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## 2. The Danish Cadastral system in extract

### 2.1 Basic identification in a Danish context

- **The Cadastre**
  - **A multipurpose register** - two-part primary role legal and administrative
    - Authoritative basic data register
    - Reference data for spatial e-Government
- **Three main elements in the cadastre**
  - Cadastral **Register** - information on property identification, area, various statutory registrations, case information, etc.
  - Cadastral **Maps** – geo-related index map containing property identification, property boundaries, private roads and other administrative borders
  - Cadastral **Archive** - details of dimensions for identification and determining the boundaries, other case documents


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### 3. The Danish public-privat cooperation model

#### 3.1 The cadastral proces

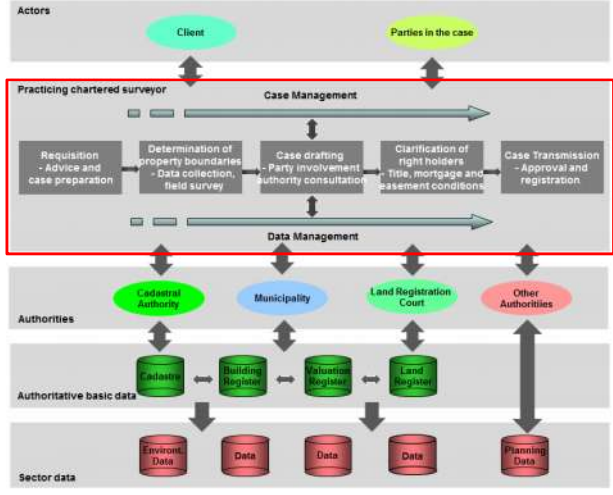
- **Public-private cooperation model**
  - **Practicing chartered surveyors** – preparing and submitting property formation and changes for approval and registration in the cadaster – since 1768 !
  - **The Danish Geodata Agency** – control, approval and registration of property changes in the cadaster
- **Main phases in the cadastral process**
  - Consultancy and preparation
  - Boundary determination
  - Clarification and consulting authorities
  - Clarification and consulting rightsholders
  - Approval and registration of cadastral changes


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### 3. The Danish public-privat cooperation model

#### 3.1 The cadastral proces




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### 3. The Danish public-privat cooperation model



#### 3.1 The cadastral proces

- The key role of the practicing chartered surveyor



The diagram illustrates the central role of the Surveyor in the Danish cadastral system. The Surveyor is positioned at the center, with a circular arrow around them indicating a continuous process. The Surveyor's role is defined by their framework (institutional, legal, spatial, professional) and professional qualifications/requirements. They are connected to six key stakeholders: Neighbors (Owner, tenant etc.), Rightsholders (Easements, mortgages etc.), Client, Cadastral authority, Advisors (Lawyers, banks, architects etc.), and Authorities (State, municipality, Land Registration Court etc.).


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#### 3.2 Legal framework

- Chartered Surveyors Act
  - Sole purpose - A chartered surveying company must have the sole purpose of performing surveying and cadastral work
  - Personal responsibility - An licensed chartered surveyor practicing in a chartered surveying company (=practicing chartered surveyor) is personally liable, together with the company, for any claims arising in consequence of assistance provided by the licensed chartered surveyor to a client


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### 3. The Danish public-privat cooperation model

#### 3.2 Legal framework

- **Chartered Surveyors Act**
  - **Ownership regulation** - In a chartered surveying company, at least 51 percent of the company capital and voting rights must be owned by licensed chartered surveyors carrying surveying business in the company
  - **Management regulation** - In a chartered surveying company, the majority of the members of the board of directors and the management board must be licensed chartered surveyors carrying surveying business in the company
  - **Impartiality requirements** - Licensed chartered surveyors may not perform cadastral work concerning a property in cases where the licensed chartered surveyor has a material or any other kind of interests in the property and in the outcome of the case.

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### 3. The Danish public-privat cooperation model

#### 3.3 Professional qualifications and requirements

- **Academic education**
  - 5 Years on University level consisting of a bachelor degree (3) and master degree (2) in surveying and cadastral science

|                         |   |                |                     |                    |        |
|-------------------------|---|----------------|---------------------|--------------------|--------|
| Postgraduate programme  | The Master's Thesis                               |                |                     |                    | 4. sem |
|                         | Academic and Professional Development             |                |                     |                    | 3. sem |
|                         | Surveying & Mapping                               | Geoinformatics | Land Management     | Property Economics | 2. sem |
|                         |   |                |                     |                    | 1. sem |
| Undergraduate programme | Property Development and Trade                    |                |                     |                    | 6. sem |
|                         | Surveying and Mapping                             |                |                     |                    | 5. sem |
|                         | Rural Planning and Management                     |                | Large Scale Mapping |                    | 4. sem |
|                         | Urban Planning and Land Management                |                |                     |                    | 3. sem |
|                         | Property and Development of the Built Environment |                |                     |                    | 2. sem |
|                         | Geographic Information                            |                |                     |                    | 1. sem |


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### 3. The Danish public-privat cooperation model

#### 3.3 Professional qualifications and requirements

- **Academic education**
  - 5 Years on University level consisting of a bachelor degree (3) and master degree (2) in surveying and cadastral science
- **Professional practice**
  - At least three years performing general cadastral work in a chartered surveying company or in a cadastral administration doing cadastral work, undergoing further education


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#### 3.3 Professional qualifications and requirements

- **License to perform cadastral work**
  - Awarded according to State law based on application to the Danish Geodata Agency and by approval of professional skills, based on documentation of minimum three years relevant cadastral/surveying work in practice
- **Continuing Professional Development**
  - Not compulsory but de facto. Recommendation 37 hours per year – professional training, knowledge sharing and dissemination

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#### 3.4 Professional business requirements

- **Obligatory insurance**
  - An obligatory professional party insurance defined by the State authorities – the Danish Geodata Agency
- **State Board of appeal**
  - A penalty board under State authorities – the Danish Geodata Agency – independent from the surveyor’s organization, to settle complaints about the surveyor's work.
  - Have the power to periodically or permanently revoke the appointment to provide cadastral work


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#### 3.4 Professional business requirements

- **Disciplinary board**
  - A committee defined by the surveyor’s association providing advisory opinions and guidelines on professional matters and defining the “Bonus Pater professional”
- **Remuneration board**
  - A committee defined by the surveyor’s association providing advisory opinions and guidelines on matters dealing with complaints about remuneration
- **Ethical codes**
  - A national ethical code “Statutes of Surveying” defined by the surveyor’s association as guideline for the surveyor’s work - and The CLGE Code of Conduct – ratified by most European Countries


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#### 3.5 Professional bodies in the cadastral sector

- **The Danish Association of Chartered Surveyors (DdL)**
  - A professional association for personal membership of chartered surveyors
  - **Main purpose**
    - handles professional, economic and social interests of the surveying profession as well as member's personal work and professional interests including the salary and employment conditions and educational interests
    - is responsible for the development and provision of continuing education activities and is represented in the advisory board for surveyor educational program at Aalborg University.


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#### 3.5 Professional bodies in the cadastral sector

- **The Danish Association of Licensed Surveyors (PLF)**
  - A professional association for chartered surveying companies
  - **Mission**
    - develop and strengthen the private chartered surveying companies
    - representation of political, professional and business interests
  - **Strategic objectives**
    - assure the quality of surveying services
    - ensure lasting business conditions
    - ensure the professional and business skills
    - strengthen the competitiveness of the private chartered surveying companies

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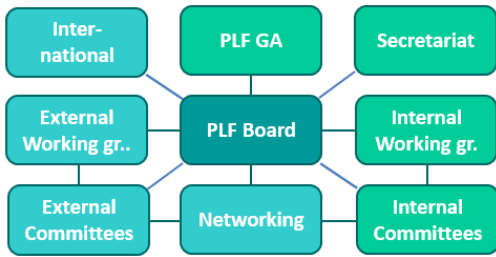
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#### 3.5 Professional bodies in the cadastral sector

- Structure

- General Assembly
- Elected Board
- Standing committees – internal and external
- Working groups – internal and external
- Secretariat




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### 4. Final remarks

#### 4.1 Characteristics in the Danish Cadastral system in a more "global" perspective – fit for purpose

- The Cadastre
  - A multipurpose register - two-part primary role legal and administrative
    - Authoritative basic data register
    - Reference data for spatial e-Government
- Consideration for "third parties"
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#### 4. Final remarks

4.1 Characteristics in the Danish Cadastral system in a more “global” perspective – fit for purpose

- **Public-private cooperation model**
  - **Public-private cooperation model** – two shared responsibility
    - **The Danish Geodata Agency** – state authority for registration of real property and overall responsibility for the cadastral system
    - **Practicing chartered surveyors** – cadastral work must be performed by practicing chartered surveyors in private practice and by their licensed assistants
- **Impartiality requirements**
  - **Cadastral work must be performed by** objective licensed chartered surveyors without any material or any kind of interests in the property and in the outcome of the case


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#### 4. Final remarks

4.1 Characteristics in the Danish Cadastral system in a more “global” perspective – fit for purpose

- **Professional and business requirements**
  - High education and professional skills for the practicing licensed surveyor – academic level (3B + 2M), 3 year professional practice, license
  - Disciplinary requirements – boards of appeal
  - Ethical codes – “Code of conduct”
- **Professional task performance**
  - Dialogue based solutions – the practicing surveyor have to navigates in an intersection of disparate interests (public and private) and finally give the parties a possibility to make an agreement / a sustainable solution. Includes a high grade conflict prevention and ensure sustainable solutions.


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#### 4. Final remarks

4.1 Characteristics in the Danish Cadastral system in a more “global” perspective – fit for purpose

- Professional knowledge
  - The competence to **locate property and handle property rights**, as the basis for change, development and maintaining perspective in a spatially-geometric concept requires **the combination of knowledge**, which surveyors possess

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#### 4. Final remarks

4.1 Characteristics in the Danish Cadastral system in a more “global” perspective – fit for purpose

- Overall characteristics
  - Trustworthy
  - High degree of legal certainty
  - High level of consumer protection
  - Transparency
  - = Sustainability

**Why ? – It ´s all about people**

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#### 4. Final remarks



Thank You for Your attention

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