



” Changes in Geodetic and Cartographic Law

Marta Polkowska

Maintenance and Development Specialist,
SARFIN System Data Administrator

AMRON CENTRE ANALYSIS

June 10, 2020





On April 30, 2020, the Act amending Geodetic and Cartographic Law and some other acts was published. The main reason of the amendment was to specify the rules of geodetic and cartographic works performance and to clarify legal relations between the contractors of the works and the geodetic and cartographic administration bodies. In addition, changes were aimed to facilitate the implementation of geodetic and cartographic works, including reduction of the number of bureaucratic procedures and, consequently, accelerate the entire investment and construction process.

A significant change introduced by the new law is the abolition of the obligation to report construction objects stakeouts to the Poviast Starosty. Furthermore, in case of any geodetic works, an obligation was introduced to appoint geodetic works manager, who holds professional qualifications in the field of geodesy and cartography. The amendment simplified the method of charging fees for the documents surveyor needs to work by introducing a flat-rate fee for full access to the materials of the National Geodetic and Cartographic Resource (PZGIK). PZGIK's data and documents are made available to the contractors of surveying works after receiving a notification about the commencement of works, without the need to apply for each of the data separately. In addition, the new regulations introduce the obligation to allocate the income from maps and other PZGIK materials sale to finance the tasks of the National Geodetic and Cartographic Service. Commencement of geodetic works before submitting the notification of their intention to the starost is a new possibility. However, the notification should be made no later than 5 working days from the date of beginning of works.

The amendment also relates to the land and building register: the necessity to submit an application to update information in the register has been withdrawn and the register's information scope has been reduced. New regulations provide for updating the information in the land and building register records on the basis of materials in PZGIK ex officio, by the means of material and technical actions. The information gathered in other state registers was excluded from the land and building register, among others data on lease agreements, entries in Register of Historical Monuments, information whether the area is covered by a form of nature protection and data on the cadastral value of real estate.

Changes also included the procedure of obtaining professional qualifications in the field of geodesy and cartography. In the event of death of person supervising the work during apprenticeship, the person carrying it out may confirm the completion of the apprenticeship just by submitting a declaration.

The amendment to the Act on Spatial Planning and Development introduced the obligation to create, maintain and update an electronic versions of spatial data sets for all types of spatial planning acts. New regulations will apply to spatial development plan, study of the conditions and directions of spatial development and the local spatial development plan. New provisions apply to both new acts and acts already in force. What is more, the minimum scope and method of keeping spatial data sets for spatial planning acts were specified. The data so far available on request and for a fee will be made available free of charge on the website www.geoportal.gov.pl. These will include topographic data, orthophotomap, LIDAR measurement data, Digital Terrain Model, data on geodetic control networks, basic data on plots and buildings. The introduced solutions are to create national consistent databases and sets describing the scopes of acts of spatial planning and related documents.



According to the Ministry of Digital Affairs and the Ministry of Regional Development, the universal access to data will be a foundation for innovative goods, services and products, stimulating the development of the economy by creating new work places and encouraging investments in business and industry.

Most of the amended provisions of the Geodetic and Cartographic Law will come into force three months after its publication in the Journal of Laws, i.e. on July 31, 2020, except for the provision introducing the obligation to allocate income from the sale of maps and other PZGiK materials for financing the tasks of the National Geodetic and Cartographic Service, which will come into force on January 1, 2021. New provisions related to the field of digitization of spatial planning will enter into force on October 31, 2020 and the implementation of sets of existing planning acts is to be completed by the end of April 2022. Currently, the Ministry of Regional Development is engaged in consultations of a draft regulation on spatial data sets and metadata in the field of spatial development. The draft regulation specifies a new classification of spatial planning documents and the obligatory data, which will have to be collected.

Most of new regulations were aimed to facilitate access to data, and in practice, probably to accelerate the implementation of geodetic and cartographic works performed as part of the investment process. Reducing the formalities between the surveyor and the Poviast Starosty will allow the surveyor to obtain the necessary documents faster. The proposed changes are to shorten the time needed to perform geodetic works as part of the ongoing investments from 2 months to 18 days. The application of the regulations in practice will verify whether the introduced changes significantly improve the investment process.



MARTA POLKOWSKA

Maintenance and Development Specialist, SARFiN System Data Administrator

e-mail: marta.polkowska@amron.pl

AMRON Centre

AMRON Centre is a professional analytical and research center, specializing in issues relating to the real estate market analysis and monitoring. Since over 10 years we provide our clients and partners with reliable information on real estate market, we explain phenomena recorded on that market and we assure the access to dependable economic information. Our expertise and experience covers assessing the influence of transaction prices changes on Polish housing market perspectives – as the only market researches provider, we analyze changes on housing loans market, due to access to the data gathered in System for Analysis of Real Estate Financing Market (SARFiN System). Unlike publications of other housing market consulting companies, our reports express the actual picture of the market, based on transaction prices. We guarantee comprehensive approach to the real estate market issues, including the complex analyses of micro- and macroeconomic factors and long-term perspective grounded on historic data, current market prices and prognoses.

LEGAL NOTE

AMRON Centre states that the Report was prepared with due diligence in purpose to assure the accuracy of the presented information. Nevertheless, AMRON Centre reserves that the Report shall be of a general nature and may not be concerned as advisory service or any kind of service. AMRON Centre shall not bear responsibility for any consequences of using the information included in the Report, in particular any consequences of decisions or actions undertaken or abandoned on the basis of included information.

Contents of the Reports is legally protected due to the regulations of Act on copyrights and other related rights and use of it entirely or in part requires a disclosure on presented data source.

AMRON Centre acts in the name of and on behalf of Polish Banks Association, owner of the AMRON System.