

Analyzing of Turkish Cadastre System According to Land Administration Concept

Mehmet GÜR* and Hülya DEMİR

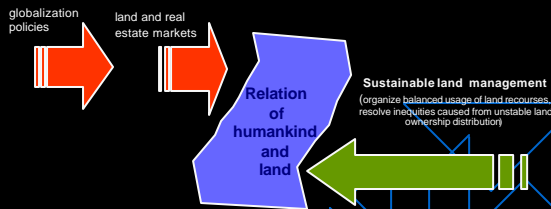
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Overview

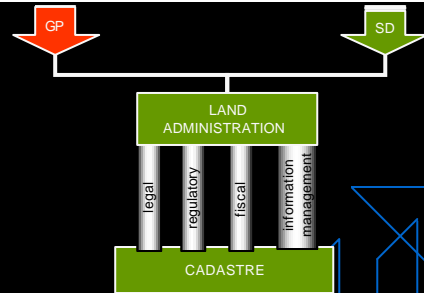
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Introduction



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- ◆ Not only changes in the point of view for the cadastre in the world, but also integration process to the European Union and global pressure on our land had proved that, *reshaping of our cadastre according to land administration concept is needed for Turkey*
- ◆ aims to define how a land administration system should be formed for developing countries in case of Turkey.

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1-The Legal Component Of The Land Administration System

- ◆ The legal component of the land administration system contains the rights dependent on the land and also compilation and guarantee of the constraints.
- ◆ It is important to the definiteness and security of all legal rights on the real estates from the point of liquidation of land and decreasing the risks of credit institutions.
- ◆ One of the most important expectations is constitution of an effective land market by the land administration system.

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An Approach to The Legal Component of The Land Administration System In Turkey

- ◆ The rule of the civil code about land ownership states that "To record the land registry is an obligation for gaining land ownership" is the core of the cadastre administration.
- ◆ The registration system based on the cadastre maps has been accepted and the land registry is the main guarantee of land ownership, its boundaries, rights and liabilities
- ◆ Transactions related to all rights and liabilities of land have been carried out by General Directorate of the Land Registry and Cadastre (TKGM) in the name of state.

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2-The Regulatory Component Of The Land Administration System

- ◆ Controlled development of the land usage in the planned direction and form is possible with a land administration system, containing data that is needed by planning centers.
- ◆ Therefore, land administration system should include the classified attribute data of the land.

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An Approach To The Regulatory Component Of The Land Administration System In Turkey

- ◆ It is needed wide range of land related data to realize the task of land administration for land management. All those data define in planning levels in Turkey.
- ◆ Cadastre focus on ownership and rights. The rest of other data have been produced by different institutions performing land related operations.
- ◆ the same data might be produced in divergent standards by different institutions
- ◆ Large amount of the data could not be produced and saved in a consistent structure and proper to information system format.
- ◆ Standard real estate classification structures, which must be present in the land administration system and also accepted by planning organizations and operators, have not been constituted in Turkey yet.
- ◆ Furthermore, the Ministry of Public Works and Settlement has been working on new standards according to the European Union standards.

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3-The Fiscal Component Of The Land Administration System

- ◆ The fiscal component of the cadastre has been focused on the economical benefits of the land and it contains all parts of the input, process and output that are necessary for property valuation and taxation.
- ◆ A cadastre system with the fiscal dimension provides data substructure of the land market.
- ◆ Fiscal component of land administration system should include every related data and operations to perform land valuation, taxation and proper land markets.

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An Approach To The Fiscal Component of The Land Administration System in Turkey

- ◆ The legal cadastre concept in Turkey does not include all inputs, processes and outputs that are necessary for property valuation and taxation.
- ◆ The cadastre in Turkey is not responsible for production and presentation of many data such as actual and accurate sale prices, local value indexes, characteristics effective in value formation, which are needed by property valuation.
- ◆ Taxation of the properties is accepted only as a source of income but its role in the regulation of the land market is undervalued in Turkey.
- ◆ Sale and other transaction prices registered on the title deed, but those values do not show the actual situation of the land market because the land ownerships declares lower sale prices and it causes lost in tax income.
- ◆ In 1972, producing of tax maps which are one of the main components of the fiscal dimension of the cadastre had been intended in Turkey in 1972, but has not been realized.
- ◆ However, an integrated system in property valuation and taxation has been constituted neither in nor out of the cadastre structure. Main principles and valuation methods of the property valuation exists in many codes directly or indirectly.

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5-Information Management Component Of The Land Administration System

- ◆ Information management related to land and ownership is the key component of the land administration.
- ◆ Having the most benefit from the management operations is basically depending on data characteristics and also current, exqusite, correct, comprehensive and accessible data.
- ◆ Land oriented information systems to perform the functions of the land management could be classified in four form: cadastre, infrastructure, environment and socio-economic information systems.
- ◆ One of the most important systems for land administration concept is the parcel based cadastre information system.

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An Approach To The Information Management Component of The Land Administration System In Turkey

- ◆ It has been aimed to constitute a secure national geographical information system for providing online services by public bodies. Turkish National Geographical Information System had been defined as an information system where all local, regional and national geographical information systems share data with each other on online and off line computer networks.
- ◆ However, preliminary works had showed that it can not respond requirements of a proper land administration system or can cause some difficulties while providing them. Because of:
 - Different public bodies, dealing with the same tasks,
 - Lack of the coordination between some of the establishment and institutions,
 - Geodetic points are exist in local reference systems,
 - No legal data exchange standards,
 - Most of the geographical data are in paper sheets and some deficiencies existing in data quality and accuracy.
 - Too many data repetitions
 - Insufficient data sharing between institutions and evenly in their divisions
 - Difficulties in access to data
 - High level operation costs
- ◆ Variability in the objective and responsibilities of the institutions and geographical information system installation efforts brings out the fact that, the legal, technical and institutional standards for spatial data have not been constituted in Turkey, yet.

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Conclusions

- ◆ The results of examination on current situation in Turkey indicates that the content of cadastre and institutional structure of TKGM are adequate for meeting expectations from legal component of land administration, but not capable to supply demands of fiscal and information management components.
- ◆ On the other hand, the legal situation is enough contemporary with its legal fundamental.
- ◆ Enforcement of laws related to land in accordance with "community interest" principle of Turkish Constitution, redefinition of tasks and objectives of public bodies and setting up harmonization between these relevant public bodies are subjects to be solved to transform for Turkish cadastral system into main reference system for land management policies.
- ◆ Getting maximum benefit from land administration depends on quality, accuracy, straightness, currency, variety, contents and accessibility of data. But it is impossible to keep all land relevant data, which are demanded by Land Management, on cadastral information system in Turkey.

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Conclusions-2

- ◆ "unique land parcel number" should be accepted as a key data from all responsible institutions according to standards. Thus, exchange and usage of these data would be provided for all institutions.
- ◆ The objectives are given below to realize land administration system upon cadastral system in Turkey:
 - To perform data production standard and structural arrangement for data sharing and using
 - To define obligations and tasks of institutions about data production
 - To develop a coordination and control mechanism to avoid money, personnel and time wasting for data production about same objects and data updating
 - To perform regulations about data security and data access rights for institutions and third parties.

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Thanks for your kindly attention and participation

gur@yildiz.edu.tr

Shaping the Change
should be better with sharing knowledge



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