

# Instituto Mexicano de Catastro A.C.



### INTEGRATED GEOESPATIAL INFORMATION FOR EFECTIVE LAND ADMINISTRATION AND MANAGEMENT



#### Vision of Cadastre in Mexico and Future Directions

- Cadastre in Mexico primarily viewed as a fiscal entity.
- Limited development due to focus on tax collection and property value assessment.
- Challenges in generating multifunctional cadastres and territorial information alignment with FELA principles.



#### **Objectives of INMECA**

- Implement Multipurpose Cadastres.
- Generate, integrate, and link territorial information to cadastral properties.
- Modify regulatory frameworks for coordinated cadastre activities.



#### **Current State**

- Disjointed cadastre activities leading to "cadastral islands".
- Efforts since 2017 to develop a new regulatory framework.
- Law aimed at standardizing cadastre activities.







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## PROPOSAL FOR THE GENERAL LAW

### ... TITLE III OF THE REAL ESTATE PUBLIC REGISTRY ... CHAPTER II OF THE CADASTRAL FUNCTION



**ARTICLE** .-In the United Mexican States, the cadastral function is of public order, of national and social interest, and obligatory for the three levels of government, within their respective jurisdictions. Its purpose is to establish:

I. The different basic degrees of participation that each of the three levels of government has in shaping the National Cadastral and Registry Information System of the United Mexican States, within their different competencies.

II. The minimum basic norms and technical guidelines to be observed in compiling the registry of real estate located in each municipality and state of the republic, establishing the foundations for the organization and operation of Cadastres and Public Registries of Real Estate and legal entities, and the linkage between them.



III. The foundations of the organization, integration, and operation of the National Cadastral and Registry Information System.

IV. The way in which cadastres will contribute to providing greater legal certainty to the registrations made in the Public Real Estate Registries and of legal entities.



**ARTICLE X2.**- For the cadastral purposes of this Law, it shall be understood as:

**CADASTRE**.- It is the inventory of urban, suburban, and rural real estate properties, upon which there exists some legally constituted real right, providing quality services to the general public and stakeholders in the real estate market, aiming to achieve proper physical and legal identification of real estate properties. It also assists in decision-making, territorial management, urban development, population, and economic development of the country.

QRO:CADASTRE.- It is the territorial information system based on the minimum territorial unit, which is the property, including the description of its qualitative and quantitative characteristics, an econometric model for its valuation, and its linkage with inherent rights and obligations. It provides quality services to the general public and stakeholders in the real estate market, contributing to decision-making, territorial management, urban, population, and economic development of the country.



**REAL PROPERTY**.- It is the basic topographic unit, delimited or delimitable, for urban and suburban land portions, describing and establishing the measurements and boundaries of a real right over a portion of land at a specific point in the national territory.

**PARCELA.-** It is the basic topographic unit, delimited or delimitable, for rural land portions, describing and establishing the measurements and boundaries of a real right over a portion of land at a specific point in the national territory..

**CADASTRAL CARTOGRAPHY**.- It is the set of maps, plans, and photographs that determine the delimitation, demarcation, and geographic location of real estate properties in the State.



#### CADASTRE.-

- a) It is the analytical census of the qualitative, quantitative, technical, legal, fiscal, economic, ecological, administrative, and social characteristics of all kinds of real estate properties located within the territory of each State of the Republic.
- b) It is the analytical census, conservation, and updating of the records and information systems, control, and valuation necessary to identify and catalog the physical, technical, historical, administrative, geographical, statistical, fiscal, economic, legal, and social elements inherent to real property and its constructions in the national territory.



**MULTIPURPOSE CADASTRE.-** It is a cadastre constructed based on the foundation generated by municipalities with an inherently fiscal purpose, which is elevated to a national interest as it fulfills, beyond the exclusive tax function of municipalities, the objective of providing greater legal certainty. It also incorporates components of environmental, population, urban development, and social information, serving broader purposes in the development of public policies than those of a traditional cadastre.

**CADASTRAL KEY.-** It is a record that identifies with a key composed of the municipality, population, neighborhood or block, region, block, property number, and private unit number; and ideally the geographical coordinates of the property's location.



#### **ARTICLE X4.-** Cadastral processes must be carried out electronically and may be initiated:

**I.** Upon request by the owners, possessors, or individuals holding a real right over the properties, or by any person with a legitimate interest in compliance with a cadastral obligation or right;

**II.** Ex officio, by the competent cadastral authorities, when deemed necessary.



**ARTICLE X4.-** Cadastral processes shall consist, at least, of the following:

- I. Registration
- II. Deregistration
- III. Merger
- IV. Subdivision
- V. Rectification
- VI. Update
- VII. Valuation
- VIII.Issuance of certificates
- IX. Consultation

Deregistration procedures are not considered a basic process, merger and subdivision are treated as a single procedure, rectification is not considered as the certification process involves physical verification of the property, and valuation is included in the update of the certificate since property data, including the cadastral value, are updated.



**ARTICLE X5.-** Owners or possessors of a Property are obliged to register or update it in the Cadastre, for which they must comply, at a minimum, with the following:

- I. Indicate the characteristics of the Property in question, which include, at least, the following:
  - a) Orientation, Measurements, Boundaries, and Surface area.
  - b) Acquisition Value.
  - c) Type and Volume of Construction.
  - d) Registration details of the legal document supporting their rights.
  - e) Property address and, if applicable, address for receiving notifications.



#### Why and for what do we need the law

- Adaptation of FELA framework to subnational or municipal governments.
- Impact at the federal level for generating and integrating territorial information into a national platform.
- Use of data for informed decision-making on urban areas, ecosystems, sustainable urban growth, water bodies, land ownership, and access for vulnerable groups.



#### Mexico and Latin America's shared concerns

- Climate change, ocean pollution, habitat loss.
- Transition towards a cadastre as a key tool for informed territorial decisions to enhance the environment.



#### Declaration of the Permanent Committee on Cadastre in Ibero-America

- Recognize the importance of cadastre for territorial management, real estate taxation, and public policy development.
- Emphasize the need for updated, technologically advanced cadastre information systems coordinated with other institutions.
- Collaboration among cadastre authorities, municipalities, property registries, and tax institutions for effective cadastre management and fair real estate taxation.



#### **Agreements Based on Conclusions**

- Establish programs for conservation and maintenance of cadastre data, including policies for periodic value updates and information integrity.
- Promote automation and digitalization technologies in cadastre processes to enhance precision, speed, and data management.
- Encourage collaboration and coordination among cadastre authorities, municipalities, property registries, and tax institutions through joint working mechanisms and system interoperability.



#### Cooperation and Institutional Development Table

- Objective: Collaboration and institutional development.
- Members: Real Estate Registry of the Dominican Republic, Cadaster.



#### Land Tenure, Property Registries, and Governance Guidelines Table

- Objective: Support in land tenure and technical assistance.
- Members: FAO, COFOPRI (Peru), INCRA, National Institute of Territorial Planning and Urbanism of Cuba, Geographic and Cadastre Institute of Quintana Roo State.



#### **Cadastre Implementation Table**

- Objective: Implementation of cadastre activities.
- Members: General Directorate of Cadastre and Real Estate Appraisal of Guatemala, Cadastre Directorate of the State of Chihuahua, Pan American Association of Surveying and Topography Professionals, National Cadastre Directorate of the Dominican Republic, Cadastre Institute of the State of Tamaulipas.



#### Cadastre Management Table

- Objective: Advanced municipal strengthening in previous points.
- Members: Internal Revenue Service of Chile, National Cadastre Service, General Directorate of Cadastre and State Lands of Tierra del Fuego, Cadastre Institute of Lima, Cadastre Directorate of the State of Chihuahua.



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