

Development of Land Administration – Lithuanian Experience

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SUMMARY

The conception of land and rights to land and the origin of land administration are as old as the land ownership itself. The roots of land law extend as far back as the Roman law and are recorded in the oldest Statute books of Barbarians dating back to the V-VII century. The conception of land registration has been regularly changing with new forms coming to light. The professor Ian Williamson (Australia) distinguishes several phases in the development of land administration system: agricultural, industrial and informative.

In XVI century, the Grand Duchy of Lithuania performed important land administration works with a task to legalise some lands and solve some issues. In 1540, the Queen Bona, wife of Zygmantas the Senior, ordered to start measuring peasants' lands in valakas in the southern parts of the Grand Duchy of Lithuania, register these lands and move peasants from the old land parcels. And in 1554, she sent the surveyors to measure lands suitable for establishing villages. Thereby, the mass measurement in valakas started next year.

Currently, the advanced countries are moving from the one phase of cadastre system development into the second one; while many countries in transition are making experiments in the different phases of land administration development. Although the experience, activities of national and state institutions, economic and social restrictions make influence upon the land administration, the public needs would inevitably stipulate a more global view upon the land administration.

Land is the main asset of nature; and life will hardly exit without it. From the legal approach, land embraces all things, which are related to a fixed area or point of the surface of the earth, including the areas covered by water and seas.

Until 1997, two different land or real property administration systems were in operation in the country. Such system caused many troubles to people. Wishing to solve the issues of property legitimisation, people had to apply for to 2 or 3 institutions; and conclusions they received often contradicted one another. Such situation when different institutions dealt with property registration issues was really unique also on whole West Europe scale where integrated real property registration system has been in operation for a long time.

In 1997, the State Land Cadastre and Register was established with the purpose to administer the real property system and to ensure the state guarantee to the rights in real property. To register real property of natural persons and legal entities and other real rights to immovable objects, encumbrances on these rights, as well as legal facts stipulated by the laws;

The State Land Cadastre and Register, in developing and improving the Real Property Cadastre and Register Systems, co-operates with many European countries, takes over and transfers progressive experience and ways of administration.

About 5 million real property objects have been registered in the Real Property Register of Lithuania. By January 2003, about 4 million real property objects were recorded in the Real Property Register. Nearly 1.5 million new objects have been recorded over a year. Buildings, flats and other premises make up the largest share in the real property records. These figures reflect the dynamic state of the Lithuanian real property market. The land reform, privatization process, new constructions and the need to certify the legal status of the possessed real property result in the constantly growing number of the Register records and increasing flows of the Register data.

Since the very beginning of its activity, the SLCR makes a lot of efforts in establishing its goodwill. The State Land Cadastre and Register initiates the public campaign aimed at helping people to realise why the registration of real property is necessary, explaining the importance of the information - analytic system of property registration to be improved and developed in line with the land administration guidelines set forth by the United Nations Economic Commission for Europe. Cadastral system, which comprehensively describes legal situation about land, reduces the risk to lose finances. Standardized and comprehensive cadastral system facilitates land administration. The saved money is allotted to the clients, because products and services become cheaper.

The system Cadastre 2014 envisages to cover the whole country, develop simple information structure and apply the principle of legal independence implementing these requirements.

Real property administration system is developed in order to meet the requirements of state, citizens and legal subjects. The number of land parcels to be registered is constantly increasing. Development of the modern computer system speeds up the restoration of ownership rights and the completion of land reform. The basic goal of the Lithuanian cadastre and register reform is to develop modern multipurpose cadastre. The current cadastre system will be improved taking into consideration the principles of Cadastre 2014.

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