



Catalyzing Innovation

ANNUAL WORLD BANK CONFERENCE ON LAND AND POVERTY
WASHINGTON DC, MARCH 25-29, 2019



Draft abstract

HOW TO INTRODUCE A COMPLETE NEW LAND REGISTRY SYSTEM IN A RAPID CHANGING WORLD

A description of the complete renewal of the Dutch Land Administration system

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**Draft abstract, prepared for a draft paper to present at the
“2019 WORLD BANK CONFERENCE ON LAND AND POVERTY”
The World Bank - Washington DC, March 25-29, 2019**

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The Dutch land registry has been working on the renewal of the current land registry system in the Netherlands for a considerable amount of time. The introduction of a complete new registration system will be completed at the end this year (2018). Building this system has been the most extensive IT-operation Dutch Land registry has been dealing with since a very long time. The complete land registry system will be renewed. With its implementation so-called *legacy* (a more or less 'ancient' IT-system that originates from the 1980's) and the end-of-life-status of the software will be a thing of the past.

Due to daily practice in the real estate market, more and more legal possibilities and structures have been created. New possibilities in architecture and practical building methods have introduced new ways of creating new structures and buildings. Apart from that, new societal developments and needs reflect the way the real estate market is changing. This desires a new approach with regard to creating new buildings and houses. People are aware of the *environmental footprint*. They start building so-called *tiny houses* and they invest in the preservation of nature by implementing energy-saving measures (applying solar cells, packing houses with insulation materials). Because of densely populated areas, the need of social or medical healthcare and the emerging *sharing economy*, people start organising and changing the way they live in other ways. This also has an impact on the 'classic' land registry system as we used to know it. Up until the introduction of the new registration system, these newly created buildings and (legal) structures had to be registered in an old system, where multiple rights in rem sometimes needed to be registered on one single parcel or building, resulting in a very complex registration and creative administrative solutions.

The new Land Registry system will cope with the actual - and possible future - legal and societal demands as it introduces a system where elements, rights in rem, legal structures and other possible features can be added by implementing new business rules rather easily.

The new system also introduces improvements with regard to the quality of the registration and the monitoring systems. The data input delivered by the staff of Kadaster will be checked prior to the actual entry into the system and the actual registration of the rights in rem will be done by the system itself by making use of so-called business rules. These business rules will give a warning in case of conflicting rights, e.g.: the mortgager cannot mortgage an object if (s)he is not the owner or the seller is not the owner of the parcel. Apart from that, the new system also brings the automated processing of deeds of transfer without any human interference to a higher level. The computer now supports the use of so-called stylesheets, as introduced in 2005. This means that the registration can be updated within one second time and with an accuracy of one hundred percent.

One of the crucial elements is the migration of the actual and current land registry data from the 'old' system into the new registration system. This migration needs to be actual and flawless. This will be the

starting point from where the staff of Kadaster can enter data into the new system once the system will be put in action and the notaries, judicial officers and other parties send their documents to Kadaster.

The introduction of the system concerns various processes and elements but will result in a 'big bang', the live use at a certain time, after testing and using both the old and the new registration system. The new system is linked to the mapping facilities, various other key registers in the Netherlands and other elements and registers that are needed to update the content of the Dutch land registration.

The introduction of the system and the precautionary measures created in order to reverse the implementation in case one of the elements would not suffice, will also be described. The implementation road map concerns several incremental steps, involving an extensive communication plan with all users of the systems, both internally and externally. It is of the utmost importance to inform the internal *and* external users of the land registry information systems at an early stage. The whole implementation process describes the way the staff of Dutch Kadaster has to get used to working with the system and the introduction of the new lay out of the land registry information products for the customers. It also addresses various decision points (GO/NOGO-moments) that have to be taken by some of the stakeholders. One of the crucial stakeholders is the registrar, who in the Netherlands is responsible for the content of the land registry. The paper will end by sharing the lessons learned prior to and during implementing the new land registry system.