

# Conference

## **Building the Future of Europe : Innovation and Business Registries**

Madrid – 15 June 2022



Co-funded by the  
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# ELRA

European Land Registry Association



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- ➔ ELRA stands for **European Land Registry Association**
- ➔ AISBL created in **2004** – in Lisbon with the patronage of Antonio Vitorino, European Commissioner for Justice
- ➔ 31 official land registry organizations (being 4 of them observer members) from **25 European countries**
- ➔ Objective: to support the development and **understanding of the role of land registration** in real property and capital markets in Europe
- ➔ Recognition by the EU institutions as the interlocutor representing land registries in Europe
- ➔ **Principle of respect towards the different EU legal systems**



- ➔ Comparative information about Land Registry Systems
- ➔ Legal experts designated by each ELRA Member
- ➔ Bottom-up strategy
- ➔ Fact-sheets
- ➔ <https://www.elra.eu/european-land-registry-network/>
- ➔ **Building the future of Europe !**



## Land Registry Systems

- ➔ Immovables – the reality of an **object** in the world - actual reality
- ➔ Rights in rem - the **legal status** - legal reality
- ➔ **Subject** or the owner – the rights holder

## Interconnection

- ➔ Common means to identify the object (INSPIRE)
- ➔ Understanding the meaning of the rights in national systems (IMOLA)
- ➔ Protection of the subject data (GDPR)





Report from the European Commission to the European Parliament and the Council assessing the **necessity** and proportionality of **harmonising** the information included in the Land Registers and assessing the **need for the interconnection of those registers**



- ➔ *“**Harmonisation** can be a trigger to complete the digitalisation of the national land registries and enhance accessibility, making them fit for the digital age.”*
- ➔ Art 345 TFEU would not stand in the way of harmonisation of Land Registries as long as interconnection is bounded by **collection, storage and presentation** of a set of commonly defined data and respects the Union’s **neutrality principle**
- ➔ Risk arising from the fact that the mere interconnection of the registers would not provide sufficient clarity about the rights and burdens, **unless terminology is correctly translated in the other languages, duly reflecting legal specificities**
- ➔ **By 2024, all Member States should participate in the interconnection of land registers**





## ➔ **LAND REGISTRY INTERCONNECTION PROJECT**

Aim to provide a single access point to Land Registry information through the European e-Justice Portal



## ➔ **IMOLA PROJECT**

Produce a common template of national LR information connected to explanatory material in different languages



## LRI 1 - March 2018 to May 2019 - Estonia and Austria

- ➔ Design and implement **adaptations to connect** national registries with the portal, namely establishing proper and trusted cross-border authentication mechanisms
- ➔ **Legitimate interest**
- ➔ **Payment system**



## **LRI 2 - March 2020 to Oct 2022 – Portugal, Spain, Hungary and Latvia**

- ➔ **Usability** - user groups and user roles – **widely public** with complete anonymity *versus* **restrictive access** subject to secure identity validation of professional attributes.
- ➔ **Authorization** - technical means of **authentication of the users** – define the methods of user authentication and authorisation, determining, when necessary, the legitimate interests and the permission to access the data.
- ➔ **Access Rights** - **search criteria** for immovables in the national land registers, linking LRI-search forms to national data. Defining searching and possible merging in due respect for **data protection policy**



## IMOLA PROJECT

- ➔ **Harmonize and understand information and legal concepts** available through sophisticated technological means
- ➔ **Principle of neutrality** - the respect for national differences when bridging diversity.
- ➔ **Trust** in the quality - trust begins with mutual knowledge; earning **trust** depends on legal and technical solutions, but also in the **organizational or institutional aspects**
- ➔ **Trustful institutional structure**





## IMOLA PROJECT I

- ➔ European Land Registry Document (ELRD) – with the A B C structure
- ➔ **A - Physical description** of the immovable (the object - the actual reality)
- ➔ **B - Proprietorship** (the subject or the owner)
- ➔ **C - Charges or encumbrances** (the legal reality that links the object to the subject)





## IMOLA PROJECT II

- ➔ **Common grounds** of rights and concepts in all three fields – object, subject and legal reality.
- ➔ **Commonalties** developed along with Trento University and the formants methodology.
- ➔ **Pivot terms** - cornerstone of IMOLA project.





## IMOLA PROJECT II

- ➔ **Technological interoperability** solutions along with University Carlos III - reusing information of the knowledge manager for new purposes.
- ➔ **Electronic tool** - different legal national concepts available in English and in the national languages - **understandable** through the comparative method with the pivot terms and enriched with doctrine and jurisprudence.
- ➔ Enforce the **adaptation principle** - efficient implementation of EU Regulations





## IMOLA PROJECT III

- ➔ **NEW national concepts**
- ➔ Environment and the role of land registries on this topic,
- ➔ Fight against money laundering - patterns and triggers.
- ➔ Controlled vocabulary – INSPIRE and ISA Core vocabulary.
- ➔ **Re-use** of the information contained in the ELRN fact sheets for IMOLA purposes, boosting its potential through artificial intelligence.
- ➔ IMOLA **knowledge organization system** (the I-Kos) - a new paradigm and an **extended corpus semantic** able to shape the land registers core vocabulary, which **brings closer national diversity.**





# Members States

National Gateway

Interface/  
matching data

Authorization  
scheme

Invoicing

# EU Platform

Single access

Search Interfaces

Authentication  
e.IDAS

Payment/taxation

# ELRA IMOLA

ELRD XSD/XML  
Common Interface

IMOLA I.KOS

e-Justice  
metadata

ELRN/Input  
System (KM) and  
WSs



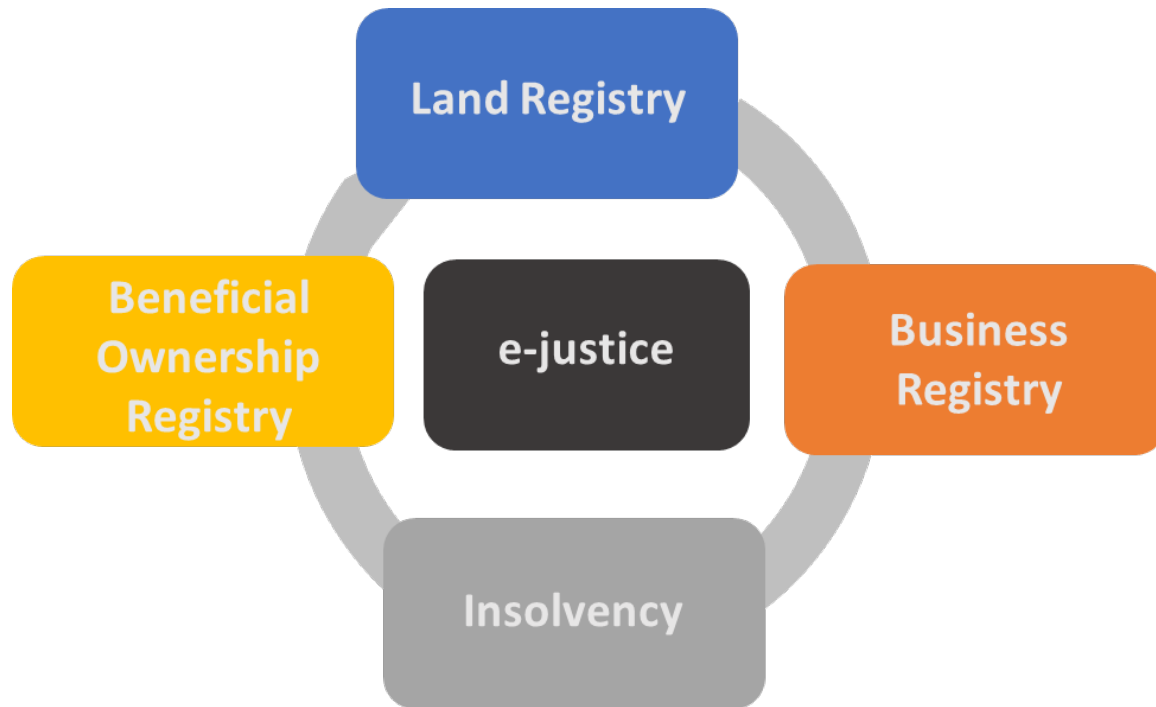
## **Statement on Land Registry Interconnection Principles**

<https://www.elra.eu/wp-content/uploads/2022/03/Final-ELRA-Statment-LRI-action.pdf>

- ➔ Better understanding of LR information
- ➔ Support the European Commission, enhancing legal certainty.
- ➔ Commitment both at national and European level
- ➔ Respect for the individuality of MS Systems, evolving to digital information on a transparent and harmonized semantic model
- ➔ ELRD - The common template to achieve a harmonized and interoperable Land Registers Information
- ➔ IMOLA Knowledge Organization System -I.KOS- as Land Registers Juridical Ecosystem
- ➔ Cooperation with stakeholders to enhance the use of compatible solutions.



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**“Together we are not simply more, we are better”**  
José Saramago, Portuguese Nobel Prize for literature

**Thank you for your attention!**

Luisa Clode  
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