

International Seminar on United Nations Global Geospatial Information Management

“Effective land administration”



MEXICO'S EXPERIENCES IN THE IMPLEMENTATION OF FELA (FRAMEWORK FOR EFFECTIVE LAND ADMINISTRATION)



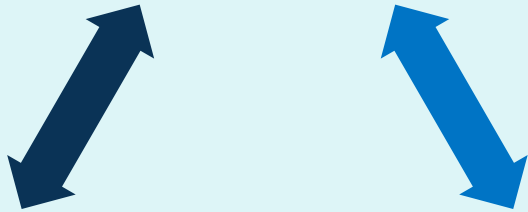
UN-GGIM
UNITED NATIONS
COMMITTEE OF EXPERTS ON
GLOBAL GEOSPATIAL
INFORMATION MANAGEMENT



Aguascalientes, Mexico
8 - 9 April 2024

PROCESS OF APPROVING

Federal
Government –
(SEDATU)



Legislative
Chamber

Senate
Chamber

GENERAL LAW FOR HARMONIZING AND STANDARDIZING REAL ESTATE AND LEGAL ENTITY PUBLIC REGISTRIES AND CADASTERS



PARTIES INVOLVED IN DRAFTING THE LAW

The Objective of the Law is

To harmonize and standardize the organization and functioning of the Public Real Estate and Legal Entity Registers, as well as the Land Registries, nationwide. It has four main objectives.

Agencies of
Public
Property
Registration

General Law for
Harmonizing and
Standardizing Real
Estate and Legal
Entity Public
Registries and
Cadastrers

SEDATU

Cadaster
Local
Agencies

INEGI

GENERAL PURPOSES OF INEGI

To regulate statistical and geographical activities.

To produce statistical and geographic information.

To provide the Public Information Service.

To promote the knowledge and use of information.

To preserve information.



GENERAL PURPOSES OF SEDATU

Establish an integrated, orderly, inclusive, sustainable and safe territorial system, focused on human and collective rights.

Promote inclusive and sustainable territorial development, which guarantees rights in the proper use of the land.

Advance in the construction of habitable spaces so that all people can live safely and equally.

Guarantee the right to adequate housing.

Strengthen land use planning and historical heritage by modernizing and updating public property registers and cadasters.



GOALS OF THE LAW

01

Define mechanisms to ensure that the Real Estate and Corporate Registries and the Cadasters have common information, protocols, computer systems, processes, and procedures in real estate registration, which contribute to the full identification of properties.

Define mechanisms

Strengthen

03

Strengthen the legal and administrative certainty of real rights over properties.



02

Establish the bases and principles that competent authorities will apply to obtain, manage, process, and use registry and cadastral information.

Determine

Define linkage

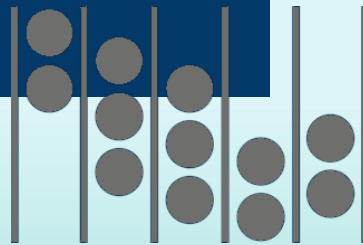
04

Define the basis for the inter-institutional linkage of the Public Real Estate and Legal Entity Registries, Cadastres, RAN, INDAABIN, SEDATU, as well as any institution responsible for operating the Federal Registries and Cadastres.

HOW IS INEGI PARTICIPATING?

In Article 17 of the Law, the head of the National Institute of Statistics and Geography is identified as a member of the National Council for the Harmonization and Standardization of Real Estate and Corporate Registries and Cadasters.

The Council is the inter-institutional coordinating body responsible for issuing guidelines for the harmonization, standardization, and interoperability of data and information generated by the country's Real Estate and Corporate Registries and Cadasters.



INEGI

 INEGI

GENERAL PROVISIONS OF THE LAW

Cadastral
function

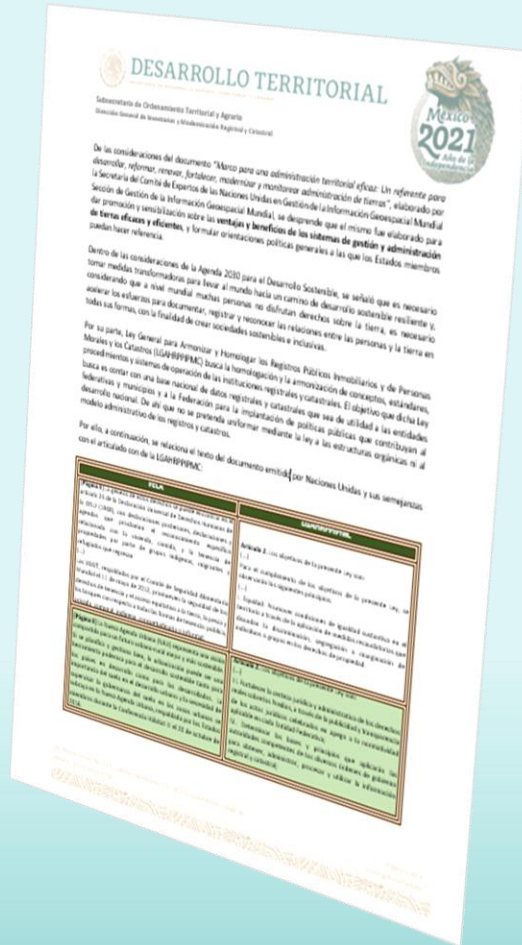
Registry
function

This law seeks the homologation and harmonization of concepts, standards, procedures and operating systems of the registry and cadastral institutions.

As well as having a national registry and cadastral data base that is useful to the states and municipalities and to the Federation for the implementation of public policies that contribute to national development.



CONSIDERATIONS OF THE LAW REGARDING THE FELA



INEGI and SEDATU did a review in order to guarantee that the FELA precepts are considered in the Law

SEDATU
SECRETARÍA DE
DESARROLLO AGRARIO,
TERRITORIAL Y URBANO



INEGI

CONSIDERATIONS OF THE LAW IN CADASTER REGARDING THE FELA



Strategic Paths

Governance, Institutions, and Responsibility

- 40.7% of state cadastral agencies are part of an institute.
- 41.9% are centralized, 32.2% decentralized, and 25.8% deconcentrated.
- 96.9% of states have a state cadastre.

Political and Legal

- 70.9% of entities updated the legislation regulating cadastral activity.
- 61.2% had regulations for the cadastral.
- Mechanisms for updating the register and determining the cadastral value were included in 61.2% of these laws.
- 58% of laws describe the elements and procedures for determining value tables.

Financial

- 9.6% of state cadasters collected property tax.
- In 61.2% of cases, municipalities collected this tax.
- In 29% of cases, both levels of government collected property tax.
- 32.2% of states had a council or committee to issue and approve value tables.

Data

- 93.5% of states had a cadastre registry. Number of properties registered in the cadastre registry: 35,508,013.
- Number of properties registered in digital cadastral mapping: 24,878,443.
- In 74.1% of federal entities, there was linkage between the registry and mapping.

Innovation

- 90.3% of states had a Cadastral Management System.
- 83.8% of cadastral institutions had a website; of these, 61.5% allowed cadastral procedures.
- 12.9% of entities had access to cadastral information from mobile devices.

Standards and regulations

- In 58% of federal entities, they applied the specifications of the Technical Standard for the Generation, Capture, and Integration of Cadastral and Registry Data for Statistical and Geographic Purposes.
- 77.4% of states had a manual of processes or procedures.

Associations

- Federal entities exchanged information with:
 - Property Public Registry: 54.8%
 - INEGI: 41.9%
 - Finance or Planning: 41.9%
- In 19.3% of entities, state cadasters were part of a spatial data infrastructure.

Training and Education

- In 67.7% of federal entities, personnel were trained in topics related to cadastre. The top three was:
 - Use and management of the Cadastre Management System: 45.2%
 - Use and management of cartographic software: 32.3%
 - Geographic Information Systems: 29.1%

Promotion and Awareness

- 25.8% of states had web resources for citizens to access cadastral geographic information.
- Institutions had taxpayer support programs, mainly early payment discounts in 32.3% of states; discounts for widows, seniors, retirees, and pensioners in 32.3%; and discounts for people with disabilities.

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CONSIDERATIONS OF THE LAW IN REGISTRY REGARDING THE FELA

Strategic Paths

Governance, Institutions, and Responsibility

- 43% of state registry instances are part of an institute.
- 53.1% are centralized, 28.1% decentralized, and 18.8% deconcentrated.
- There are 356 registry offices nationwide.

Political and Legal

- 71.9% of entities had a registry law or its equivalent.
- 50% had regulations for the registry law.
- 100% had a commercial code.
- 84.4% of registry institutions had a legal department.

Financial

- 81.3% of federal entities had a state revenue law.
- 84.4% had a treasury law.
- 46.9% of entities generated cost indicators per service process; 37.5% for financial information; 43.8% for operating costs; and 50% for tariffs.

Data

- Number of registered properties: 35,273,122
- Physical real estate records: 5,229,935
- Electronic real estate records: 29,497,182

Innovation

- 100% of states had a Registry Management System.
- 90.5% of registry institutions had a website.
- 46.8% of these websites allowed for registry procedures.

Norms and Standards

- An organizational manual existed in 84.4% of states.
- 62.5% had a Registry Management System manual.
- 75% had procedural manuals.
- 37.5% accessed the Modernization Program for Public Property Registries and Cadastres.

Associations

- Linkage between cadastre and Public Property Registry (RPP): 59.4% of states.
- 25% of entities had an agreement for electronic services between RPP and cadastre.
- Information exchange in 68.7% with the SAT; in 56.3% with SEDATU; with the RAN in 50%; and with notaries in 68.7%.

Training and education

- Personnel in 59.4% of federative entities were trained in topics related to the Public Property Registry.
- 68.8% of states established a program to evaluate, certify, and ensure the continuous updating of registry personnel.

Promotion and awareness

- 90.6% of states had a public service area.
- In 96.9%, the public could consult information about the registry institution; of these, physically 50%; digitally in the institution's offices 68.8%, and digitally through the website 56.3%.



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THE LAW AND FELA



FELA

- (Page 9) - Proclaim specific recognition related to housing, food, and property ownership by returning indigenous, migrant, and refugee groups.
- [Page 12] Given that a large proportion of humanity does not enjoy registered rights to land and property, it is necessary to accelerate efforts to document, record and recognize the relationships between people and the land in all its forms.



General Law

- (Art 2) - Promote conditions of substantive equality in the territory through the application of collection measures that discourage discrimination, segregation or marginalization of individuals or groups in property rights.
- (Art 2). The objectives of this Law are:
 - (...)
 - III. Strengthen the legal and administrative certainty of the real rights over the Premises, through the publicity and transparency of the legal acts celebrated in adherence to the applicable regulations in each Federal Entity;
 - (...)



THE LAW AND FELA



FELA

- [Page 14] Effective land administration prevents land-related conflicts, stabilizes situations, and fosters peaceful, just and inclusive societies.



General Law

- Article 2. The following principles will be observed:
- (...)
- I. Equity: Promote conditions of substantive equality in the territory through the application of collection measures that discourage discrimination, segregation or marginalization of individuals or groups in property rights.
- II. Legal certainty: Guarantee the patrimonial security on the property rights of the real estate. As well as its compliance with the provisions of the plans or programs of Urban Development, Territorial and Environmental Management.



THE LAW AND FELA



FELA

- [Page 20] The systems have been developed with supportive policies, legislation, safeguards, accountability mechanisms and protections around data and privacy.



General Law

- (Art 139). Without prejudice to the principle of publicity that governs the Public Real Estate and Legal Person Registries and Cadastres, the treatment of personal data granted by users of the registry and cadastral services to the institutions in charge of them, with the purpose of being notified or by virtue of the nature of the requirements required for the provision of the services offered, will be governed in accordance with the provisions of the General Law on Protection of Personal Data Held by Obligated Subjects.



Thank you



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