



Regulation of cadastral surveyors activity in Russia: new Federal Law

Vladimir Tikhonov,
CLGE, Vice-President,
vvt2609@mail.ru

www.roskadaastre.ru
123458, г. Москва, ул. Таллинская, д. 32,
корпус 3 офис 10,
+7 (495) 518-93-19/20, info@roskadaastre.ru

General information

- Signed at 2015, December, 30th
- Entered in power at 2016, July, 1st

Earlier 01.07.2016 – the “old” rules :

“cadastral surveyor” – Russian citizen , having any university background ,who passed special exam and have got the certificate ;

The State (Cadastral agency) was responsible for the exams organization and preparation of the certificates ;

Association membership was not obligatory for cadastral engineers ;

National Chamber (Liaison group) creation was not obligatory.

Situation July,1st,2016

- The first Cadastral Engineers appeared in Russia in 2010
- The number of cadastral engineers , who passed the exam is about 40.000 persons.
 - About 30% of them had never worked in practice as cadastral engineers.
- The number of cadastral surveyors Associations is 27 .
- The National chamber was created in 2012 and unite 17 Associations of them .

Both National chamber and all Associations should be re-registered by the State (Cadastral agency) .

Situation September, 1st, 2017

36101 persons have actual qualification certificates (01.09.17)

Among them:

Association members are 28386 persons (78%)

Among them:

4623 persons (16,2%) have their own cabinets

23463 persons (82,6%) are the companies staff members



01.09.2017

On the territory of the Russian Federation
are functioning 17 Associations.

National Chamber of Cadastral Engineers
has 12 Associations as it's members(70%)

The number of Cadastral Engineers in these
Associations are 21419 persons (75,5%).

New requirements to cadastral engineers

Requirement	Cadastral engineer	
	<i>With “old” certificate</i>	<i>New pretender</i>
Russian citizenship	+	+
Association membership, fees payment	01.07.2016 – 01.12.2016	+
Professional University background/Professional University re-education (2 years)	C 01.01.2020	+
Professional practice (for pretenders) – 2 years	-	+
Exam	+	+
Absence of professional disqualification	+	+
Professional activity insurance (not less then 2.5 mln.rub)	+	+

Professional practice for pretenders

Cadastral engineer (CE) assistant – new institution:

- Russian citizenship;
- Education according the new requirements;
- Absence of the professional disqualification;
- Has to be trained under the CE leadership.

The lead of professional practice can be CE:

- Experience as CE more then 2 years;
- Absence of professional punishments during the last 2 years.

Professional practice realizes on base of the contract

Professional practice duration

- For former Cadastral agency staff – 1 year;
- For the rest – 2 years.

Cadastral engineer Association is responsible for the organization of practice.

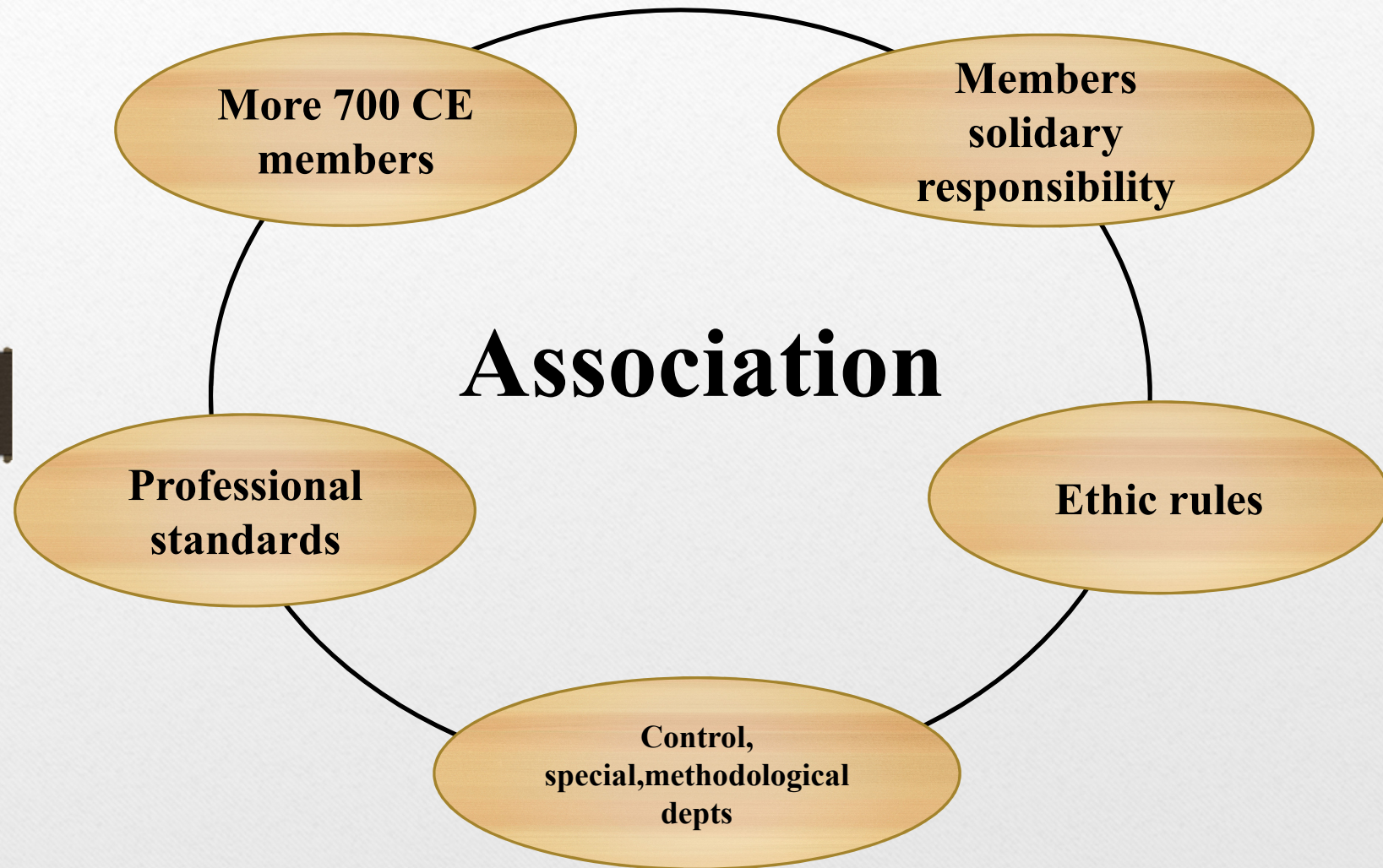
Exclusion from the Association

- Non payment of membership fees (3 months) – 6 months;
- Violation of membership conditions – 2 years;
- Has more then 10 negative decisions from the State Cadastral office during 1 year – 2 years;
- More then 10 decisions with cadastral mistakes during 3 years – 2 years;
- No activity at all during 3 years – 2 years;
- Disqualification – duration according the decision
- On base of his own wish – without time-limit.

Company responsibility where cadastral engineer working :

- Need to have at least 2 cadastral engineers in its staff ;
- Special archive organizing;
- Stop the job the cadastral engineer:
 - Not passed periodical retraining;
 - Excluded from the association;
 - According the court decision.

Requirements to the Associations



Association functions

Basic

Creation,maintaining of CE register

Establishment of membership fees size and payment

Organizing of pretenders professional practice

Regulation

Development of professional standardsðic rules

Development of internal documents&rules

Protective

CE representing and lobbying

Appeal commissions participation

Methodological and juridical CE support

Examination of cadastral jobs results

Control

CE activity control

Obligatory insurance control

Periodical CE retraining control

National chamber functions

Coordination

**Association of Associations
Coordination Associations
activity**

**Level of quality and
unification of cadastral jobs**

**Interaction with the
State, municipal bodies ext.**

Control

Exams organization

**Participation to appeal
commissions**

Associations control

Regulation

**Development of Associations
activity rules**

**Development of the typical
prof. standards & ethic rules**

Protective

**Associations
representing & lobbying**

**Examination of cadastral jobs
results (Associations)**

**Improvement of cadastral
activity proposals**

**Manuals, instructions
preparation**

New functions of the State(Cadastral agency)

- State supervision for the Associations activity;
- State supervision for the National chamber activity;
- Maintenance of the Associations State register;
- Maintenance of the CE State register (as earlier);
- Appeal to the court for the purposes of exclusion of Association or National chamber if any of them have some fixed disturbance;

Appeal commission

Main function:

- Appeal to the decisions concerning the registration suspending in out court manner

Appeal commissions members:

- National chamber(3 persons);
- State cadastral office(3 persons);

Duration of commission membership:

- 2 years

Commissions function in each Russian subject :

- 83 subjects of the Russian Federation.

Transitional periods

2016, July, 1st to 2016, December, 1st:

- Acting cadastral engineers should adopt their activity to the new Law requirements;
- Associations should adopt their activity to the new Law requirements.

During the next 9 months after the National chamber State re-registration:

- National chamber should adopt the activity to the new Law requirements and develop all the internal documents they need.

Before 2020, January, 1st:

- Cadastral engineers having acting certificates to the 2016, July, 1st., should adopt their education background to the new Law requirements



European requirements for cadastral surveyor activities

June 2008



Photo courtesy of Ordnance Survey Great Britain

Annex 3. Questionnaire on national cadastral surveyors activities (country template)

Questions
General
Title of cadastral surveyor in native language
Operate as individual or within juridical person?
Coordinating organisation for the work of cadastral surveyors
No of licensed (i.e. - authorised) cadastral surveyors in the country
No of companies that execute cadastral survey in the country
Tasks / duties of a cadastral surveyor
Advices / consultancy for the landowner
Cadastral (technical) field measurements
Marking of parcel corners
Validation - getting approval on cadastral plans from relevant authorities
Preparation (correction) of territorial planning documents
Registration of updated cadastral data to Cadastral database
Land price valuation
Defining restrictions on land use
Other (not mentioned above)
Main responsibilities (duties) of upper level surveyor (senior surveyor or surveyor-expert) if such exist
Legal framework
Which laws describe cadastral surveying?
Which law (regulation) stipulates a permission or responsibility for person executing cadastral survey?
Which law (regulation) describe control and supervision of cadastral surveyors?
Which law (regulation) describe liability of cadastral surveyors?
Licensing (authorisation)
Types of licensed cadastral surveyors
Organisation, which grants a license (certificate)
Licensing (authorisation) conditions for applying to a license of cadastral surveyor
Period of license validity for a cadastral surveyor
Minimal requirements for education after the secondary school for applying to a license of cadastral surveyor
Minimal duration of education after the secondary school for applying to a license of cadastral surveyor
Acceptable disciplines after the secondary school for applying to a license of cadastral surveyor
Are requirements for a minimal number of hours (credits) of the acceptable disciplines for applying to a license of cadastral surveyor?
Requirements for additional qualification for applying to a license of cadastral surveyor
Organisation(s), which are responsible for training and education of cadastral surveyors
Cadastral surveyors certification levels (license types)
Compulsory period for professional practice, applying to a license of cadastral surveyor
Requirements for improving qualification of licensed surveyors
Does compulsory insurance apply to cadastral surveyor as a requirement for a license?

Supervision
Organisation (-s), which is responsible for control of quality of cadastral surveyors deliverables and/or supervises cadastral surveyors activities
Frequency of controlling of cadastral surveyors activities
Sanctions in case of inappropriate cadastral surveyors work quality
Liability
Is cadastral surveyor fully responsible for quality and correctness of cadastral data?
Max. amount, which could be charged to cadastral surveyor against to remedies to third parties?
Minimal requirements for compulsory insurance of cadastral surveyors activities
Max refundable annual amount of insurance against to remedies because of cadastral surveyors activities
The period while insurance covers remedies because of cadastral surveyors activities
Max period while cadastral surveyors is liable for the produced cadastral documents (data)
By whom cadastral surveyors could be insured?



Thank you for the attention !