

The New Swiss Law on Geoinformation and the Ordinance on the Cadastre on Public Law Restrictions (4064)

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3. TIME FRAME
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5. CONTENT OF THE ACT ON GEOINFORMATION
6. CADASTRE OF THE PUBLIC-RIGHT RESTRICTIONS OF LANDOWNERSHIP
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A CONSTITUTIONAL BASE FOR THE NATIONAL AND THE CADASTRAL SURVEY IN SWITZERLAND

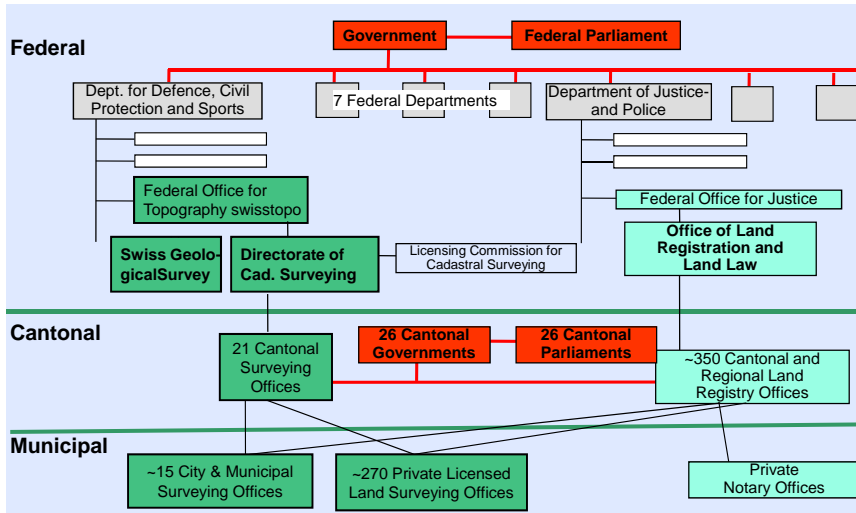
Art. 75a¹ National Land Survey

¹ *The National Land Survey shall be the responsibility of the Confederation.*

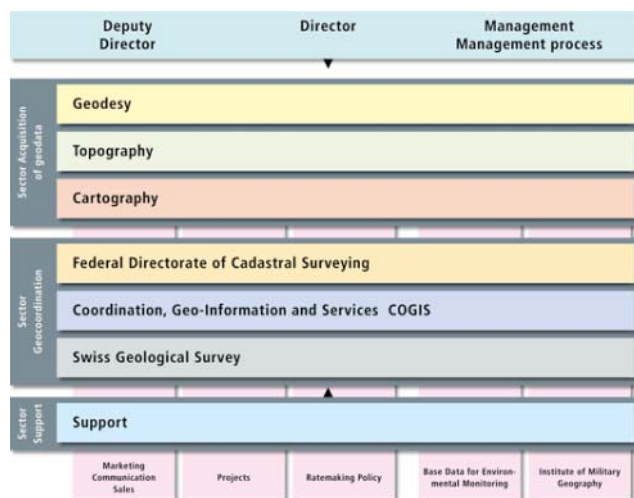
² *The Confederation shall issue regulations on official surveying.*

³ *It may issue regulations on the harmonization of official information relating to the land*

ORGANISATION OF THE SWISS STATE SURVEY



ORGANIZATION OF SWISSTOPO



Swisstopo was Well prepared To tke the lead in this project

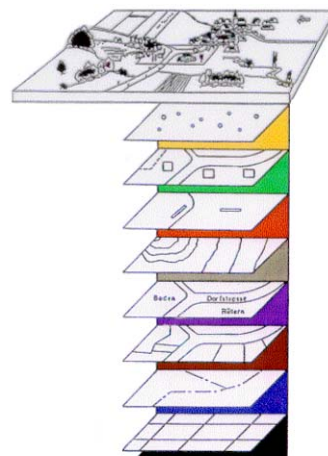
ELEMENTS OF CADASTRAL REFORM -> AV93

- Information content was not changed compared with traditional cadastral surveying
- Definition of a data model with 8 information layers
- Data description with standardized data description language INTERLIS
- Possibility for the setting up of general land information systems LIS

AV93-LAYERS ACCORDING TO VAV (1.1.1993)

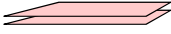
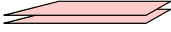
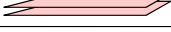
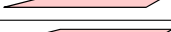

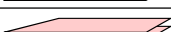
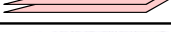

8 Information Layers:

- Control points
- Land cover
- Single objects / line elements
- Heights
- Local names
- Ownership
- Pipelines >5bar
- Administrative subdivisions



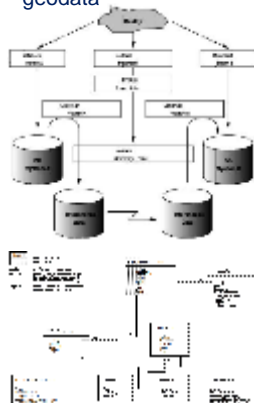
Common reference system

POSSIBLE GOAL FOR CANTONAL LIS

Information topic	Data owner	Data acquisition	Data maintenance, Data administration, Data output
Other topics 	other		
Land use planning Forestry  planning zones	Canton, Communities		
Cable TV  facilities	Private firms		
Electric power supply  facilities	Power company		
Civil protection  protection zones	Communities		
Fresh water Waste water  facilities	Corporations, Communities, ...		
Railways Telecom  rails, facilities	Railways Telecom	Railways Telecom	Railways Telecom
AV93  basic data	Canton	Canton (licensed surveyors)	Canton (licensed surveyors)



The tool to describe, integrate and coordinate geodata

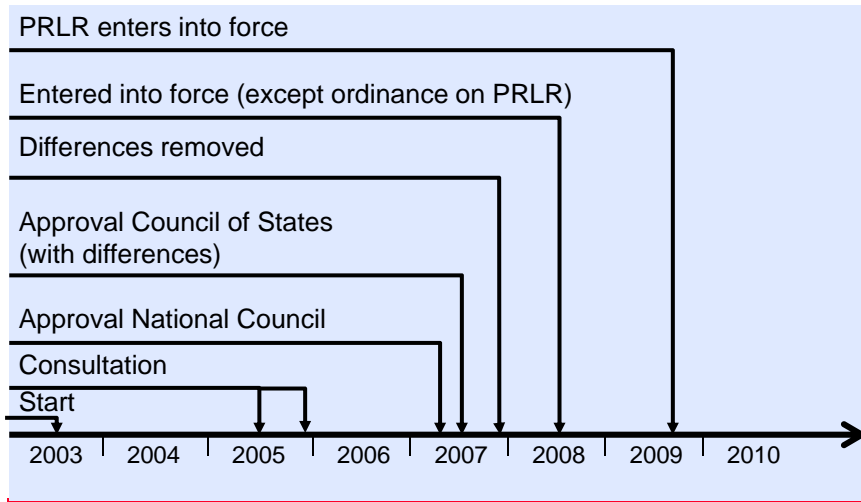


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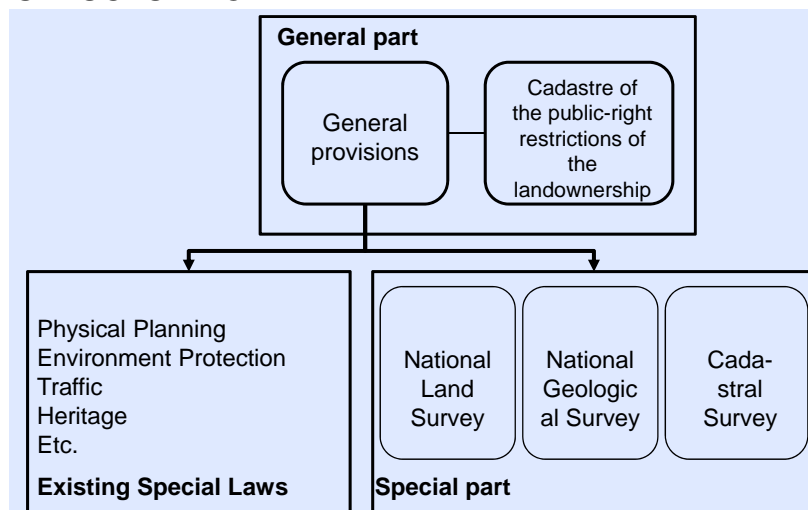
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MODEL Basic_Data_Set
DOMAIN
LKoord=COORD2 480000.000 70000.000
                840000.000 300000.000;
HKoord=COORD3 480000.000 70000.000 0.000
                840000.000 300000.000 5000.000;
Height = DIM1 0.000 5000.000;
Precision = [0 .. 300];
Reliability = (yes, no);
LetterOrientation = GRADS 0.0 400.0;
Status = (planned, valid);
TOPIC Control_Points =
.....
END Control_Points;
TOPIC Land_Cover =
.....
END Land_Cover;
TOPIC Ownership =

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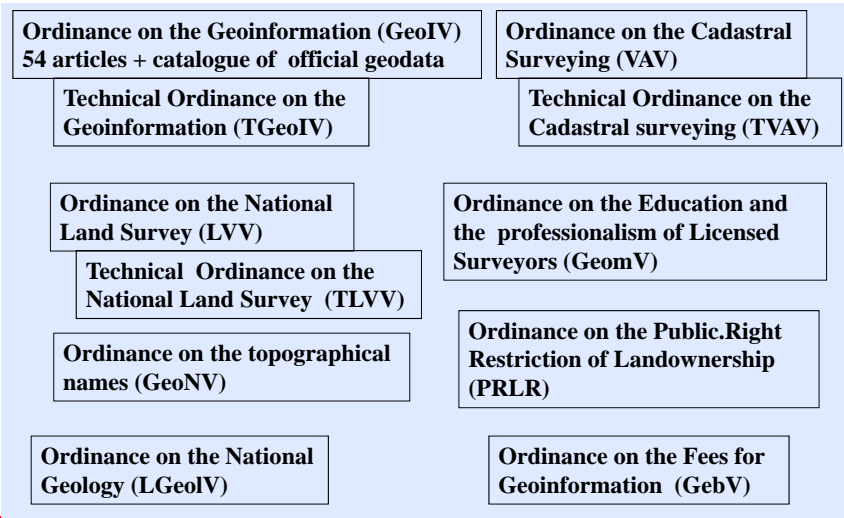
TIME FRAME FOR DEVELOPMENT OF LEGISLATION



STRUCTURE OF THE LAW



ORDINANCES TO THE LAW ON GEOINFORMATION



EXTRACT FROM OFFICIAL GEODATA CATALOGUE

Nr.	Description	Legal base	Responsible	Georeference	PRLR Cad	Access right	Online access
95	Groundwater protection zone	SR 814.20, § 20	cantons	no	yes	A	yes
96	Groundwater protection area	SR 814.20, § 21	cantons	no	yes	A	yes
97	Groundwater source	SR 814.201, § 30	cantons	no	no	A	yes
98	Inventory of groundw.sources	SR 814.20, §82	cantons	no	no	A	no
99	Inventory of water rights	SR 721.80, § 31	BAFU	no	no	B	no
100	Regional sewerage plan	SR 814.20, § 7	cantons	no	no	A	yes
101	Municipal sewerage plan	SR 814.20, §	cantons	no	no	A	yes

HIGHLIGHTS OF THE ACT ON GEOINFORMATION

- It aims to make available the geodata on the territory of Switzerland easily available to every interested person at reasonable cost;
- The law covers official geodata under federal legislation;
- The technical requirements include data and representation models for geodata and metadata;
- The responsibility for geodata is with the authority which according to the law has to collect, update and manage the respective data and which is to make the data available in every moment;
- The geodata are public unless public or private interests are violated;
- The cadastre of the restriction on landowner rights is introduced and shall be operated by the cantons;
- The legal base has priority on every other regulation concerning geoinformation.



CONTENT OF THE ACT ON GEOINFORMATION

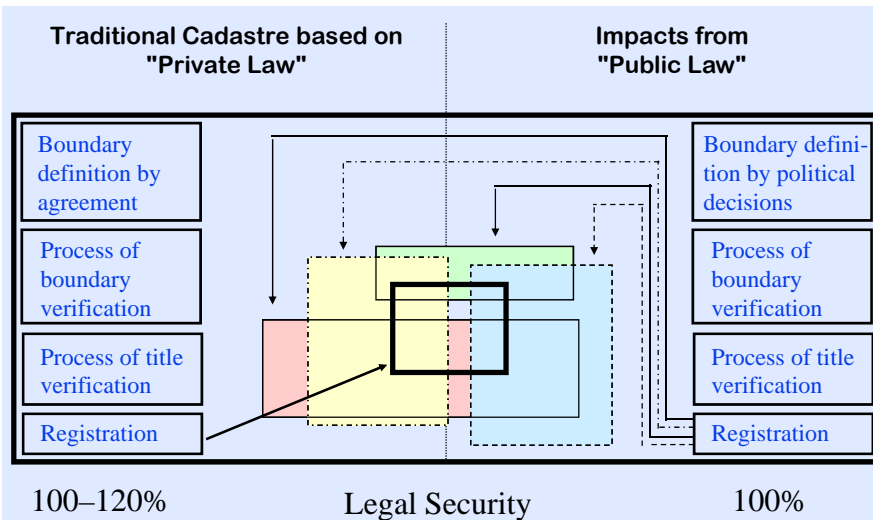
Chapter 1:	General provisions
Chapter 2:	Principles
Section 1:	Qualitative and Technical Requirements
Section 2:	Collection, Updating and Management
Section 3:	Data Access and Data Use
Section 4:	Cadastre of Public-law Restrictions on Landownership
Section 5:	Commercial Activities of the Confederation
Section 6:	Obligation to Support and Tolerate
Chapter 3:	National Land Survey
Chapter 4:	Swiss Geological Survey
Chapter 5:	Cadastral Surveying
Chapter 6:	Organisation
Section 1:	Responsibility and Cooperation
Section 2:	Financing
Section 3:	Education and Research
Chapter 7:	Final Provisions

CADASTRE ON PUBLIC.LAW RESTRICTIONS

Art. 16 Subject matter and form

- 1 The Cadastre of public-law restrictions shall contain public-law restrictions on landownership rights which, in accordance with the provisions of the Civil Code, are not part of the Land Register.
- 2 The Federal Council determines which official geodata under federal legislation are entered in the Cadastre of public-law restrictions.
- 3 The cantons may define additional official geodata of proprietary nature that must be recorded in the Cadastre of public-law restrictions.
- 4 The Cadastre of public-law restrictions shall be made available in electronic form either online or by any other method.
- 5 The Federal Council shall determine the minimum requirements with regard to the organisation, management, data harmonisation, methods and processes for the Cadastre of public-law restrictions.

CADASTRE 2014 DOCUMENTING PRIVATE LAW" AND PUBLIC LAW



CONTENT OF THE ORDINANCE ON THE CADASTRE OF PUBLIC-RIGHT RESTRICTIONS OF THE LANDOWNERSHIP

Section 1:	General provisions
Section 2:	Content and Information
Section 3:	Inclusion into the Cadastre
Section 4:	Forms of Access
Section 5:	Authentication
Section 6:	Function as official gazette
Section 7:	Organization
Section 8:	Financing
Section 9:	Participation
Section 10:	Final Provisions

HIGHLIGHTS OF THE ORDINANCE ON PRLR CADASTRE

- Responsibility remains with the authorities charged with the execution of legal prescriptions. These fix the boundaries where the restrictions are effective. The cadastre has to verify and include these arrangements;
- The boundaries are to be fixed on the basis of the cadastral data;
- Every interested person will get an extract from the cadastre ;
- The person getting an extract can ask for an authentication of the content;
- The cantons can declare the cadastre to be the official gazette on decisions;
- Cantons responsible for the management, federation keeps strategy and supervision;
- Co-funding of the implementation by federation and cantons;
- Cost of maintenance borne by the bodies which cause the changes in the cadastre;
- Implementation of the cadastre in two steps. First some pilot cantons will develop their regulations until 2014 and start operation by January 1st, 2015. All other cantons are to be ready to operate the cadastre from beginning of the year 2020.

LESSONS LEARNED (1)

Big discussions among the stakeholders!

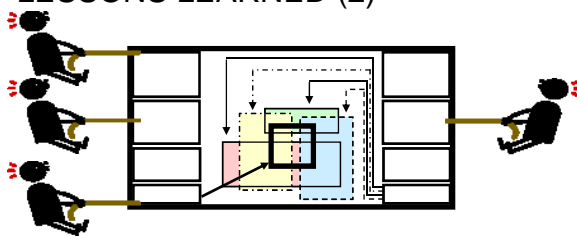


Disputes about regulations!



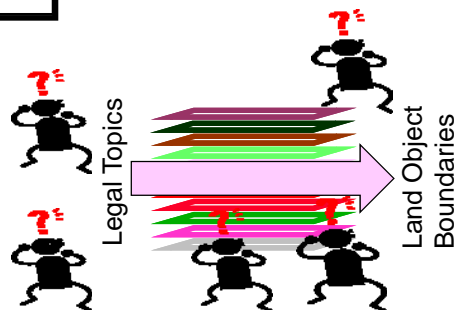
Bad acceptance of binding data models!

LESSONS LEARNED (2)



Reserves against PRLR Cadastre, creates fears of take-over of work by Surveyors!

Interdisciplinary working group came to the conclusion that only the legislation can define official geodata – law scanning!



LESSONS LEARNED (3)



All stakeholders aim at NSDI



but have difficulties to cooperate!

The law on geoinformation is a good guideline for the implementation of the NSDI. But it will take some time to get the NSDI working correctly and to have the complete information available!

Thank you for your attention

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