

CADASTRAL SYSTEM OF UKRAINE IN THE CONTEXT OF THE WORLD

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Problem. Development land property relations in Ukraine gradually increases its impact on the economy and increase welfare.

One of the key points of sustainable economic development and improving the investment climate is authenticity, depth and simplicity of access to inventory data. In this area, the construction of the cadastral system in Ukraine should be based on the best achievements existing cadastral systems leading countries with regard to national traditions, laws, and technological approaches available material and technical base.

Remaining part of the overall problem. An important aspect of the problem of building cadastral system is the optimum choice of individual structural elements and their relationships in accordance with existing developments and their improvement and development of new ones.

In order to address these issues are considered general aspects and components of the total inventory of basic operation leading countries, particularly the USA, Germany, France, Poland and Sweden.

Problem. Develop proposals and recommendations to improve the cadastral system in Ukraine.

Analysis of recent research and publications related to the solution. Legal cadastral system in Ukraine based legislative and legal documents state, including the Land Code of Ukraine, Law of Ukraine "On State Land Cadastre" Order of the State Land Cadastre, approved by the Cabinet of Ministers of Ukraine dated October 17, 2012 №1051.

One of the important problems of building cadastral system in Ukraine should be its main provisions and sustainability principles based on the European evolutionary trends of cadastral systems and taking into account the mentality and socio-economic, cultural and educational priorities of individual regions of the state and its administrative divisions and so on.

The political situation, unprofessional, personnel distribution of executive positions from central government to the district by party quotas znivelyuvaly achievements of many experts in the field of land relations, and in the field of construction of classical cadastral systems. In particular, A.Tretyak points out: "the concept and essence of the inventory at the legislative level and vacant - in particular,

through unprofessional ..." [2] A.Yurchenko - "personnel policies by party quotas adversely affected ..." [3].

The main material problems. In world practice are three basic cadastral system:

- Torenza, which operates in the US, Canada and other Latin American countries;
- Napoleonic (French) mouthpiece which is France and its former colonies;
- Prussian or German - Germany and other countries in central and northern Europe.

Consider the nature and function of the capture of cadastral systems in the leading countries.

Cadastral System. In the United States there is no land cadastre system in classic form. US occupying an area of 9,850,000 km² with a population of 318 million people that the area is the fourth largest in the world and the people - the third.

Each of the 50 US states has its own accounting system, the formation and registration of cadastral objects, but for all states is the same division of the state on the territory of cadastral blocks and sections and registration system [7]. Each state is divided into four main meridians and the main baseline (parallel) into four parts. The main meridian and base line usually pass through the geometric center of the state. Each of the four parts divided in turn into columns and verses, creating blocks measuring 6 × 6 miles and is about 93 km². In each stanza quarter columns and sequentially numbered. For identification, name quarters, such as post Tonship2 South, Range3 West indicates that this unit is in the southwest (sw) of the state in the second stanza and the third column.

In turn, each block is divided into 36 sections 1 mile long sides corresponding to the square section of about 2.6 km². Depending on the needs in each section distinguish appropriate areas of land by assigning them the corresponding identification number.

It should be noted that this division carried out in the territory of the country corresponding range of topographic maps and plans.

In the USA Public land-camera system (PLSS), which works closely with the Chief Land Office (GLO).

To address important public issues of creating energy, transport and other utilities corridors, development of mineral resource base, etc. functions Bureau land

management (BLM), which administers more than 1 million km² area and is part of the Public System PLSS.

In the United States there is a system of registration of Association Assembly. The essence of this system lies in the fact that at the conclusion of agreements with real estate registrar (the state) assume responsibility only part of the registration. This ensured that when the transaction before the registrar shall be persons who enter into this agreement. Registration itself does not ensure the legality of the transaction and relevant following its uchasnykiv.tazabezpechennya of statistical data.

Land administration in Germany is the national and local governments as well as individual citizens and business.

Inventory Germany has a federal level. In 16 states of the federation have 16 major, 250 regional cadastral and GIS offices, staff of which is 25 thousand. People. In the regional offices of the 62 million registered land. At one regional office have an average of 325 thousand. Residents or 295 thousand. Parcels with total area of 1.4 thousand. Km².

Land management in 1500 are licensed entities. The license is issued individually and only operates within a single state. The duration of the license 4-5 years. To obtain a license must have a university education (4-5 years), two years of practical work and pass the appropriate state exam.

How cadastral system each state with federal agencies through the Federal Agency for Cartography and Geodesy (SLE) and the Bundestag Geoinformation Office (BGIO).

Today the German cadastral system has two components: real estate register (ALB) real estate appraisal and maps (ALK). In ALB leading digital property registry, which indicate the parcel number, owner, street names and more. Property on the map (ALK) also point parcel, owners, topography. Evaluation maps are in the scale of 1: 1000.

Since 2009 in Germany formed an integrated system of cadastral registration ALKIS, which is part of the comprehensive system AFIS-ALKIS-ATKIS and emerging international standards ISO, OGS. Note that AFIS - geodetic data base, ATKIS - topographical.

German cadastral system created on the platform of the software ArcGis.

Cadastre France. At the French area of 551 thousand. Km² is home to 59 million people. Administrative division are 22 metropolitan regions, 96 departments, 329 districts, 3883 Kapton and 36,682 communes (municipalities).

The inventory of France performs three main functions [8]:

- fiscal (evaluation of real estate owner identification assessment);
- legal (legal identification and physical description of the property);
- technical (production of cadastral plans, support of geospatial data for identification and physical description of the property, etc.).

Support and maintenance of functional Cadastre shall:

- 7500 workers, 1500 and 2200 licensed private surveyors;
- 20,000 agencies, most of which are involved in the assessment of real estate;
- 354 land registry offices and 315 inventory;
- 4 specialized regional databases and supporting documentation;
- 4 groups for photogrammetric production cadastral plans of remote sensing techniques;
- National Cadastral dock-mentatsiynny Center (reproduction cadastral plans, cadastral register);
- National Cadastre school in Toulouse, which is the basic training on inventory.

France has a fiscal cadastre napravlennist. Register property in the land register are controlled by the Ministry of Economy, Finance and Industry.

Cadastral registers the land concentrated in land registration and cadastral offices. All legal issues are public notaries represented in land registration offices. Detailed inventory removal carrying out private surveyors. Represent graphic information in the form of maps and plans on the scale of 1: 500. In most cases, urban land cadastral maps are in the scale of 1: 1000, and rural - 1: 2000.

The maps show:

- boundaries of communities;
- limit cadastral sections;
- boundaries of land;
- communication networks and their description;
- hydrography;
- building.

In the cadastral register are 590 thousand. Cadastral plans; 34.5 million of communal property; 96,700,000 paratsel.

During inventory in France understood formal system of registration, where priority score stands ownership. Inventory in France does not determine the accuracy of land boundaries, but is a legal statement delineating property. The boundaries of land set in a nature-based land cadastre zniman property. Access to cadastral plans and registration data is in the mode on-line.

Cadastre Poland. Inventory of Poland is based on [1]:

- economic and spatial planning areas;
- inventory tax and cadastral objects;
- Register of property and inheritance in real estate;
- land management;

- national statistics;
- Register of Enterprises.

According to the Act of May 17, 1989 "geodetic and cartographic law" register of land and buildings is called the Land Register.

Organizational estate cadastre is the Department of Geodesy and Cartography (HUHiK).

The structure of this service include 16 provincial (regional) offices and 425 district.

The register of land and buildings (real estate cadastre) includes information:

- land - location, boundaries, area, proper use, quality of soil property rights;
- Construction - location, functionality, characteristics (year of construction material, area etc.) buildings and premises for various purposes.

Inventory estate covers an area of 312.683 km², including the city limits (21.345 km²) and rural areas (291.338 km²).

For the purposes of the Land entire area of the country is divided into 3072 cadastral systems, cadastral sections 54007, more than 33.2 million cadastral parcels, including 6.5 million in urban and rural 26.7 million.

Land registry uses a national geodetic and cartographic resources:

- basic card;
- topographical database;
- assessment of the property and an estimated registry;
- State Register of dividing the territory.

Cadastral plans are in masshtabah1: 500, 1000, 2000, 5000 cadastral plans 1: 500 covering area of 0.6%, 1: 1000 - 2.4%, 1: 2000 - 10.2%, 1: 5000 - 79 , 6% and others - 7.1%. The content of cadastral maps include:

- State boundaries and levels of territorial division;
- location of landmarks;
- contours classes of soil evaluation;
- building footprints;
- room inventory models;
- descriptive information data.

Land Register (register of land and buildings) are closely related to the other two registers: Land Registry collateral, which is the Ministry of Justice and the Registry assessment administered by the Ministry of Finance.

Registers of land and buildings, land and property and heritage inventory expected to be integrated into a single electronic platform (IPE). These registers can be verified in other public registers.

Inventory Ukraine. In the legislative field of Ukraine definition of "inventory" three vydozminyuvalas.

In the first edition of the Land Code of Ukraine State Land Cadastre (SLC) is defined as a system of necessary information and documents on the legal

regime of their distribution among land owners and land users, land by categories of quality and national economic value of land. So by this definition, inventory - accounting system.

The next (second) edition of the Land Code of Ukraine defines the cadastre as a unified system of cadastre works, which establishes the procedure for determining the occurrence or termination of ownership, rights of use of land and contains a collection of information and documents about the location and the legal regime of these sites, their evaluation, land classification, quantitative and qualitative characteristics, the distribution among land owners and land users. Hence, inventory - system of measures.

The third definition of inventory: Inventory - informational system of land located within the state border of Ukraine, their intended purpose, restrictions on their use, as well as data on the quantitative and qualitative characteristics lands, their assessment of the distribution of land between owners and users. Now it is an information system inventory information.

None of the above determinations resulted not meet European, which treats inventory as a system of registration of land and other types of property.

State Land Cadastre can not be the usual informational system of land [2].

Thus the concept of cadastre in Ukraine should be identified as a system of registration of land and other property type, with all them prysuschymy characteristics necessary for socio-economic development areas, improving the investment climate, etc., and legal consequences for registration. This definition conforms with European inventory.

One of the important functions of the European Inventory of registered ownership and use, which is an important factor in ensuring the inviolability of state ownership of these registered in the State Register sites. Until recently, the registration of land and rights to them performed in a single institution - the structural units Derzhzemahenstva Ukraine, in line with European trends create a single integrated registration system (AFIS-ALKIS-ATKIS, Germany; IPE, Poland). Now in Ukraine, by contrast, registration is conducted in two departments: Registry (information) on the land form the structural units Derzhzemahenstva Ukraine and registration of ownership transferred to the Ministry of Justice of Ukraine (State Registration Service).

It should be noted that an extremely important feature is its fiscal cadastre component. Actually inventory of France emerged as the fiscal, as it allows to replenish the state and local budgets, which contributed to the

economic attitude of the state. In fact in the present definition of fiscal cadastre is only part of the information on the assessment of land.

In order to identify land and public presentation of performing cadastral zoning, which basically must meet the coding information in accordance with the requirements of Statistics of Ukraine.

The basis of the cadastral zoning in the territory of Ukraine assigned separate accounting and property units (land) within the administrative-territorial units (village-town (village) -region). This approach contributed to the cadastral zoning locating land in the administrative and territorial structure of the state and the formation of the state statistical database. The main drawback of this approach to land zoning is the need to change numbers when changing zones of administrative and territorial structure of the state, some areas in urban areas and more. New Procedure for State Land Cadastre [5] provides the structure of cadastral number of land, which includes a number of cadastral zones quarter and the land that is contrary to European standard ISO3166-2 [4], which shows the identification of the country and its regions (oblasts). Identifying land according to the standard may be an integral part of the identification code of land in Europe.

In European directives ISPIRE [6] No common approaches and requirements for cadastral zoning. In some countries, the entire country is divided into cadastral zones in its national characteristics, while others believe cadastral area of the country, and others identified with the cadastral zoning administrative-territorial division.

Currently cadastral zoning by administrative-territorial division in Ukraine reached more than 25 million of land, of which about 17 million are in cadastral database.

Changing approaches to cadastral zoning will need transformation have identified a large array of land and property units. And if you move to a new system of cadastral zoning Ukraine, the basis, in our opinion, it would be put rozhrfku nomenclature of topographic maps and plans that exist in Ukraine, using a similar approach to the division of territory as is the case in the United States.

The entry of Ukraine into the European space requires compliance with European standards and requirements in the sphere of land relations.

References

1. Cadastral information system a resource for Hie E.U. politics overview on the cadastral systems of the E.U. merabers states part II, permanet

cominittee on cadaster in the eropean union, 2009, - 224 p.

2. Tretyak A. Ukrayins'ki paradoksy i problemy rozvytku derzhavnoho zemel'noho kadastru./Natsional'na bezpeka i oborona. Tsentr Rozumkova, #6, 2011 – 52-55 s..
3. Yurchenko A. Rezul'taty reformuvannya zemel'nykh vidnosyn i perspektyvy zaprovadzhennya rynkovoho obihu zemel' v Ukrayini/Natsional'na bezpeka i oborona. Tsentr Rozumkova, #6, 2011 – 61-63 s.
4. Rezhym dostupu: <http://uk.wikipedia.org/wiki/ISO3166-2:ua>.-Nazva z ekranu.
5. Poryadok vedennya Derzhavnoho zemel'noho kadastru:ofits.tekst:[zatv.Postanovoyu Kabminu Ukrainy vid 17.10.2012r. #1051]-K.:2012r.
6. D 2.8.1.6.INSPIRE Data Specification on Cadastral Parcels – Cuidelines. Elektronnyy resurs z ekranu.The nature of geographic information <http://www.education.psu/geog/482fall2/p7..p19.html>.
7. [www.euro cadaster org/pdf/gil.pdf](http://www.eurocadaster.org/pdf/gil.pdf)

The cadaster system of Ukraine in the context of world experience

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In publication it is considered cadaster system of Ukraine as compared to cadaster systems United States, Germany, France and Poland.

On the basis of implementation of analysis of world progress of the cadaster systems trends formulated basic princips directions of development of cadaster of Ukraine major, on the view of authons, are: determinations of cadaster as a begal structure of registration of real estate and rights; professional skilled providing of the systems of cadaster; .skilled construction and perfection of structural elements of cadaster, coming from existent works.