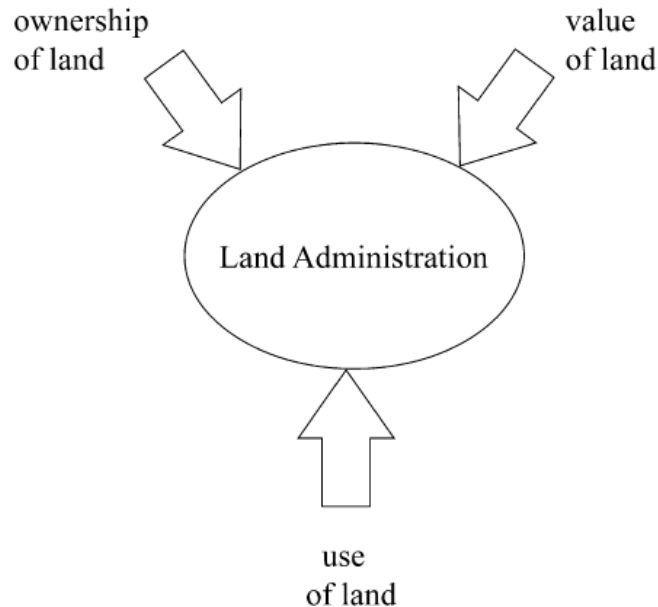Lecture 6

LAND ADMINISTRATION

What is Land Administration.……

land administration as the process of determining, recording and disseminating information on the ownership, value and use of land when implementing land management policies (UN, 1996)

What is Land Administration……

- land administration sometimes understood as the administration (management) of land, like 'the processes of regulating land and property development and the use and conservation of the land, the gathering of revenues from the land through sales, leasing, and taxation, and the resolving of conflicts concerning the ownership and use of land' (Dale & McLaughlin, 1999)

Land policy

………LA aims at serving the society with land policy which can be implemented through land management

Instruments required to implement land policy
- Security of land tenure and security of credit
- Regulating land market
- Urban and rural planning development and maintenance
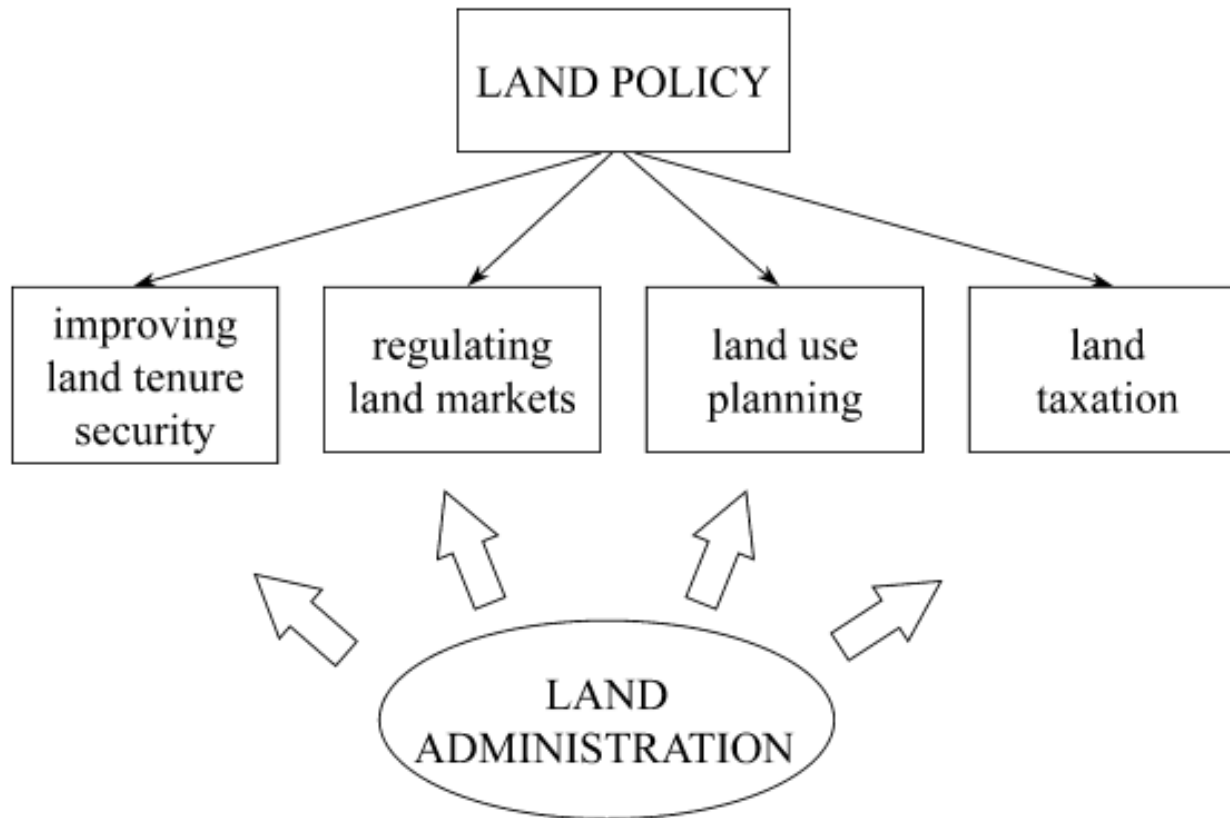- Land taxation

Land policy

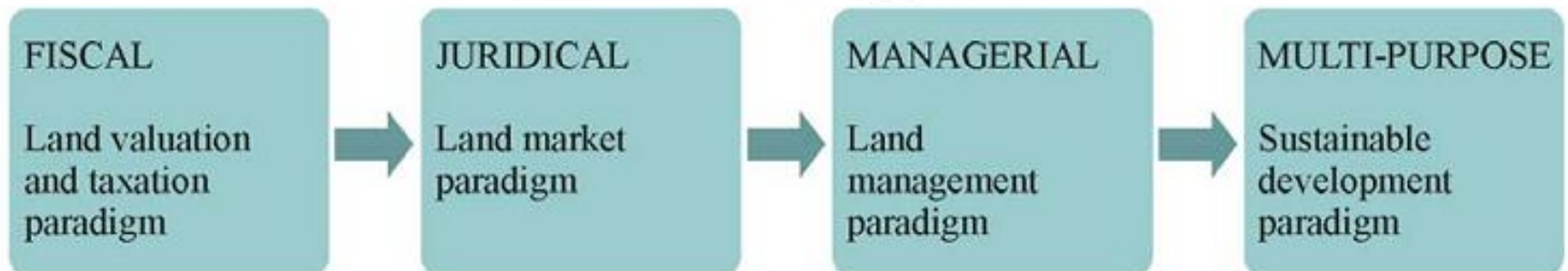Fig. 3. Land administration as a tool for land policy.

Evolution of Land administration

Human kind to land evolution

Land as wealth → Land as a commodity → Land as a scarce resource → Land as a community scarce resource

Evolution of cadastral applications

Feudalism | Industrial revolution | Post war reconstruction | Information revolution

1800 | 1950 | 1980 | Not to scale

FISCAL — Land valuation and taxation paradigm → JURIDICAL — Land market paradigm → MANAGERIAL — Land management paradigm → MULTI-PURPOSE — Sustainable development paradigm

Elements of LAS

- **Land Tenure Systems**

- land tenure refers to the way in which land rights are held

- formal systems: laid down in statutes

- subject to state imposed restrictions such as planning legislation that limits the use rights associated with any area of land and restriction of ownership by foreigners

- informal systems: conducted in accordance with custom and tradition

- operate in traditional areas and where formal systems have not been put in place or have broken down, as in squatter camps and other informal settlements.

Elements of LAS

- **Land Registration**

- record of landownership

- process of recording and guaranteeing (in some countries) information about the ownership of land either through the

  ✓ deeds registration (storage of contract documents about the land) or

  ✓ title registration (by compiling special inventories of land ownership)

- provides safe and certain foundation for the acquisition, enjoyment, and disposal of rights in land

Elements of LAS

- **Cadastre**
  - similar to a land register
  - an information system
  - consisting of two parts
- a series of maps or plans showing the size and location of all land parcels,
- text records that describe the attributes of the land

Categories of cadastre

- **Fiscal cadastre**: a register of properties recording their value / taxable area of the land
- **Juridical cadastre:** a register of parcels of land according to their ownership or use rights.

Elements of LAS

- **Cadastre**
- **Land-use cadastre:** a register of land use based on individual parcels
- **Multipurpose cadastre:** a register that includes many attributes of land parcels and addresses the wide range of issues

What makes difference between land registration and cadastre ?

Elements of LAS

- **Land Valuation and Taxation**
- Land is both cultural and economic asset
- Cadastre used to support land valuation and taxation
- Tax from property and land is the major revenue source for local government
- Three information required for land taxation
  - Who are the taxable persons
  - What are the taxable objects
  - What is the value of the land

Elements of LAS

- **Land Valuation and Taxation**
- Valuation of Land requires good understanding about
- ➢ land market
- ➢ Building cost
- ➢ Depreciation cost
- ➢ Rents and yields

- Land information infrastructure and GIS technology increasingly used

Benefits of Land Administration

- **Support for governance and rule of law**
- **Alleviation of poverty**
- **Security of tenure**
- **Support for formal land markets**
- **Security for credit**
- **Support for land and property taxation**
- **Protection of state lands**
- **Management of land disputes**
- **Improvement of land use planning**
- **Development of infrastructure**
- **Management of resources and environment**
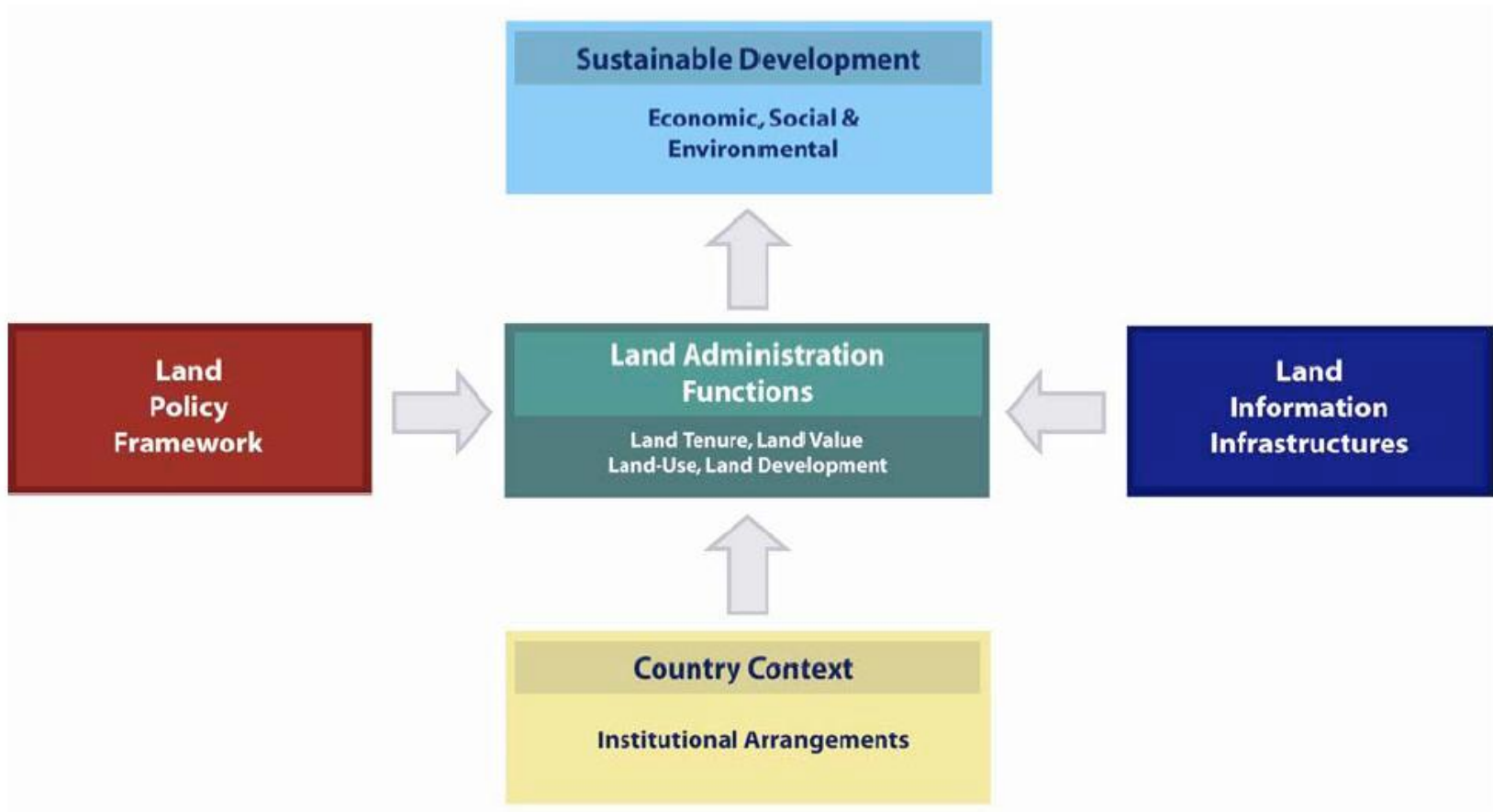- **Management of information and statistical data**

Lecture 7

PRINCIPLES OF LAND ADMINISTRATION

PRINCIPLES OF LAND ADMINISTRATION

LAS	■ provides infrastructure for implementation of land polices and land management strategies in support of sustainable development
Land management paradigm	■ set of principles and practices ■ provides a conceptual framework for understanding and innovation in land administration systems.
People and institutions	■ engaged people within the unique social and institutional fabric of each country. ■ encompasses good governance, capacity building, institutional development, social interaction ■ focused on users, not providers ■ requires capacity building in individuals, organizations and wider society to perform functions effectively, efficiently and sustainably
Rights, restrictions and responsibilities	■ forms the basis for conceptualizing rights, restrictions and responsibilities (rrr) related to policies, places and people.

Land management paradigm

Enemark, 2004

PRINCIPLES OF LAND ADMINISTRATION

Cadastre	▪ core of las ▪ provides spatial integrity and unique identification of every land parcel ▪ provides security of tenure by recording land rights
Dynamism	▪ four dimensions - continual evolution of people to land relationships - evolving ict and globalization - dynamic nature of the information within las - changes in the use of land information
Processes	▪ set of process that manage change ▪ key processes concern - land transfer, mutation, creation and distribution of interests, valuation and land development

PRINCIPLES OF LAND ADMINISTRATION

Technology	▪ opportunities for improved efficiency of LAS and spatial enablement of land issues ▪ improves the collection, storage, management and dissemination of land information ▪ Development of ICT offer potential spatial enablement of land issues by using location or place
Spatial data Infrastructure (SDI)	▪ efficient and effective las for sustainable development requires sdi ▪ enabling platform that links people to information ▪ permits the aggregation of land information from local to national levels
Measure for success	▪ measured by its ability to manage and administer land efficiently, effectively and at low cost ▪ success depends on adopting appropriate laws, institutions, processes and technologies designed for the specific needs of the country or jurisdiction.

SPATIAL DATA INFRASTRUCTURE (SDI)

❑ *SDI is defined as the relevant base collection of technologies, policies and institutional arrangements that facilitate the availability of and access to spatial data*

❑ SDI in a land administration framework provide mechanisms for sharing geo-referenced information about land

❑ Three mechanism

- conceptual

- political

- economic

SPATIAL DATA INFRASTRUCTURE (SDI)

❑ Conceptual mechanisms

-design of organizational concepts for data sharing and custodianship, e.g. a centralized or a decentralized approach

❑ Political mechanisms

- provision of an effective institutional framework
- distribution of power between the governmental levels
- includes design and adoption of policies for access to data, e.g. policies for protection of privacy such as personal and financial integrity of the individual

❑ Economic mechanisms

- include cost recovery policies
- strategies for distribution and maintenance
- key issue is provision of a universally accepted policy for access to data

SPATIAL DATA INFRASTRUCTURE (SDI)

❑ Key elements

- adoption and implementation of technical standards

- adoption of access policies and cost recovery policies and

- design of co-operative relationships between governmental levels and between the public and private sector.

BENEFITS OF SPATIAL DATA INFRASTRUCTURE

- Data infrastructure and relevant linkages emerge positive results
- Clear responsibility for data maintenance and upgrade
- Reduction of Duplication and improved analysis
- Development of sound decision-making processes for governments at all levels
- Valuable information source for academic institutions, the private sector and the community
- Through this environment public sector can play a coordinating role in developing the spatial data infrastructure and for governments to initiate this process "for public good"

ROLE OF COMPUTERIZATION IN LAND ADMINISTRATION

The benefits of a land administration system can be enhanced by using computers

- FORCE standardization in the collection and processing of land information

- SPEED UP the processes of first registration of title

- DECREASE cost and space required for storing land records

- PREVENT unnecessary duplication

- FACILITATE access to land-related data and improve their distribution

- REDUCE time and cost involved in transferring property rights and in processing mortgages

- FACILITATE monitoring and analysis of market and rental values of land and property

- BUILT IN mechanisms for quality control

Lecture 8

SDI AND GOOD GOVERNANCE

STRUCTURE OF SDI

- ✓ is a set of networked data

- ✓ each setup serve a certain sector of applications, in terms of the objectives: environment and physical planning, transportation, agriculture etc.

- ✓ requirement of data at a different resolution or scale

- ✓ same coordinate system must be used for the spatial referencing

- ✓ excessive variation in resolutions are avoided

STRUCTURE OF SDI
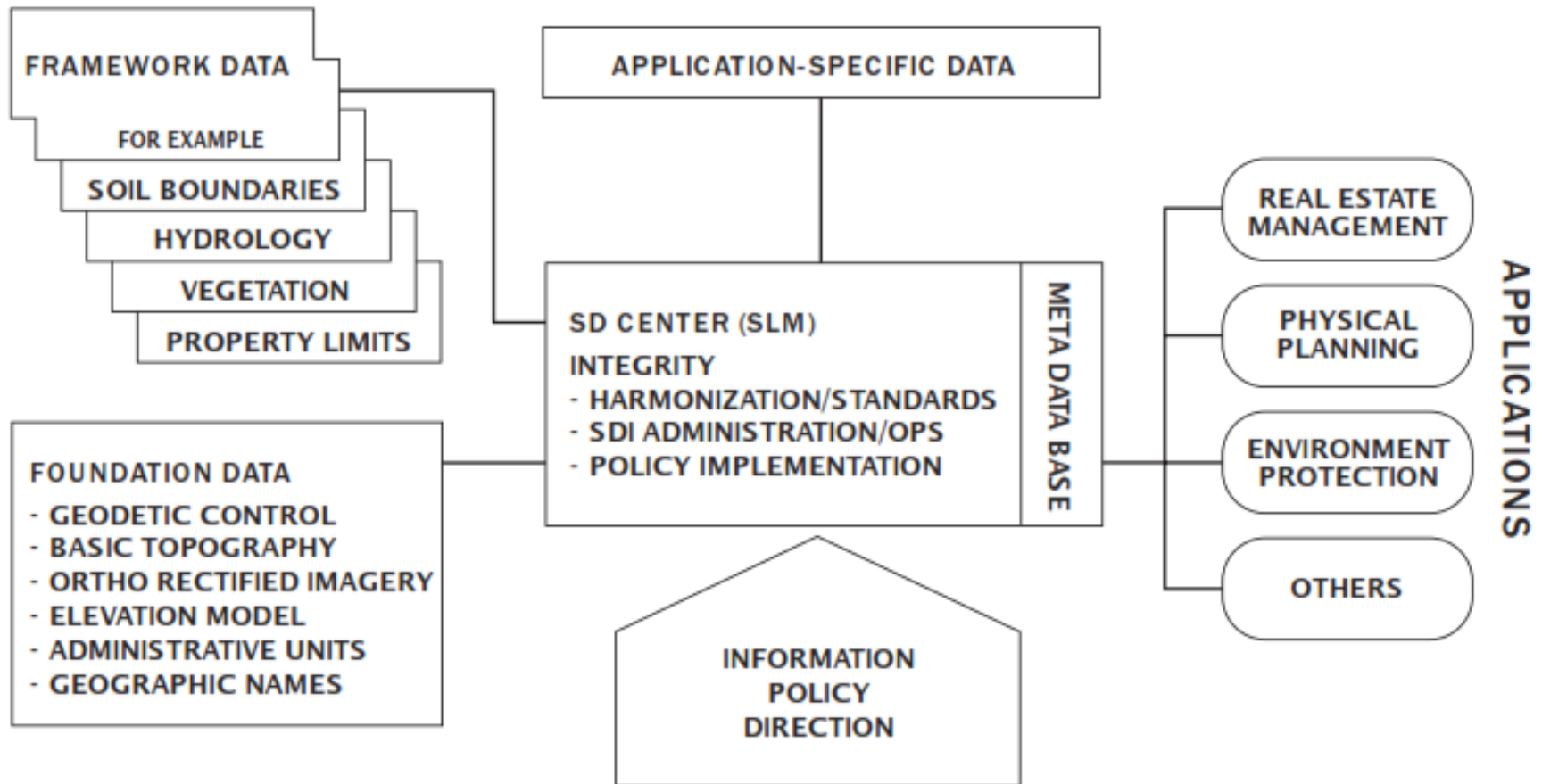
STRUCTURE OF SDI

1. Foundation, framework and application-specific datasets

- foundation datasets :
- ✓ Geodetic data (which determine the spatial reference system)
- ✓ fundamental topography (additional geometric reference represented in the terrain),
- ✓ digital elevation model
- ✓ administrative boundaries
- ✓ postal codes (essential to link socio-economic data to physical data)
- ✓ official geographic names
- ✓ Digital orthophoto

STRUCTURE OF SDI

*1. Foundation, framework and application-specific datasets*

- framework datasets : usually provide thematic information in a national context.

- ✓ vegetation, land use, land cover and hydrology: directly in the field or by remote sensing

- ✓ Population distribution and population density by geographic area

- ✓ data should be produced, maintained, published, distributed and safeguarded by different national survey organizations

STRUCTURE OF SDI

1. Foundation, framework and application-specific datasets

- application-specific dataset: contain information surveyed specifically for a particular application

- ✓ vegetation, land use, land cover and hydrology: directly in the field or by remote sensing

Data sharing opportunities

Foundation dataset

•High

Framework dataset

• Moderate

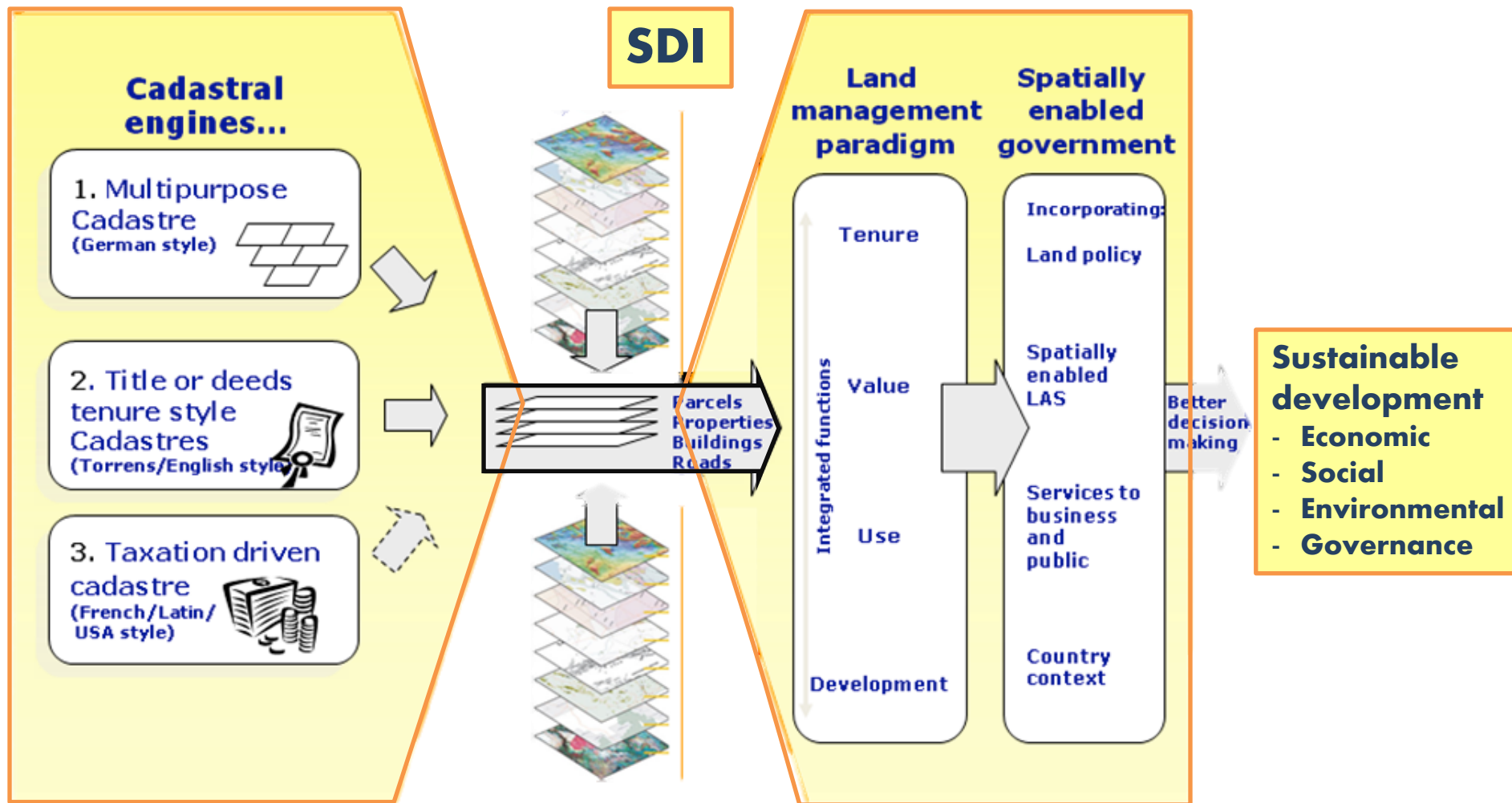Application specific dataset

Low
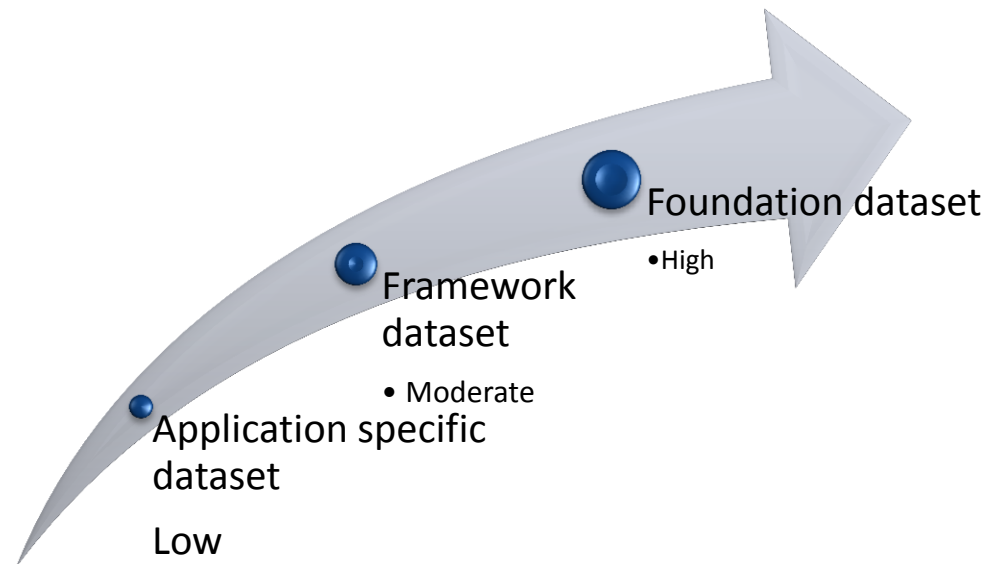
STRUCTURE OF SDI

2. The policy framework

- ✓ Transparent policy
- ✓ Affordable cost

3. The spatial data center for sustainable land management

- ✓ development and maintenance of data standards
- ✓ data quality management and other performance standards
- ✓ financial and administrative integrity of the SDI

Importance of cadastre and SDI

GOOD GOVERNANCE AND LAND ADMINISTRATION

.......the process of decision-making and the process by which decisions are implemented (or not implemented)

- Secure tenure and access to land fundamental for development
- Developing countries facing problems due to weak governance -
- Consolidation of wealth
- Tenure insecurity
- Marginalization of the poor
- Good governance in land administration **aims to protect the property rights of individual, enterprises and state** by introducing
- ✓ Transparency
- ✓ Accountability
- ✓ Rule of law
- ✓ Equity
- ✓ Participation
- ✓ Effectiveness

WHY GOOD GOVERNANCE IN LAND ADMINISTRATION

- Land administration highly abused and corrupted
- ✓ Adverse impact on economic development
- ✓ High cost and inefficient prolonged procedure for registration >> leads under collection of land revenue tax
- ✓ Reducing government spending on public services and infrastructural development
- It is characterized by
- ✓ Bureaucratic corruption
- ✓ Political corruption

GOOD GOVERNANCE AND LAND ADMINISTRATION

- Weak governance leads to
- ✓ Insecurity of tenure
- ✓ High transaction cost
- ✓ Informal land transaction/ informal property market
- ✓ Reduced private sector investment
- ✓ Land grabbing/ illegal transfer of state land
- ✓ Limited local revenues
- ✓ Land conflicts
- ✓ Landless and inequitable land distribution
- ✓ Social instability, social exclusion and political instability
- ✓ Erosion of ethics and standards of behavior
- ✓ Unsustainable natural resource management