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The Cadastre of Public-law Restrictions on landownership in Switzerland

wissen wohin
savoir où
sapere dove
knowing where



The new official land registry
information system

Christoph Käser

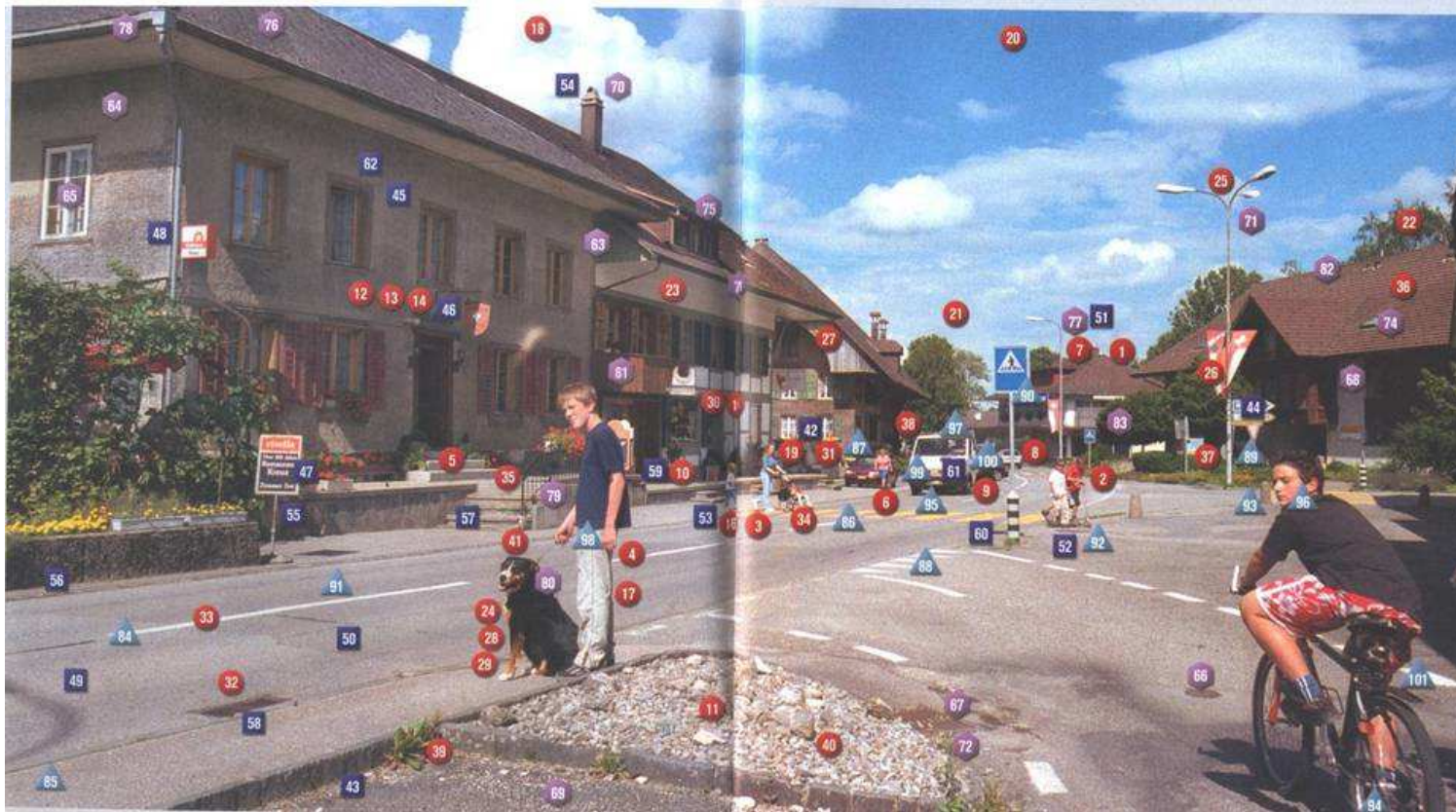




Public-law Restriction on landownership rights



We are surrounded by PLR ...



101 laws, ordinances and regulations have to be considered in everyday situations such as this (source: FACTS, 02.09.2004)



Private-law rights – public-law restrictions



Private-law rights

are agreed upon between 2 parties.

Example: purchase of real estate

They are recorded in the land register and are already publicly and centrally available today.



Public-law restrictions

come into existence through a decision by the legislator or the public administration.

Example: definition of noise protection zones.

They are publicly accessible in certain regions of Switzerland and a central information website is available for consultation.



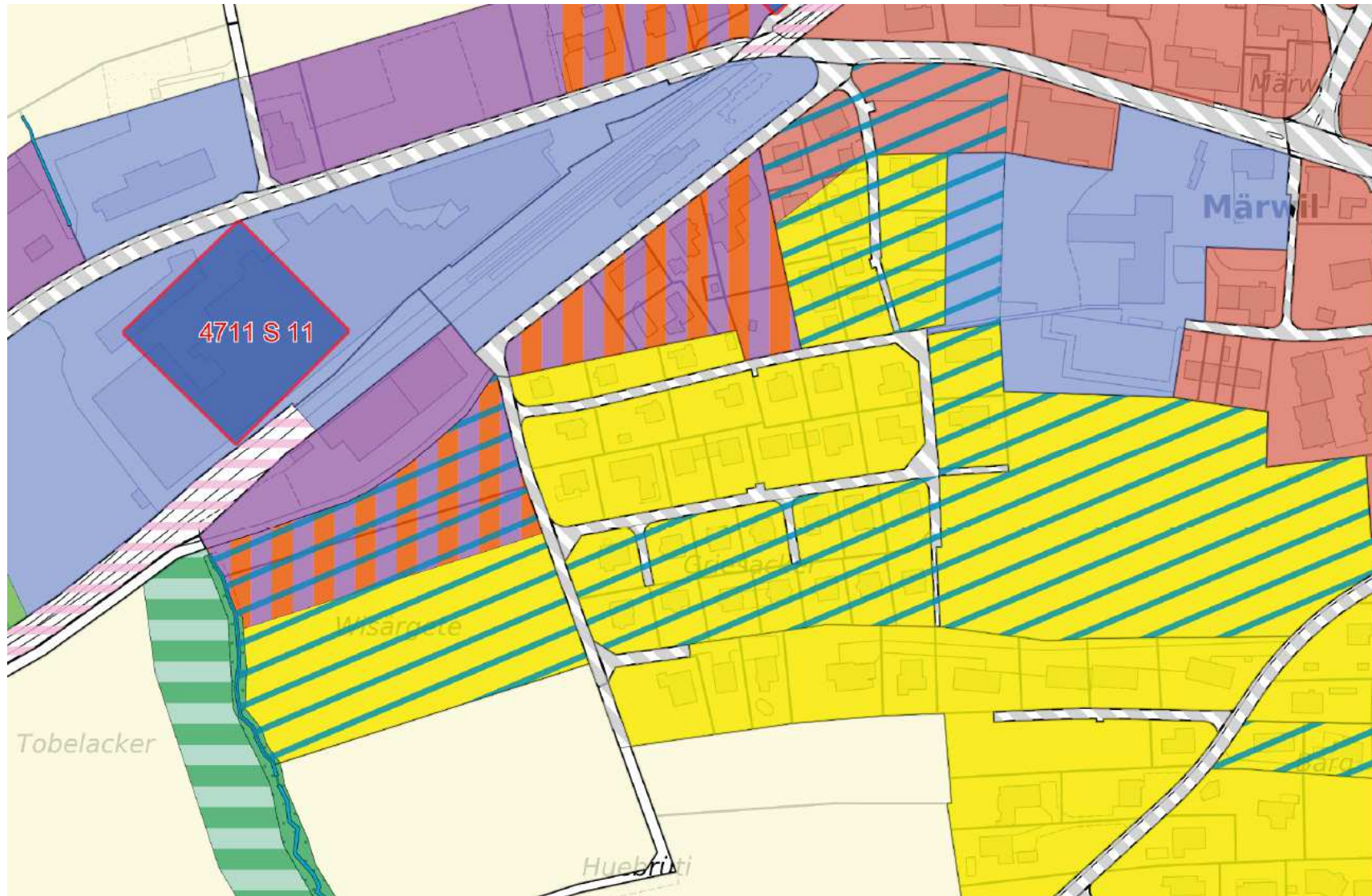
What are public-law restrictions?

- Official restrictions that apply to landowners.
- Public interests take precedence over private interests.
For example:
 - A protection zone can be created to secure the public interests associated with the extraction of groundwater.
 - In a land use plan the legislator can specify which kind of land use is permitted.
- In Switzerland there are more than 150 different public-law restrictions.





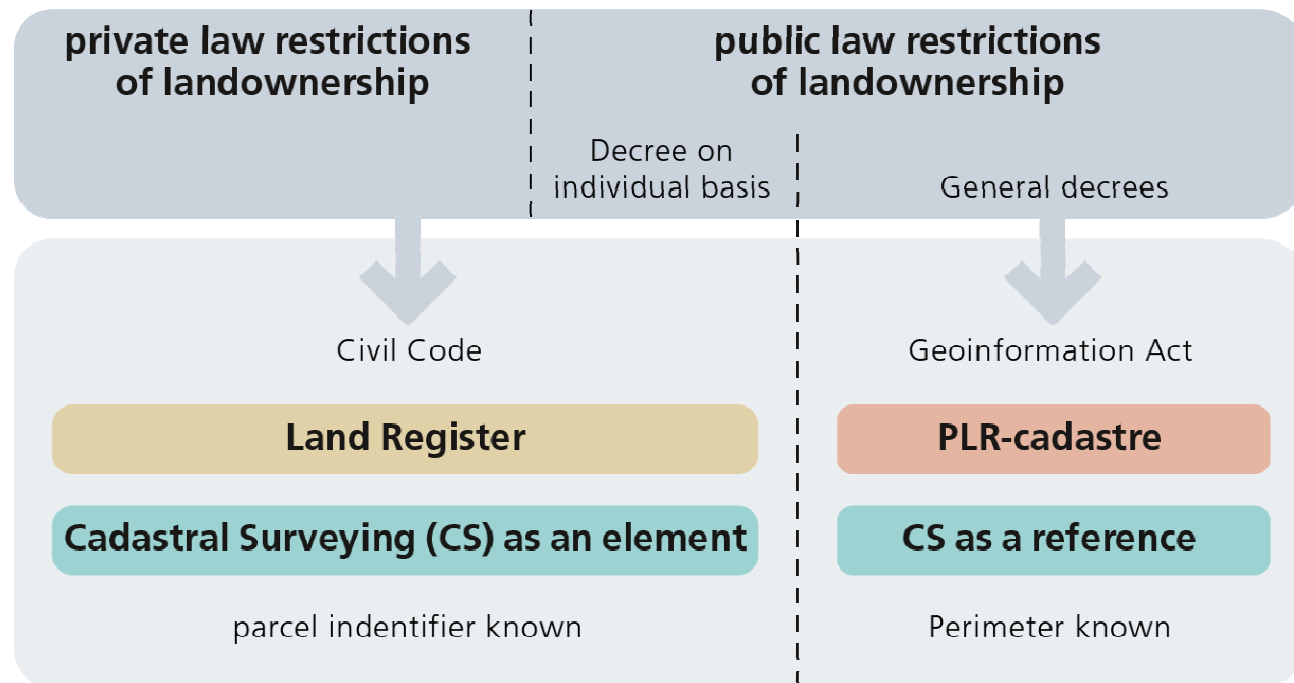
Land use planning





Distinction between land registration and public-law restrictions

- **Land registration:** in the land register, public-law restrictions are only in specific cases concerning a single plot of land
- **PLR-cadastre:** in the PLR-cadaster, public-law restrictions are officially defined for a specific area





The PLR-cadastre - an official information system

The PLR-cadastre is the official information system relating to public-law restrictions on landownership:

- It is systematically structured,
- It contains clearly defined and officially recognised objects,
- It provides information about legally binding public-law restrictions that apply towards third parties,
- It is an officially recognised information system,
- It provides comprehensive and detailed information about official geodata that the Federal Council has declared to be public-law restrictions on landownership.





The PLR-cadastre offers numerous benefits

The total value of mortgages covering landownership in Switzerland is currently more than 900 billion Swiss francs (status: 2015). In view of this, it is important to ensure that legally binding information about plots of land is provided without delay.

Benefits

- Easy access to reliable information
- Greater legal certainty thanks to official information
- Simplified decision-making process for the public administration

Users

- Landowners
- Players on the mortgage market
- Public administrations





Reliable landownership information

The PLR-Cadastre reliably and conveniently lists the most important restrictions per plot of land, and the desired information can be obtained with a couple of mouse clicks.

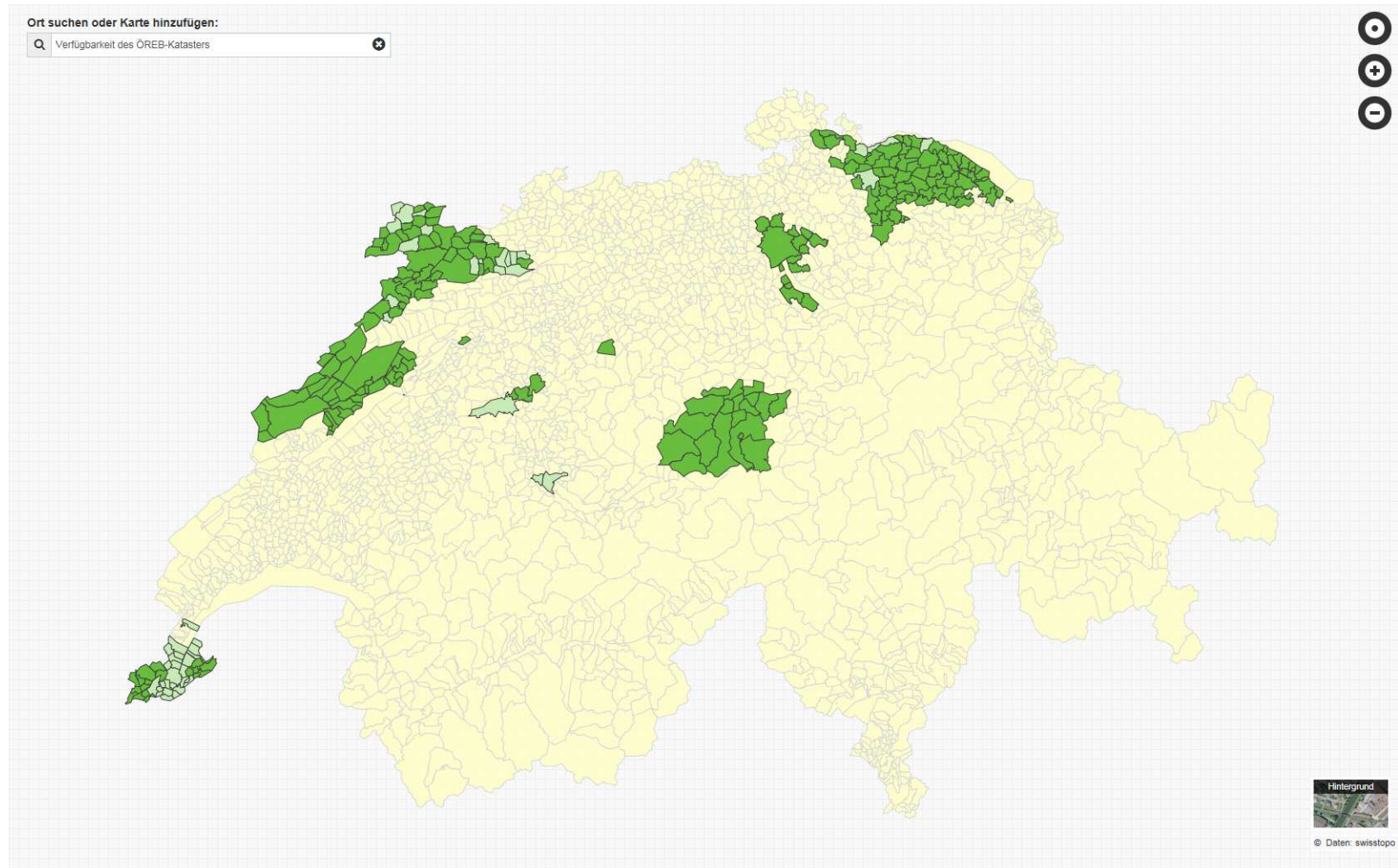


Information about public-law restrictions can be obtained by visiting the following website:

www.cadastre.ch/ch



PLR-cadastre: a national product: Map of coverage





Increased legal certainty thanks to the PLR-cadastre

Switzerland is one of the first countries in the world to develop a cadastre in which public-law restrictions (PLR) are being systematically documented and centrally published.

This will greatly enhance legal certainty in the real estate sector.





The 17 most important PLR



Spatial planning

- Land-use planning (cantonal / municipal)



Motorways

- Project planning zones for motorways
- Building lines for motorways



Railways

- Project planning zones for railways
- Building lines for railways



Airports

- Project planning zones for airports
- Building lines for airports
- Security zone plan for airports



Contaminated sites

- Cadastre of contaminated sites
- ... military sites
- ... civil airfields sites
- ... public transport sites



Groundwater protection

- Groundwater protection zones
- Groundwater protection area



Noise

- Noise sensitivity levels (in land-use zones)



Forests

- Forest perimeters (in building zones)
- Forest distance lines



PLR-cadastre extract

BEFORE



AFTER

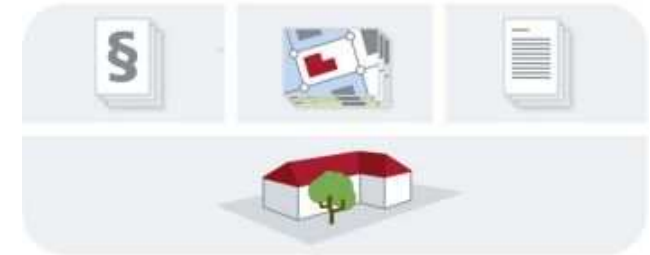


Reliable information in a comprehensive form
about the most important PLR concerning a plot of land



Comprehensive information in the form of map and texts

A PLR on landownership comprises:

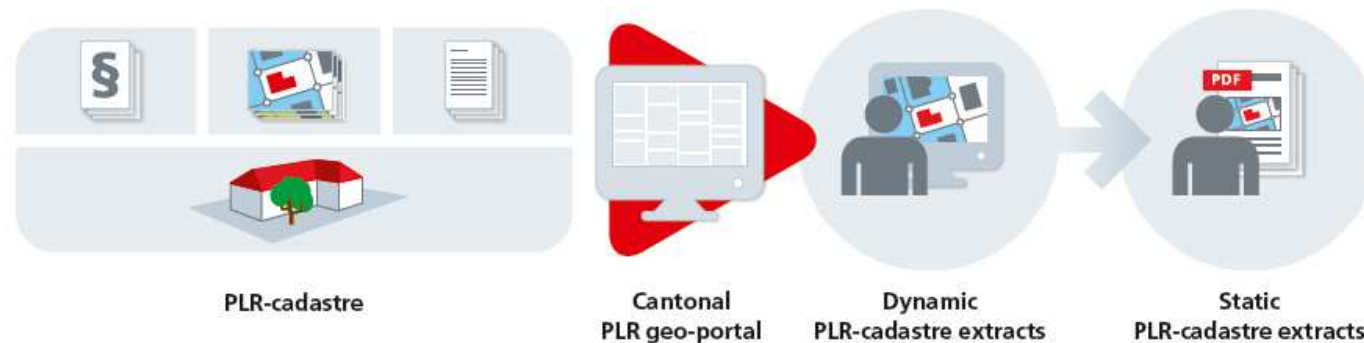


- **The relevant legal provisions**
Rulings on which the restriction and its effects are based
 - **A map**
Map depicting the region in which the public-law restriction is applicable
-
- **Legal bases**
General regulations on which rulings are based
 - **Additional information**
For example, name and address of the authority to contact for further information



Easy Access to information about PLR on landownership

- Search engine that greatly simplifies the search for information
- Complete, reliable, comprehensible and wide-ranging information available via a central source



www.cadastre.ch/ch

Access to information about PLR on landownership

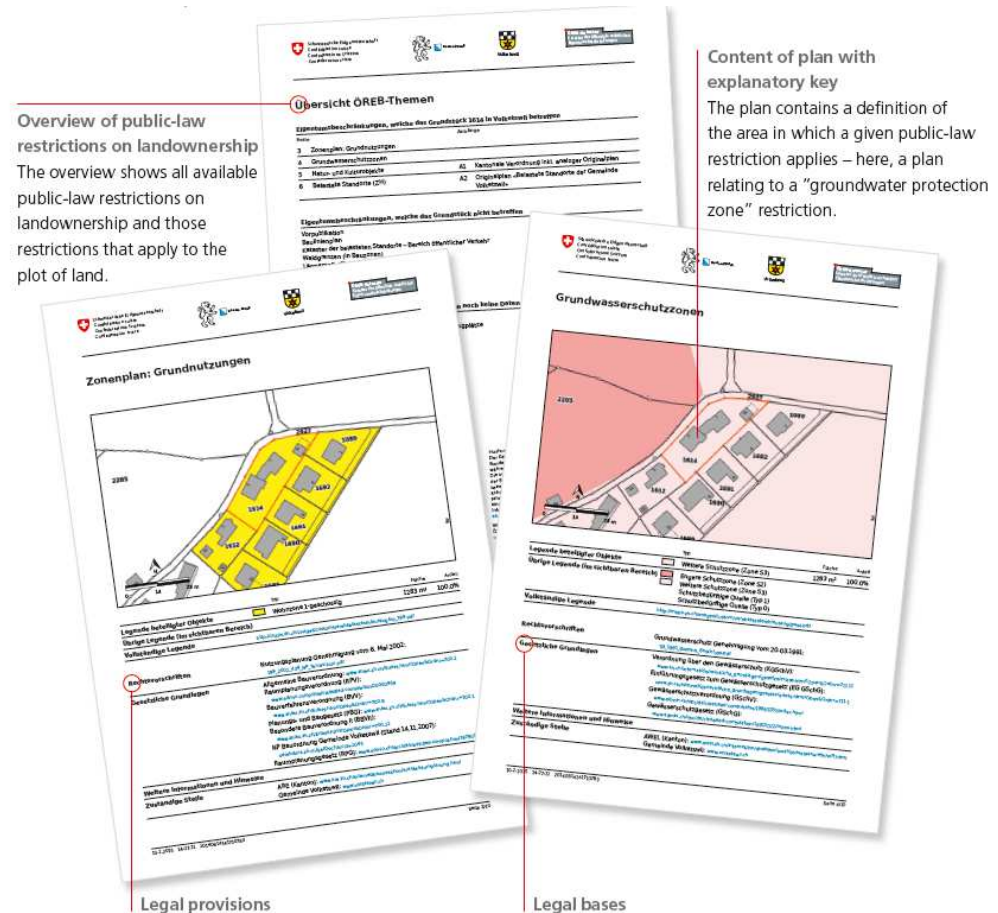


Static PLR-cadastre extract



Static extract: decision-making basis

- Detailed information about a plot of land
- PDF-A1a
- Several pages
- Official document
- *Upon request: notarisation by the authority responsible for the cadastre*



Overview of public-law restrictions on landownership
The overview shows all available public-law restrictions on landownership and those restrictions that apply to the plot of land.

Content of plan with explanatory key
The plan contains a definition of the area in which a given public-law restriction applies – here, a plan relating to a “groundwater protection zone” restriction.

Legal provisions

The legal provisions indicate the rulings on which the restriction is based and which describe the nature of the restriction and its effects. This may, for example, take the form of the acceptance of a municipality's land use plan.

Legal bases

As legal bases, the general regulations on which the rulings are based are cited, for example a cantonal water protection ordinance.



Dynamic PLR-cadastre extract



Dynamic extract: web-based visualisation

Individual public law restrictions can be displayed in a variety of ways for all users via the corresponding cantonal geoportal.

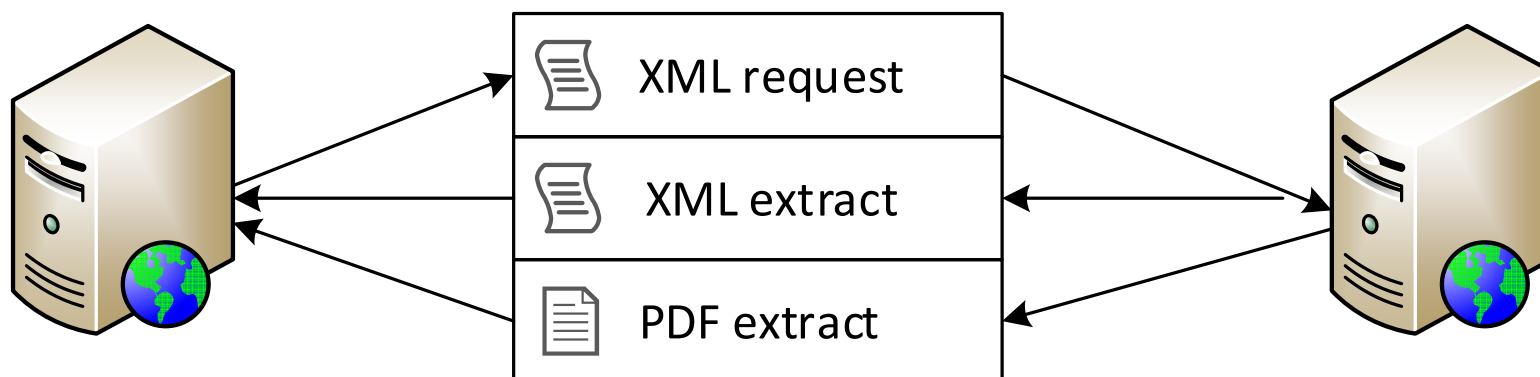
- Multiple public law restrictions can be viewed simultaneously, i.e. overlapping one another.
- It is possible to view individual plots of land as well as entire regions.
- This makes dynamic extracts valuable aids for dealing with questions and discussing spatial issues.





Technical access XML request and extract

Standardised access via machine-to-machine
communication





PLR cadastre - a national product : Convenient central access

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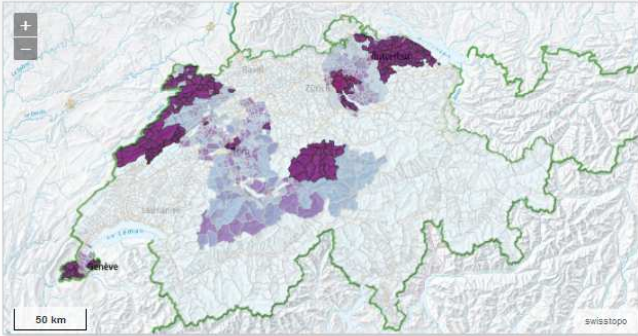
[Cadastral Surveying](#) [PLR-cadastre](#) [Land register](#) [Manuals for professionals](#)

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[News](#) [Objectives & organisation](#) [Content of the cadastre](#) [Planning & step-by-step introduction](#) [Initial developments](#) [Static PLR-cadastre extract](#) [Dynamic PLR-cadastre extracts](#) [PLR-cadastre manual](#)

Initial developments

The first cantons went online with their PLR geo-portals in 2014. This means that users in these cantons can now obtain an overview of the most important public law restrictions on landownership, and download them.



Search examples
ZIP: For «3007 in Bern» type 3007
Swiss coordinates: For «600000/200000» type 600000 200000
Addresses: For «Rue de l'Évêché in Gent» type évêché
Parcel: For «Parcelle 3128 in Bern» type Bern 3128

Switzerland is one of the first countries in the world to introduce a cadastre that documents and centrally publishes the most important public law restrictions on landownership. This move will increase the level of legal security in the area of landownership.

PLR portals – accessing landownership information online

In 2014, the cantons of Bern, Geneva, Jura, Neuchâtel, Nidwalden, Obwalden, Thurgau and Zurich opened their central PLR geo-portals providing access to the Cadastre of Public-law Restrictions on Landownership.

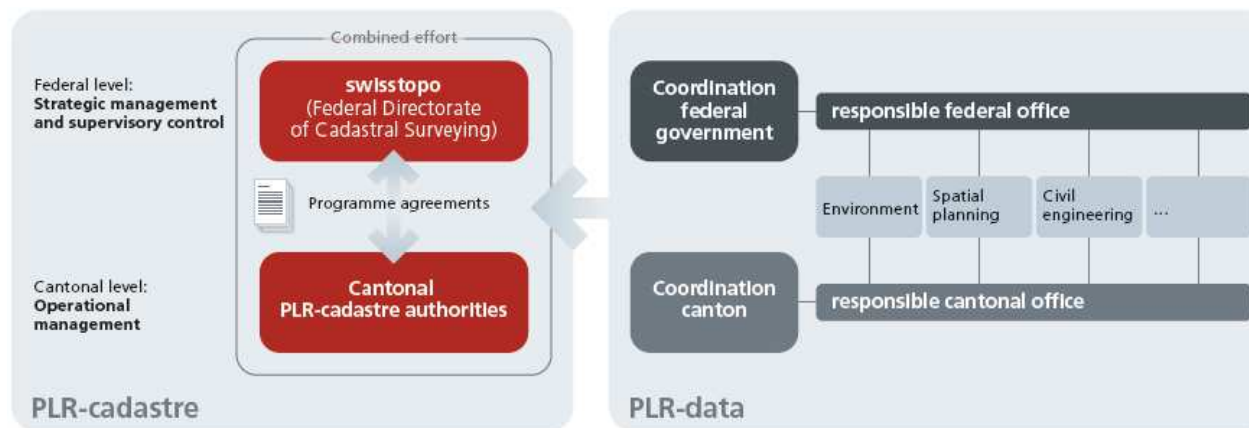
Cadastre of Public-law Restrictions on Landownership



Management of the PLR-cadastre

The PLR-cadastre is jointly managed by the federal government and the cantons:

- The *federal government* defines the strategic focus of the PLR-cadastre.
- The *cantons* are responsible for organizing the management of the PLR-cadastre and for appointing the administrative bodies.





Financing of the PLR cadastre

The federal government and the cantons share the costs:

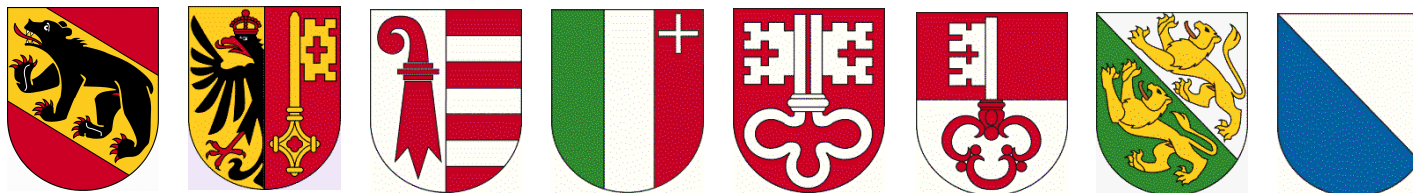
- The federal government contributes towards the management costs of the PLR-cadastre.
 - 1/5 is distributed equally among the cantons. This portion covers the costs of the basic infrastructure, which have to be borne by all cantons, regardless of their size or the number of public law restrictions on landownership.
 - 3/5 are distributed among the cantons based on the number of inhabitants.
 - 1/5 is distributed among the cantons based on surface area.
- The updating costs have to be borne by the *offices responsible for the data*.



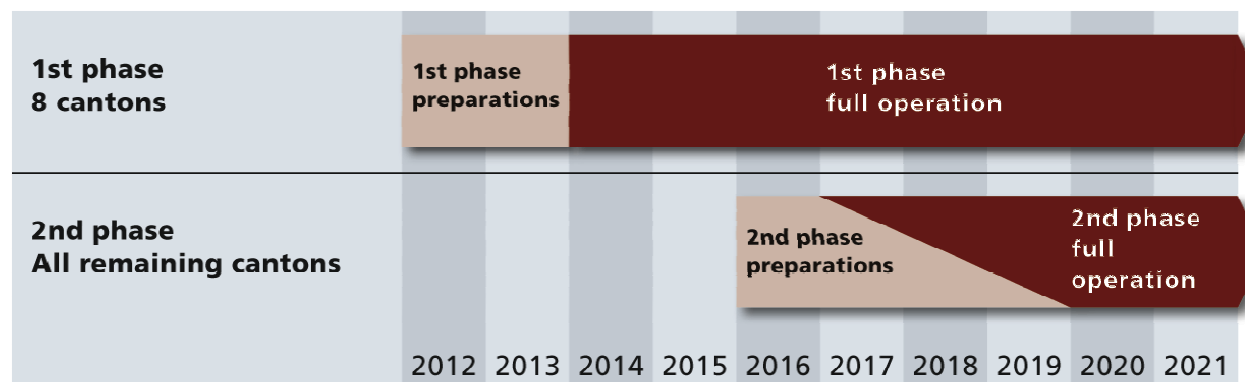


Eight cantons as pioneers

The following pilot cantons introduced the PLR-cadastre fully or partially in 2015:



The remaining cantons will be able to benefit from the experiences of the pilot cantons, and will be introducing the PLR-cadaster in the period from 2016 to the end of 2019





Any questions?

