

The “Ensenad@ Project” Modernizing the Spanish Cadastre

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SUMMARY

The Spanish Cadastre, like others, has made a determined effort to supply the information it administers to Public Administrations, citizens and corporations through Internet. This decision, which implies substantial changes in the culture of the organisation itself and even to public service strategy, has a single aim: to fulfil the expectations of the customer/citizen, the end user and beneficiary of cadastral information. This aim requires changes regarding which cadastral products should be offered and how. Above all, it is the best way to achieve an adequate level of public service in the medium term, based on three general premises: to have the best possible cadastral information; to satisfy citizens' expectations, and to achieve all this at the lowest possible cost. The Ensenad@ Project is the strategic initiative adopted by the Spanish General Directorate of Cadastre in order to fulfil the requirements for cadastral information in the coming years. It will signify the definitive incorporation of Internet as the backbone of the relationship between the Cadastre and its customers, facilitating universal access to the information, immediately and at the lowest cost. When the project is completed, the Spanish Cadastre will have reached its full extent as a useful public service.

SUMARIO

El Catastro español, como algunos otros, ha iniciado con decisión el suministro a las administraciones, ciudadanos y empresas de la información que administra, utilizando para ello Internet. Esta decisión, que supone cambios sustanciales en la cultura de la propia organización y en la propia estrategia del servicio público, se orienta en una única dirección: satisfacer las expectativas del customer/ciudadano, destinatario y beneficiario final de la información catastral. Esta orientación impone cambios en los productos catastrales que deben ofrecerse y en la forma en los que se ofrecen. Pero sobre todo, supone el camino más adecuado para conseguir, a medio plazo, un adecuado nivel de servicio público basado en tres grandes orientaciones: disponer de la mejor información catastral posible, satisfacer las expectativas de los ciudadanos y obtener todo ello al menor coste posible. El “Proyecto Ensenad@” es la iniciativa estratégica adoptada por la Dirección General del Catastro de España destinada a dar satisfacción a las necesidades de información catastral en los próximos años. Supondrá la incorporación definitiva de Internet como soporte de la relación entre el Catastro y sus customeres, consiguiendo con ello el acceso universal a la información, en tiempo inmediato y con el mínimo coste. Una vez completado el proyecto, el Catastro español habrá incrementado de manera definitiva su papel de herramienta útil para la sociedad.

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1. INTRODUCTION

The Spanish Cadastre, like the majority of cadastral organisations that have achieved an adequate level of development of the information they administer, has recently had to make an important strategic decision: whether or not to incorporate Internet as a channel of communication with its customers.

The decision is strategic for three fundamental reasons:

- Internet is much more than a mere computer tool, because of the technological dependency it generates. In the medium term it will require the Spanish Cadastre to fully adapt to the “Internet culture”, substantially influencing future decisions, at least with regard to policy on information technology and communications.
- It creates a new context for the relationship with customers/citizens, based on physical distance (it will be possible to consult the Spanish Cadastre from anywhere in the world), immediate response (consultations will be attended to immediately) and the use of the “new language” that Internet imposes.
- As a consequence of the above, it will be necessary to define new cadastral products and services adapted to this new communication channel.

The first question that those responsible for the Spanish Cadastre had to address before opting for this new communication tool was if existing customers would be interested in this initiative and more important, if they were ready for it. An advantage of the Cadastre Quality Programme, implemented in 1997 to satisfy customer expectations, was that we had fairly precise information on what citizens expect and obtain from cadastral information. Likewise, the complaints and suggestions we had received in this regard had given us excellent information on the direction of change that our customers were interested in seeing in the future.

The objective of this paper is to briefly explain how the expectations and needs of the public have influenced the design and implementation of the service through which we will give citizens access to Spanish cadastral information via Internet. This also requires an explanation of the Spanish Cadastre itself, for an understanding of the reasons for many of the decisions we have adopted.

2. THE SPANISH CADASTRE TODAY – BASIC DATA

The territory of Spain measures 504,501 sq. km., 95% of which is administered by the General Directorate of Cadastre, a department of the Ministry of Finance. The cadastre of the remaining 5% is administered by the regional governments of Navarre and the Basque Country.

This territory contains approximately 44 million rustic parcels and 12 million urban parcels, each individually identified in the Cadastre's database. Further, the 12 million urban parcels contain 28 million urban units.

“Urban units” are the properties existing in a single building, pertaining to different owners and independently registered in the Land Register. It is common in Spain, in buildings housing various offices or homes, for each to belong to a different owner and be registered individually in the Land Register, like parcels. This is also largely the case with underground garage spaces. These urban units form in Spain what another seminar in this conference refers to as “3-D Cadastre”.

The General Directorate of Cadastre consists of 52 offices distributed throughout the country, staffed by 2,885 public employees. Our budget for 2003 amounts to 107 million euros. This budget is part of the National General Budget. It is important to keep this in mind, because it means that the General Directorate of Cadastre must fully comply with the criteria defined in Spain's general economic policy which, like in other European countries, can be summarised into a single concept: budgetary stability. In other words, a freeze in public spending, requiring administrators to be more efficient and to optimise the use of the economic resources available.

Following this line of analysis, the combination of the figures given above indicates that each of our employees administers an average of 24,957 parcels or urban units.

One last detail: the cost of maintaining and updating each parcel or urban unit in 2003 will amount to 0.67 euros.

For each of these parcels or urban units, information on various elements is kept updated – legal and economic information, and the physical description of the property - forming the Data Model.

The legal element consists of the name of the owner or holder of the surface rights (the right to build on a surface that is another's property), the name of the usufructuary, the name of the holder of any administrative license, and the cadastral code or reference.

The element dedicated to the physical description of an estate includes its location, surface measurement, the type of farming best suited to it, and the quality and type of construction, and its use, if a building exists.

Lastly, the model for the massive appraisal of real estate allows the annual evaluation of each parcel, featuring the cadastral value of the land, the cadastral value of buildings, if they exist, and the total cadastral value, which is the sum of both.

It is important to emphasise that the analytical processes developed in recent years for application to the Data Model have rejected the possibility of further increasing the number of types of information included in the cadastral database. We believe that more information would signify multiplying the complexity and the cost of maintaining the model. We only want to include information that we can genuinely keep up to date.

The key to an efficient cadastral system is not only the availability of the necessary information, but also the ability to keep it permanently up to date. In 2002, 1,838,146 changes of real estate ownership were recorded in the Cadastre, and more than 1,020,000 new urban units appeared, a result of significant construction work in recent years. Likewise, 24,690 new parcels deriving from the division of already existing parcels, were recorded in the Cadastre's database, and more than 48,000 changes in the type of crop.

As for the demand for information, the Territorial Offices of the Cadastre last year received nearly 2,129,000 visits and attended 387,000 phone queries. Our web page received 32,000 visits to download different help tools. And lastly, 873,332 cadastral certificates, on paper, were issued in 2002.

This information is sufficiently eloquent of the efforts we make to keep information up to date and it also provides important orientation regarding how we should provide service via Internet. As an example, it is evident that those 873,000 certificates can and should be furnished, if the customer wishes, in the form of electronic certificates via Internet, and that the use of this tool should reduce the number of visits to our offices to a minimum.

A singular characteristic of the Spanish model is that the presentation of declarations to the Cadastre is compulsory, for owners, public employees, notaries and property registrars, and companies owning real estate. This compulsory declaration can take the form of a data statement, reports, or other information affecting the real estate. Failure to present these declarations and reports constitutes a tax offence.

How can Internet help improve this situation? This is the principal question we have to address.

We must remember that the Cadastre in Spain is a database that is open to all potential users. The only restriction refers to personal data which are protected by specific legislation, developed as a result of E.U. directives. Protected information includes name and surnames, company name, Fiscal Identification Number and address. The cadastral value of the property is also protected because it is highly indicative of the economic profile of the owner.

These restrictions are not applicable to Public Administrations or to certain high agencies of the State, nor to the judicial powers, who can access all kinds of information in fulfilment of their competencies.

This profile of a public register is also decisive when defining the cadastral model we want to provide through Internet.

Lastly, we cannot end this review of the general lines of the cadastral model without mentioning what the Cadastre is used for in Spain. In my opinion, the best Cadastre is not the one that contains the largest amount of information, nor the one with the best cartography, nor even the one boasting state-of-the-art technology. The best Cadastre in the world is and always will be the one that is most widely used by the customers accessing it.

It is a permanent concern of the Spanish Cadastre to spread the use of cadastral information, precisely because we believe that the more our information is used, the more up to date it will be. From this perspective, the principal uses of the Cadastre in Spain are the following:

- Fiscal uses, for national, regional and local taxation purposes. Real Estate Tax alone represented more than 4,700 million euros in income for local governments in 2002. We particularly recommend the use of the cadastre for fiscal purposes, especially in countries that are in the process of establishing a new taxation model and those in a situation of economic development. Real estate taxes are very easy and highly profitable in terms of management, and are also the ideal source to maintain the Cadastre updated in the future.
- Efficient administration of public spending. Numerous public spending policies can benefit from good cadastral information. In Spain, cadastral information is used to control all kinds of financial aid (housing, education, etc.). It is particularly important for the control of subsidies from the E.U.'s Common Agricultural Policy, since it allows the prior comparison of applications for aid with the information contained in the cadastral database, making the Cadastre a valuable weapon against subsidy fraud. The information is also used in the development of policies for environmental protection, agriculture, infrastructure development, housing plans, urban planning and public safety, to name the most important examples.
- Legal security of real estate. The coordination model of the Cadastre and the Land Register is highly valued by the public, who thus benefit from the added guarantee of matching the physical and legal existence of a real estate.
- Lastly, the cadastre is regularly used as a means of evidence in judicial procedures in courts of law.

It is evident that the role that Internet must develop in the future is to maximise the use made of cadastral information.

3. HOW CAN WE IMPROVE? PRINCIPAL CRITERIA USED TO DESIGN THE INITIATIVE

There is always room for improvement in the context of the activity of public administration. But of all the initiatives needing our efforts, the most suitable, without a doubt, are those

aimed at improving the service we provide to citizens by satisfying their needs and expectations.

In this context the Ensenad@ Project was born, which, in summary, is the initiative of the General Directorate of Cadastre in Spain to allow access to cadastral information and other on-line services via Internet.

Those who attended yesterday's plenary sessions and heard the presentation by Concepción Camarero will know that the marquis of Ensenada was a great Spanish reformist who introduced important initiatives to improve public administration in 18th century in Spain. Among these initiatives, the most important was the performance of the Cadastre of the Crown of Castile, which occupied 70% of the territory of modern-day Spain, producing more than 80,000 volumes of information that are still preserved in the national history archive. Last year was the 300th anniversary of Ensenada's birth, and for this reason we named the project after him, in recognition of his enormous achievement.

How did we go about designing the service we are going to provide via Internet by means of the implementation of the Ensenad@ Project? Let me remind you of the major questions we have mentioned so far:

1. We want a Cadastre that optimises the financial resources available. The project must not represent an increase in the public funds already dedicated to the Cadastre.
2. We want a Cadastre with a stable data model. This means that we are only going to offer information that is genuinely useful and that is kept perfectly up to date. The efficiency of the model does not allow "a la carte" products. It is the role of private enterprise to develop specific products for specific customers, using the generic information that we provide.
3. In the Spanish Cadastre, citizens are, simultaneously:
 - Owners, since the Cadastre is paid for out of their taxes;
 - Suppliers, since they have the obligation of informing the Cadastre of all data relative to their property;
 - Customers, since they apply to the Cadastre for information for private and public purposes.

The Internet model we design must address all three aspects, with three different lines of response:

- The cost of the service must not be charged to the user. Our model is based on the understanding that the cadastral information to which public administrations and citizens need access has already been paid for through taxation. Owners should not have to pay again for what is already theirs.

- The difficulties for citizens to provide information to the Cadastre must be reduced to a minimum. If another institution can replace the Cadastre in this obligation, the model will arrange for it. This solution is already being applied in cases of change of ownership of real estate conducted in the presence of a Notary. The Notary has the obligation to communicate the information to the Cadastre, instead of the buyer and vendor.
- Every facility must be offered to customers to access cadastral information, while at the same time personal data are fully protected. Products should be delivered as soon as they are requested, and uniform quality levels should be guaranteed throughout Spain.

Unnecessary visits to our offices by citizens must be prevented. When a national, regional or local administration has access to cadastral information via Internet, they will not require the citizen to provide certificates of the same information.

4. A BRIEF EXPLANATION OF THE MODEL ADOPTED

In view of the foregoing summary, the model has been designed following these basic criteria:

- The Cadastre via Internet is customer-oriented. Therefore everyone will be able to access cadastral information through this channel.
- Different access levels will exist, depending on who is requesting the information and what kind of information it is. Access to unprotected data will be unlimited, but protected data will be restricted to Public Administrations, and to owners regarding their own property. The supply on-line of information to modify the database will be restricted to certain institutions. In all cases, access to information will be free of charge.
- The Ensenad@ Project will be developed in three stages – a first, preparatory phase, was completed last year, the second (2003-2004) for implementation of the model, and a third phase (2005-2006) for improvement of the model.
- Lastly, the project will be financed directly with public funds from the Spanish Government and the European Union.

We will briefly extend on these ideas:

5. BASIC ELEMENTS

The development and implementation of the model will also serve as the preferred channel for the improvement of the Cadastre's services overall, based on the following principles:

- Connectivity – creating data exchange mechanisms that allow electronic entry and transfer of data.
- Accessibility – allowing on-line consultation of cadastral data by all interested parties.

- Added-value services – the wealth and uniqueness of data will allow us to provide advanced, value-added services.
- Personalisation – each citizen or Administration will access according to his/her specific role.
- Gradual introduction – the project will be implemented gradually, as described below, depending on the technical complexity of the services and the value and quality of the information available, starting with collaborating institutional agents and with pilot experiences.
- Security - the model will guarantee user security through electronic certification systems.
- Simplicity: the system design features easy access and user friendliness (through navigators). Users will be able to choose the channel as preferred, but not exclusive.

6. SCHEDULE OF IMPLEMENTATION

Development of the Ensenad@ Project features three different phases:

6.1 Development of the Cadastre Web Page: 1999 – 2002

Objective: to make the Spanish General Directorate of Cadastre known through Internet.

The web page contains general information on cadastral products and services, regulations, statistics, inter-agency cooperation, etc. Migration to version 3 of the page is currently underway.

Basic Services:

- Download of computer programmes for Notaries and Registrars.
- Order forms for products.
- The Cadastre's on-line newsletter, sent to all Spanish local governments.
- E-mail communication service.
- Computer-based help programme for the presentation of declarations to the Cadastre (PADECA).

6.2 Cadastre Office On-Line: 2003 – 2004

Objective: to supply on-line services to citizens and public institutions by means of accessibility and connectivity.

Personalised Services:

- Consultation and certification of alpha-numerical cadastral data for individuals (G2C), Administrations and Institutions (G2G). Includes the entire Spanish cadastral database.
- Exchange centre for cadastral data files (G2G) with regional and municipal Administrations.
- Cadastral map viewer and applications for descriptive and graphic certifications (G2C y G2G)

6.3 Advanced on-line services: 2005 – 2006

Objective: to supply added value services incorporating advanced electronic signature technology.

Advanced Services (G2C):

- Sale of cadastral products.
- Electronic payment of cadastral duties.
- Correction of personal data.
- On-line presentation of application forms and documents.
- Case monitoring.
- Appointment scheduling for personal visits to offices of the Cadastre.

7. OTHER INITIATIVES FOR THE IMPROVEMENT OF THE SPANISH CADASTRE

In addition to the implementation of the Ensenad@ Project, the General Directorate of Cadastre is working on other initiatives to achieve a profound reform of its model, giving priority to customer needs. The two most significant examples are legal reform and the expansion of activity to the rest of the E.U.

7.1 Introduction of the new Law of Real Estate Cadastre

A new Law of Real Estate Cadastre has recently been approved, with the aim of providing the legal framework necessary for the Cadastre we aim to develop in the coming years. The main features of the new law are:

- Easier maintenance of cadastral information, granting legal validity to diverse actions performed via Internet.
- Legal coverage of the territorial data exchange center for the transfer of information between Public Administrations, created under the Ensenad@ Project.
- Revised cadastral treatment of special real estate (nuclear plants, reservoirs, motorways, major ports, etc.).
- Improved precision in the treatment of rustic parcels, with a new cadastral code and a new appraisal model.

7.2 Increased integration of the cadastral systems existing in the European Union:

The number of foreigners purchasing real estate in Spain is growing, especially in tourist areas. Currently more than 150,000 homes are owned by foreigners, mostly E.U. citizens. Secondly, the Spanish Cadastre has proved useful for the application of different E.U. policies, e.g. Common Agricultural Policy. Lastly, it is increasingly necessary to have a detailed knowledge of the initiatives being developed in other E.U. countries regarding cadastre, in provision of the convergence of national models into a future European Cadastre, which is bound to occur sooner or later.

For these reasons the General Directorate of Cadastre has promoted the creation of the Permanent Committee on Cadastre in the European Union, whose aim is to serve as a forum for communication between the 25 institutions administering cadastre in the existing and future Member States of the E.U. Further, the Committee proposes to serve E.U. institutions that are interested in using the Cadastre as a tool for policy development.

Further information on the Permanent Committee on Cadastre in Europe is available on-line:
www.eurocadastre.org

For more information on the Spanish General Directorate of Cadastre, please visit:
www.catastro.minhac.es

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