1. Basic Information

1.1 CRIS Number: 2005/017-462.05.01  
Twinning light: SI05-IB-JH-01
1.2 Title:  Real Estate Records Management Harmonization Project  
1.3 Sector:  Justice and home affairs  
1.4 Location:  Ljubljana, Slovenia

2. Objectives

2.1 Overall Objective(s):  
The project is important to taxpayers and to society for a better land and property management, for achieving a better contribution to the substantial improvement of land market functioning and for enabling a secure and up-to-date support for property valuation and taxation with a better protection of ownership rights through shorter time of registration and reduction of backlogs in land cadastre, buildings cadastre and land registry and by defining of the necessary new actual fields of cooperation between Surveying and Mapping Authority of the Republic of Slovenia (SMCA) and Supreme Court (SC).

2.2 Project purpose:  
The main project purpose is establishing good governance principles with significant reduction and then gradual elimination of currently duplicated tasks between Surveying and Mapping Authority of the Republic of Slovenia (SMCA) and Supreme Court (SC) and gradual elimination of duplicated maintenance of the same data entities in separate databases of SMCA and SC by establishing conditions that will ensure land registry, land cadastre and building cadastre to actually complement each other on the data level, instead of largely duplicating each other’s data entities. The expected benefits for both SMCA and SC as beneficiaries are rational workflow organisation in SMCA and SC, thus offering a substantially improved up-to-date service to their users and removal of obstacles for implementing the proper modern organisational and technological improvements on all levels of operation and in all business aspects.

2.3 Justification:  
One of the principal goals or guidelines in the Monitoring report on Slovenia’s preparation for membership is achieving higher grade of efficiency and effectiveness in public administration that has to be user friendly. The effect of proposed project is the way of approaching the desired aim. The proposed changes will lead to improved conditions for progress in general.

3. Description

3.1 Background and justification:  
In Slovenia the responsibilities for the maintenance of basic real estate records (land cadastre, building cadastre, land registry) are traditionally divided between the SMCA, SC and District Courts.

In addition, the Government of the Republic of Slovenia adopted a resolution in 1998 saying, that responsibilities should remain in the same dual–based framework (SMCA – SC and district courts) due to historical and traditional reasons. According to the resolution a strong link between the two databases
(land cadastre – land registry) has to be established and data in both databases should not be duplicated. The current development in two institutions is going in the requested direction, and in addition, the SMCA has established and maintains a new record, building cadastre, which needs to be linked to the land cadastre and land registry as well. The conclusion of Real Estate Registration Modernization Project is another important step to achieve a higher level of quality and uniformity of data. Upon all acquisitions in last decade, considering that nothing essential has been changed in sense of organization of real estate databases, it is an opportunity to develop a vision of a near future about improving efficiency and effectiveness in the field of maintenance and updating of the real estate databases.

A lot of changes are under the implementation in the European environment related to sharing of responsibilities and delivering better services in the field of real estate management. There, in general, exist single agency solutions (one agency for both basic real estate records, land cadastre and land register): in the Netherlands, Slovakia, Czech Republic) and dual or multi agencies solutions (two responsible agencies for both real estate basic records, land cadastre and land registry): in Austria, Belgium, Spain). All newly established systems or the renewed ones follow the single agency orientation (Serbia, Lithuania, Estonia) and there is a process under implementation in some countries with the aim of joining the responsibilities and respective real estate records (Romania, Sweden, Norway).

The Committee of Ministers of the Council of Europe adapted Council of Europe Recommendation R(86) 12 on September 16, 1986 which recommends that administrative functions, such as title registration, be removed from courts because they interfere with the efficient functioning of the courts primary of running a judicial system.

Comparatively with the international level the role of notaries and licensed surveyors in Slovenia is also very important. Their activity is in large way dependent on accessibility and quality of real estate databases, so the non-effective organization, on this field prolong the recording time and procedures. Also public-private partnerships have to be established in the most rational way, so they need an important support in accessibility of important quality data. New sophisticated solutions are very important for establishing mortgage banking and for assessment of real estate.

It is important to review the current state of development of all three basic real estate databases again and to review the way of functioning of two main institutions with the purpose of finding out the answer weather the operations are managed in the most efficient and cost-effective way and proposing some adaptations and harmonized activities if needed.

3.2 Linked activities: There were activities in the past linked to upgrade the quality of data and to harmonize real estate data managed on different locations. Within this field PHARE Twinning Project SL 9905.02 proposed some recommendations for both institutions that will lead to introduce cost recovery approach and other common benefits. In project recommendations both institutions SMCA and SC were recommended to evaluate and propose changes in legislation. Also according to project recommendations both organisations will co-ordinate the harmonisation of data models for the Land Cadastre, Land Registry by the most appropriate methods. Their principal goal must be to provide support for strategic out sourcing operations, which will be of vital benefit for the state.
3.3 Results:
   a) analyses of the state of the art situation in the SMCA and the SC regarding the land cadastre, building cadastre and land register
   b) proposal for a quicker reduction of backlogs in the SC and the SMCA
   c) proposal for more harmonized functioning of land cadastre, building cadastre and land registry with the proposed implementation plan in the fields of legislation, organization, data management, financing of activities and estimation of costs for the proposed changes caused by the project
   d) proposal for a unified service up to a certain level with the solution of the most appropriate common management.

3.4 Activities:
   a) analysing of organizational, technical (data management, data delivery), informatization, human resources, financial and cost-recovery aspects of the registration processes in land cadastre, building cadastre and land registry
   b) defining of preconditions and responsibilities between SMCA and SC for enabling a controlled joint shared maintenance and updating of data entities in the Land Registry, Land Cadastre and Building Cadastre
   c) pointing out necessary changes for enabling a guaranteed 100% cross-reference of common data entities between the Land Registry, Land Cadastre and Building Cadastre
   d) on the basis of collected data and information considering the best practice in advanced countries make one or more proposals for possible implementation
   e) analyse solutions from various aspects (organizational, human resources, technological, effectiveness, financial) and propose improved and more efficient functioning of Real Estate Systems
   f) propose a new solution as an important support for real estate market, mortgage banking and other users

3.5 Lessons learned:
The SMCA and the SC executed a Phare Twinning Project SL9905.02 Modernization of the Real Estate Records Management System in the Republic of Slovenia in 2000-2001. In this project it was recommended that both organizations the SMCA and SC will coordinate and complete the harmonization of data by the most appropriate methods and will adopt customer oriented approach for system development, it is the aim to to maintain current practice in the use of open standards for the development of information system. It is also clearly pointed that SMCA and the SC must continue to adopt best practice and directives with comparable institutions within EU. It was underlined that involved institutions will in future ensure access for citizens to limited quantities of data via internet applications and this require for SMCA and SC to draft and adopt an appropriate regulation. It is evident that the procedures are very complex and are feasible with organized common action.

4. Institutional Framework

The SMCA is a part of the Ministry of the Environment and Spatial Planning and performs the tasks of geodetic service. It operates at the state and regional level (12 regional offices with extensions). The SMCA maintains and manages official surveying data in the field of basic geodetic system, real estate: land cadastre and building cadastre, state boundary, topographical and cartographic systems and others. The SMCA e.g. the Ministry of the Environment and Spatial Planning is responsible for the preparation of the legislation related to land cadastre and building cadastre.
The SC is the highest complaint court in Slovenia dealing with civil, penal, economic, administrative, labour and social issues. Among other activities, the SC is responsible for the project of informatization of land registry. Land registry is managed by 44 district courts. The electronic land registry has been implemented on all courts.

The Ministry of Justice is responsible for the preparation of the land registry legislation. The ministry is primarily responsible for general judicial administration, covering among other tasks the human resource management, certified professional development of its personnel and external certified judicial experts, yearly statistics of backlogs of judicial cases, procedures. The ministry is taking care of overall logistics of the judicial system, with special regard to technological advancement of the judicial system as a whole, in the last years especially to investments in setting up and maintenance of modern IT hardware and software equipment, as well as of IT communication lines. The ministry is also covering counselling and education in judicial IT development.

Ministry of Public Administration is a new one, established by the new government in December, 2004. Previously dispersed services that strived for better public administration, were incorporated into a single ministry and some tasks that were performed twice are now uniformed. Rationalization of public administration will be accomplished in this manner. Setting this new ministry will ensure high quality, contemporary, high-educated and motivated public administration, serving above all as citizen and enterprise service and being a source of competition advantage of the state.

Strict coordination between among Ministry of Public Administration, Ministry of Justice, Supreme Court and SMCA should be ensured.

5. Detailed Budget

<table>
<thead>
<tr>
<th>€</th>
<th>Transition Facility support</th>
<th>Co-financing</th>
<th>Total cost (TF plus co-financing)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Investment Support</td>
<td>Institution Building</td>
<td>Total Transition Facility (=I+IB)</td>
</tr>
<tr>
<td>year 2005</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>contract 1</td>
<td>0</td>
<td>150,000</td>
<td>150,000</td>
</tr>
<tr>
<td>Total</td>
<td>0</td>
<td>150,000</td>
<td>150,000</td>
</tr>
</tbody>
</table>

(*) contributions form National, Regional, Local, Municipal authorities, FIs loans to public entities, funds from public enterprises
(**) private funds, FIs loans to private entities

The direct and indirect costs of the BC administration, civil servants and national private experts working for the project are borne by that Beneficiary Country.

According to the length of the project the SMCA will assure to the short term advisers (3 -6), proper office equipped with IT technology.

The direct and indirect costs of the SMCA, civil servants and national private experts working for the project will be borne by SMCA. The SMCA will provide office space and office support.
6. Implementation Arrangements

6.1 Implementing Agency
Ministry of Finance - CFCU
Mr. Peter Škofič, PAO
Beethovenova ul. 11
SI - 1000 Ljubljana
Tel: +386 1 478 69 94, Fax: +386 1 478 62 04

6.1.1 Implementing Authority
Ministry of the Environment and Spatial Planning
Surveying and Mapping Authority of the Republic of Slovenia
Dr. Božena Lipej
Zemljemerska ulica 12
SI-1000 Ljubljana
Tel.: +386 1 478 4903, Fax: +386 1 478 4909

6.1.2 Beneficiary institution
Ministry of the Environment and Spatial Planning
Surveying and Mapping Authority of the Republic of Slovenia
Dr. Božena Lipej
Zemljemerska ulica 12
SI-1000 Ljubljana
Tel.: +386 1 478 4903, Fax: +386 1 478 4909

6.2 Twinning
Project will be implemented as a twinning light project.

6.3 Non-standard aspects
non applicable

6.4 Contracts
There will be one twinning light contract in the value of 150,000 Euros.

7. Implementation Schedule

7.1 Start of tendering/call for proposals
1st September 2005

7.2 Start of project activity
1st January 2006

7.3 Project Completion
31st March 2006

8. Sustainability:
All in project involved ministries have adequate staff and the functioning is ensured with appropriate financial resources support. The Ministry of Justice and the Ministry of Public Administration are ready to cooperate. The implementation of expected results will have very positive effects in sphere of functioning of public administration in the future as well as for the whole economy. For sustainable development in the field of agriculture, spatial planning and other spheres the quality, accessibility of data is very significant.
9. **Conditionality and sequencing:**
   All the preconditions exist to make the project a success.

**ANNEXES TO PROJECT FICHE**

1. Logical framework matrix in standard format (compulsory)
2. Detailed implementation chart (compulsory)
3. Contracting and disbursement schedule by quarter for full duration of programme (including disbursement period) (compulsory)
4. List of relevant Laws and Regulations (optional)
Annex 1: TF log frame

<table>
<thead>
<tr>
<th>LOGFRAME PLANNING MATRIX FOR Project</th>
<th>Programme name and number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real Estate Records Management Harmonization Project</td>
<td>Contracting period expires 15 December 2007</td>
</tr>
<tr>
<td></td>
<td>Total budget: 167,000 €</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Overall objective</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Better land and property management, for achieving a better contribution to the substantial improvement of land market functioning and for enabling a secure and up-to-date support for property valuation and taxation with a better protection of ownership rights through shorter time of registration and reduction of backlogs in land cadastre, buildings cadastre and land registry and by defining of the necessary new actual fields of cooperation between SMCA and SC.</td>
<td>• In 5 years registration time reduced to at least 3 months and backlogs reduced</td>
<td>• Programme Council for the Real estate recording modernization</td>
</tr>
<tr>
<td>Project purpose</td>
<td>Objectively verifiable indicators</td>
<td>Sources of Verification</td>
</tr>
<tr>
<td>-----------------</td>
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<td>-------------------------</td>
</tr>
<tr>
<td>Establishing good governance principles with significant reduction and then gradual elimination of currently duplicated tasks between SMCA and SC and gradual elimination of duplicated maintenance of the same data entities in separate databases of SMCA and SC by establishing conditions that will ensure land registry, land cadastre and building cadastre to actually complement each other on the data level, instead of largely duplicating each other’s data entities.</td>
<td>• Proposal prepared in 3 months after the project start</td>
<td>• Programme Council for the Real estate recording modernization</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Results</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>The expected benefits for both SMCA and SC as beneficiaries are rational workflow organisation in SMCA and SC, thus offering a substantially improved up-to-date service to their users and removal of obstacles for implementing the proper modern organisational and technological improvements on all levels of operation and in all business aspects. Proposal for a unified service up to a certain level with the solution of the most appropriate common management.</td>
<td>a) Report prepared in 1,5 months after the project start&lt;br&gt;b) Proposal prepared in 3 months after the project start</td>
<td>• monitoring report SMSC&lt;br&gt; • Implementation states reports&lt;br&gt; • Verification of the Director General of the SMCA and of the President of the SC</td>
<td>• All relevant issues to be opened and discussed&lt;br&gt; • Appropriate twinning partner is available and contract is concluded on time</td>
</tr>
<tr>
<td>Activities</td>
<td>Means</td>
<td>Assumptions</td>
<td></td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
</tbody>
</table>
| Analysing procedures of production and maintenance of land cadastre, building cadastre and land registry data from various aspects (organizational, technical, human resources, financial). Activities will be concentrated on identifying those steps in the production and maintenance procedure that are duplicated due to duplicate data entities lead and maintained by the involved three data services. Also activities will lead to definition of those conditions and procedures that would ensure preventing any new possible duplication on the data and processing level in the future. Activities will be directed towards achieving a clear decision and commitment that every future step of SMCA and SC regarding the national Real Estate System must lead to its mutually agreed and coordinated development. | visits to the SMCA, SC, district courts and discussions with the management and senior level of staff | monitoring report SMSC  
Implementation states reports  
Verification of the Deputy Director General of the SMCA and of the Director of the IT Centre of the SC | Lack of time of relevant managers and professionals to be available for longer time engagements  
Appropriate twinning partner is available and contract is concluded on time |

| Preconditions | none |
Annex 2: Detailed Implementation chart

Programme №.: Phare funds: 150,000 €
National co financing: 17,000 €
TOTAL: 167,000 €

<table>
<thead>
<tr>
<th>Activity</th>
<th>Month/Year</th>
<th>2005</th>
<th>2006</th>
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<tr>
<td>analysing of organizational, technical (data management, data delivery), informatizational, human resources, financial and cost-recovery aspects of the registration processes in land cadastre, building cadastre and land registry</td>
<td>04 05 06 07 08 09 10 11 12</td>
<td>01 X</td>
<td>02 03 04 05 06 07 08 09 10 11 12</td>
</tr>
<tr>
<td>proposing improved and more efficient functioning of Real Estate Systems</td>
<td>04 05 06 07 08 09 10 11 12</td>
<td>X</td>
<td>01 02 03 04 05 06 07 08 09 10 11 12</td>
</tr>
</tbody>
</table>
Programme №.:  
Phare funds: 150,000 €  
National co financing: 17,000 €  
TOTAL: 167,000 €

<table>
<thead>
<tr>
<th>Cumulative Contracting schedule</th>
<th>01/01/06</th>
<th>04/31/06</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>150,000</td>
<td>150,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cumulative Disbursement schedule</th>
<th>01/01/06</th>
<th>04/31/06</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>50,000</td>
<td>150,000</td>
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</table>

<table>
<thead>
<tr>
<th>Cumulative Contracting and Disbursement Schedule</th>
<th>01/01/06</th>
<th>04/31/06</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contracted (total)</td>
<td>150,000</td>
<td>150,000</td>
</tr>
<tr>
<td>Disbursed (total)</td>
<td>50,000</td>
<td>150,000</td>
</tr>
</tbody>
</table>
Annex 4: List of relevant national Laws and Regulations
(English names of laws below are listed in **bold** text, all other plain text in the list below is in Slovenian, »Ur.l. RS, št.« is an abbreviation of the No. of the Official Bulletin of Republic of Slovenia)

1. **Land Survey Service Act** - Zakon o geodetski dejavnosti – ZgeoD (Ur.l. RS, št. 8/2000)
2. **Recording of Real Estate, State Border and Spatial Units Act** - Zakon o evidentiranju nepremičnin, državne meje in prostorskih enot (ZENDMPE - Ur.l. RS, št. 52/2000)
3. Pravilnik o pogojih in načinu računalniškega dostopa do podatkov zemljiškega katastra, katastra stavb in registra prostorskih enot (Ur. list RS 74/2002)
4. Pravilnik o vrstah in vsebin potrdil iz zbirk geodetskih podatkov (Ur. list RS 113/2000)
5. **Land Registry Act** - Zakon o zemljiški knjigi /ZZK-1/ (Ur.l. RS, št. 58/2003)
6. Uredba o naložitvi in vodenju zemljiške knjige z uporabo računalniške tehnologije ter o uskladitvi podatkov s podatki zemljiškega katastra (Ur.l. RS, št. 42/2001)
7. Pravilnik o obrazcih zemljiškoknjižnih predlogov (Ur.l. RS, št. 109/2003)
8. Pravilnik o elektronskem dostopu do informatizirane glavne knjige (Ur.l. RS, št. 16/2004)
10. Pravilnik o območjih in imenih katastrskih občin (Ur.l. RS, št. 7/2003)
11. Pravilnik o vodenju vrst rabe zemljišč v zemljiškem katastru (Ur.l. SRS, št. 41/1982)
14. Uredba o pogojih za elektronsko poslovanje in elektronsko podpisovanje (Ur.l. RS, št. 77/2000, 2/2001)
15. Web-portal for public access to data of SMA in Republic of Slovenia
   http://prostor.gov.si
16. Web-portal of Land Registry in Republic of Slovenia
   http://portal.sodisce.si/vpogledi/zk.portal