Conference

Building the Future of Europe: Innovation and Business Registries

Madrid – 15 June 2022
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)
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.
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.
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 IMOLLA 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.
Statement on Land Registry Interconnection Principles


- 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.
“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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