

Land administration – why



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Land administration – why

The United Nations' definition of Land Administration:

The process of determining, recording and disseminating information about ownership, value and use of land, when implementing land policies.

Access to land and other natural resources is an important basis for the livelihood of poor people around the globe. This access must be stable and secure if it is to provide an opportunity for economic growth and the incentive to invest.

The main objective of land administration is to ensure this stability in relation to the division of land between individuals, groups of individuals and other legal entities.

Land administration agencies are also charged with implementing land policies, such as equitable land distribution, and to act in accordance with the legal framework for land governance.

Transparent and efficient land administration is a condition for economic development.

Good land administration is important for the poor

A lack of transparent and efficient land administration negatively affects a country's economy, in particular the poor.

Without security of tenure – provided by land administration – there is not much incentive for long-term planning or investment, resulting in rudimentary dwellings and little if any protection of the land, water and natural resources. However, when poor people have confidence that the land is theirs, they dare to invest for the future.

The core issue is ensuring ongoing security of land tenure and a degree of freedom as to how the land may be used. This does not necessitate formally registered or individually owned land, but public recognition and affirmation of the right of a person, family or group to have exclusive rights over a defined area of land.

A formally registered right to land is both an asset and an obligation. Landholders usually have some financial responsibility, such as land taxes or lease fees; paying for the land, however, also entitles the landholder to demand basic public services, such as roads, water and sewage systems.

Becoming a recognised landowner can also lead to a heightened sense of self respect, and encourages participation in democratic processes. This is especially important for households headed by women or orphans, who are among the most vulnerable landholders.

Rights in customary land – land managed by a rural community – can be secured by registration of common land, while use rights can be protected explicitly by land law, without the requirement of registration.



Administration of customary land is preferably done by members of the local community.

Banks generally require land to be publicly and formally registered if it is to be used to secure loans. The planet's poor however very rarely take this opportunity, fearing the loss of their property if payments can not be met, or are excluded due to lack of regular incomes.

Land information is an essential commodity

The public sector keeps track of land – where it is, who has access to it, and its value – through land administration. This information, recorded in cadastres, land registers and tax rolls, is important for many land-related activities.

One example is the collection of land, or real property, tax. Property tax is comparatively easy to collect and often forms the basis of local government income. A traditional, but inefficient method of collecting tax is literally knocking on doors. Utilising land administration, local governments can instead bill registered landholders and monitor payments using computer systems.

Knowing who owns or uses what land is also important for ensuring sustainable use.

Registered landholders generally take better care of their environment because of the direct, long-term benefits, compared to landholders who are not publicly recognised and may therefore overuse the land while the opportunity exists.

A public register of landholders therefore not only makes enforcing land-use regulations and urban plans easier, but can actually reduce the need for law enforcement.

Although generally expensive to establish, the initial cost of a good land information system is overshadowed by the long-term benefits.

In Zambia we developed systems for land registration and collection of ground rent. Revenue increased substantially when bills were printed and delivered to leaseholders.

Transparent land administration counters corruption

Corruption is common when it comes to land issues, especially in countries where the government is distributing or redistributing land. Underpaid civil servants accepting small handouts to speed up administrative procedures and politicians favouring family, friends or wealthy and “generous” companies when allotting land are not uncommon.

Making information public and freely accessible through a computerised and transparent Land Administration System hampers corruption by making it easier to detect and expose. Those who profit from corruption are aware of this and may therefore counteract land administration developments.

While transparent land administration is not a cure for corruption, its contribution towards good governance is evident.

Some important conditions for good land administration

Land administration is built on policies and laws, and further detailed in regulations and guidelines. The good administration of rights requires a legal framework that supports security of tenure while ensuring efficient change of parcel structure, such as subdivisions, and rights, such as transfer of lease or ownership. A politically independent court system that can handle land cases within reasonable timeframes is also required.

A high level of land conflicts signals that some area of land administration is not functioning well – the Swedish land administration system includes tools for negotiation of land conflicts, resulting in very few land matters before the courts.

Procedures must also be transparent, efficient, affordable and easy to understand, to ensure everyone can use the services.

Information on laws, procedures and the services available must be easily accessible by all sectors of the population, generally through brochures and media, and specifically through a decentralised structure of the administration.

Core land administration components

Processes to create land units and rights to these – sporadically or systematically – and to value land and buildings are part of land administration. Land parcels are recorded in cadastres and rights to those parcels are recorded in land registers. The property valuation/taxation process assesses and records property values for, among other things, land taxation.

The national land survey organisation usually keeps the cadastre

Methods for surveying land parcels vary considerably between countries, from simple tape measurements to modern Global Positioning System (GPS) equipment, which uses satellites to establish position. Low-accuracy GPS equipment is often sufficient and can be introduced at low cost, providing a viable alternative for developing nations.



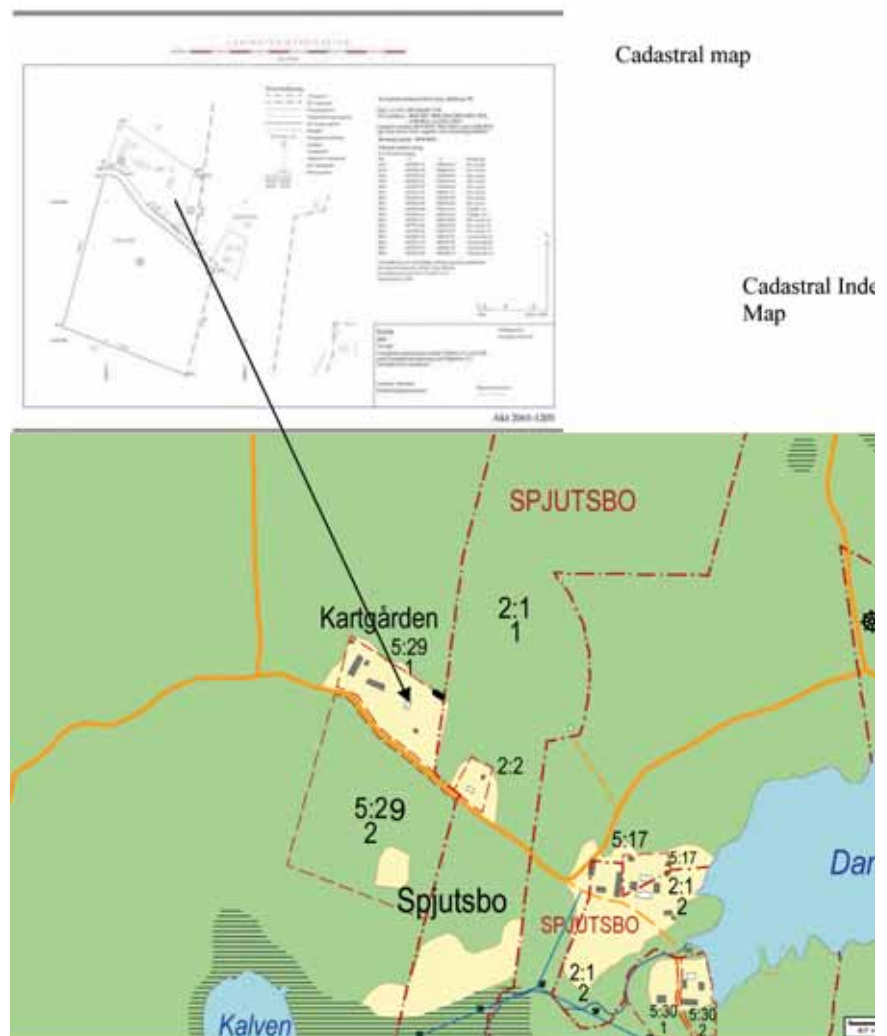
Pharaonic surveyors mapping for land taxation



Surveyors with GPS equipment

Cadastral maps are created through land surveys for subdividing land into parcels. Surveyed parcels within a defined geographic area are then compiled to create Cadastral Index Maps (or the like). Cadastral information can also be stored digitally.

Usually, each parcel has a unique identifier, which is the key information that links the various land administration components.



A geodetic network is a set of control points, with known positions, on the ground. They are used for all types of surveys, including establishing the correct location of land parcels. In developing countries, it is often necessary to revise or upgrade the geodetic network to accommodate modern survey methods.

We have provided assistance to many countries around the world to establish new geodetic networks.

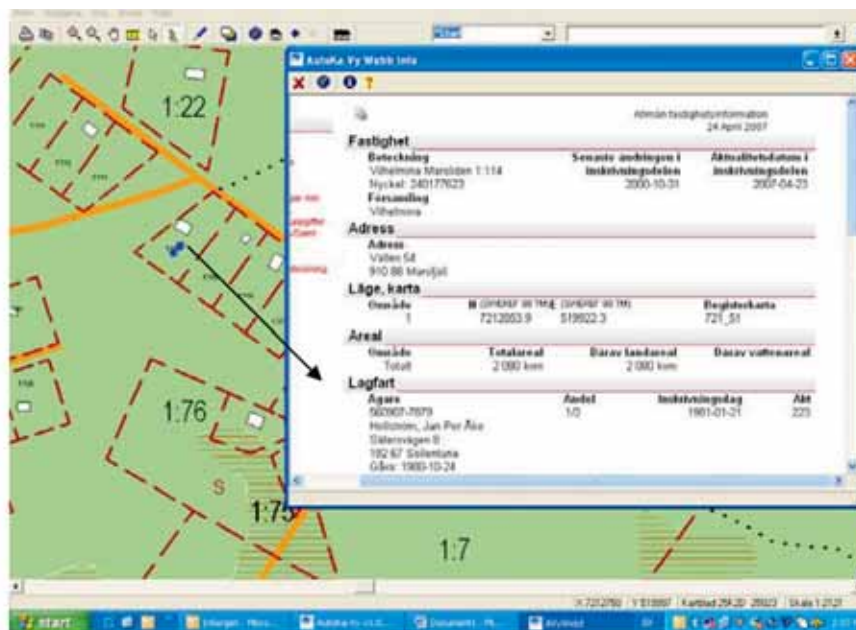
Land registry keeps register of land rights

Simple and transparent processes for creating and transferring land rights promote economic development and contribute to poverty reduction. Land registration, as a cornerstone of securing land tenure and thereby creating the basis for a functioning land market, is vital to this process.

In most developing countries, however, few citizens have access to formal land registration as the procedures are often costly and time consuming. Many countries have attempted to include more landholders in the formal system through programs of mass registration (issuing land titles).

The land register is strongly linked to the cadastre and work processes are interdependent. Land rights are usually registered by parcel (real property) ID.

In Belize we helped to clarify land rights in a systematic manner.



Cadastral Index Map with Cadastre and Land Registry information

Land and dwellings are valuable assets

Land and dwellings (real property) are the primary components of most people's wealth. With the introduction of free land markets, the need to access information on market values, for housing finance and to monitor and support real property markets, increases.

Market-based and systematic property valuation is used for various financial transactions, such as mortgages and insurances, and is the basis for land taxation.

Market value can be defined as: "The estimated amount for which an asset should exchange between a willing buyer and a willing seller after proper marketing, wherein the parties had acted knowledgeably, prudently and without compulsion."

In developing countries where valuation has traditionally been based on production capacity or criteria other than market information, valuation experts may not have sufficient market valuation experience. Support through methods and tools for collection of sales price information as well as mass-valuation would facilitate a smoother transition to market economy.

Slovenia and Lithuania developed mass-valuation systems with our support.

Land consolidation creates more suitable parcel structure

In many countries, land division, or systematic privatisation, has created unsuitable parcel structures – properties are often small and land holdings too fragmented to be used efficiently.

Land consolidation is a process used to restructure real property into larger units so land can be used efficiently and generate better income for its owners. Legal and technical tools are necessary to ensure a strong land-consolidation process.

We assisted land-consolidation activities in Armenia and Romania.

The need for land consolidation is especially evident in countries in transition, which may need assistance when developing policies and laws for land banking – acquiring land that can be used to supplement other landholdings – and when developing IT tools for land-consolidation procedures.

Land-consolidation projects generally involve many stakeholders, so it is important to develop good methods for stakeholder dialogue. Access to up-to-date and, preferably, computerised land information is also a prerequisite.

Maps, images and GIS support land administration

Topographic maps (or digital information) support numerous activities including physical planning, infrastructure development and transport operations.

Land administration relies heavily on maps and images, especially in regards to planning surveying and adjudication of land rights. In rural areas, satellite images or aerial photos can be a sufficient basis for creating and keeping an appropriate cadastre.

Geographic Information Systems (GIS) is a computer tool for creating, storing and analysing information that is related to certain geographic features in digital maps, such as land parcels, roads, administrative areas and buildings.

In development projects, GIS has been used in land-use planning, tax collection, censuses and for preparation of Cadastral Index Maps.

Swedish land administration

Land administration in Sweden is efficient and secure and has become a model for many countries.

Lantmäteriet is the major player in Swedish land administration

Lantmäteriet (the National Land Survey of Sweden) is a government agency with 2000 employees and 90 offices throughout Sweden.

Cadastral surveys are carried out by local Lantmäteriet offices and some municipalities, while land registration is done by local land registry offices at seven locations. Sweden was the first country in the world to establish a legal, computer-based system for land administration – the Land Data Bank.

Lantmäteriet has methods and systems for both individual and mass valuation, and has, in cooperation with lending institutions, developed an electronic mortgaging system.

Lantmäteriet, in keeping with most national mapping organisations, also provides geographic information in the form of maps, aerial photography and satellite imagery to the wider community.

A long history of international cooperation

Lantmäteriet has been involved in international development cooperation through its overseas agency, Swedesurvey, since 1979. Projects in the areas of land administration, surveying and mapping have included capacity building, developing methods and systems, consultancy and direct technical assignments.

Projects relating to land administration development began in the 1980s and have been focused mainly in southern Africa, the former Soviet countries and Eastern Europe. Countries in Central and South America and east Asia have also received assistance.

Using its national and international experience in all aspects of land administration, Lantmäteriet provides know-how and best-practice solutions for:

- Preparing project proposals within land administration, such as cadastres, land registration, land valuation and land consolidation projects.
- Developing appropriate legal frameworks for all parts of land administration.

The World Bank website www.doingbusiness.org provides a comparison of most countries in the world in regards to efficiency and cost of land registration for property transfer. Sweden ranks among the top countries.

- Facilitating communication and cooperation (on all levels) between organisations such as the National Mapping and Cadastral Agency, land registries, taxation authorities and local governments.
- Building competence in modern survey and mapping methods, system development and maintenance, good land administration practices and so on.
- Improving geodetic networks to facilitate use of GPS.
- Developing systems for all elements of land administration (data collection and conversion, register storage of core data and dissemination) or re-engineering outdated IT systems.
- Developing digital archives for old and new cadastral maps and legal documents.
- Producing maps and images, or building capacity within a mapping agency for own production.
- Developing or streamlining work processes.

L A N T M Ä T E R I E T



We contribute to a sustainable use of land and water and a secure ownership of real property. We do this in collaboration with state and municipality, private companies and private individuals. With the aid of our expert knowledge and unique information on geography and properties we help our customers find effective and reliable solutions, both in Sweden and abroad. Read more: www.lantmateriet.se

Halving poverty by 2015 is one of the greatest challenges of our time, requiring cooperation and sustainability. The partner countries are responsible for their own development. Sida provides resources and develops knowledge and expertise, making the world a richer place.



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