Country Report 2003

(Based on the PCGIAP-Cadastral Template 2003)

Hungary

Country/state for which the indications are valid:	Hungary
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I. Country Report

A. Country Context

Geographical Context

Hungary is located in Central Europe, one of the candidate countries joining the European Union in 2004. The total area is 93,000 sq.km. The population is about 10.1 million, 60 % live in cities. About one fifth of the population live in the capital of Budapest, which is the centre of the economy and cultural life.

The majority of the country is plain area; there are mountains in northern and western area. The highest peak in Hungary in the northern mountains is 1015m above sea level. 7% of the country is urban area, 65% is used for agricultural purpose, 15% is forest, the rest are rivers, lakes, and national reserve.

Historical Context

Hungary was established as a Kingdom in 1000 and existed as an independent kingdom till 1521. Between 1521-1867 Habsburg kings ruled Hungary. Hungary was part of the German-Roman Empire. The Austrian-Hungarian Monarchy was established in 1867 and existed till 1918. Between the two world wars, Hungary was a democratic republic. Following World War II the country was occupied by the Soviet army and was forced to form political dictatorship and command economy. The communist period was over in 1990, since then there has been political democracy and market economy.

After World War I, two thirds of the country was joined to the surrounding states, which resulted in major Hungarian minorities there. Today about 4 million Hungarians live mainly in Romania, Slovak Republic, Serbia, and Croatia.

Current Political and Administrative Structures

Hungary is a democratic republic. The government lead by the Prime Minister has the real political power, the President has limited political power, but representing the country. The parliament has the legislative power, the government is the executive power.

Administratively Hungary is divided into 19 counties + Budapest Capital. There are 3154 settlements (towns, villages, etc) in the country, 19 districts in Budapest with local governments. There are two levels of local administration. 20 county local governments responsible for re-

gional matters such major roads, regional spatial planning, secondary schools, hospitals, etc. Local government of settlements and Budapest districts responsible for local matters like primary education, certain taxation, local roads, town planning, social issues and others.

Historical Outline of Cadastre

The first land cadastre was introduced during the reign of King II. Joseph. The land cadastre based on cadastral survey for the purpose of land taxation. The implementation of general land taxation failed due to the opposition of the nobility. Finally the land cadastre was established in the Austrian-Hungarian Monarchy in 1875 based on detailed field survey. There were two parts of the cadastre: cadastral register and cadastral maps. The original scale, of cadastral maps 1:1440 in urban and 1:2880 in rural areas. The cadastre was established for fiscal purpose land taxation, based on the yielding capacity of the land.

The cadastral system also supported the legal (Grundbuch) system. The descriptive part of the Grundbuch (parcel number, area, address, cultivation, value of agricultural land, etc.) based on cadastral mapping data. Legal registries (Grundbuch) were established at local courts for registration and updating of ownership data, mortgage, easements and other rights, facts related to land and real estate properties according to law.

In 1972 there was a decision to integrate the Cadastre and Legal Registry on legal basis and institutional level forming the Unified Land Registry System. The integration procedure was completed in 1981. During the socialist period (1949-90) Hungary was the single socialist country operating the Land Registry without any gap. As a result of this there was a fully operational land registry system in 1990 when Hungary introduced the multi party democracy and the market economy.

B. Institutional Framework

Government Organizations

The 116 District Land Offices, the institutional network of the Unified Land Registry System under the Ministry of Agriculture, are responsible for maintaining, updating cadastral maps and legal data (ownership and other rights, mortgage, easements, restrictions). 20 County Land Offices second instance offices and also responsible to supervise district land office activities. The Institute of Surveying Cartography and Remote Sensing, a national agency, is responsible for maintaining national control point network and also topographic mapping.

Private Sector Involvement

Cadastral survey for legal purpose and preparing survey documents of changes in cadastral map data is the licensed surveyor responsibility. There are 1700 licensed surveyors. Many of them run private business others are employed by bigger survey firms producing new digital cadastral maps, which are checked and certified by Land Offices.

In the legal part lawyers, notaries responsible to prepare and counter sign deeds, legal documents of ownership changes and other documents for transactions related to land and real estate properties.

Professional Organization or Association

The Hungarian Society of Surveying Mapping and Remote Sensing (MFTTT) represents all kind of surveyor profession. Private surveyors have a section in the association. There are 1200 members of the society, the total number of surveyors is approx. 5000 in Hungary.

Licensing

Cadastral surveying, cadastral work for legal purpose is the monopoly of licensed surveyors in Hungary. The majority of cadastral surveys, mapping have been carrying out by the private sector. The Institute of Surveying Cartography and Remote Sensing (FÖMI) under the Ministry of Agriculture and Rural Development issues the license to surveyors.

Education

There are two universities providing education and diploma in surveying. The Budapest Technical University has a five years course of study for MSc. in Surveying and IT knowledge. The course is rather theoretical teaching traditional subjects and IT, GIS knowledge. About 30 students graduate annually.

The West Hungarian University College of Geoinformatics in Székesfehérvár has three years course of study gives BSc. graduation. There are three faculties: land surveying, land consolidation, land registry matters. About 40-50 students graduate in regular course and 20-30 in correspondence course annually.

C. Cadastral System

Purpose of Cadastral System

The Hungarian Unified Land Registry System is the integration of Cadastre and Legal Registry (Grundbuch) on legal basis and institutional level and serves different purposes.

Legally guarantees the security of ownership and other rights related to land and property in the same time supporting the land market providing statistical data to the government and decision makers for economic planning. The multipurpose nature of the Unified Land Registry System is the basic information for external users as local governments, banks, public utilities, lawyers, surveyors, etc. The cadastral map is compulsory to use for spatial planning and any land information system.

Types of Cadastral Systems

There is only one type of Unified Land Registry System in Hungary. All state, private, co-operative land and real estate properties have been registered including condominium units (apartments).

Cadastral Concept

In the Hungarian Unified Land Registry System two different types of real properties can be registered:

1) land parcel;

2) other independent property.

All types of properties have a unique identity number and are registered separately:

1) land parcel can include buildings the owner(s) of the land is the same as the building;

2) there are three different types of other independent property:

   a) building, cellar, underground garage, structure, if the owner of the property is not or only partially owner of the land parcel;

   b) freehold condominium unit (apartment, shop, garage, etc) The land is common property, the unit is independent property;

   c) cellar, underground garage, construction with direct access to public domain (street, road).

The cadastral maps show all land parcels with boundaries and buildings. Boundaries based on direct survey, creation of new parcel boundaries-subdivision, road alignment, etc. require cadastral survey, work and legal procedure. In case of other independent properties scaled lay out plans of condominium about each level represents the map.

All types of real properties can be mortgaged and are transferable. If a land parcel or part of it is occupied undisturbed for a continuous period of 15 years a person(s) may apply at the court for adverse possession. For changing of title legal court decision is needed.

Content of Cadastral System

All land parcels and real properties have been registered in Hungary and cadastral maps cover the whole country. There are 7,3 million land parcels and about 2 million other independent properties (condominium units and others).

There are two components of the Unified Land Registry System to be maintained:

1) Legal part – property sheets: Each land parcels and other independent properties have property sheet containing three parts:

I. Descriptive part: Parcel number, address of the property, area, status of the property (urban, rural, built in or vacant) building information, in case of rural area different cultivation, quality of soil, value of land;

II. Ownership information: Owners name, address, personal id. number, title, etc.;

III. Mortgage, restrictions, easements and other rights, facts according to law.

2) Mapping part: The cadastral map consists of parcel boundaries, parcel numbers, buildings and other construction, control points, easements, in rural area sub parcel boundaries with cultivation.

Both the legal and mapping part are updated daily and simultaneously to guarantee the data consistency required by the nature of Unified Land Registry System. The mapping and property sheet data must be consistent. Control points are registered and maintained in land offices. There are 58,100 control points (I-IV) and 71,076 analogue cadastral map sheets covering the whole country. The majority of analogue cadastral maps are still in use. All the survey plans, measurements must be archived.

For the legal part, property sheets are digital, the 15% of cadastral maps is digital only.

D. Cadastral Mapping

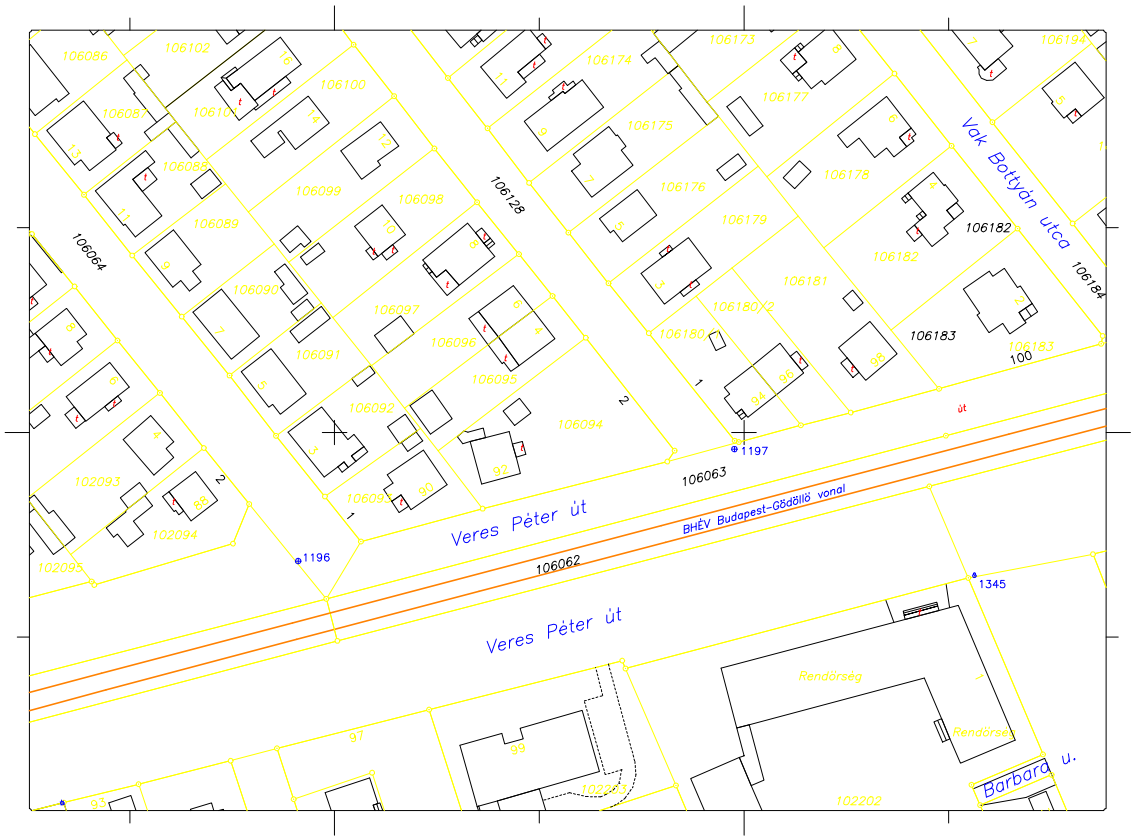
Cadastral Map

The old analogue cadastral maps (many of them are still in use) are varying in scale and accuracy. The scale is 1:1000, 1:2000 in urban and 1:2000, 1:4000 in rural areas but we still have 1:1440, 1:2880 scale maps. The majority of cadastral maps have been graphical but there are many numeric maps in urban areas (Budapest and other cities). In case of numeric maps boundary points have co-ordinates based on field survey, boundary points shown by circles. Originally cadastral mapping was carried out in different projection systems. The national projection and grid system was introduced in 1980. Since then the national grid system is compulsory to use in new cadastral mapping.

In 1990 there were no digital cadastral maps in Hungary. The National Cadastral Program started in 1994, supporting the new digital cadastral mapping. The majority of digital cadastral mapping in urban area is based on field survey and less in digitalizing old cadastral maps. Using field survey the quality of digital cadastral maps is good but very expensive and time consuming. In 2002 only 15% of cadastral maps are in digital form. It is important to accelerate the progress of digital cadastral mapping. At the end of 2002 it was decided to introduce a new approach digitising graphic cadastral maps in rural area. The digital cadastral mapping in rural areas, about 80% of the country, will be completed by the end of 2004.

The content of cadastral map: The cadastral map shows parcel boundaries, boundary points, parcel numbers, street names and address, horizontal control points, height points, buildings and other constructions, boundary of cultivation in rural area.

Example of a Cadastral Map



Role of Cadastral Layer in SDI

The cadastral mapping information is the mapping part of the Unified Land Registry System. The common data of cadastral map (parcel number, address, area, etc. must be consistent with the descriptive data of the property sheet. This is one of the basic requirements of the Unified Land Registry System. The updating and maintenance of common data is a simultaneous task of the mapping and legal part.

Before Hungary introduced the Unified Land Registry System the Cadastre also supported the legal registry and cadastral map served information to the economy. Today digital or analogue cadastral maps (land registry map) are the basic information to establish different database supporting development and environmental interests. The land registry map, according to law, is compulsory to use for spatial, town planning, building regulations and basic map for public utility companies. For local governments, municipalities land registry map is basic layer managing their activities. Extracts of land registry map (cadastral map) are widely used for different purpose by the public.

E. Reform Issues

Cadastral Issues

In Hungary there is no need comprehensive reform concerning legal and institutional framework. There are four main problems to be solved very soon:

1) Accelerate the completion of digital cadastral mapping;

2) Fully operational on line data service of the land registry data base;

3) Final development of the countrywide TAKAROS digital cadastral map management system;

4) Development of market driven data services.

Current Initiatives

Under the National Cadastral Program the digital cadastral mapping in the rural area will be completed before end of 2004. The TAKARNET on line data service will be fully operational before the end of 2003.

References

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II. Questionnaire

1. Cadastral Principles

Deed or title registration

1.1 Is your cadastral system based on deeds registration or on title registration ?

- ☐ deeds registration
- × title registration
- ☐ other: ……

Registration of land ownership

1.2 By law, is registration of land ownership compulsory or optional ?

- × compulsory
- ☐ optional
- ☐ other: ……

1.3 If felt necessary, please, comment on the actual practice and the legal consequences.

Approach for the establishment of the cadastral records

1.4 Are landowners required to register their properties systematically during the initial establishment of the cadastre or is registration sporadic, i.e. triggered only by specific actions (such as for example sale) ?

- ☐ systematic
- ☐ sporadic
- ☐ both
- × all properties are already registered
- ☐ other: ……

2. Cadastral Statistics

Population

2.1 What is the **population** of your country ?

10.1 million

2.2 Please, estimate the **population distribution** between urban and rural areas.

urban:	…60… %
rural:	…40… %
total:	…100… %

Number and distribution of land parcels

2.3 Please, estimate the approximate **total number of the smallest uniquely identified land units**, often called "land parcels" in your country, including urban and rural areas ?

The total number would include all freehold and state owned land, regardless of registered, non-registered or informal holding.

7.3 million

2.4 What is the approximate **total number of registered strata or condominium units** ? This number would be in addition to the number of land parcels indicated in 2.3 ?

2.0 million

2.5 For **URBAN areas**, please, estimate the **distribution between the smallest uniquely identified land units, often called "land parcels"** (i) that are legally registered and surveyed, (ii) that are legally occupied but not registered or surveyed, and (iii) that are informally occupied without any legal title (this may include illegal occupation or squatting).

If the estimation is too difficult or complex using land parcels, you may base your estimation alternatively on the number of people occupying these forms of land parcels.

legally registered and surveyed:	…100… %
legally occupied, but not registered or surveyed:	…0… %
informally occupied without legal title:	…0… %
total:	…100… %

2.6 For **RURAL areas**, please, estimate the **distribution between the smallest uniquely identified land units, often called "land parcels"** (i) that are legally registered and surveyed, (ii) that are legally occupied but not registered or surveyed, and (iii) that are informally occupied without any legal title (this may include illegal occupation or squatting).

If the estimation is too difficult or complex using land parcels, you may base your estimation alternatively on the number of people occupying these forms of land parcels.

legally registered and surveyed:	…100… %
legally occupied, but not registered or surveyed:	…0… %
informally occupied without legal title:	…0… %
total:	…100… %

Number of professionals

Please estimate the total number of *academic professionals* that are active within the cadastral system and the proportion of the time that they actually commit for cadastral matters (as opposed to work outside of the cadastral system) ?

2.7	Total number of **professional land surveyors**, such as licensed surveyors active within the cadastral system:	1700
2.8	Proportion of the time that these land surveyors commit for cadastral matters:	50%

2.9	Total number of **lawyers/solicitors** or equivalent active within the cadastral system or land market:	2000
2.10	Proportion of time that these lawyers/solicitors commit for cadastral matters or land market:	60%

Remarks and Comments

Please, identify the best aspect of this questionnaire ?

Simple to reply at the beginning it's enough

Please, suggest the area in the questionnaire that could be improved ?

Later it's advised to extend with some more statistical data important in the operation of the land market