



CapaCity Workshop

Open Data from the Perspective of Data Protection

Workshop Report

0.1.

November 20-21, Bucharest (Romania)

In Partnership with:



a format of



in cooperation with



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1 Introduction

1.1 CapaCity – Urban Competences

The program **CapaCity – Urban Competences** pursues a more deepened international cooperation between the City of Vienna, its organizations and other cities. Several initiatives in the Danube region already have pushed forward cooperation and intensification of social and economic exchange between countries, regions and cities (f.i. the enlargement of the European Union in 2004 & 2007; the establishment of the European Strategy for the Danube Region), nevertheless the City of Vienna now focuses on the internationalization of organizations and companies in order to generate common project ideas. Integrated urban development as holistic smart city approach is the main aspect of future activities within the program **CapaCity**.

Intensified European integration is one aspect of the program, additionally the city of Vienna has been visited by rising numbers of delegations and municipal experts, who are interested in urban strategies and technologies applied in Vienna. **CapaCity** will build up on opportunities generated by this grand international interest and will strive after sustaining contacts and intensifying exchange with regard to urban technologies and strategies.

The following activities are designed within the project **CapaCity** in order to support Viennese companies and organisations to deepen internationalization and activities in CEE and SEE:

- Organization of workshops in selected cities and towns with participation of Vienna stakeholders. The main aim of these workshops is follow-up activities.
- Coordination and collection of statistics of visiting delegations and experts to Vienna organisations and companies with particular interest in Vienna urban solutions.
- Representation at events, relevant for smart city expert networks & cooperation ideas.
- Research on and collection of relevant challenges for future urban development with regard to important cross-border and transnational projects and attractive co-financing instruments.
- Development of project ideas, triggered by municipal expert exchange on the basis of organized workshops in **CapaCity** partner cities.

Diverse sectors and topics are relevant for workshops within **CapaCity** which are based on issues of the smart city Vienna framework strategy: radical resource preservation, innovations/new technologies, balanced quality of living. **CapaCity** is open for a variety of concrete topics, e.g. among others integration and diversity policies, PPPs (private-public partnerships) for cities and municipalities, urban mobility and transport planning, strategies for tourism development or urban development visions. The ruling principle of workshops is the mutual benefit for both the host city and the City of Vienna and its organizations

1.2 Workshop: Open Data from the Perspective of Data Protection

Within the framework of the CapaCity Program and in line with Activity 1¹ the KDZ-Centre for Public Administration Research carried out the Workshop “Open Data from the Perspective of Data Protection” in Bucharest (Romania) from November 20-21, 2017. The workshop was developed and organized in close cooperation with the 1) the National Agency for Cadastre and Land Registration of Romania (ANCPI) and the Priority Area 10 “Stepping Up Institutional Capacity and Cooperation” (PA 10) of the EU Strategy for the Danube Region (EUSDR).

1.2.1 Workshop Partners

- The **KDZ Centre for Public Administration Research** (www.kdz.or.at) is a competence centre and knowledge platform for the public sector, co-founded in 1969 by the City of Vienna and the Austrian Association of Cities and Towns. It is a non-profit organization with its headquarters in Vienna and offers applied research, consultancy and training to the public sector. It works with local governments, regions and national governments across Europe. In this context the KDZ focuses on supporting the EU member states and neighbour countries in the fields of impact of the EU on local governments, EU-funding for the public sector, building administrative capacity, transparency and open government as well as quality management for the public sector (e.g. CAF).
- **The National Agency for Cadastre and Land Registration of Romania (ANCPI)** was established in 2004 and is currently subordinated to the Ministry of Regional Development, Public Administration and European Funds. The Agency is the sole state authority in the fields of geodesy, cartography, cadastre and land registration. Under its subordination there are 42 Local Offices for Cadastre and Land Registration and the National Mapping Center. The main tasks of the Agency are to coordinate and control the execution of cadastre, cartography, topography, geodesy, photogrammetry and remote sensing at national level, and to ensure the registration of real estate in the land book throughout the country. It contributes to the development of the real estate and mortgage market, and supports the implementation of governmental and international programs. At present, the Agency implements a national program of overwhelming importance for the Romanian economy: the National Cadastre and Land Book Program which aims at free registration of all real estates in the integrated cadastre and land book system, the realization of the cadastral plan of the buildings and the opening of the land books at the level of all administrative-territorial units until 2023. Furthermore the Agency holds the Presidency and the Secretariat of the National Spatial Information Infrastructure Council in Romania, develops and maintains the INSPIRE geoportal of Romania and ensures its compatibility with the European Community INSPIRE geo-portal. www.ancpi.ro

¹ Organization of workshops in selected cities and towns with participation of Vienna stakeholders (1)

- **PA 10 of the EUSDR** (www.danube-capacitycooperation.eu): The Priority Area 10 “Stepping Up Institutional Capacity and Cooperation” (PA 10) of the EU Strategy for the Danube Region (EUSDR) is coordinated jointly by the City of Vienna and the Centre for European Perspective (CEP) in Ljubljana. It deals mainly with four issues in order to fostering social, economic and territorial cohesion in the 14 countries of the Danube Region: capacity development, involvement of civil society as well as the local and regional levels, establishment of a city network and building new tools for innovative financing of EUSDR projects, including seed money.

2 The study case

KDZ and the EU Strategy for the Danube Region, PA 10-Vienna has started a series of activities in order to support and strengthen the capacities of land register and cadastre systems in the Danube Region. Efficient land register and cadastre structures are the preconditions for legal security and anti-corruption in the field of real estate transactions and electronic registers and cadastre are the basis for GIS. Workshops on land register and cadastre in Vienna (2016) and Belgrade (2017)² have shown that the quality of data and the public access to land register and cadastre have been considered as most relevant for improvement. This led to intense discussions on open data issues and its contribution and importance for geographical information systems. Data sharing contributes to openness and transparency and spatial data in particular is crucial for monitoring and fostering innovation. Therefore spatial data should be made available at the right level of governance. To overcome challenging legal and technical issues training and experience exchange are vital for developing the capacity on open government and open data in the Danube Region. Thus the impact of the EU Data Protection Directive (2016/680), which has to be transposed into national law by May 2018, has been identified as very important for further examination and common activities. In this context and as a result of the Belgrade Workshop it was decided to organize a workshop on this topic together with the National Agency for Cadastre and Land Registration of Romania (ANCPI) and again in close cooperation with PA 10 of the EU Strategy for the Danube Region.

3 The workshop program and workshop format

Based on the findings of the workshop held in June 2017 in Belgrade and according to the requirements of the National Agency for Cadastre and Land Registration of Romania (ANCPI) as host organisation in Bucharest the CapaCity Workshop focused on the following topics (see also workshop program in the annex):

- providing an overview on the EU Data Protection Directive,

² The Belgrade Workshop was already carried out within the framework of the CapaCity Programme.

- discussing its impact on registers (challenges and possible solutions) focusing on land register and cadastre,
- addressing the benefits and limits of open data,
- sounding out respective cooperation possibilities within the Danube Region.

3.1 Methodology

In order to meet the needs of the target group the KDZ together with PA 10 of the EUSDR and the ANCPPI identified together the workshop topics and experts. For finalizing the agenda also participants from the previous workshops were involved in order to contribute to the country specific inputs on land register and cadastre and in the perspective of data protection. The identification and invitation of the participants was carried out by the KDZ strongly supported by the workshop partners. The workshop premises, technical equipment and board were provided by ANCPPI.

The workshop consisted of two moderated workshop sessions. The foreseen workshop session 3 finally had been merged with workshop 2 following the suggestion of the participants rather to deepen the joint discussions than to split up in working groups. The main findings of each session introduced the subsequent session. A sum up with possible next steps closed the workshop.

Inputs and / or moderation were given by the following experts:

Surname	Name	Insitution	City	Country
Buric	Manfred	Senior Advisor/Program Director, Department for Legal Informatics, Ministry of Justice	Vienna	Austria
Cuccaro	Michele	Judge at the Ministry of Justice	Roverto	Italy
Dumitru	Oana Luisa	National Supervisory Authority for Personal Data Processing	Bucharest	Romania
Giulescu	Aurel-Cătălin	Commissioner in Chief, Ministry of Administration and Interior, Directorate for Persons Record and Database Management	Bucharest	Romania
Helvei	Vasile Ioan	National Agency for Cadastre and Land Registration of Romania (ANCPPI)	Bucharest	Romania
Höfferer	Jochen	Head of Marketing, Socialmedia & OpenGovernment, Information Centre of the City of Salzburg	Salzburg	Austria
Josifovski	Nadica	Ministry of Information Society and Administration	Skopje	Macedonia
Krabina	Bernhard	KDZ-Centre for Public Administration Research	Vienna	Austria
Laud	Kadri	Member of the Board of Directors, European Land Registry Association (ELRA)	Tallinn	Estonia
Prorok	Thomas	Deputy Director of the KDZ-Centre for Public Administration Research	Vienna	Austria
Saartee	Piret	Head of Land Register Division, Centre of Registers and Information Systems (RIK)	Tallinn	Estonia
Schantl	Alexandra	KDZ-Centre for Public Administration Research	Vienna	Austria
Schicker	Rudolf	PA 10 Coordinator of the EUSDR	Vienna	Austria
Spiroiu	Ileana	Deputy General Manager of the National Agency for Cadastre and Land Registration of Romania (ANCPPI)	Bucharest	Romania
Taus	Mihail	National Agency for Cadastre and Land Registration of Romania (ANCPPI)	Bucharest	Romania
Truşcă	Rinu	National Agency for Cadastre and Land Registration of Romania (ANCPPI)	Bucharest	Romania
Zivkovic	Ljiljana	Head of Unit for Territorial Development Information System in the Ministry of Construction, Transport and Infrastructure	Belgrade	Serbia

4 Workshop findings

The overall aim of the workshop was to provide expertise and knowledge exchange on the workshop topics to get an overview on the EU data protection directive and its impact on open data government with special focus on land register and cadastre in the Danube Region.

In total 28 experts and representatives from the local, regional and national level of Austria, Bulgaria, Estonia, Italy, Hungary, Macedonia, Romania, Serbia and Slovakia dealing with land register, cadastre and / or open data and data protection participated in the workshop (see participants' list in the Annex).



4.1 Observations and analysis

Digital border cadastre, land register, open government data (OGD) and geographical information systems (GIS) are closely linked subjects for better access to information. However, there are still challenges to overcome when it comes to public data accessibility and data exchange. Obstacles do not refer only to the quality of data but also to legal restrictions when publishing data. Although data sharing contributes to openness and transparency and thus supporting democracy and fighting corruption personal data must be protected.

In this context on December 15, 2015, the European Parliament, the European Council and the European Commission reached agreement on the new data protection rules, establishing a modern and harmonized data protection framework across the EU.

The so called "General Data Protection Regulation (GDPR)"³ enforceable from May 25, 2018 in the EU member states should guarantee:

- easier access to one's own data: individuals will have more information on how their data is processed and this information should be available in a clear and understandable way;
- a right to data portability: it will be easier to transfer own personal data between service providers;
- a clarified "right to be forgotten": when individuals no longer want their data to be processed and that there are no legitimate grounds for retaining it, the data will be deleted;
- the right to know when one's data has been hacked: For example, companies and organizations must notify the national supervisory authority of serious data breaches as soon as possible so that users can take appropriate measures.
- better cooperation between law enforcement authorities and
- better protection of citizen's data.

The GDPR has great impact both on open government data and on land register and cadastre as it is applicable to all operators with the following obligations:

- being responsible for protecting data
- mapping the data (data recording) in order to declare the processing of data to the supervision data authority (what data and how this data is processed)
- impact assessment for evaluation.

³ http://ec.europa.eu/justice/data-protection/reform/files/regulation_oj_en.pdf [Download: 23.11.2017]

Although there are already certain guidelines available (e.g. data portability or impact assessment guidelines)⁴ the workshop showed that there are still crucial questions to be clarified.

For land register and cadastre in particular the following challenges were identified which may cause difficulties in applying the GDPR:

- the regulation does not cover all specific land registries issues as it only refers explicitly to health and medical records
- the “right to be forgotten” is limited and cannot be applied to land register and cadastre
- the principle of publicity might oppose personal data protection (unconditional data access versus limited data access)
- the scope of interpretation as critical factor: “is there the same understanding of “private data” and which derived data might become “tricky” data. Different opinions on “private data” might lead to overusing the courts
- the questions of how to meeting the requirements of land register within the national adoption of the GDPR – case to case specifications in laws are problematic.

Beside potential risks for fulfilling the regulation the status of implementation differs from country to country. In Estonia for example the transfer from the old to the new regulation is very little and no more changes after May 2018 will be needed. Austria – referring to land book and commercial register – is actually in the screening process of the relevant EU regulations. And although for Serbia and Macedonia as candidate countries the GDPR is not applicable both countries already have taken preparation activities within their e-government initiatives. In Macedonia they are additionally elaborating a new law on data protection based on the GDPR.

4.2 Recommendations and Next Steps

Based on the topics discussed in the workshop the following conclusions were made:

- The GDPR demands – beside concrete requirements for personal data protection – to raise awareness for data protection within the organizations. To support the right organizational mind setting training measures for staff are suggested. The organization need to know what data is processed and how to scale up the data.
- Internal data monitoring and setting up transparent criteria for choosing the opening of data provide arguments why to publish or not to publish data and should be seen as benefit.

⁴ http://ec.europa.eu/newsroom/article29/news.cfm?item_type=1360&tpa_id=6936

- Citizens need more knowledge about foreign property rights. Different land registers still hinders cross border data exchange and possibility. To set more activities in this context (e.g. pilot project between Austria and Estonia starting in 2018).
- Fostering the (re) use of base maps because of privacy concerns: base map does not track the users when they fill in data or search for data while private searching machines do so (e.g. Google).
- A common base map for the Danube Region has been proposed. PA 10 of the EUSDR will support the initiation of a possible EU-project within the Danube Transnational Programme.

5 Annex

5.1 Agenda of the Workshop

5.2 List of participants

5.3 Presentations (ppts) of the workshop



CapaCity Workshop

Open Data from the Perspective of Data Protection

Agenda

November, 20-21, 2017, Bucharest (Romania)

In Partnership with:



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Day 1, November 20, 2017, Bucharest

Location: Palace of the Parliament, Strada Izvor 2-4, Bucharest

Time	Topic	Expert
WORKSHOP SESSION 1:		
Moderation: Ileana SPIROIU, Deputy Director General of ANCPPI		
09.00	Welcome Coffee and Get Together	
09.30	Welcome & Greetings	Radu Codruț Ștefănescu Director General of National Agency for Cadastre and Land Registration of Romania (ANCPPI)
09.45	Introduction to the Workshop - Presentation of the CapaCity Programme - Workshop Content and Aims	Thomas Prorok Deputy Director of the KDZ-Centre for Public Administration Research
10.00	Capacity-Building in the Danube Region - Confidence in open government data	Rudolf Schicker PA 10 Coordinator of the EUSDR, Vienna
10.15	Keynote: Open Data in Land Register: Estonian Case Study Input & Q&A	Piret Saartee Head of Land Register Division, Centre of Registers and Information Systems (RIK), Estonia
10.45	Coffee Break	
Open Data and Data Protection		
11.00-12.30	Keynote: The General Data Protection Regulation and the EU Data Protection Directive European Land Registry and Cross-Border Data Protection Records of Processing Activities – How to design and implement? Input and moderated Panel Discussion	Aurel-Cătălin Giulescu Commissioner in Chief, Ministry of Administration and Interior, Directorate for Persons Record and Database Management, Romania Kadri Laud Member of the Board of Directors of the European Land Registry Association (ELRA) Oana Luisa Dumitru National Supervisory Authority for Personal Data Processing, Romania
12.30	Lunch and Guided Tour through the Palace of the Parliament	

Data Protection in Registers		
Moderation: Victor GRIGORESCU, Director of the Systematic Registration Directorate, ANCPPI		
14.00	Introduction The National Cadastre and Land Registry Programme in Romania	Victor Grigorescu
14.15 – 15.15	Impact of the EU Data Protection Directive on Registers (1) <ul style="list-style-type: none"> - The interference between land registry and data protection - A comparison between the two Italian Land Registry systems Input with Q&A	Mihai Taus President of the Romanian Land Registrars Association, Head of the Land Registry Department. of Brasov County, Romania Michele Cuccaro Ministry of Justice, Italy
15.15	Coffee Break	
15.30 – 16:45	Impact of the EU Data Protection Directive on Registers (2) <ul style="list-style-type: none"> - Sustainability on Landbook - the Austrian Example - Registers data protection under the e-Government initiative in the Republic of Serbia Input with Q&A	Manfred Buric Senior Advisor/Program Director, Department for Legal Informatics, Ministry of Justice, Austria Ljiljana Zivkovic Head of the Unit for Territorial Development Information System, Ministry of Construction, Transport and Infrastructure, Serbia
16.45	Sum up	Alexandra Schantl KDZ
17.00	End of the 1st WS Day	
19.30	Common Dinner at the EuroHotel Grivita on the invitation of ANCPPI Address: 130 Calea Grivitei Street, 1st District, Bucharest	

Day 2, November 21, 2017, Bucharest

Location: Palace of the Parliament, Strada Izvor 2-4, Bucharest

Time	Topic	Expert
WORKSHOP SESSION 2:		
Good Practices of Open Data and Data Protection in the Danube Region		
Moderation: Rudolf Schicker, PA 10 Coordinator of the EUSDR		
09.30 – 10.30	<p>The Implementation of the EU-Data Protection Directive in Vienna</p> <p>Open Spending Austria and the Visualization of Grants and Subsidies</p> <p>The Macedonian Open Data Initiative</p> <p>Open Data initiative in the Republic of Serbia and the local level</p>	<p>Sandra Heissenberger Execution Office for Organisation and Security, City of Vienna</p> <p>Jochen Höfferer Head of Marketing, Socialmedia & OpenGovernment, Information Centre of the City of Salzburg</p> <p>Nadina Josifovski Ministry of Information Society and Administration, Macedonia</p> <p>Ljiljana Zivkovic Head of the Unit for Territorial Development Information System, Ministry of Construction, Transport and Infrastructure, Serbia</p>
10.30	Coffee Break	
10.45	Round Table Discussion	All Participants
12.00	Lunch	
WORKSHOP SESSION 3		
Transparency, Open Data and Personal Data		
Moderation: Bernhard Krabina, KDZ		
13.00	<p>Introduction Data Governance in the Area of Open Data</p>	Bernhard Krabina
13.30 – 15:15	<p>3 Working groups</p> <ul style="list-style-type: none"> - Group 1: Lessons Learned from Open Data Initiatives - Group 2: Potentials of Data Governance in the Danube Region - Group 3 : Challenges of transparency and open data 	All participants
15.15	Coffee Break	
15.30	Sum up & Outlook	Ileana Spiroiu, ANCPI & Thomas Prorok, KDZ
16.00	End of the Workshop	

- 1) The Nacional Agency for Cadastre and Land Registration of Romania (ANCPI):** Established in 2004 the Agency is the sole state authority in the field of geodesy, cartography, cadastre, and land registration; under its subordination there are 42 Local Offices for Cadastre and Land Registration and the National Mapping Center. It holds the Presidency and the Secretariat of the National Spatial Information Infrastructure Council in Romania, develops and maintains the INSPIRE geoportal of Romania and ensures its compatibility with the European Community INSPIRE geoportal. www.ancpi.ro

- 2) The KDZ Centre for Public Administration Research** is a competence centre and knowledge platform for the public sector, co-founded in 1969 by the City of Vienna and the Austrian Association of Cities and Towns. It is a non-profit organization with its headquarters in Vienna and offers applied research, consultancy and training to the public sector. It works with local governments, regions and national governments across Europe. In this context the KDZ focuses on supporting the EU member states and neighbour countries in the fields of impact of the EU on local governments, EU-funding for the public sector, building administrative capacity, transparency and open government as well as quality management for the public sector (e.g. CAF). www.kdz.or.at

- 3) PA 10 of the EUSDR:** Priority Area 10 “Stepping Up Institutional Capacity and Cooperation” (PA10) of the EU Strategy for the Danube Region (EUSDR) is coordinated jointly by the City of Vienna and the Centre for European Perspective (CEP) in Ljubljana. It deals mainly with four issues in order to fostering social, economic and territorial cohesion in the 14 countries of the Danube Region: capacity development, involvement of civil society as well as the local and regional levels, establishment of a city network and building new tools for innovative financing of EUSDR projects, including seed money. www.danube-capacitycooperation.eu

- 4) Urban Innovation Vienna (UIV)** is a think tank and service provider that monitors and analyzes global trends and developments in Vienna and other cities. With this knowledge and insight, UIV primarily supports Viennese politics, administration and companies in finding innovative strategies and solutions for tackling the diverse and complex tasks of a city. Currently, the company comprises three departments: Smart City Agency, Energy Center and Future Cities. www.urbaninnovation.at

AGENȚIA NAȚIONALĂ DE CADASTRU ȘI PUBLICITATE IMOBILIARĂ

ATELIERUL DE LUCRU CAPACITY - DATELE OPEN DIN PERSPECTIVA PROTECȚIEI DATELOR CU CARACTER PERSONAL
20 - 21 noiembrie 2017, București

LISTĂ PARTICIPANȚI

Nr. crt.		Nume	Nume	Țara	Organizația	Semnatura
1	A	AHMETOVIC	Emina	Bosnia Hertegovina	EKOPOT	
2	B	BURIC	Manfred	Austria	Department for Legal Informatics, Ministry of Justice, Austria	
3	C	CUCCARO	Michele	Italy	Ministry of Justice	
4	D	DIVJAK	Dragan	Croatia	Faculty of Geodesy University in Zagreb	
5		DUMITRU	Oana Luisa	România	Autoritatea Națională de Supraveghere a Prelucrării Datelor Personale	
6	F	FOJTL	Matus	Slovakia	Geodesy, Cartography and Cadastre Authority of the Slovak Republic	
7	G	GANGL	Éva	Hungary	Central European Service for Cross-border Initiatives	
8		GEORGESCU	Isabella	România	ANCPI	
9		GIULESCU	Aurel-Cătălin	România	Ministry of Administration and Interior, Directorate for Persons Record and Database Management, Romania	
10		GRIGORESCU	Victor	România	Systematic Registration Directorate, ANCPI	
11	H	HEISSENBERGER	Sandra	Austria	Execution Office for Organisation and Security, City of Vienna	
12		HELVEI	Vasile Ioan	România	ANCPI	
13		HÖFFERER	Jochen	Austria	Socialmedia & OpenGovernment, Information Centre of the City of Salzburg	
14	I	IACOBOAEA	Cristina	România	UTCB	
15	J	JOSIFOVSKI	Nadica	Macedonia	Ministry of Information Society and Administration, Macedonia	
16	K	KRABINA	Bernhard	Austria	KDZ-Centre for Public Administration Research	
17	L	LAUD	Kadri	Estonia	European Land Registry Association (ELRA)	
18	M	MATEI	Marilena	România		
19		MIHAYLOVA	Neli	Bulgaria	Municipality of Aksakovo	

Nr. crt.		Nume	Nume	Țara	Organizația	Semnatura
20	P	PETRE	Elena Georgiana	România	Constanta Municipality	
21		PETRESCU	Florian	România	UTCB	
22		POGGI	Adriana	România	ANCPI	
23		PROROK	Thomas	Austria	KDZ-Centre for Public Administration Research	
24	S	SAARTEE	Piret	Estonia	Centre of Registers and Information Systems (RIK)	
25		SCHANTL	Alexandra	Austria	KDZ-Centre for Public Administration Research	
26		SCHICKER	Rudolf	Austria	EUSDR	
27		SPIROIU	Ileana	România	National Agency for Cadastre and Land Registration of Romania (ANCPI)	
28		STOYANOV	Stefcho	Bulgaria	Municipality of Dolni chiflik	
29	Ș	ȘTEFĂNESCU	Radu Codruț	România	National Agency for Cadastre and Land Registration of Romania (ANCPI)	
30	T	TAUS	Mihai	România	President of the Romanian Land Registrars Association Head of the Land Registry Department. of Brasov County	
31		TRUȘCĂ	Rinu	România	ANCPI	
32	U	UDUDEC	Mihaela	România	Autoritatea Națională de Supraveghere a Prelucrării Datelor Personale	
33	V	VARGOVA	Dominika	Slovakia	Geodesy, Cartography and Cadastre Authority of the Slovak Republic	
34	Z	ZIVKOVIC	Ljiljana	Serbia	Ministry of Construction, Transport and Infrastructure	

35 SILISTRU DOINA ROMANIA Senator, Președinte Comisie Agricultură

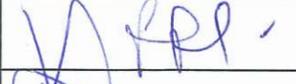
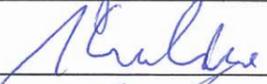
36 CARCIUMARU FLORIN ROMANIA Senator, Președinte Comisie Alini Publică și Organizarea Teritoriului

37 CONȚANU RALUCA ROMANIA, Director cabinet, Com. Agricultură

AGENȚIA NAȚIONALĂ DE CADASTRU ȘI PUBLICITATE IMOBILIARĂ

ATELIERUL DE LUCRU CAPACITY - DATELE OPEN DIN PERSPECTIVA PROTECȚIEI DATELOR CU CARACTER PERSONAL
20 - 21 noiembrie 2017, București

LISTĂ PARTICIPANȚI

Nr. crt.		Nume	Nume	Țara	Organizația	Semnatura
1	A	AHMETOVIC	Emina	Bosnia Hertegovina	EKOPOT	
2	B	BURIC	Manfred	Austria	Department for Legal Informatics, Ministry of Justice, Austria	
3	C	CUCCARO	Michele	Italy	Ministry of Justice	
4	D	DIVJAK	Dragan	Croatia	Faculty of Geodesy University in Zagreb	
5		DUMITRU	Oana Luisa	România	Autoritatea Națională de Supraveghere a Prelucrării Datelor Personale	
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9		GIULESCU	Aurel-Cătălin	România	Ministry of Administration and Interior, Directorate for Persons Record and Database Management, Romania	
10		GRIGORESCU	Victor	România	Systematic Registration Directorate, ANCPI	
11	H	HEISSENBERGER	Sandra	Austria	Execution Office for Organisation and Security, City of Vienna	
12		HELVEI	Vasile Ioan	România	ANCPI	
13		HÖFFERER	Jochen	Austria	Socialmedia & OpenGovernment, Information Centre of the City of Salzburg	
14	I	IACOBOAEA	Cristina	România	UTCB	
15	J	JOSIFOVSKI	Nadica	Macedonia	Ministry of Information Society and Administration, Macedonia	
16	K	KRABINA	Bernhard	Austria	KDZ-Centre for Public Administration Research	
17	L	LAUD	Kadri	Estonia	European Land Registry Association (ELRA)	
18	M	MATEI	Marilena	România		
19		MIHAYLOVA	Neli	Bulgaria	Municipality of Aksakovo	

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20	P	PETRE	Elena Georgiana	România	Constanta Municipality	
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24	S	SAARTEE	Piret	Estonia	Centre of Registers and Information Systems (RIK)	
25		SCHANTL	Alexandra	Austria	KDZ-Centre for Public Administration Research	
26		SCHICKER	Rudolf	Austria	EUSDR	
27		SPIROIU	Ileana	România	National Agency for Cadastre and Land Registration of Romania (ANCPI)	
28		STOYANOV	Stefcho	Bulgaria	Municipality of Dolni chiflik	
29	Ș	ȘTEFĂNESCU	Radu Codruț	România	National Agency for Cadastre and Land Registration of Romania (ANCPI)	
30	T	TAUS	Mihai	România	President of the Romanian Land Registrars Association Head of the Land Registry Department. of Brasov County	
31		TRUȘCĂ	Rinu	România	ANCPI	
32	U	UDUDEC	Mihaela	România	Autoritatea Națională de Supraveghere a Prelucrării Datelor Personale	
33	V	VARGOVA	Dominika	Slovakia	Geodesy, Cartography and Cadastre Authority of the Slovak Republic	
34	Z	ZIVKOVIC	Ljiljana	Serbia	Ministry of Construction, Transport and Infrastructure	



Open Data from the Perspective of Data Protection

Thomas Prorok, KDZ

November 20-21, 2017, Bucharest

A format
of

tinavienna
■ smart city agency
■ energy center



In cooperation
with



CapaCity – Urban Competences

The Ambition



- The program **CapaCity – Urban Competences** pursues a more deepened international cooperation between the City of Vienna, its organizations, partner organization from Vienna and other cities.
- Integrated urban development as holistic smart city approach is the main aspect of future activities within the program **CapaCity**.

CapaCity – Workshop AGENDA



Time	Topic	Expert
WORKSHOP SESSION 1:		
Moderation: Ileana SPIROIU, Deputy Director General of ANCP		
09.00	Welcome Coffee and Get Together	
09.30	Welcome & Greetings	Radu Codruț Ștefănescu Director General of National Agency for Cadastre and Land Registration of Romania (ANCP)
09.45	Introduction to the Workshop - Presentation of the CapaCity Programme - Workshop Content and Aims	Thomas Prorok Deputy Director of the KDZ-Centre for Public Administration Research
10.00	Capacity-Building in the Danube Region - Confidence in open government data	Rudolf Schicker PA 10 Coordinator of the EUSDR, Vienna
10.15	Keynote: Open Data in Land Register: Estonian Case Study Input & Q&A	Piret Saartee Head of Land Register Division, Centre of Registers and Information Systems (RIK), Estonia
10.45	Coffee Break	
Open Data and Data Protection		
11.00-12.30	Keynote: The General Data Protection Regulation and the EU Data Protection Directive European Land Registry and Cross-Border Data Protection Records of Processing Activities – How to design and implement? Input and moderated Panel Discussion	Aurel-Cătălin Giulescu Commissioner in Chief, Ministry of Administration and Interior, Directorate for Persons Record and Database Management, Romania Kadri Laud Member of the Board of Directors of the European Land Registry Association (ELRA) Oana Luisa Dumitru National Supervisory Authority for Personal Data Processing, Romania
12.30	Lunch and Guided Tour through the Palace of the Parliament	

Data Protection in Registers		
Moderation: Victor GRIGORESCU, Director of the Systematic Registration Directorate, ANCP		
14.00	Introduction The National Cadastre and Land Registry Programme in Romania	Victor Grigorescu
14.15 – 15.15	Impact of the EU Data Protection Directive on Registers (1) - The interference between land registry and data protection - A comparison between the two Italian Land Registry systems Input with Q&A	Mihai Taus President of the Romanian Land Registrars Association, Head of the Land Registry Department, of Brasov County, Romania Michele Cuccaro Ministry of Justice, Italy
15.15	Coffee Break	
15.30 – 16:45	Impact of the EU Data Protection Directive on Registers (2) - Sustainability on Landbook - the Austrian Example - Registers data protection under the e-Government initiative in the Republic of Serbia Input with Q&A	Manfred Buric Senior Advisor/Program Director, Department for Legal Informatics, Ministry of Justice, Austria Ljiljana Zivkovic Head of the Unit for Territorial Development Information System, Ministry of Construction, Transport and Infrastructure, Serbia
16.45	Sum up	Alexandra Schantl KDZ
17.00	End of the 1st WS Day	
19.30	Common Dinner at the EuroHotel Grivita on the invitation of ANCP Address: 130 Calea Grivitei Street, 1st District, Bucharest	

CapaCity – Workshop **AGENDA**

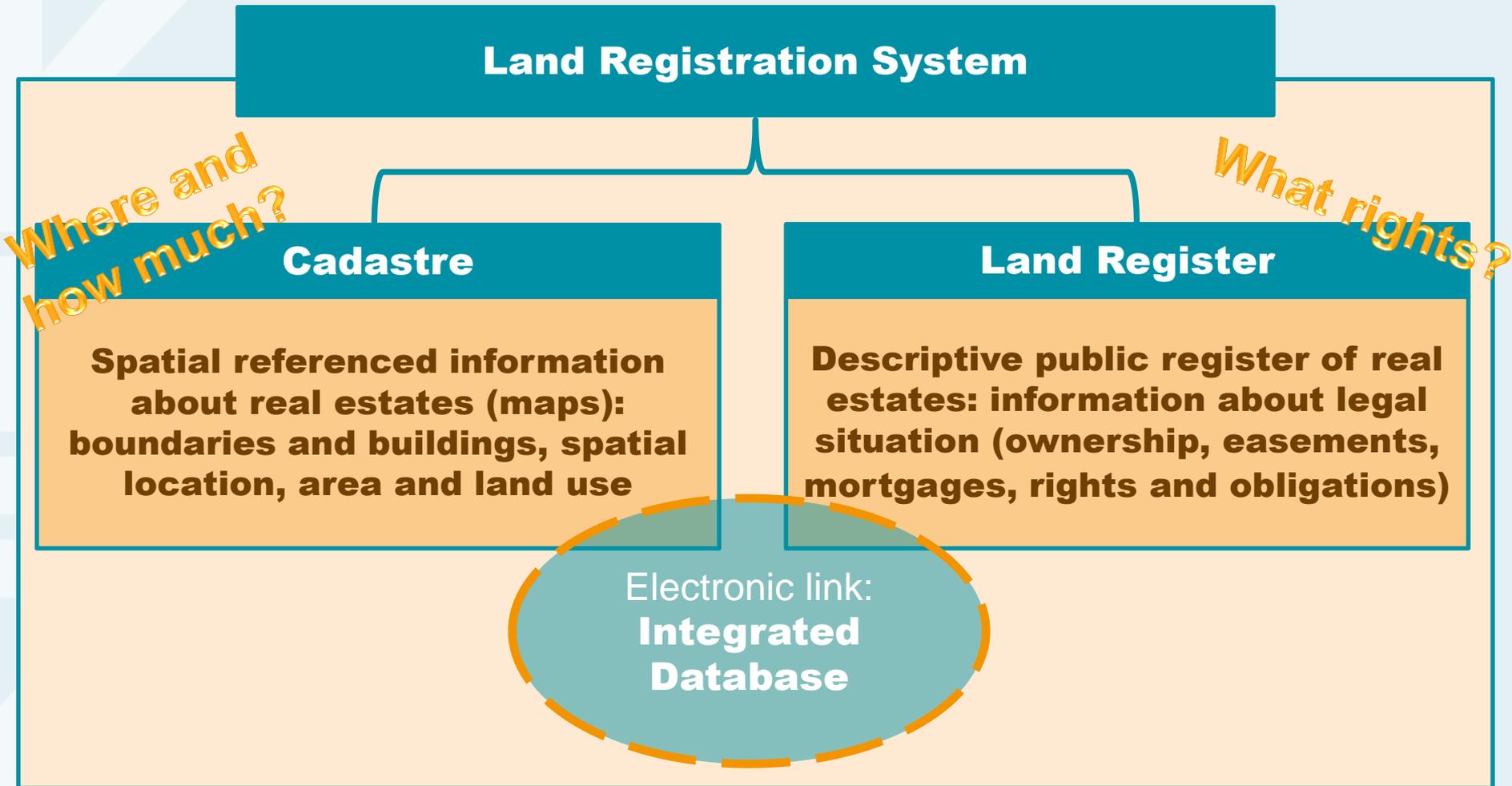


Time	Topic	Expert
WORKSHOP SESSION 2:		
Good Practices of Open Data and Data Protection in the Danube Region		
Moderation: Rudolf Schicker, PA 10 Coordinator of the EUSDR		
09.30 – 10.30	<p>The Implementation of the EU-Data Protection Directive in Vienna</p> <p>Open Spending Austria and the Visualization of Grants and Subsidies</p> <p>The Macedonian Open Data Initiative</p> <p>Open Data initiative in the Republic of Serbia and the local level</p>	<p>Sandra Heissenberger Execution Office for Organisation and Security, City of Vienna</p> <p>Jochen Höfferer Head of Marketing, Socialmedia & OpenGovernment, Information Centre of the City of Salzburg</p> <p>Nadina Josifovski Ministry of Information Society and Administration, Macedonia</p> <p>Ljiljana Zivkovic Head of the Unit for Territorial Development Information System, Ministry of Construction, Transport and Infrastructure, Serbia</p>
10.30	Coffee Break	
10.45	Round Table Discussion	All Participants
12.00	Lunch	
WORKSHOP SESSION 3		
Transparency, Open Data and Personal Data		
Moderation: Bernhard Krabina, KDZ		
13.00	Introduction Data Governance in the Area of Open Data	Bernhard Krabina
13.30 – 15:15	<p>3 Working groups</p> <ul style="list-style-type: none"> - Group 1: Lessons Learned from Open Data Initiatives - Group 2: Potentials of Data Governance in the Danube Region - Group 3 : Challenges of transparency and open data 	All participants
15.15	Coffee Break	
15.30	Sum up & Outlook	Ileana Spiroiu, ANCPi & Thomas Prorok, KDZ
16.00	End of the Workshop	

What has already be done?

- ❑ **Workshop October 2016 Vienna & June 2017 in Belgrade**
- ❑ **Providing transparency of the status quo of land register and cadastre in the countries of the Danube Region**
- ❑ **Elaborating a joint understanding on land register and cadastre**
- ❑ **Initiating a network of practitioners and experts in this field**
- ❑ **Sounding out cooperation possibilities and development potentials**

Definitions – Common Understanding



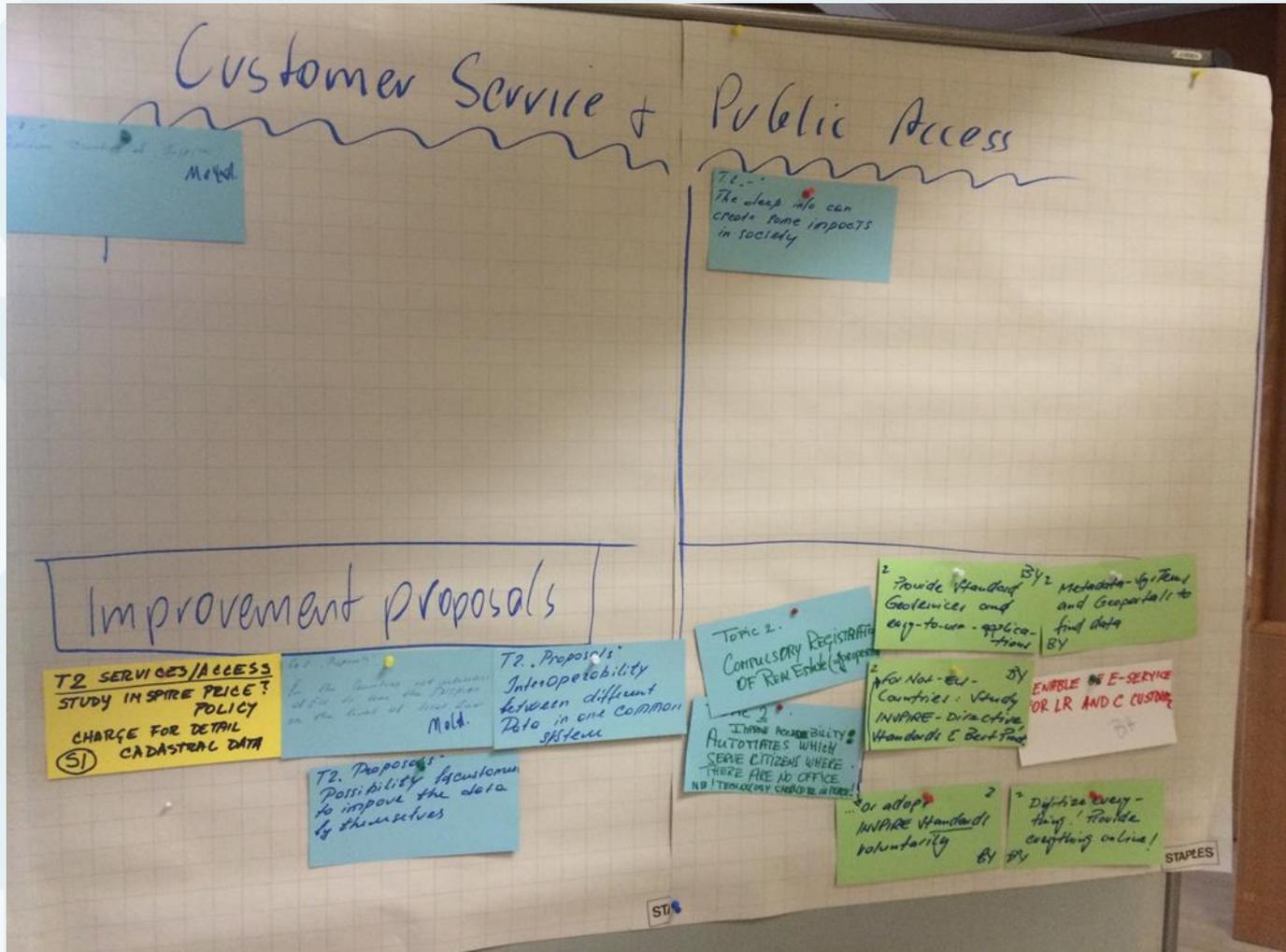
Land registration system of Austria



Indicator	Austria	
Basic informations		
type of land registration system	middle european system ("title")	
organisational system: one hand or separated organisations (organisational link)	separated	
Coordinated electronic exchange between cadastre and land register or integrated database (technical link)	Yes ("Grundstücksdatenbank")	
Homepage	www.bev.gv.at	
	Land Register	Cadastre
responsibility		
responsible governmental level	national	national
operating level	regional	national and regional
responsibility by law	Ministry of Justice	Ministry of Economy / Federal Office of Metrology and Surveying (BEV)
executive office	district courts	surveying offices (41)
queries	Ministry of Justice	Federal Office of Metrology and Surveying (BEV)
involvement of private parties: notary and advocate / surveyor	authentication of signature	surveying officer / engineering consultants
availability		
public access	Yes	
online access	Yes	
costs (fees)	Yes (queries)	
quality aspects		
nationwide uniform	Yes	Yes
area of land registered/state of digitalization	100%	100% Digitale Katastralmappe (DKM)
currentness of data/registers - update	constantly	constantly
main content and purpose		
registrable rights	mortgages, servitudes and other real rights	

Availability

Availability	Austria	Germany	Czech Republic	Slovakia	Hungary	Croatia	Slovenia	Serbia	Bosnia and Herzegovina	Montenegro	Bulgaria	Romania	Moldova	Ukraine
Public access	Yes	Partly (only persons with legitimate interest)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	?	Yes	Yes	Yes	?
Online access	Yes	No	Yes	Yes	Yes	Partly	Yes	No	Yes (Cadastre) Partly (Land Register)	?	No	?	Yes	?
Costs (Fees)	Yes (queries)	Yes (queries)	?	?	?	?	?	?	?	?	?	Yes	Partly	?



QUALITY OF DATA + LEGAL SECURITY

T.1. +
 State stimulates Market by security

T.1. +
 GOOD quality DATA can be used for projects

T.3 CONNECTIVITY
 CENTRAL DATABASE
 INTEGRATION
 LIVED DATA (SI)
 (PERSONAL (BOUTTER))

Topic 1 (COORD. SYST.)
 ONE REFERENCE SYSTEM NATION-WIDE

Topic 3 (IMPR. DOCUMENTATION)
 = SINGLING BOUNDARY CORNERS.

more new mapping in Czech rep.

WE NEED NEW MAPPING AND REAL SURVEYING IN SR (OUTSIDE IN TERRAIN)

T.1. -
 Quality Costs !!!

T.1 QUALITY (SI)
 - CONNECT COORDINATES TO GEODETIC OBSERVATION
 - CONTROL OF SURVEYORS FROM SMA

T.1. Proposal:
 To use Metadata of level of Quality

T.1. Proposal:
 Responsibility for Data identification should be taken by executor. Most

Geopoints (officially) reference data must be basis for specific data (BY)

Actuality of geodata best geometric accuracy (BY)

1. MAKE UPDATE OF CADASTRAL DATA AND LR

STAPLES

Contact



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@KDZ_Austria



www.facebook.com/KDZ.or.at



www.caf-zentrum.at/youtube

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+43 1 89 234 92-0

www.caf-center.eu



CapaCity Workshop

Capacity Building in the Danube Region – Confidence in Open Government Data

Rudolf Schicker, PAC 10 EUSDR, Vienna

20th November 2017, Bucharest



Countries Participation

14 countries

9 EU-members

5 non members

>110 Mio. inhabitants

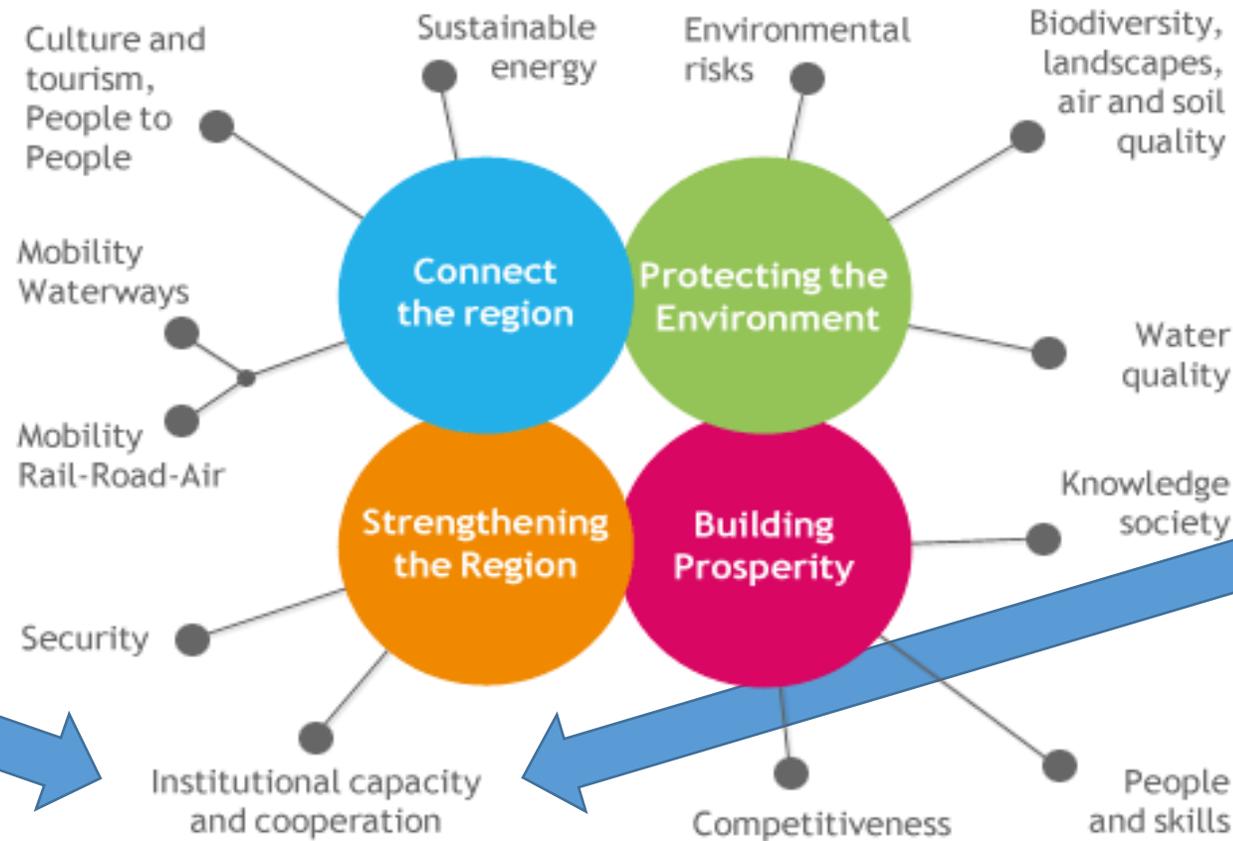
EU STRATEGY FOR
THE DANUBE REGION (EUSDR)
www.danube-region.eu



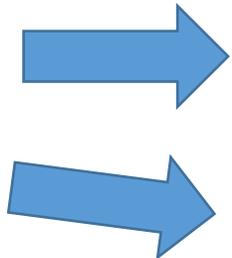
Pillars and Priority Areas



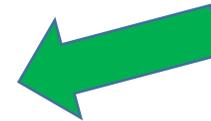
Priority Area 10 is part of Pillar 4 „Strengthening the Region“



Cooperation and Capacity-building are the keys to better Living Conditions in the Danube Region



- Public management practices
- Cooperative structures catching the needs of citizens
- political and/or administrative reforms to build a smart, sustainable and inclusive Danube Region
- Involvement of civil society
- Strengthening governance through inclusion of stakeholders
- Unfold urban and regional potentials
- Foster territorial, social and economic cohesion



Publicity and Use of Information about Real Estates

Digital Border Cadaster and Land Registry for Public Use

- During the last decades countries in the Danube Region have made great effort to implement a border cadaster.
- Constraints and legal regulations are different but comparable.
- The **first seminar** in Vienna resulted in a documentation about the methods used in the countries of the Danube Region.

Publicity and Use of Information about Real Estates

Digital Border Cadaster and Land Registry for Public Use

- The used systems are comparable in general, but are different in administration and responsibilities of state bodies (public authorities, courts).
- In some countries administration is centralized in others it is handled by regional bodies.
- More often licensed private firms get involved.
- In several countries public authorities have to certify the results of licensed surveyors in others not.

Publicity and Use of Information about Real Estates

Digital Border Cadaster and Land Registry for Public Use

- During the last decades countries in the Danube Region have made great afford to implement a border cadaster.
- Constraints and legal regulations are different but comparable.
- The first seminar in Vienna resulted in a documentation about the methods used in the countries of the Danube Region.
- The **second seminar** in Beograd identified Data Protection as an obstacle for OGD

Land Information Systems and Geographical Information Systems

Usually are based on digital border cadaster

Reference data are needed

GIS offer the opportunity of Open Government Data

Rules, Regulations, Accessibility are the topics of this **third seminar**

„General Data Protection Regulation (GDPR)“ enforceable from 25th May 2018



NEWS

- From 9 January 2017 basemap.at only supports https requests!
- Last update of products: 17 February 2017
- Orthofoto: 5 October 2016

Welcome to **basemap.at** – the Austrian OGD basemap

You need an up-to-date basemap of Austria derived from administrative data? You are at the right place!

basemap.at is a high-performance web basemap published under an OpenGovernmentData (OGD) license. It is based upon data provided by the nine Austrian provinces and their partners.

basemap.at is based on geodata from:

- the nine Austrian provinces (geoland.at)
- the project GIP.at
- the cities: Wien, St. Pölten, Graz, Linz, Eisenstadt, Klagenfurt, Villach, Salzburg, Innsbruck, Bregenz, Bruck an der Mur
- the National Mapping Agency (BEV)

Map products

Preview of all products in the **map viewer**



STANDARD



GRAY

- light-colored and contours
- especially suitable as a background for thematic maps



OVERLAY

- transparent street signature and labels
- ideal for combination with orthophotos



HIGH-DPI

- double the resolution of the STANDARD layer
- perfect for high-resolution displays of smartphones and tablets and for prints



ORTHOFOTO

- highest resolution: 29cm
- ideal in combination with OVERLAY

About the project

basemap.at is the result of a cooperation of the nine Austrian provinces ([geoland.at](#)), ITS Vienna Region (GIP.at operator), the University of Technology/Vienna and Synergis. The project is co-funded by the Climate and Energy Fund, within a program for innovation in green and efficient mobility.

2012 and 2013 the project team created the foundation for an open web map. 2014 it was published open to everybody. It is used for numerous administrative procedures. In addition, it is also available for private and commercial purposes according to the [Open Government Data conditions in Austria](#).

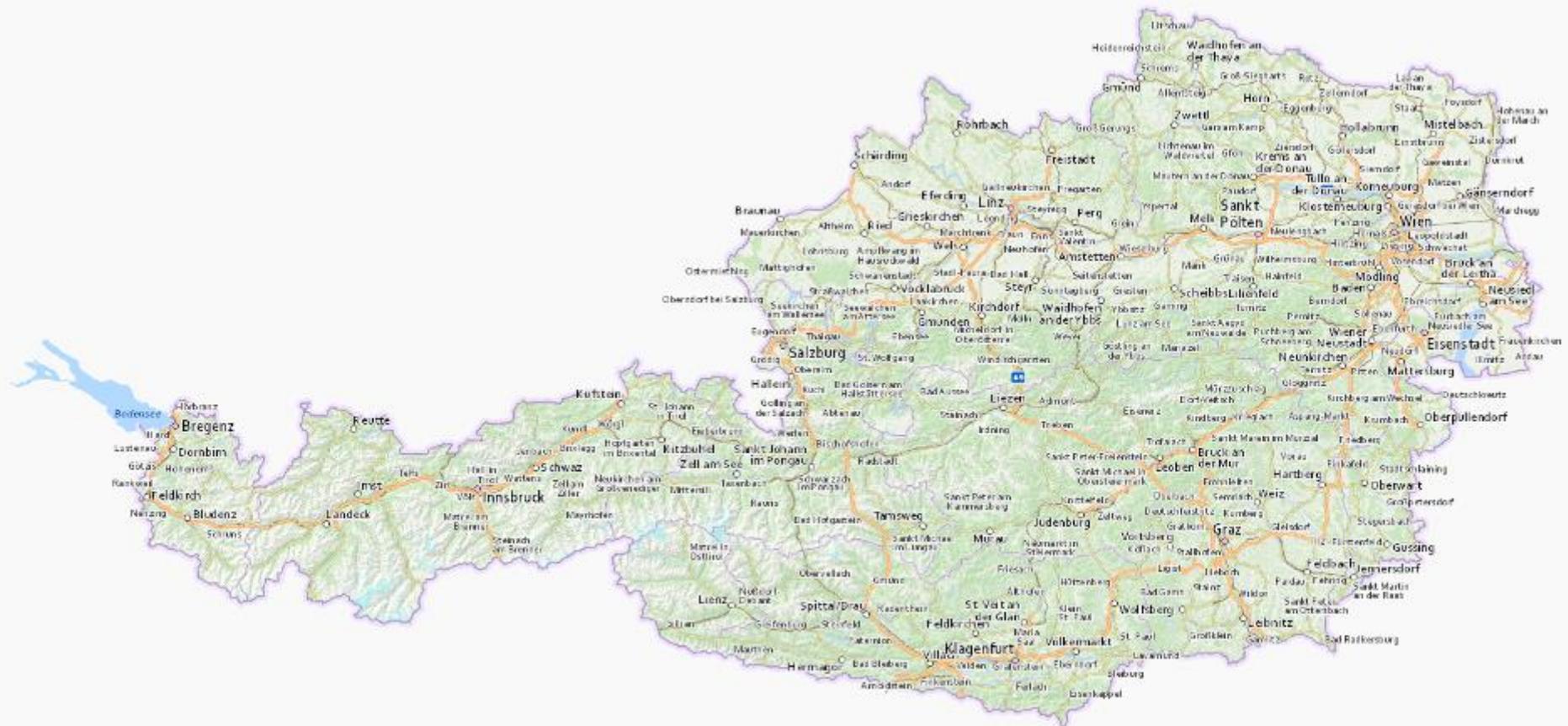
[basemap.at video](#) (Youtube) | [Folder](#) (PDF, 5mb)

Service Access

basemap.at offers pre-rendered, cached raster tiles in Web Mercator Auxiliary Sphere. They are compatible with well-established basemaps, such as OpenStreetMap, Google Maps and Bing Maps.

The service is available as [OpenGIS Web Map Tile Service 1.0.0 \(WMTS\)](#) according to the OGC Standard.

- **Interface:** [WMTS GetCapabilities](#) | [WMTS GetCapabilities \(especially for ArcGIS 10.1\)](#)
- **Meta data** (accessible on the Austrian OGD platform): [basemap.at map products](#) and [basemap.at Orthofoto](#)
- **Map viewer** for test purposes can be viewed [here](#)





data.gv.at – offene Daten Österreichs



Suchbegriff (z.B. Finanzen, Wahlen)

Suche starten

Daten & Dokumente Apps & News

[→ Katalog durchstöbern](#)

Startseite

Daten ▾

Dokumente ▾

Anwendungen ▾

Infos ▾

Themen durchsuchen



Arbeit



Bevölkerung



Bildung &
Forschung



Finanzen &
Rechnungswesen



Geographie &
Planung



Gesellschaft &
Soziales



Gesundheit



Kunst & Kultur



Land- &
Forstwirtschaft



Sport & Freizeit



Umwelt



Verkehr & Technik



Verwaltung &
Politik



Wirtschaft &
Tourismus



Open Government Data

<https://www.data.gv.at/>

Citizen participation

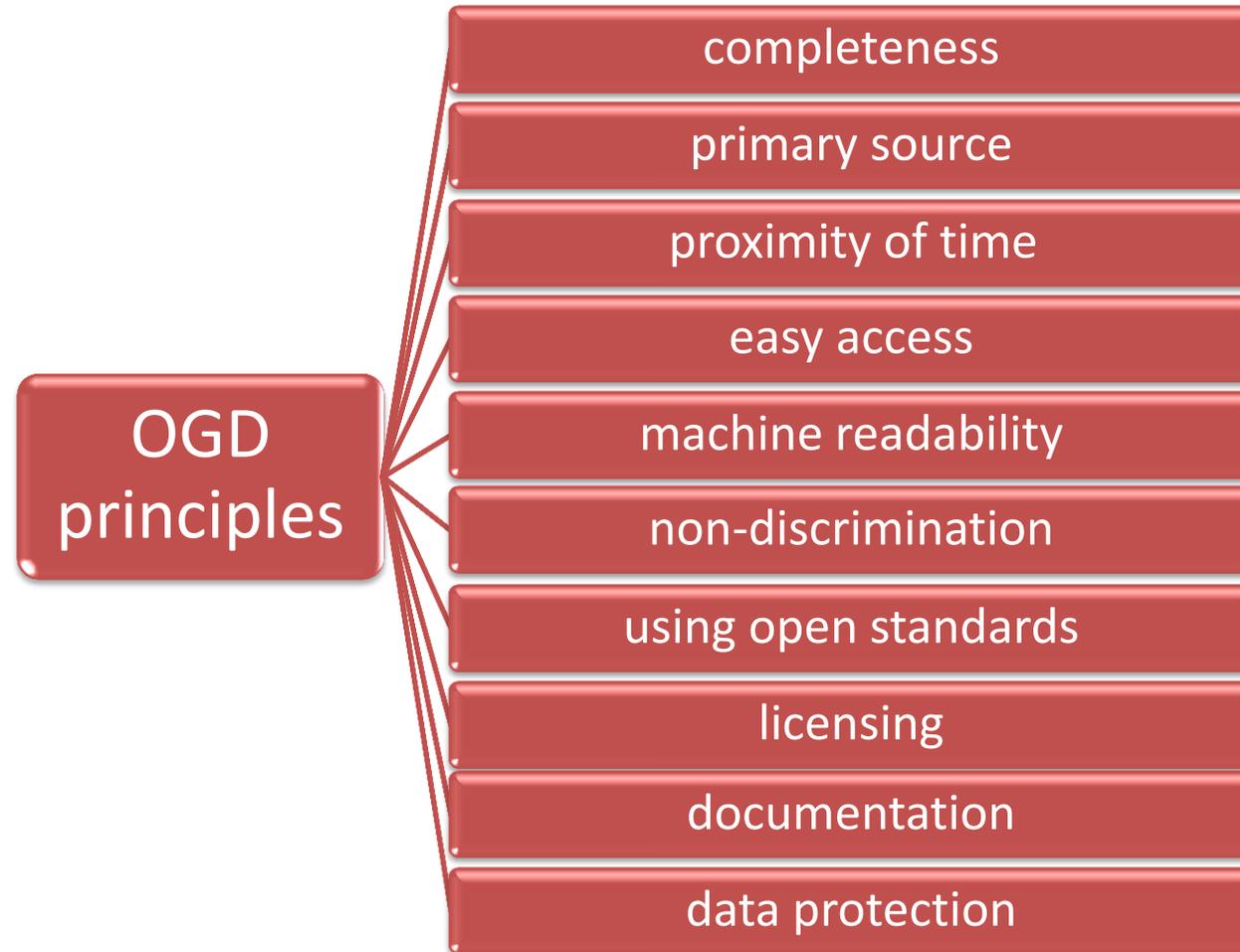
- transparency
- decision making-processes
- cooperation

Business & research

- strengthening the business location
- new apps
- commercial exploitation

Administration

- data use
- consistent processes
- no media disruption



12 Critical Success Factors

Political backing

Publishing four times a year

No individual data of persons

Free of charge also for commercial utilization

No data of critical infrastructure

One licence for Austria

Data of quality content by usage

Involve University

Easy integration

Platform for Developers

Keep up to date

Platform for Communities

Internal Data Monitoring

secrecy

personal data

copyright

benefit

costs

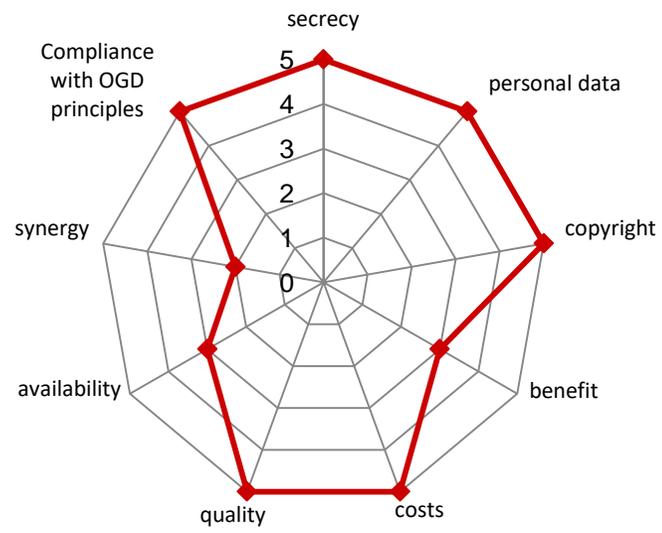
quality

availability

synergy

compliance
with
OGD principles

Data Record: Vienna City Marathon



secrecy	5
personal data	5
copyright	5
benefit	3
costs	5
quality	5
availability	3
synergy	2
compliance with OGD principles	5
sum	38

Where Open Data is contained, „Open Data“ should be labelled.

- Open Data in applications and services
- Represents the value of Open Data
- Entrepreneurs, companies, associations, code gutters, (high) schools , NGOs / NPOs , bloggers, data journalists, private and governmental organizations, and many more ...
- Become an Open Data ambassador
- <http://www.opendatainside.com/>





Thank you for your attention!

Priority Area 10 | Institutional Capacity and Cooperation

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Kirchberggasse 33-35/9

A - 1070 Wien

Tel: +43 (1) 89 08 088 2201

Rudolf.Schicker@pa10-danube.eu

www.danube-capacitycooperation.eu



With the financial support of the European Union



Open Data in Land Register: Estonian case study

Piret Saartee
Head of Land Register Division



erik

Registrite ja Infosüsteemide Keskus
Centre of Registers and Information Systems

Centre of Registers and Information Systems (RIK) and objectives

- ICT focused state agency under the Ministry of Justice
- Full IT-services for Ministry of Justice and all legal and administrative agencies under the Ministry
- Efficient e-governance
 - over 70 different IS
 - several awards
- International collaboration

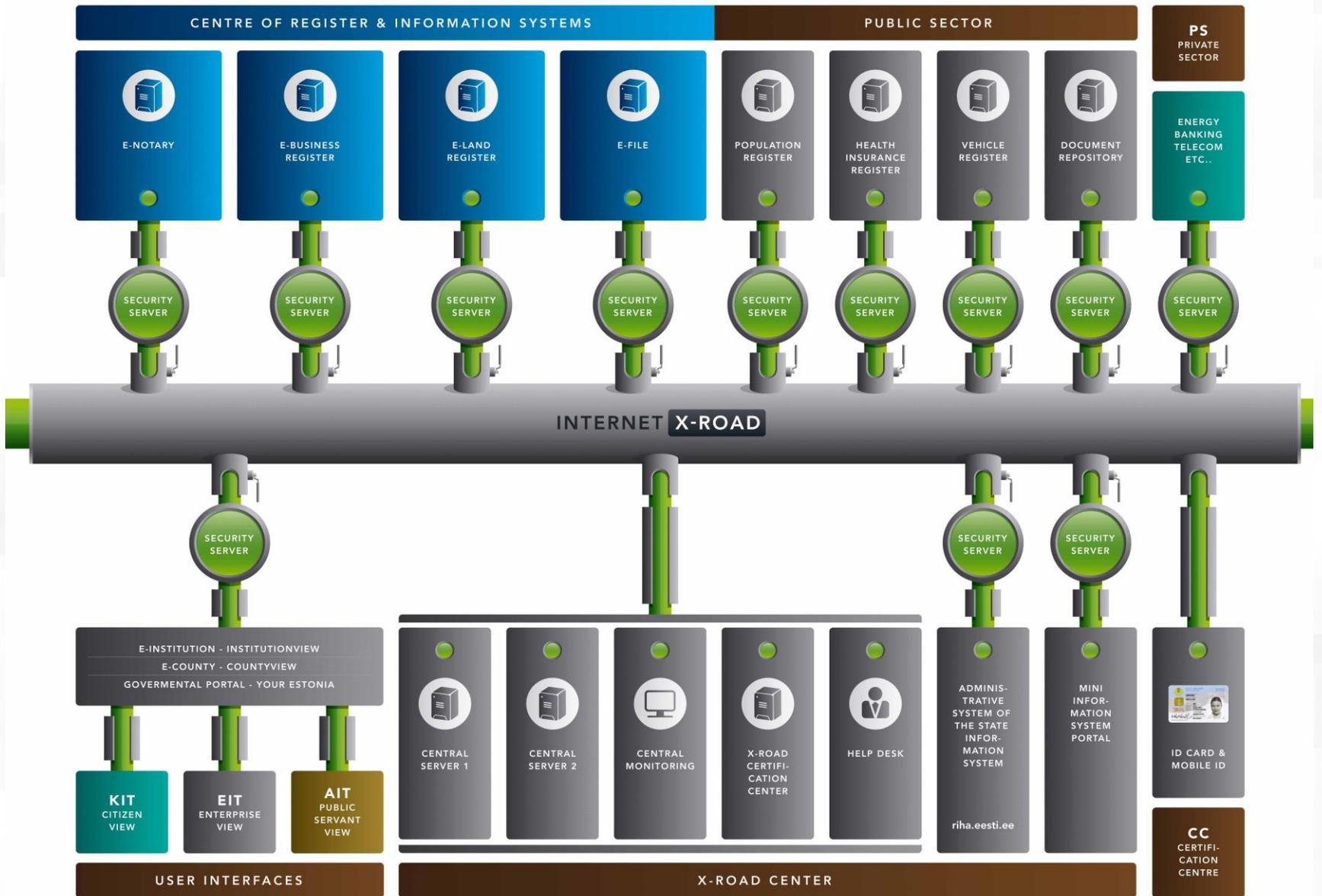


IS managed by RIK

E-Justice	E-Business	E-Land	Other
e-File case management	e-Business Register	E-Land Register	E-Notary IS
Public e-File	Company Registry Portal	Digital Immovables Portal	Bailiffs' IS
Electronic State Gazette	E-Annual Reporting Environment	Land Register Management System	Museums' IS
Criminal Records Database	Visualised Business Register		
Courts' IS	Business Register Management System		
Digital Court File	E-Financials		
Prosecutors' IS	European Business Register		
Prisons' IS			
Public Announcements Portal			

Core of e-governance in Estonia

- ID-card / Mobile ID / Smart ID – secure authentication and electronic signature
- X-Road – secure and decentralized data exchange
- Once only principle
- Citizen owner of data
- State portal – eesti.ee
- Estonian Information Society strategy 2020
 - Interoperability => agreement signed with Finland in March 2017
 - No legacy systems (max 13 years)
 - Data embassies and cloud back-up research project
 - E-Residency



Estonian Land Register

- Legal register
- Court register
- Maintained only electronically
 - Submission of documents
 - Decision making
 - Communication
 - Appealing



Modules

- Back Office
- eLand Register
- Immovables Portal
- Xml-services
- X-road services

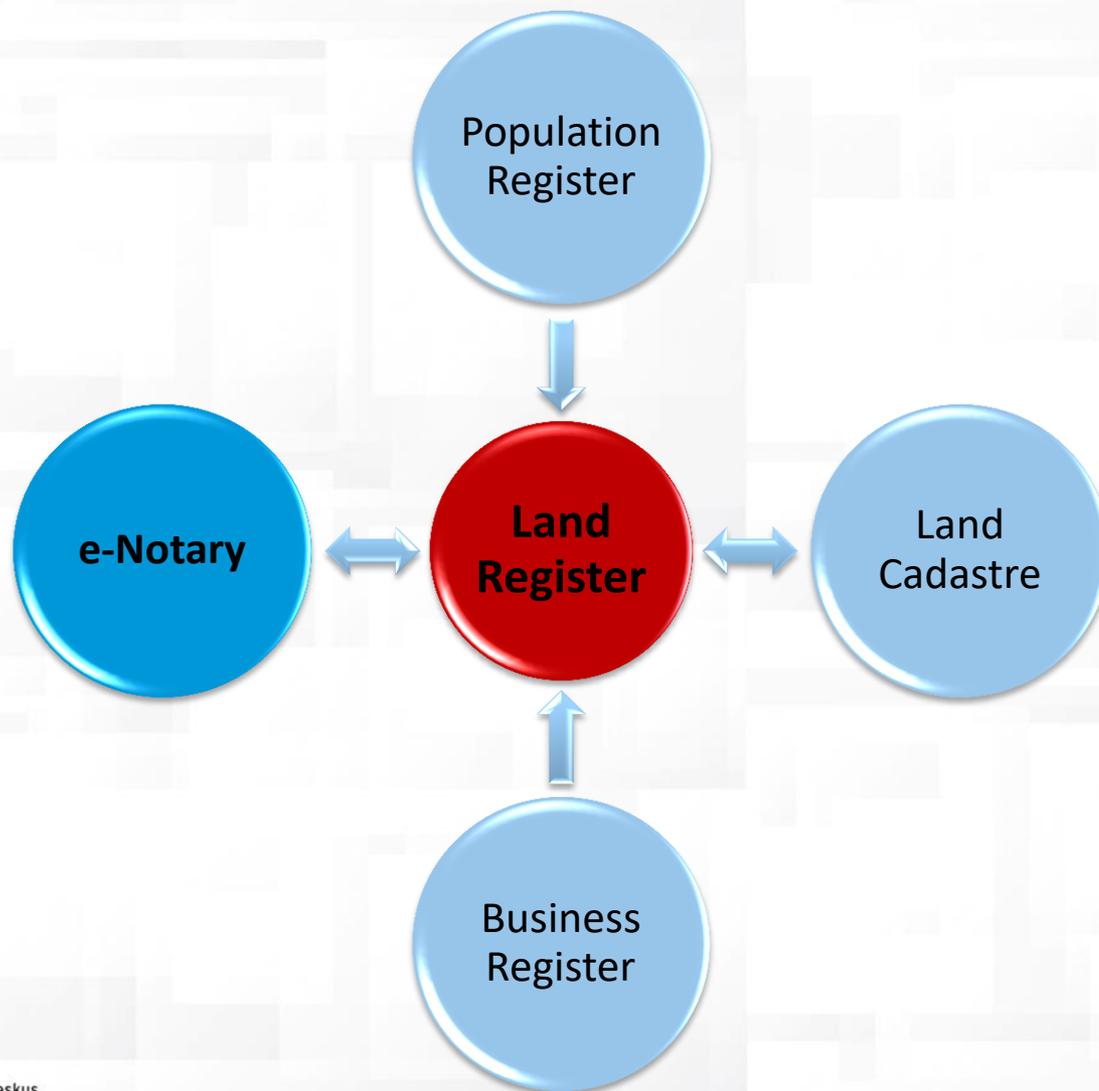
E-Land Register

- Available to public
- Mandatory to use
- Free of charge for:
 - Notaries
 - Government authorities
 - Courts
 - Local governments etc.

<https://kinnistusraamat.rik.ee/>



Key registers



Open Data

Open Data Portal:

<https://opendata.riik.ee/en>

<http://avaandmed.rik.ee/andmed/KR/>

Land Register open data

- XML file, weekly update
- Content:
 - Status
 - Type
 - Unique registration number
 - Purpose
 - Address, incl. unique address code
 - Total area

Technical measures

- Information about viewers
- Logging
- Clear access policy
- SLA



ERIK

Registrite ja Infosüsteemide Keskus
Centre of Registers and Information Systems



European Land Registry and Cross-Border Data Protection

Open Data from the Perspective of Data Protection
CapaCity Workshop

November, 20-21, 2017 Bucharest

Kadri Laud
ELRA Board of Directors



REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

- On the protection of natural persons with regard to the processing of personal data and on the free movement of such data.
- The aim of the GDPR is to protect all EU citizens from privacy and data breaches in an increasingly data-driven world.



Photo: Pixabay



Recital 5: The economic and social integration resulting from the functioning of the internal market has led to a substantial increase in cross-border flows of personal data.



Photo: Pixabay

Recital 6: Technology has transformed both the economy and social life, and should further facilitate the free flow of personal data within the Union and the transfer to third countries and international organisations, while ensuring a high level of the protection of personal data.



- ◉ GDPR gives general rules and principles.
- ◉ Directly applicable but still implementation norms play important roll.
- ◉ NO transposition but some instances it is needed, see Recital 8:
Where this Regulation provides for specifications or restrictions of its rules by Member State law, Member States may, as far as necessary for coherence and for making the national provisions comprehensible to the persons to whom they apply, incorporate elements of this Regulation into their national law.



European Land Registry

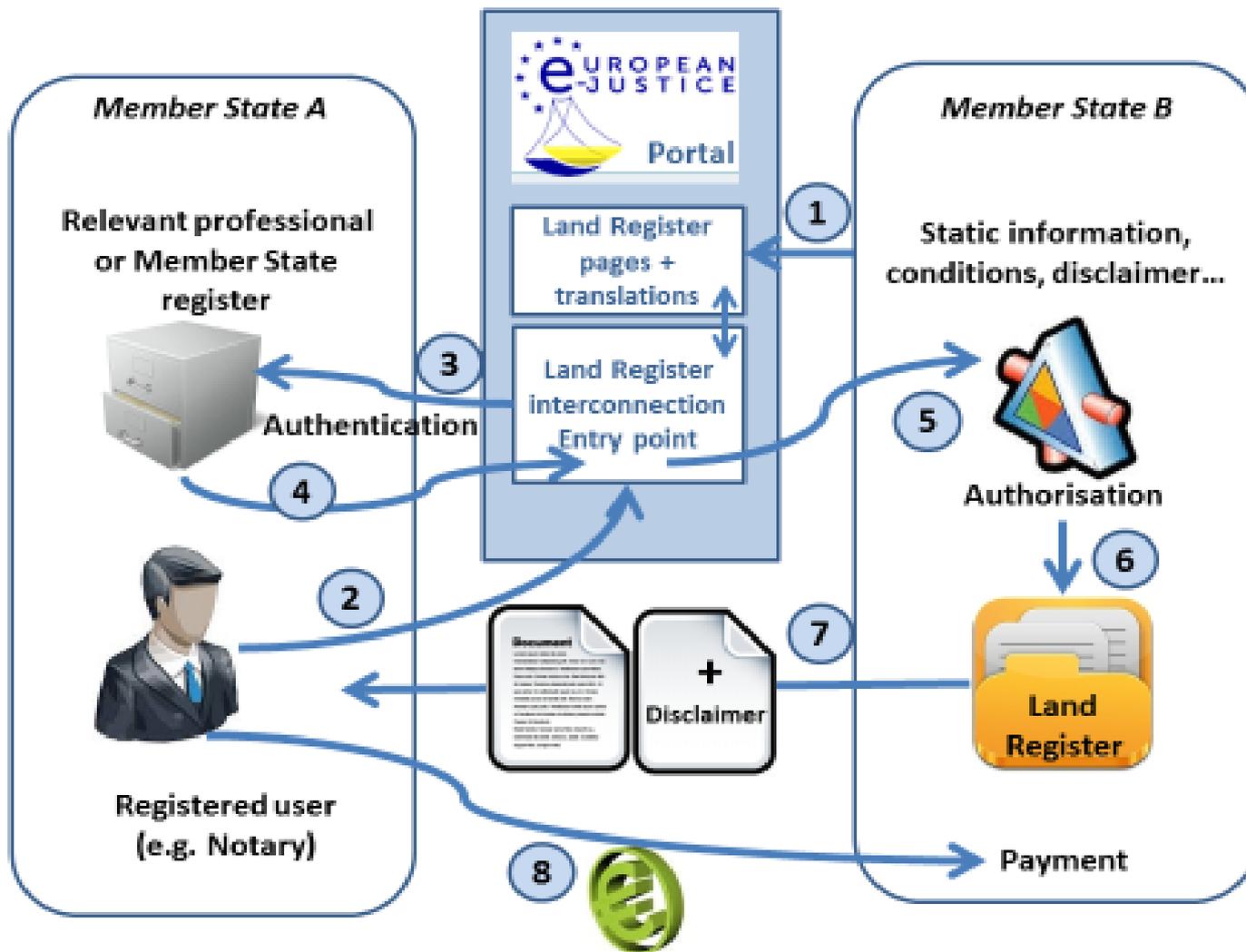
- ⦿ Increased demand for Land Registers information to registration of foreign documents and judicial decisions.
- ⦿ Establishing local equivalents for foreign legal rights.
- ⦿ In order to get an efficient implementation of EU Regulations on civil and commercial matters .
- ⦿ New demands on registrars, judges, academics, solicitors, notaries, lawyers, and citizens.
- ⦿ Improved knowledge of foreign property rights, registration systems and legislation and to provide understandable information through e- Justice portal.



LRI by European Commission

The Land Registers Interconnection (LRI) Project:

- ⦿ a single access point
- ⦿ within the e-Justice Portal, for the acquisition of land-related information of participating Member States
- ⦿ citizens and professionals will be able to query and retrieve relevant information via a single, adaptive, multi-lingual interface.





IMOLA (Interoperability for Land Registers) by ELRA

Diversity of Land Registers

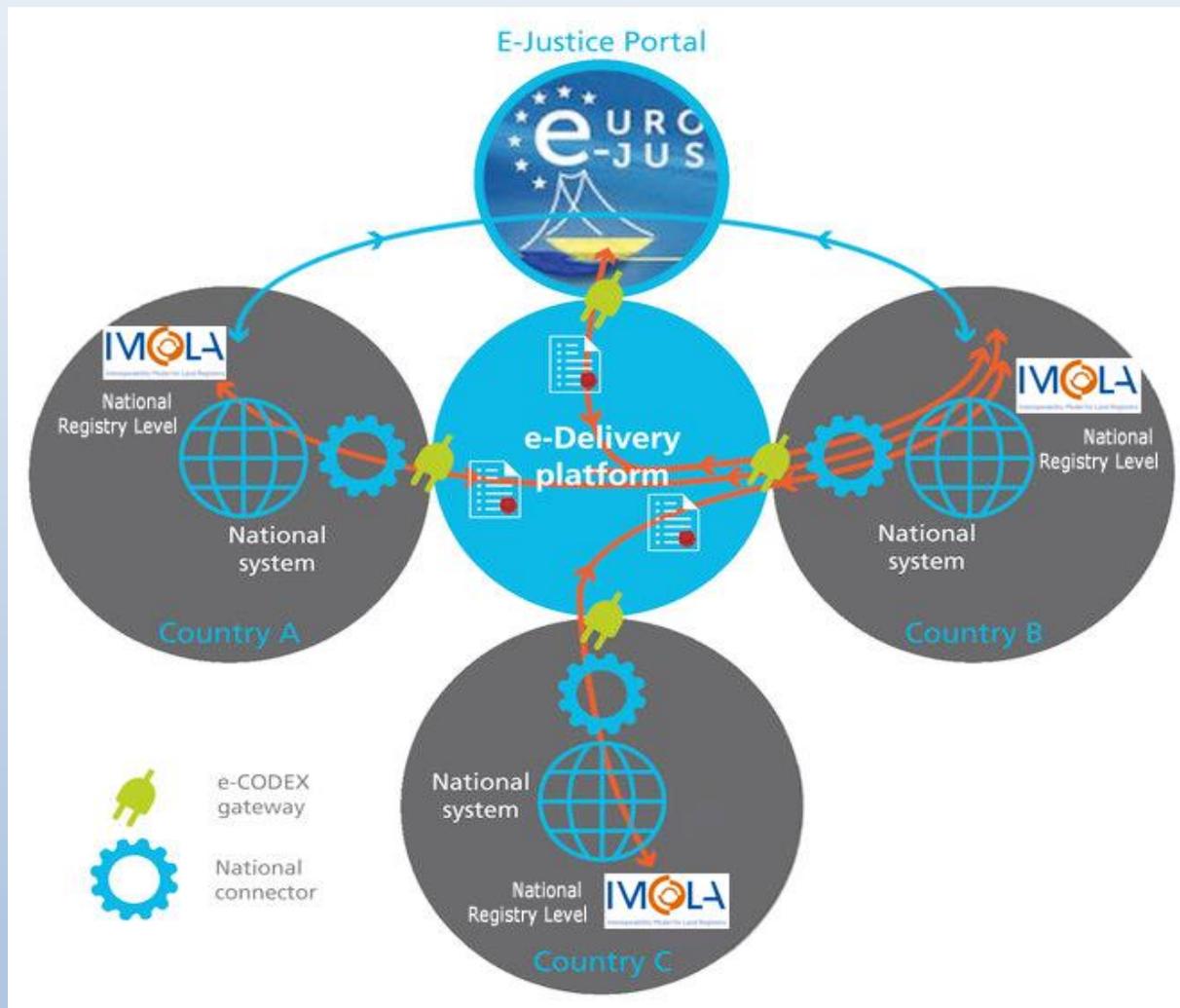
- Legal context, e.g.
 - deed vs. title systems
 - legal value of the retrieved data
- Business context, e.g.
 - purpose of the data
 - ways land register data is used
- Data structure and content
- On-line availability of data
- Search parameters
- Data available in search responses
- Land registers data access conditions
 - registration, authentication, roles, cost, etc.



European Land Registry Document

ELRD Structure

- A: Information on the property (Land Registry Unit).
 - [Part A](#)
- B: Primary rights (proprietary)
 - [Part B](#)
- C: Secondary rights (liens, encumbrances, mortgages, usufruct, seizure)
 - [Part C](#)
- D: Other





ELRA's new project, IMOLA II

- ⦿ A Knowledge Repository integrated on e-Justice portal as controlled vocabulary (Thesaurus).
- ⦿ To achieve the semantic interoperability among the Land Registers Information to make easier the implementation of the ELRD as standardized common output.
- ⦿ Use controlled vocabularies as part of the descriptive metadata to characterize the content of the information objects of the Land Registries.
- ⦿ The use of such vocabularies is a key issue, because these metadata may be invoked by mean of web service as National Land Registers Systems as customers by a web page.



LRI will:

- ⦿ provide extensive information to citizens regarding the legal value and up-to-datedness of retrieved information;
- ⦿ ensure that conditions of national registers to provide information are met;
- ⦿ incorporate a seamless purchase mechanism for land-related information and/or original documentation from multiple national registers;
- ⦿ inform citizens of the differences in terminology and legal context amongst different Member States;
- ⦿ comply with national and European laws and national register policies about data protection and privacy.



Cross-Border Data protection

EUROPEAN COMMISSION (2014), 2014/333/EU: Commission Decision of 5 June 2014 on the protection of personal data in the European e-Justice Portal

- ◉ ‘No personal data relating to the data subjects shall be stored in the Portal. All such data shall be stored in the national databases operated by the Member States or other bodies’;
- ◉ ‘Personal data relating to or provided by Portal users shall not be stored in the Portal, other than in cases where they have signed up as registered users. Personal data of registered users shall be stored until they request the deletion of their registration’.

Secure Transport Layer

All information exchanges between the European e-Justice Portal and Member States must be encrypted so as to avoid unauthorised access to the data exchanged.



(111) ... Provision should also be made for the possibility for transfers where important grounds of public interest laid down by Union or Member State law so require or where the transfer is made from a register established by law and intended for consultation by the public or persons having a legitimate interest. In the latter case, such a transfer should not involve the entirety of the personal data or entire categories of the data contained in the register and, when the register is intended for consultation by persons having a legitimate interest, the transfer should be made only at the request of those persons or, if they are to be the recipients, taking into full account the interests and fundamental rights of the data subject.



Articles 6 (2) and (3)

Member States may maintain or introduce more specific provisions to adapt the application of the rules of this Regulation with regard to processing for compliance with points (c) and (e) of paragraph 1 by determining more precisely specific requirements for the processing and other measures to ensure lawful and fair processing including for other specific processing situations as provided for in Chapter IX.



Thank you!





AI PARTE,
AI CARTE.

FUNCIARĂ

**PROGRAMUL NAȚIONAL DE CADASTRU ȘI
CARTE FUNCIARĂ**

**PNCCF
2015-2023**



Obiectivul PNCCF

- Cadru legal
- Finanțare

Strategia de înregistrare sistematică

Stadiul înregistrării sistematice a proprietăților

- Continuarea contractelor de înregistrare sistematică - CESAR
- Etapa 1 PNCCF – 147 UAT- uri
- Înregistrare sistematică pe sectoare cadastrale conform OUG nr. 35/2016
- Proiecte ale UAT- urilor din fonduri proprii

Beneficii PNCCF

Experiența proiectului pilot CESAR

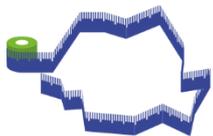


OBIECTIV

ÎNREGISTRAREA **GRATUITĂ** ÎN SISTEMUL INTEGRAT DE CADASTRU ȘI CARTE FUNCIOARĂ A IMOBILELOR

- realizarea planului cadastral-reflectarea reală a imobilelor și a suprafețelor
- înscrierea gratuită a imobilelor indiferent de calitatea titularului dreptului
- înscrierea posesiei în lipsa actelor de proprietate
- deschiderea cărților funciare
- dezbaterea succesiunilor

Transparență în implementarea PNCCF prin *Pactul de Integritate ANCP* –
Transparency International România și Institutul pentru Politici Publice



Finalizarea procesului de restituire a proprietăților

Implementarea noilor scheme de plăți care se aplică în agricultură, prin intabularea terenurilor agricole din sectoarele cadastrale din extravilanul localităților

Reducerea termenelor de implementare a proiectelor de infrastructură strategică națională

Stabilirea unei baze reale de impozitare a proprietăților imobiliare

Identificarea proprietarilor, posesorilor și soluționarea succesiunilor nedezbătute, prin plata onorariilor notariale de către ANCPI

Dezvoltarea piețelor imobiliare și ipotecare în zonele rurale

Legea cadastrului și a publicității imobiliare nr. 7/1996, republicată, cu modificările și completările ulterioare

Hotărârea nr. 294/2015 privind aprobarea Programului național de cadastru și carte funciară 2015-2023, cu modificările și completările ulterioare

Ordonanța de Urgență a Guvernului nr. 35/2016 privind modificarea și completarea Legii cadastrului și a publicității imobiliare nr. 7/1996

Specificații tehnice de realizare a lucrărilor sistematice de cadastru pe sectoare cadastrale în vederea înscrierii imobilelor în cartea funciară finanțate de ANCPPI, aprobate prin ODG nr. 979/2016

Procedura și modalitatea de alocare a sumelor, precum și raportarea de către beneficiari a stadiului de execuție a lucrărilor pentru lucrările de înregistrare sistematică inițiate de UAT-uri, aprobată prin ODG nr. 819/2016

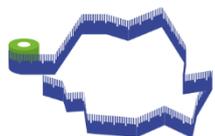
Regulamentul de avizare, recepție și înscriere în evidențele de cadastru și carte funciară, aprobat prin ODG nr. 700/2014, cu modificările și completările ulterioare

ODG nr. 353/24.03.2017 privind modificarea Procedurii de finanțare aprobate prin ODG nr. 819/2016

ODG nr. 511/16.05.2017 privind modificarea Procedurii de finanțare aprobate prin ODG nr. 819/2016

ODG nr. 536/24.05.2017 privind modificarea Specificațiilor tehnice aprobate prin ODG nr. 979/2016

Legea nr. 111/19.05.2017 privind modificarea și completarea Legii nr. 7/1996



NOUTĂȚI LEGISLATIVE

OUG nr. 353/2017 și OUG nr. 511/2017

Toate solicitările privind suplimentarea sau diminuarea bugetului alocat pentru finanțare sunt supuse aprobării Consiliului de administrație ANCP

Contractele de finanțare încheiate în 2016 pot fi transformate în contracte multianuale, prin prelungirea termenului până cel târziu la 30.11.2017, prin acte adiționale

Contractele de finanțare se încheie în limita creditelor de angajament comunicate prin fila de buget, pentru o perioadă de cel mult 24 luni

Termenul până la care UAT-urile pot solicita încheierea contractului de finanțare este de maximum 45 de zile de la primirea înștiințării transmise de către OCPI fiecărei UAT din aria de competență teritorială

Nu vor face obiectul decontării imobilele compuse din mai multe parcele dintre care unele parcele sunt situate în intravilan și cel puțin o parcelă este situată în extravilan

Prestatorul este responsabil de îndeplinirea cerințelor privind informarea persoanelor ale căror date cu caracter personal se colectează și prelucrează în cadrul procesului de înregistrare sistematică, conform prevederilor art. 12 alin. (1) și (2) din Legea nr. 677/2001 pentru protecția persoanelor cu privire la prelucrarea datelor cu caracter personal și libera circulație a acestor date

OCPI determină sectoarele cadastrale la nivel de întreg UAT-ul, anterior demarării procedurii de achiziție a serviciilor de înregistrare sistematică a imobilelor la nivel de sectoare cadastrale

Modificarea limitelor sectorului cadastral se face numai cu acordul OCPI și cu refacerea sectorizării întregului UAT

Au fost reduse termenele acordate prestatorilor pentru corectarea erorilor și/sau completarea livrabililor în cadrul etapelor 1 și 2 aferente recepției lucrărilor de înregistrare sistematică a imobilelor



GUVERNUL ROMÂNIEI
PROGRAMUL NAȚIONAL DE CADASTRU
ȘI CARTE FUNCIARĂ 2015-2023
Află mai multe pe www.ancpi.ro/pncef



AI PARTE, AI CARTE. FUNCIARĂ

În cadrul PNECF, ANCPPI colectează direct/indirect și prelucurează prin intermediul asociațiilor înregistrate de înregistrare sistematică, date cu caracter personal furnizate de deținătorii bunurilor înregistrate și taxabililor în sistemul logicilor de cadastru și carte funciară.

Informațiile cu privire la identitatea și proprietarii, posesorii, alți deținători legitimi, obținute ca urmare a realizării lucrărilor de înregistrare sistematică, sunt aduse la cunoștința publică, în conformitate cu legea.

Autentificările și persoanele implicate în derularea activităților de înregistrare sistematică a imobilelor, în cadrul PNECF 2015-2023, sunt obligate să respecte prevederile Legii nr.677/2001 pentru protecția persoanelor cu privire la prelucrarea datelor cu caracter personal și libera circulație a acestor date.

VEI FI ÎNREGISTRAT **GRATUIT** ÎN CADASTRU ȘI CARTEA FUNCIARĂ!

Mergi la punctul de informare 1:

Program

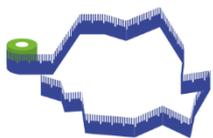
Mergi la punctul de informare 2:

Program

Noi colectăm copii ale actelor tale de proprietate.

Împreună cu tine identificăm limitele proprietăților tale.

Colaborează cu echipa noastră!
Permite-i accesul pe proprietatea ta!



NOUTĂȚI LEGISLATIVE

Legea nr. 111/2017

Plata certificatelor de moștenitor eliberate se face de către ANCPI conform procedurii stabilite prin protocol încheiat între ANCPI și UNNPR, cu excepția certificatelor de moștenitor eliberate ulterior împlinirii unui termen de 2 ani de la data sesizării camerei notarilor publici de către oficiul teritorial

UAT-urile care intenționează demararea lucrărilor de înregistrare sistematică a terenurilor la nivel de sector cadastral au obligația de a transmite la OCPI solicitarea de a se încheia contractul de finanțare, în termen de 45 de zile de la primirea înștiințării transmise de OCPI cu privire la suma alocată pentru finanțare și a modelului contractului de finanțare

UAT-urile beneficiare ale finanțării lucrărilor de înregistrare sistematică au obligația de a include cu prioritate în sectoarele cadastrale care fac obiectul contractului de prestări servicii terenurile aferente proiectelor de infrastructură de interes național

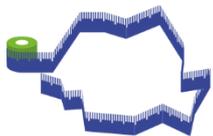
Până la aprobarea delimitării UAT-urilor prin lege, în cazul în care limitele acestora sunt stabilite prin procese-verbale de delimitare, procese-verbale de conciliere sau, după caz, prin hotărâri judecătorești definitive, aceste limite devin oficiale și ANCPI are obligația de a le introduce în sistemul integrat de cadastru și carte funciară

A fost abrogat alin. (34¹¹) al art. 9 din Legea nr. 7/1996, potrivit căruia *Prevederile Legii nr. 98/2016 privind achizițiile publice, cu completările ulterioare, nu se aplică pentru atribuirea contractelor de achiziție publică/acordurilor-cadru de servicii care au ca obiect contractarea serviciilor de înregistrare sistematică, de către unitățile administrativ-teritoriale sau de către Agenția Națională, în aplicarea alin. (23).*



STRATEGIA DE ÎNREGISTRARE SISTEMATICĂ A PROPRIETĂȚILOR

- **Transparență și tratament egal pentru toate entitățile implicate**
- **Utilizarea tuturor resurselor umane și financiare disponibile și calificate la nivelul pieței**
- **Alcătuirea bugetelor pe baza prețurilor istorice din licitațiile anterioare pentru servicii de înregistrare sistematică**
- **Flexibilitate în actualizarea reglementărilor pentru rezolvarea situațiilor constatate în practică**



FINANȚAREA PNCCF

~ 1,2 miliarde euro

VENITURI PROPRII ANCFI

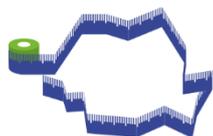
4.050.885
mii lei

FONDURI EXTERNE NERAMBURSABILE

1.408.010
mii lei

SURSE FINANCIARE ALOCATE DIN BUGETUL UAT-urilor

**în limita
alocărilor
din
bugetele
locale**



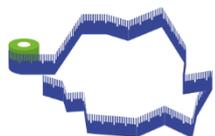
DATE ROMÂNIA

Suprafața României (ha)	23,839,652.41	Date GIS comunicate de Centrul Național de Cartografie la 25.04.2014	
intravilan	1,859,318.99		7.80%
extravilan	21,980,333.42		92.20%

Suprafața Urban (ha)	3,073,036.54		12.89%
intravilan	426,770.17		13.89%
extravilan	2,646,266.37		86.11%

Suprafața Rural (ha)	20,766,615.87		87.11%
intravilan	1,432,548.82		6.90%
extravilan	19,334,067.05		93.10%

	revizuită	inițială
Suprafața medie UAT RO (ha)	7,494	7,483
Suprafața medie UAT Urban RO	9,603	9,600
Suprafața medie UAT Rural RO	7,259	7,259



SITUAȚIA IMOBILELOR ÎNREGISTRATE ÎN SISTEMUL INTEGRAT DE CADASTRU ȘI CARTE FUNCİARĂ

Număr estimat de imobile: 40.000.000, din care:

URBAN: 320 UAT- uri 8.000.000 imobile 20%

RURAL: 2.861 UAT- uri 32.000.000 imobile 80%

Număr de imobile înregistrate în sistemul informatic la 17.11.2017:

10.386.993 (25,97%)

STRATEGIA DE ÎNREGISTRARE SISTEMATICĂ A PROPRIETĂȚILOR

Finanțare UAT- uri pentru înregistrare sistematică pe sectoare cadastrale

- Aprox. 2949 UAT
- Preț unitar fix: 60 lei/
Carte Funciară
- Lucrări derulate la
nivel de sector cadastral
- Proceduri achiziție
derulate de UAT
- Executanți:
PFA cat. A,B,D;
PJA cat. I,II,III

Cofinanțare înregistrare sistematică în zone urbane

- Aprox. 320 orașe
- Cofinanțare ANCP: 60
lei/Carte Funciară
- Lucrări derulate la
nivel de UAT sau
sector cadastral
- Proceduri achiziție
derulate de UAT
- Executanți: PFA/PJA
- 31 UAT au demarat
lucrări din fonduri proprii

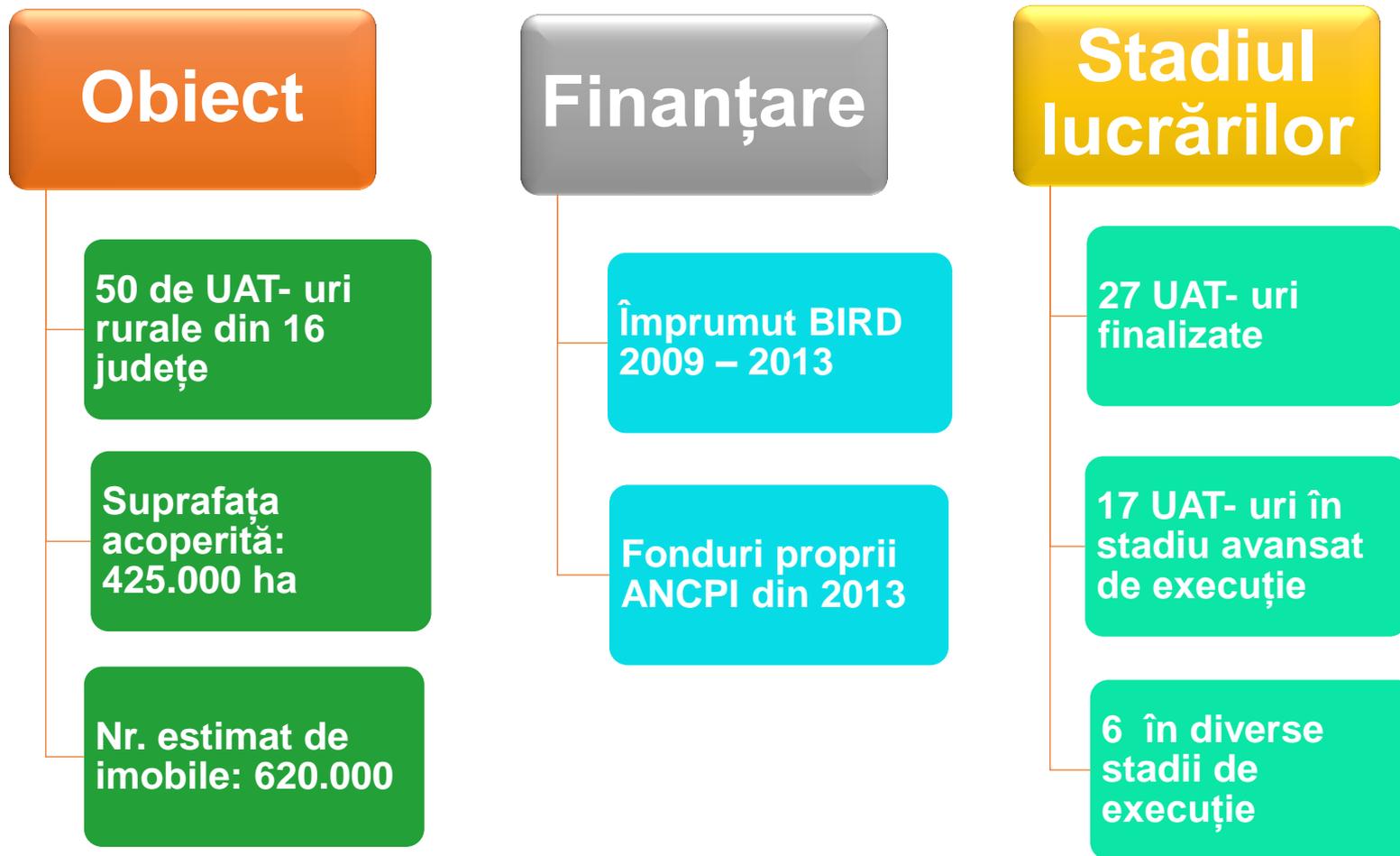
Fonduri UE pentru înregistrare sistematică în zone rurale

- Obiect 5, 7 mil ha
- Selecție UAT de
o comisie inter-
ministerială, după
criterii:
 - ✓ să fie în Master Plan de
Transport
 - ✓ să aibă Proiecte de
infrastructură în alte
programe
 - ✓ Zone vulnerabile
- Proceduri achiziție
derulate de ANCP
- Executanți: PJA

Bugetul anual al PNCCF este aprobat de Consiliul de Administrație al ANCP

ÎNREGISTRAREA SISTEMATICĂ

Contracte CESAR



ANCPI a lansat prima licitație electronică în SEAP pentru realizarea Programului Național de Cadastru și Carte Funciară în 2015

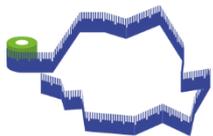
**Număr UAT- uri
din zona rurală:
147**

**Acorduri cadru
semnate pentru
87 UAT- uri din
24 de județe**

- buget cu TVA: 71,8 mil. lei
- termen de finalizare lucrări: 2019
- 32 contracte servicii în derulare în 64 de UAT- uri

**Acorduri cadru
semnate pentru
55 UAT- uri din
15 județe**

- buget cu TVA: aprox. 45 mil. lei
- termen de finalizare lucrări: 2020



PNCCF
Programul Național
de Cadastru
și Carte Funciară

ÎNREGISTRAREA SISTEMATICĂ OUG nr. 35/2016 BUGET ALOCAT

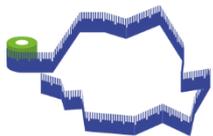
AI PARTE,
AI CARTE.
FUNCIARĂ

**150 mii lei /
UAT**

credite de
angajament
2017-2019

peste
**440 milioane
lei**

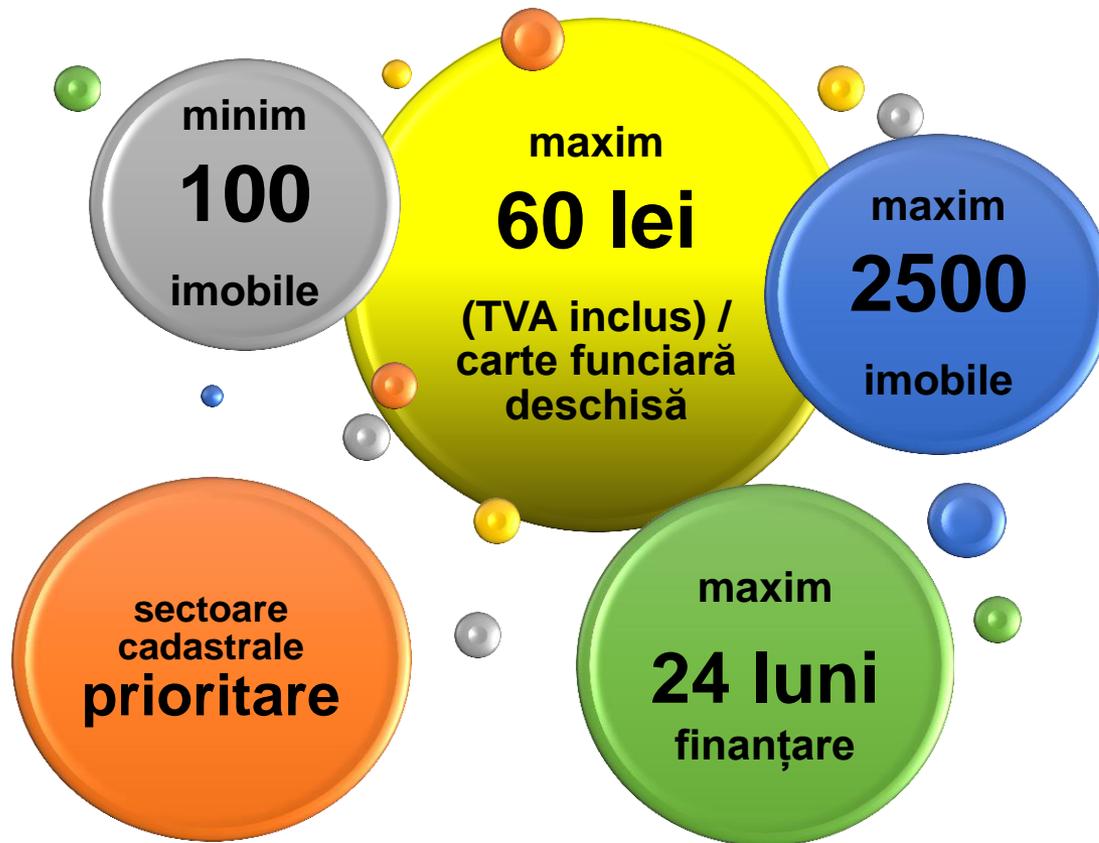
credite de angajament
2017-2019



ÎNREGISTRAREA SISTEMATICĂ

OUG nr. 35/2016

CONDIȚII



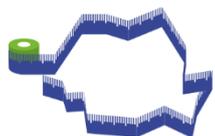
Unitățile administrativ-teritoriale pot iniția lucrări de înregistrare sistematică la nivel de *sectoare cadastrale* ce cuprind imobile din *extravilan*

Prin excepție, în unitățile administrativ-teritoriale în care nu sunt terenuri în extravilan, lucrările de înregistrare sistematică pot fi demarate la nivelul sectoarelor cadastrale din *intravilan*

Executanți:

- PFA - categoria A, B sau D
- PJA - clasa I, II sau III

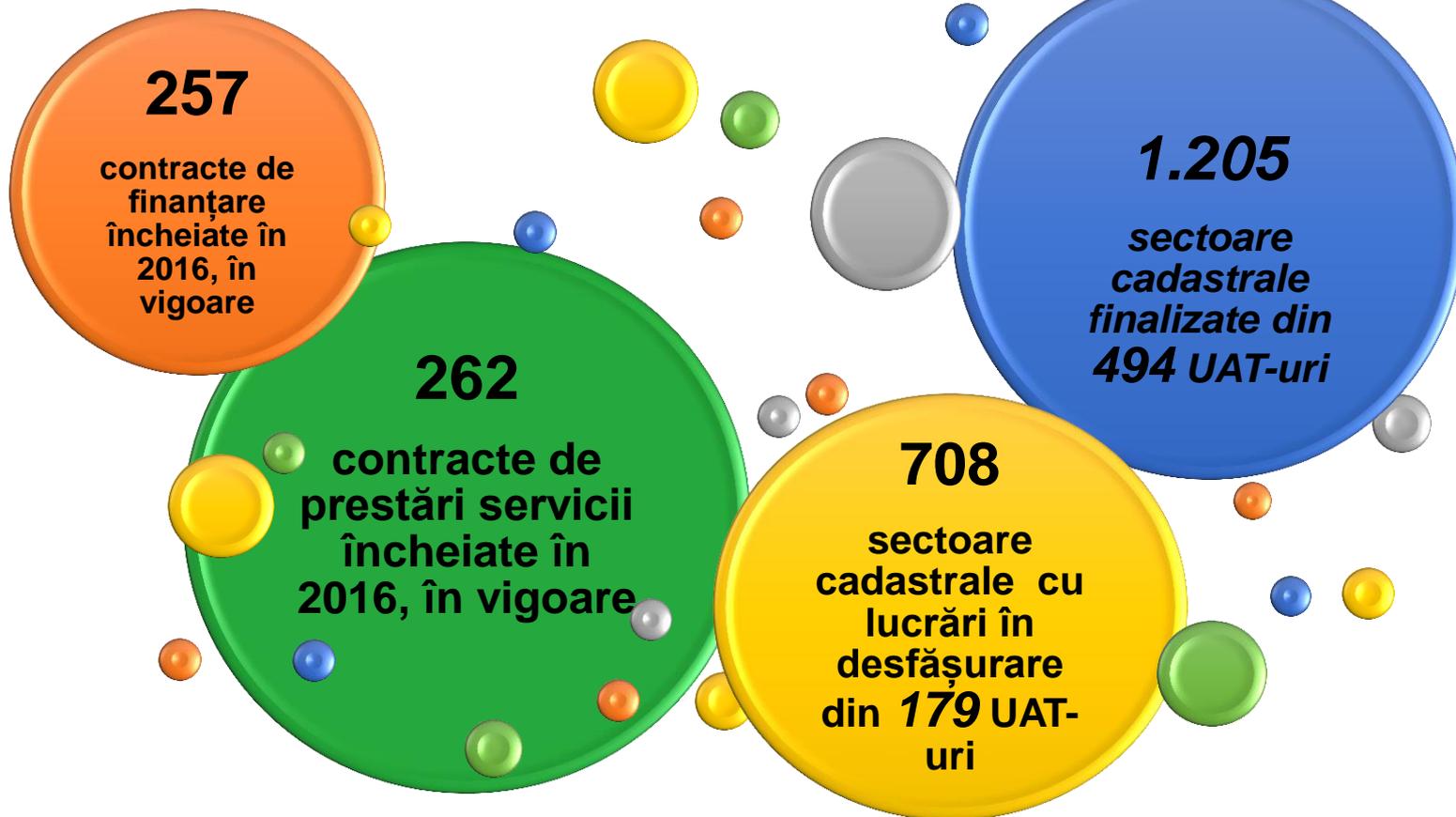
Număr de imobile contractate: între 100 – 2500 /UAT



ÎNREGISTRAREA SISTEMATICĂ

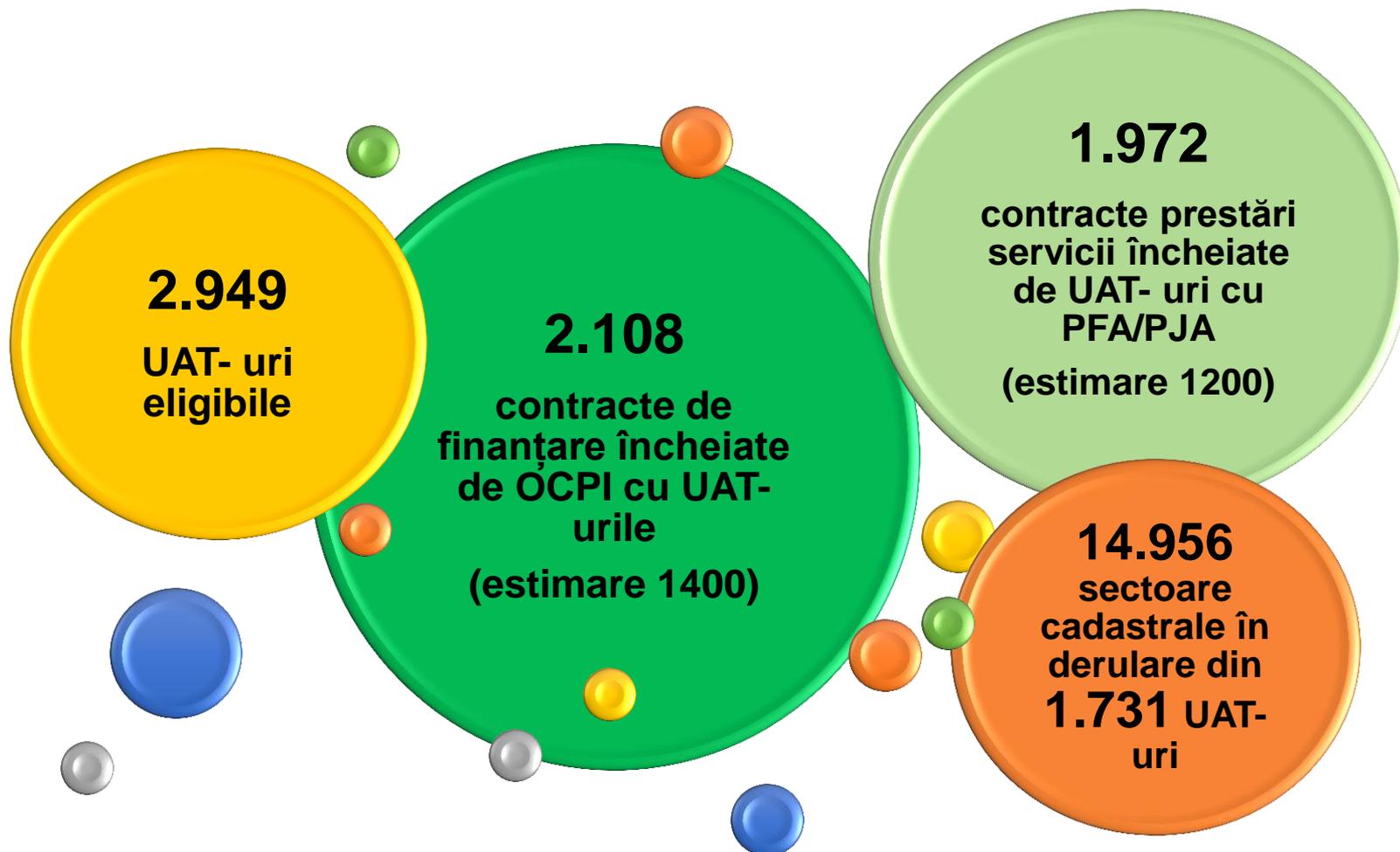
OUG nr. 35/2016

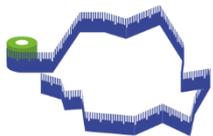
Finanțare 2016 - Situația la 15 noiembrie 2017



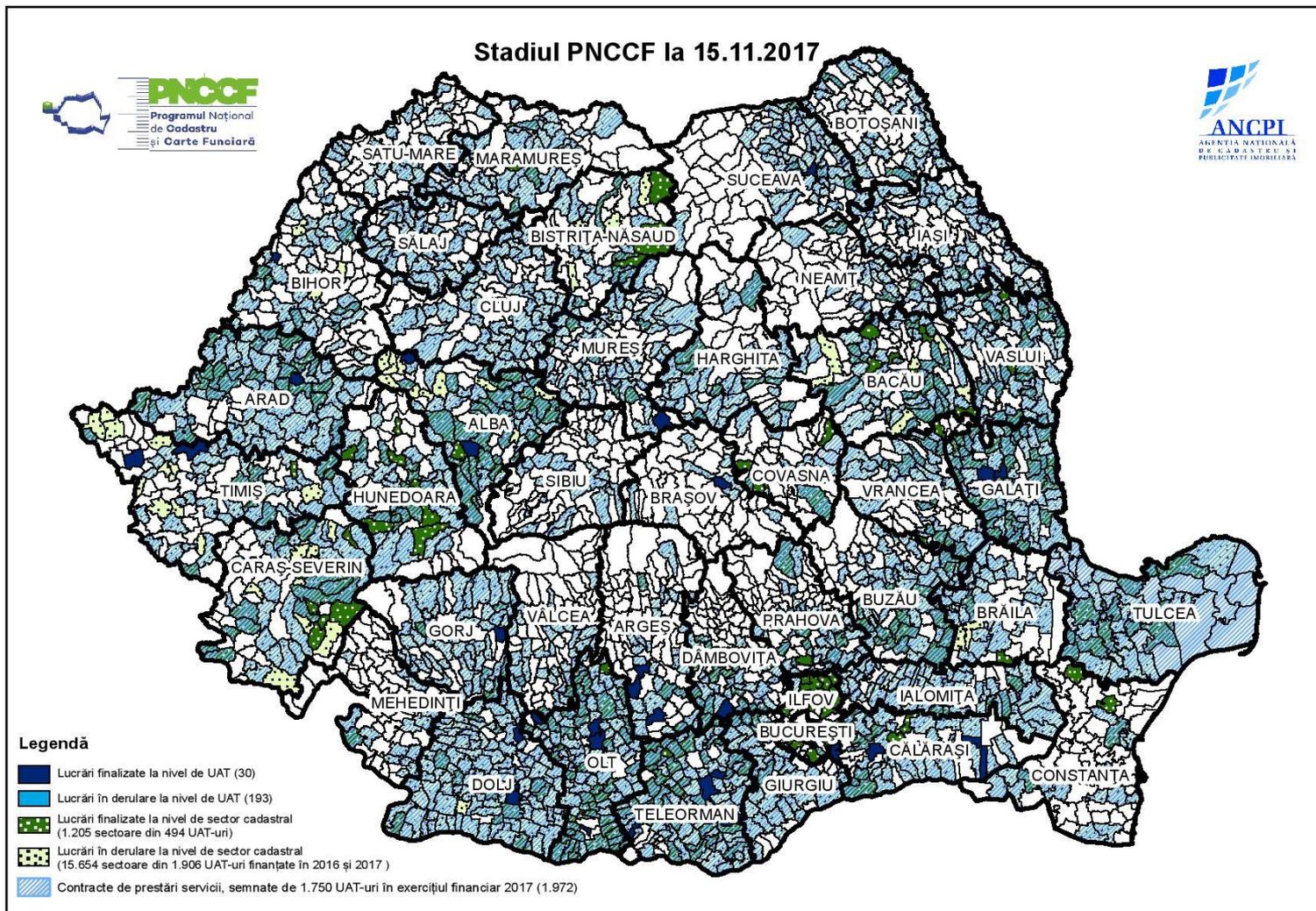
ÎNREGISTRAREA SISTEMATICĂ OUG 35/2016

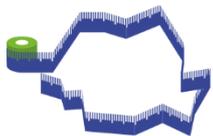
Finanțare (2017-2019) - Situația la 15 noiembrie 2017





STADIUL ÎNREGISTRĂRII SISTEMATICE A PROPRIETĂȚILOR, 15 noiembrie 2017





ÎNREGISTRAREA SISTEMATICĂ 2017

Acțiuni OCPI

Transmite înștiințări către UAT- uri cu privire la suma care a fost aprobată în buget, însoțită de modelul contractului de finanțare și de Specificațiile Tehnice

Dacă este cazul, transmite notificări UAT-urilor care nu au solicitat încheierea contractelor de finanțare în termenul de 45 de zile

Semnează contractele de finanțare cu UAT-urile

Stabilește împreună cu primăriile sectoarele cadastrale prioritare

Desemnează un responsabil de contract

Raportează lunar către ANCPI stadiul privind derularea contractului

Stabilește data publicării documentelor tehnice, pe care o comunică în scris ANCPI și Prestatorului

Emite procesul PVR TEHNIC al documentelor tehnice și transmite un exemplar către UAT

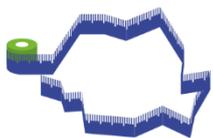
Verifică documentele de plată și solicită transferul de fonduri către ANCPI

Transferă fondurile către UAT

- **Se înscrie în Sistemul Electronic de Achiziții Publice (SEAP)**
- **Definește catalogul de produse**
- **Încheie contractul de prestări servicii**

- **În baza contractului de prestări servicii de înregistrare sistematică a imobilelor:**
 - **desfășoară campania de informare la nivel local**
 - **preia aplicația pentru generarea fișierelor .cgxml**
 - **execută lucrări de specialitate, identifică limitele imobilelor, întocmește fișa de date a imobilelor, identifică deținătorii și colectează actele**
 - **integrează informațiile din cadastrul sporadic în cadrul lucrărilor de înregistrare sistematică**
 - **întocmește documentele tehnice ale cadastrului**

- **Asigură suport tehnic la publicarea documentelor tehnice ale cadastrului**
- **Actualizează documentele tehnice ale cadastrului în urma soluționării cererilor de rectificare și predă la OCPI documentele tehnice finale**
- **Emite și transmite factura către UAT**



ÎNREGISTRAREA SISTEMATICĂ 2017

Acțiuni Primar UAT

Completează modelul de contract de finanțare cu datele UAT și suma necesară și îl transmite semnat și ștampilat, în 2 exemplare, către OCPI

Termenul până la care UAT poate solicita încheierea contractului de finanțare este de 45 zile de la primirea înștiințării de la OCPI.

Semnează contractul de finanțare între UAT și OCPI

Derulează procedura de achiziție și selectează operatorul economic

Semnează contractul de achiziție publică cu operatorul economic

Desemnează un responsabil de contract

Înștiințează deținătorii imobilelor, prin afișare și prin alte mijloace de publicitate, cu privire la obligațiile ce le revin conform Legii

Monitorizează și raportează către OCPI stadiul de execuție a contractului

Eliberează certificate și furnizează gratuit echipelor de realizare a lucrărilor sistematice de cadastru date și informații din evidențele primăriei

Contrasemnează documentele tehnice ale cadastrului

Asigură spațiul și suportul pentru desfășurarea afișării publice

Emite și semnează PVR servicii în termen de maximum 5 zile lucrătoare de la comunicarea PVR tehnic

Realizează plata serviciilor către prestator

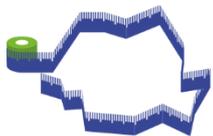


ÎNREGISTRAREA SISTEMATICĂ 2017

Documente suport

<http://www.ancpi.ro/pnc cf/documente-support.html>

- [Ghidul Primarului](#)
- [Ghidul PFA/PJA](#)
- [Ghid Alocare bugetară și achiziție publică](#)
- [Procedura și modalitatea de alocare a sumelor precum și raportarea de către beneficiari a stadiului de execuție a lucrărilor pentru lucrările de înregistrare sistematică inițiate de unitățile administrativ-teritoriale](#)
- [Specificații tehnice de realizare a lucrărilor sistematice de cadastru pe sectoare cadastrale în vederea înscrierii imobilelor în cartea funciară](#)
- [Model contract de finanțare](#)
- [Model contract servicii](#)
- [Aplicație gratuită pentru generare fișiere .cgxml](#)
- [Instrucțiuni privind accesul la WebCadgen](#)



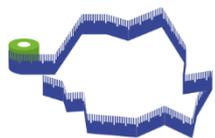
EXPERIENȚA dobândită în cadrul Proiectului pilot CESAR



Campania de informare:

bine făcută,
asigură
obținerea de
informații
corecte și
complete





PNCCF
Programul Național
de Cadastru
și Carte Funciară

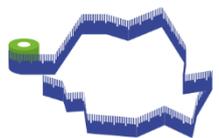
EXPERIENȚA dobândită în cadrul Proiectului pilot CESAR

AI PARTE,
AI CARTE.
FUNCIARĂ

Interacțiunea cu cetățenii:

determinantă
pentru
organizarea și
desfășurarea
lucrărilor





PNCCF
Programul Național
de Cadastru
și Carte Funciară

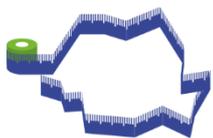
EXPERIENȚA dobândită în cadrul Proiectului pilot CESAR

AI PARTE,
AI CARTE.
FUNCIARĂ

Colaborarea cu primăria:

**esențială
pentru
eficiența
procesului
(încadrarea în
termenele de
livrare)**





<http://geoportal.ancpi.ro/geoportal/imobile/Harta.html>

Localizare rapida
<Selectati o valoare din lista:>

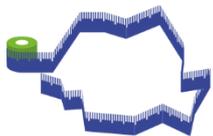
Cautare imobil
Judet: Alegeți un judet din lista
UAT: <Rezultatele cautarii>
Numar cadastral:

Selectare fundal
Ortofoto 2005 Ortofoto 2008
Ortofoto 2009 Ortofoto 2010

Search: Valea Mare, Olt

esri

Iancu Jianu, **Valea Mare**, Brebeni OLT
Mârzănești, Saelele, Frăsinet
TELEORMAN
Nana, Roseti, Stefan Vodă CĂLĂRAȘI
Saschiz, MUREȘ
Valea Mărului, Matca GALAȚI
Crizbav BRAȘOV
Ungheni ARGES
Orțișoara TIMIȘ



PNCCF
Programul Național
de Cadastru
și Carte Funciară

AI PARTE,
AI CARTE.
FUNCIARĂ



DATA PROTECTION & LAND REGISTRIES

Mihai Taus
Romanian Land Registry Association

“They can tap all my telephone calls
(when, why, to whom.)
They have a file on my dreams and plans
and on those who read them.
And who knows when they’ll find
sufficient reasons to dig up the files
that violate my rights.”

Attila Jozsef, hungarian poet, 1935

1984 – George Orwell

MILESTONES

- data protection required since the use of computers (integrated data management)
- 1980 -Recommendations of the Council Concerning Guidelines Governing the Protection of Privacy and Trans-Border Flows of Personal Data
- **1995 - Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data**
- 2001 - Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data
- 2002 - Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications)

MILESTONES

- 2008 - COUNCIL FRAMEWORK DECISION 2008/977/JHA on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters
- 2012 - Commission proposed a comprehensive reform of data protection rules to increase users' control of their data and to cut costs for businesses
- **2015 -On 15 December, the European Parliament, the Council and the Commission reached agreement on the new data protection rules, establishing a modern and harmonized data protection framework across the EU. The Regulation shall apply 2 years after its formal adoption by the European Parliament and Council.**

WHAT'S NEW?

- **easier access to your own data:** individuals will have more information on how their data is processed and this information should be available in a clear and understandable way;
- **a right to data portability:** it will be easier to transfer your personal data between service providers;
- **a clarified "right to be forgotten":** when you no longer want your data to be processed, and provided that there are no legitimate grounds for retaining it, the data will be deleted;
- **the right to know when your data has been hacked:** For example, companies and organizations must notify the national supervisory authority of serious data breaches as soon as possible so that users can take appropriate measures.
- **Better cooperation** between law enforcement authorities
- **Better protection** of citizen's data

DEFINITIONS

- **Data:** information (in an electronic form that can be processed by a computer).
- **Personal data:** any information relating to an identified or identifiable natural person.
- **Processing of personal data:** any operation or set of operations performed upon personal data (collection, recording, consultation, ...).
- **Data controller:** the person, public authority, agency or any other body which alone or jointly with others determines the purposes and means of the processing of personal data (e.g. the Land Registry itself, the ministry, ...).
- **Data subject:** the person whose personal data are being processed (e.g. the proprietor, the mortgagor and mortgagee, ... entered in the land register).

LR APPROACH TO PROTECTED DATA

- Personal data must be processed fairly and lawfully
- Personal data shall not be kept in a form which permits identification of the data subject for longer than is necessary for the purpose for which the data were collected and/or processed.
- Personal data shall not be transferred to a third country unless that country ensures an adequate level of protection for the rights of data subjects in relation to the processing of personal data

PERSONAL DATA USED BY LR

- names
- PINs
- addresses
- data “behind the curtain”
- other?

LR APPROACH TO PROTECTED DATA



unconditioned
access to LR data
(any limits)

legitimate interest to
access LR data

LR APPROACH TO PROTECTED DATA

- **Free access:** Belgium, Bosnia & Herzegovina, Croatia, England & Wales, Finland, Ireland, Italy, Latvia, The Netherlands, Sweden, Scotland.
- **Legitimate interest:** Greece, Lithuania, Spain
- **Specific:** Estonia, Poland, Romania

(information from www.elra.eu)

LR APPROACH TO PROTECTED DATA

- Access based on name identification/
plot identification
 - Allowed
 - Not allowed
 - Allowed in certain circumstances
- Free access/legitimate interest
(depending on the type of information)

LR APPROACH TO PROTECTED DATA

- principle of publicity - publicity of rights (erga omnes effect)
- principle of curtain



QUESTIONS

- **Is there any "conflict" between LR and data protection?**
 - **Public/protected**
- **Shall LR be an exception to data protection legislation?**
 - Why (not)?
 - If YES, at what extent?
 - How?
- **How LR comply with data protection?**
 - does "right to be forgotten" applies?
 - should the owner be informed if someone accessed its data?

ANSWERS?

- R. (45) : Where processing is carried out in accordance with a legal obligation to which the controller is subject or where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority, the processing should have a basis in Union or Member State law. This Regulation does not require a specific law for each individual processing. (...)
- R. (69): Where personal data might lawfully be processed because processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, or on grounds of the legitimate interests of a controller or a third party, a data subject should, nevertheless, be entitled to object to the processing of any personal data relating to his or her particular situation. It should be for the controller to demonstrate that its compelling legitimate interest overrides the interests or the fundamental rights and freedoms of the data subject.(...)
- R. (97): Where the processing is carried out by a public authority, except for courts or independent judicial authorities when acting in their judicial capacity,(...)
- R. (156): The processing of personal data for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes should be subject to appropriate safeguards for the rights and freedoms of the data subject pursuant to this Regulation.

ANSWERS?

Art. 6: 1. Processing shall be lawful only if and to the extent that at least one of the following applies:

(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;

(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;

(c) processing is necessary for compliance with a legal obligation to which the controller is subject;

(d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;

(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

(f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

2. Member States may maintain or introduce more specific provisions to adapt the application of the rules of this Regulation with regard to processing for compliance with points (c) and (e) of paragraph 1 by determining more precisely specific requirements for the processing and other measures to ensure lawful and fair processing including for other specific processing situations as provided for in Chapter IX.

ANSWERS?

Art. 86:

Personal data in official documents held by a public authority or a public body or a private body for the performance of a task carried out in the public interest may be disclosed by the authority or body in accordance with Union or Member State law to which the public authority or body is subject in order to reconcile public access to official documents with the right to the protection of personal data pursuant to this Regulation.

CONCLUSIONS

- **Regulation (EU) 2016/679 does not cover all land registries specific issues.**
- **The only reference to a registry is regarding medical or health records.**
- **MS land registry law to be adapted**
- **25th of May 2018 is not so far!**

Thank you!

Mihai Taus
Romanian Land Registry Association
Bucharest, 20.11.2017



A COMPARISON BETWEEN THE TWO ITALIAN LAND REGISTRY SYSTEMS

Bucharest, 20/11/2017

Michele Cuccaro
Judge
Court of Rovereto - Italy

In Italy we have two different Land Registry systems:

- a system of deeds registration, patterned on the French and Belgian system, known as “trascrizione”, in force in mainland Italy
- a title registration system, moulded on the Austrian “Grundbuch”, known as “tavolare” or “Libro Fondiario”, which is applied to limited areas (former Austrian provinces in the north-east annexed to Italy at the end of WW1).

The most relevant principles at the basis of the “tavolare” system are:

- principle of registration;
- principle of legality;
- principle of public faith.

PRINCIPLE OF REGISTRATION

In contrast with the provisions of the Italian Civil Code real property rights are not acquired until they are legally entered in the Land Register: both the title and the entry (“intavolazione”) are required.

This means that registration of acts *inter vivos* has constitutive value.



PRINCIPLE OF LEGALITY

Entries in the Land Register may only be made following a decree of the land register judge.

No point must be neglected in the judge's examination, including the legality of the document, the capacity of the parties, issues that affect the validity of the deal, the impact of the right in question on property, and any defects regarding the description of the property.



PRINCIPLE OF PUBLIC FAITH

Thanks to the accurate *ex ante* examination formerly described, the land register entries enjoy public faith: any person relying on them in good faith enjoys almost absolute protection.



This principle is related to two legal presumptions:

- if a right is registered for a person in the Land Register - unless an objection against the correctness is entered within the limited period of 60 days or unless the incorrectness is known by the person acquiring the right - it is to be presumed that the right belongs to him;
- if a registered right is cancelled in the Land Register – unless an objection ... - it is to be presumed that the right does not exist.

As I said before, “tavolare” system is moulded on the Austrian “Grundbuch”.

There is, however, a significant difference: in 1962 the Austrian legislator decided to replace judges with Rechtspfleger, who are court officials with a special training in charge, *inter alia*, of maintaining the Land Book.

In any case these officials work under the supervision of a judge and, as a result, we can say that both the Austrian “Grundbuch” and the Italian “Libro Fondiario” are led by a court in the non-contentious jurisdiction (*iurisdictio voluntaria*) and not by an administrative authority.

The Land Book is to be distinguished from the Cadastre, which is a separate administrative authority responsible for land survey and mapping focused primarily on tax aspects.



Since the early '90s, Land Book and Cadastre have shared in provinces of Trento and Bolzano a single database in order to enable a continuous exchange of data.



Nevertheless the functions are different and non-overlapping.

In other Italian regions Land Registry and Cadastre maintain separate functions, but are part of the same agency, called Revenue Agency (“Agenzia delle Entrate”).

The Cadastre (Land Cadastre and Urban Building Cadastre) is the inventory of real estate assets and shows the technical characteristics of the objects and - without legal evidence - their holders

In 2012 started the “Anagrafe Immobiliare Integrata”, a new integrated information infrastructure which gathers data from Land Registry and Cadastre.

Its goal is to certify – for fiscal purposes – the situation of the integration between the cadastral and land registries data bases

According to a study carried out in 2014 by A. de Luca, in the “trascrizione” system the measure of the integration level between the two data bases has showed that the univocal correspondence exists only for 44% of buildings and 30% of land

As I mentioned before, the “trascrizione” system only fulfils a declaratory function, publicizing the transfer of rights that have been performed pursuant to the consent of the parties.

On the contrary, registration of acts *inter vivos* in the “tavolare” system has constitutive value

In addition, a person who buys a plot from somebody incorrectly listed as its lawful owner in the Land Book legally acquires the property, as long as he/she is fully unaware of the inaccuracy of the Land Register.

Similarly, if a mortgage has been incorrectly extinguished, it is not possible to assert to a subsequent purchaser of the property in good faith that the right in fact exists.

It is clear that public faith in the Land Register results in a very high degree of reliability in real-estate transactions.

This facilitates the circulation of immovable goods and, consequently, their value.

However, a fair and reliable land register system has to similarly protect the registered owner.

As the distinguished Italian scholar Nicola Coviello said in 1924:

“The principle of public faith is very useful, if it is based on the principle of legality, but if it were accepted without this, would lead to pernicious consequences. The interest of third parties would be protected, and sacrificed instead the interest of the legitimate owners, the mentally incompetent persons, etc, who deserve equal protection”.



More recently, the European Court of Human Rights in the case of *Vontas and Others v. Greece* has held that “in the context of Article 1 of Protocol No 1, the States are under a positive obligation to provide judicial procedures that offer the necessary procedural guarantees ...



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

This means in particular that Article 1 of Protocol No 1 implies that any interference with the peaceful enjoyment of possessions must be accompanied by procedural guarantees.... In ascertaining whether this condition has been satisfied, a comprehensive view must be taken of the applicable judicial and administrative procedures” (5.2.2009, § 35).

It is implicit in what has been said that the registration process requires, on the one hand, impartiality and total independence from all parties involved in the transaction and, on the other hand, a high degree of reliability and competence.

According to our legislator the surest way to simultaneously meet all of these requirements is to reserve the land registry functions to the public sector and place them under the control of a judge.



In my province we have 3 part-time judges and 65 registrars.

The latter need to have a degree in law and a specific Registrar's qualification.

They work under the direction of one particular Land Register Judge and, as a result, they are autonomous and independent from their administrative superiors.

In my opinion the “tavolare” registration system as part of the system of preventive justice is extremely economically efficient and capable to protect in a well balanced way both the interest of the owners and the certainty of circulation of the immovable goods.

2004/2015

543.144 new registrations



4 compensation claims



only 1 successful
(€ 84.698,43)

The preventive controls involved in our system do not imply a slowing down of the procedure.

in 2014
out of
9.760 registrations
in Trento
the judges' decrees
were issued
within
an average 7,54 days

Furthermore, the legal effect of the decree is retroactively referred to the date of presentation.

In addition, when property rights are transferred, transactions no longer require a costly legal analysis of previous transactions, since the Land Book - being a title system and not a deed system - indicates both the right and its owner.

Italian Data Protection Code

The EU Directive 95/46/EC has been implemented in Italy with the D.Lgs. 30 June 2003 n. 196, the s.c. Data Protection Code.

The Code brings together all the various laws, codes and regulations relating to data protection since 1996

The authority in charge of guaranteeing the application of this law is the “Garante della privacy”, created with the L. 31 December 1996 n. 675, in line with the Schengen Treaty, enforced in May 1997, entitled “On the protection of the individuals and other subjects concerning personal data protection”.

There are three key guiding principles behind the code:

1. Simplification
2. Harmonization
3. Effectiveness

The code is divided into three parts.

The first part sets out the general data protection principles that apply to all organizations.

Part two of the code provides additional measures that will need to be undertaken by organizations in certain areas (healthcare, telecommunications, banking and finance, etc.).

This part has been developed in the last few years through the introduction of sectoral codes of practice.

Part three relates to sanctions and remedies.

NOTIFICATION

Under the Italian code, organizations are only required to notify the “Garante” when processing higher-risk categories of data. These include, in particular, genetic and biometric data, data processed for the purpose of analyzing or profiling individuals, and credit-related information

This approach is also aimed at making the process more transparent and understandable for individuals.

DATA MINIMIZATION

Section 3 of the code introduces the element of data minimization into Italian data protection.

The code encourages organizations to make use of non-personal data whenever possible.

DATA SUBJECTS' RIGHTS/DECISION TAKING

The code aims to strengthen individuals' data protection rights, allowing them to exercise their rights and instigate proceedings more easily.

In an effort to simplify the complaints process, the “Garante” has published a complaints form on its website.

The Garante can also order businesses to abide by compliance requirements set out in its decisions.

COMPLAINTS

Data subjects can settle disputes either through the courts or by lodging a complaint with the Garante in case they have been prevented from exercising access/ erasure / rectification / updating rights

INSPECTIONS

The Garante's inspection powers are laid out in Section 158 of the code.

When investigating organizations, the Garante can request information and documents, although these requests are not legally binding. However, if there is no cooperation, and the organizations refuses access to its systems, the Garante can apply for a judicial order to carry out an investigation.

When carrying out formal inspections, the Garante can demand copies of manual records and databases, which may be passed onto the judicial authorities.

A report of the outcome is then published.

Treatment of personal data carried out by LR

The treatment of personal data carried out by the Land Registers (Agenzia del territorio and Libro Fondiario) is governed by art. 18 and ss. of the Code:

art. 18.2 “Public bodies shall only be permitted to process personal data in order to discharge their institutional tasks.

18.3. In processing the data, public bodies shall abide by the prerequisites and limitations set out in this Code, by having also regard to the different features of the data, as well as in laws and regulations”).

Art. 66.2 states that the activity of “keeping land registries shall be considered to be in the substantial public interest for the purposes of Sections 20 and 21”.

-
- *Section 20 (Principles Applying to the Processing of SENSITIVE Data)*
 - *Section 21 (Principles Applying to the Processing of JUDICIAL Data)*
 - *Section 22 (Principles Applying to the Processing of Sensitive Data as well as to Judicial Data)*

Regulation 1/2007 Servizio Libro Fondiario

In 2007 the Head of the “Servizio del Libro Fondiario” issued a regulation (n. 1/2007).

The regulation acknowledges the existence of sensitive and judicial data in the LR and confirms that they are accessible to everyone as they are present in the collection of documents (both in paper and in microfilm); then it gives the following directives

1. As for the documentation already microfilmed, such warning about data protection rules has to be affixed in any office: "Advice to the customer - Legislative Decree no. 196/2003: In the collection of documents, up to 2006 including, you may find sensitive or judicial data under the provision of DPA. In this case the user is obliged to comply with the purposes of the DPA";

2. the registrar has to check the existence of sensitive or judicial data. If so, the documents have to be processed by using encryption techniques, while the original document has to be kept separately.

Only “obscured” copies of these documents can be released.

Italian DPA 19/3/2011

Guidelines for Processing of Personal Data as contained in records and documents by Public Administrative Bodies in connection with Web-Based communication and dissemination / Italian Data Protection Authority (Published in Italy's Official Journal no. 64 dated 19 March 2011)

The principles and guidance set forth in the Guidelines are aimed at laying down an initial set of safeguards public bodies are required to implement whenever they communicate or disseminate personal data on the respective official websites in compliance with the legislation in force;

such communication and dissemination may be performed for purposes related to transparency and publicity of administrative activities as well as to enable consultation of and access to individual records upon request.

Whilst public bodies may use personal information to discharge their institutional tasks even if no laws and/or regulations provide expressly for the processing of such personal information – and they do not have to request the data subjects' consent in these cases – any public administrative body that posts, on the respective official website, (excerpts of) documents or records containing personal data must check

beforehand that the
communication/dissemination in question is
provided for in laws and/or regulations

Furthermore, public administrative bodies may post, on their websites, information containing personal data also taken from administrative records and documents if this dissemination is adequately justified, absolutely necessary to pursue the remit of the individual public administrative body as set forth in specific laws and regulations, and related to information that is helpful to enable the recipients to know the activities and/or

operation of the public administrative body in question or else to foster access to the services provided by the said public administrative body

Any data subject has the right to lodge specific requests with public administrative bodies in order to have certain personal data relating to them published on the relevant official websites.

Each administrative body has discretion in considering these requests for publication, which may only be granted if the careful assessment to be performed in each case shows that the publishing in question is compatible with the discharge of the institutional tasks committed to the individual public body as well as that the data to be posted are relevant and not excessive vis-à-vis the specific purposes

PUBLICITY

It should be verified whether the personal data contained in records and documents posted on the institutional website may be disclosed to the public as a whole or else to those users that applied for a specific service, or maybe to the parties involved in an administrative proceeding (in which case selective access mechanisms will have to be implemented).

Where administrative records and documents are to be posted online to fulfill publicity obligations, it is disproportionate to enable such records and documents to be retrieved via external search engines;

conversely, it is reasonable to post the information in a section of the institutional website and limit its indexation along with its dissemination period by way of the arrangements specified above.

30/10/2008 - ITALIAN DPA

**BUSINESS INFORMATION: ONLY RELEVANT
DATA MAY BE PROCESSED**

Processing of personal data by Cerved in
connection with so-called business information

Cerved manages own databases that have been generated by extracting information from other filing systems (whether set up by public or private entities) to provide its customers – mostly business professionals and practitioners such banks, finance companies, information companies and agencies – with information-related services focused on the so-called business information.

The data used by the company to develop the services they market are taken, directly or indirectly, from public registers including, for instance, Chambers of Commerce, cadastral registers, the register of protested bills of exchange, data taken from lists of professionals, etc.; the data also include information from publicly accessible sources such as "corporate URLs", lists of ISO-certified companies, and specialised media information.

Additionally, Cerved collects information from CONSOB [Italy's Securities and Exchange Commission] as for "substantial interests in listed companies".

Conversely, some data relating to "prejudicial information" contained in Land Registries, which is taken from private entities, are currently stored in a "separate database; they are neither disclosed to Cerved customers nor linked to the information provided to such customers and are only used to monitor data quality – with particular regard to checking identification data and tax IDs."

Cerved has also acquired personal information contained in electoral rolls and/or the consolidated database (CDB) referred to in decisions 36/02/Cons and 180/02/Cons by the Authority for Communications Safeguards [containing contact information on all telephone subscribers];

such information is allegedly used "to carry out checks in respect of other data contained in Cerved's databases, in particular if no Tax ID is available, so as to identify a given entity as precisely as possible" as well as more generally to "improve/refine the information contained in [...] databases".

The services developed by means of the personal data collected as above are marketed via customized information dossiers concerning both natural and legal persons; the dossiers differ by data categories and information details. The company has coined several definitions for its information products – such as "dossier impresa" (corporate dossier); "dossier persona" (personal dossier); "report"; "quick report"; "quick report plus"; and "overview".

The inspections performed by the DPA have shown that Cerved – when providing information-oriented services about a given entity – aggregates information items that may relate to other natural or legal persons.

Aggregating such information is lawful to the extent the information in question is a personal data "related" to the entities that are the subject of the given information-oriented product.

In certain cases, the services offered by the company are not limited to providing and/or aggregating information items that are already publicly available; as said, they consist in providing summary judgments – grouped into three sets: "low/nil"; "medium"; and "high" – in respect of certain natural persons (who are specified by Cerved and termed "leading office holders") and businesses.

The indexes in question – contrary to the company's statements – do not consist merely in a summary of personal data related to the target entities as taken from public registries; in fact, they are self-standing evaluations developed directly by the company with the help of computerized procedures, which allocate different weights to the individual items of information (protested bills of exchange, registry data) based on own standards that are not publicly available.

This being the case, the indexes in question are separate personal data and have nothing to do with the "initial" information taken from public sources.

Processing of these data – unlike what is the case with publicly available information – requires the data subjects' consent under section 23 of the DP Code; alternatively, any of the other preconditions should be fulfilled as set forth in section 24 of the DP Code.

Therefore, the processing in question may only be performed with the data subjects' (i.e. the target entities') consent – subject to the company's liability for breaches of the target entities' rights under section 15 of the DP Code; alternatively, if no consent is available, the processing is permitted if it concerns data related to the performance of business activities (see sections 23 and 24(1)d. of the DP Code).

THEREFORE, THE ITALIAN DPA:

1. Orders Cereved Business Information S.p.A., under section 154(1)c. of the DP Code, to take any and all measures that are necessary as well as appropriate to safeguard data subjects in order to:

a. prevent information that cannot be related directly to the given data subject, as it has to do with events concerning other entities, from being linked up with the said data subject. This is without prejudice to the case where liability for the given event can be traced back to the target entity based on substantiated evidence, or where liability for the given event is vested directly in the said target entity under the law (point 4.4);

b. draw a distinction between the cases where, based on the available elements, no prejudicial items are found to relate to the target entity (in which case a "nil" rate is applicable) and the cases where the business reliability rate is set on "low" (point 5.4);

2. Prohibits Cerved Business Information

S.p.A., under section 154(1)d. of the DP Code,

a. From using information that is irrelevant and anyhow not directly related to the target entities in developing the aforementioned summary indexes, since the said information relates to events that have to do with other entities and is such as to infringe the target entities' right to personal identity

-
- b. From providing their customers with data related to the number of queries performed in respect of the dossier on a given target entity;
 - c. From processing the data taken from electoral rolls in order to perform consistency checks when providing their services;

d. From processing the personal data related to taxpayers' returns as submitted for 2005 and stored following their publication by Italy's Revenue Office; additionally, Cerved is ordered hereby to erase the said data without delay;

3. Requires Cerved Business Information S.p.A. to provide detailed information to the Italian DPA by .. on the measures taken to bring their processing operations into line with the provisions set forth herein by also making available any and all data that may be helpful in this regard.

Italian DPA 12/10/2017 Notarial acts and excerpts, no civil access

Last October the Garante confirmed the decision of a Sicilian notary council not to accept a request for public access to the copy of notarial acts, cadastral records and mortgages regarding real estate transfers for non-judicial purposes. The Authority considered that the Notary Council - which had in any event allowed access to other documents with appropriate obscurations of data - correctly rejected the application concerning notarial acts and excerpts

In the decision the Garante specifically outlined two aspects

The application for public access to notarial acts and excerpts, submitted to offices like notarial archive, land register, revenue office falls under one of the exclusion hypotheses provided by Legislative decree n. 33/2013, because the possibility to know such kind of documents is governed by specific sectoral rules, which regulate the forms and methods of acquisition, not to be derogated from the access provisions.

The Garante also stated that notification only serves to allow an opposition by the person involved, when it is considered that access to the contract may result in a material prejudice. Prejudice that might affect the person concerned or close people due to the possibility to know any of the required data or documents (eg the financial situation that can be found in notarial acts).

Actually, the data and documents received as a result of an application for civil access are by definition public and anyone is entitled to know them, to use it free of charge and to use them, in compliance with the limits of privacy law.



Sustainability on Landbook – The Austrian Example

Manfred Buric
Senior Advisor at Federal Ministry of Justice, Austria



INTRODUCTION

Introduction

- „Realfolio“ system
- Title/Table system

Introduction

- Land register consists of
 - land register entries
 - collection of documents
- Principles:
 - on application
 - intabulation
 - rule of speciality
 - order of priority
 - **publicity**



HISTORY

History

- **1980-1992:** paper → IT
- **From 1992:**
IT-supported land register system (end of first digitization)

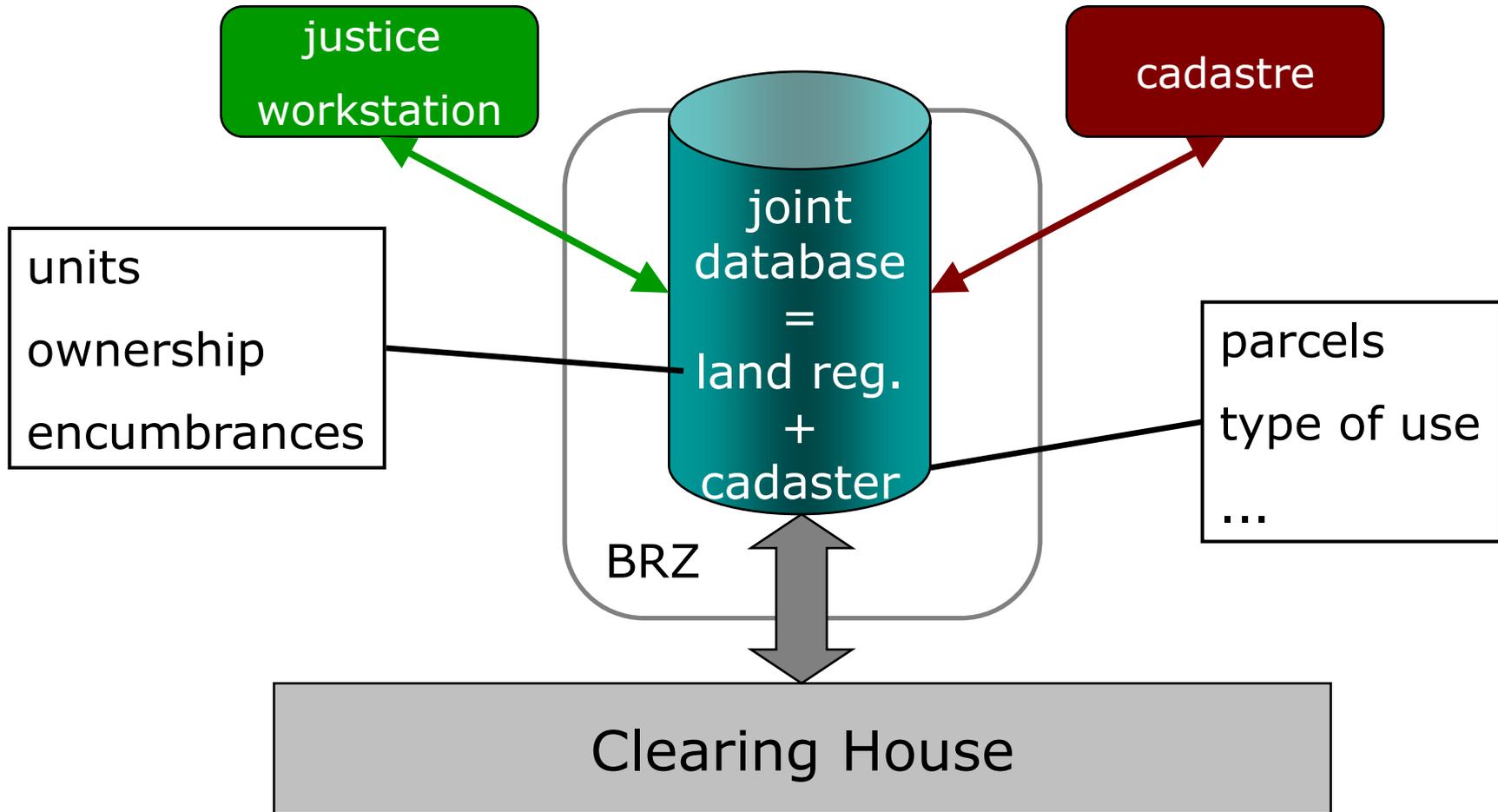
- **2006:**
Electronic Filing ("ERV 2006").

Digital documents archive/justice



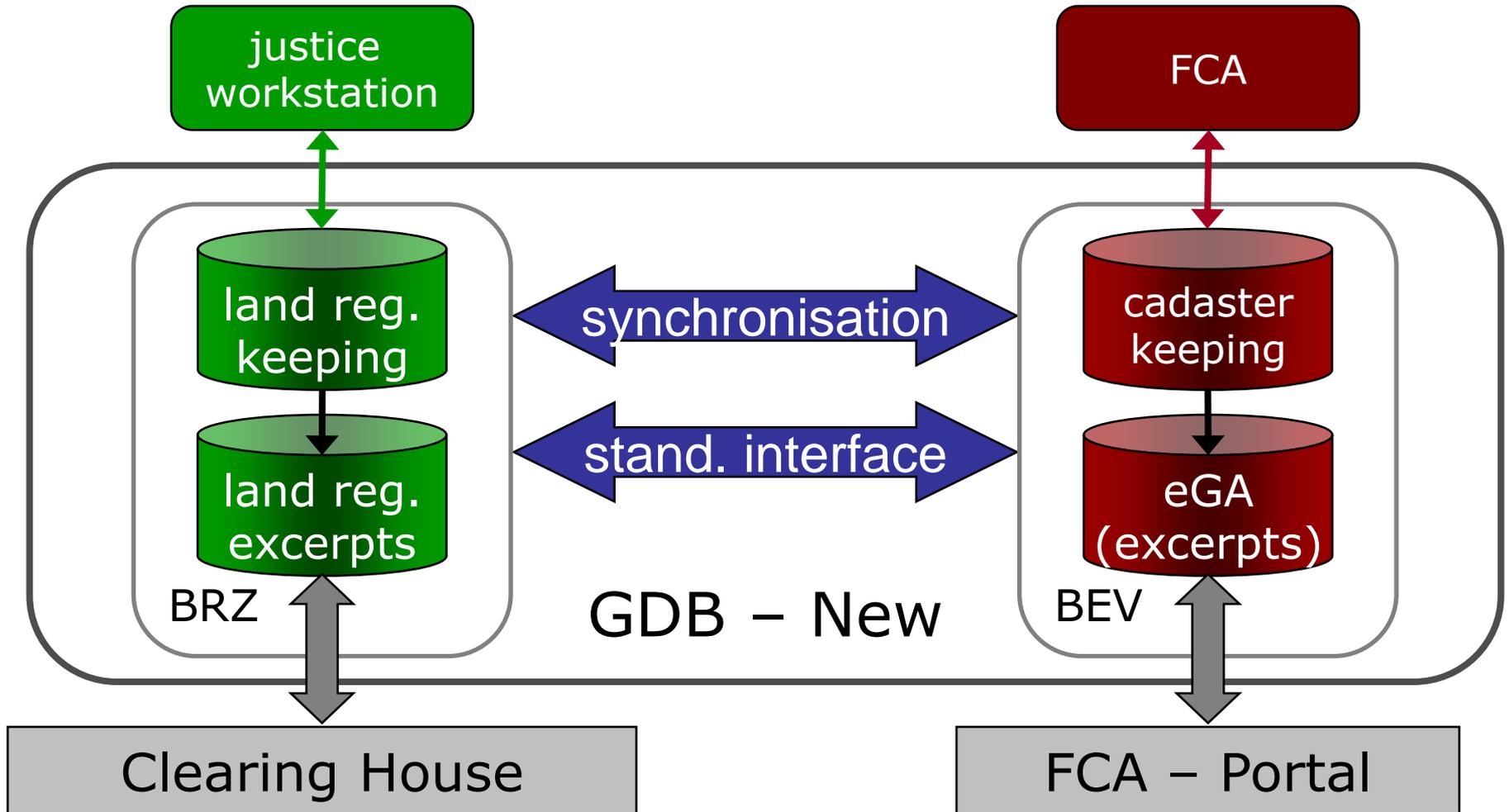
ARCHITECTURE

Traditional IT-architecture



BEV – Federal Cadastre Agency

New IT-architecture – seperated servers





EXCERPTS

Excerpts



Header

KATASTRALGEMEINDE 01004 Innere Stadt EINLAGEZAHL 1
BEZIRKSGERICHT Innere Stadt Wien

Letzte TZ [5080/2014](#)
Die Alte und die Neue Burg
Einlage umgeschrieben gemäß Verordnung BGBl. II, 143/2012 am 07.05.2012

Section "A"

GST-NR	G	BA (NUTZUNG)	FLÄCHE	GST-ADRESSE
1		GST-Fläche	61008	
		Bauf.(10)	43023	
		Bauf.(20)	6155	
		Gärten(10)	2768	
		Sonst(10)	1411	
		Sonst(40)	622	
		Sonst(70)	7029	Josefsplatz 1 Josefsplatz 2 Josefsplatz 3 Josefsplatz 4 Michaelerplatz 1 Reitschulgasse 1 Schauflegasse 1 Schauflegasse 2 Schauflegasse 5 Augustinerstraße 9 Ballhausplatz 1 Hofburg B
2/2		Bauf.(10)	152	
7/2		Bauf.(10)	166	
1673		Bauf.(20)	4814	
GESAMTFLÄCHE			66140	

***** A2 *****
3 a 13626/2001 Denkmalschutz hins. Hofburgkomplex gem. Bescheid 2001-10-30
(§ 3 Denkmalschutzges.)

Section "B"

1 ANTEIL: 1/1
Republik Österreich (Bundesgebäudeverwaltung)
ADR: Burghauptmannschaft Österreich (Burghauptmannschaft in Wien)
Hofburg-Schweizerhof, Wien 1010
a 878/1946 Eigentumsrecht
d gelöscht

Section "C"

4 a 9583/1979
DIENSTBARKEIT des immerwährenden unentgeltlichen Gebrauches
für Zwecke der Pfarrkirche St. Augustin an den Raum
unterhalb der Maria Lorettokapelle befindlichen Grüften, an
der Maria Lorettokapelle (GST 2/2) und an dem vor dieser
befindlichen Gangteil (auf GST 1 gem Par 5 Vertrag
1913-12-12), an der Stiege von den Oratorien des I. Stw in
die Oratorien des II. Stw und an der Herzkapelle (zum
Zwecke der Aufbewahrung der jetzt dort befindlichen
Überreste von Mitgliedern des ehemaligen Kaiserhauses) gem
Pkt IX 5. Bezeichnung 1976-06-03 zugunsten Erzdiozese Wien
73 a [7688/2008](#) Urteil 2007-05-04, Urteil 2007-09-19, Urteil
2008-05-06
PFANDRECHT vollstr. EUR 31.400,--
4 § 2 ab 13.06.2006, Kosten EUR 2.327,03 s. 4 § 2 seit
04.05.2007, EUR 2.313,33 s. 4 § 2 seit 19.09.2007, EUR
1.566,36 s. 4 § 2 seit 06.08.2008, EUR 1.483,00 für Aleko
Kokoev, geb. 1984-06-20 (69 E 2868/08v)

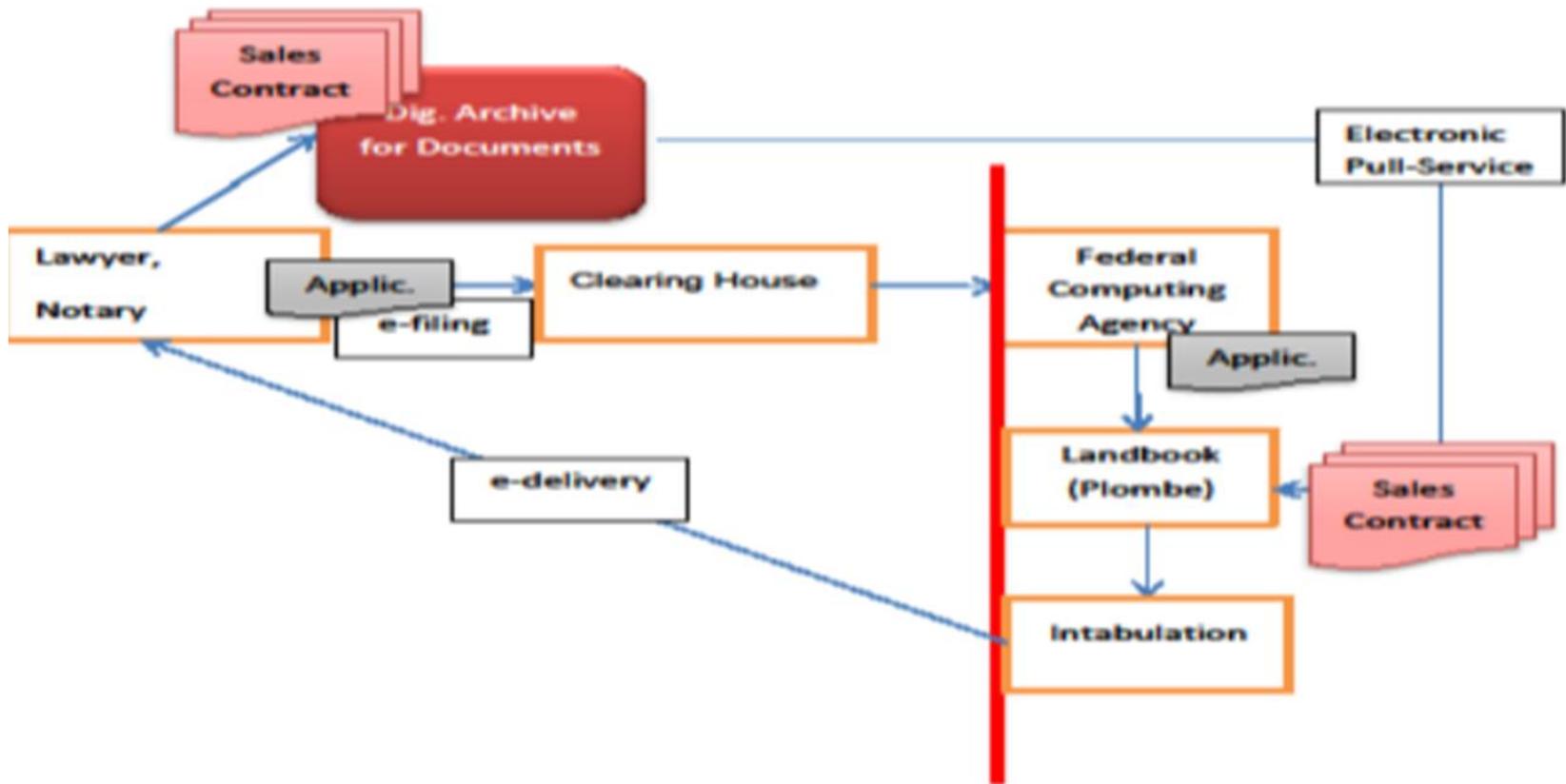
***** HINWEIS *****
Eintragungen ohne Währungsbezeichnung sind Beträge in ATS



WORK FLOW

Work flow

Standard Case flow for Austrian Landbook procedure (scheme)





DATA PROTECTION

Data Protection

- Public access to excerpts only via Clearing Houses.
 - Private access (including web access)
Authentication of Customers by clearing house agency
→ **No search on the name of owners!**
 - **Optional:**
 - Courts, Surveillance Offices
- Notaries, Lawyers
 - Authentication and Authorisation via Chamber of Notaries and Bar Association
- Banks, Insurance Companies ...
 - Authentication and Authorisation via Chamber of Commerce

Data Protection

- **Case filing:**
- Public:
 - Possible via Webservice – Digital Signature (Restricted Contents!)
- Notaries, Lawyers, Banks, Insurance Companies ...
 - „Electronic Filing System“
 - Applicant – Housing Agency – Federal Computing Agency – Court → Two way communication
- Save transmission by Certificates.

- **Data Storage:**

- At the Federal Computing Agency
- Full „State of Art“ Data Protection and Safety!
- Application Dates + Documents

PERSONAL DATES

- **Landbook and Commercial Register are Public!**
 - Personal Data of Applicants that do not appear at the public Registers are technically protected and safely stored.
 - Access only with legal interest and on the decision of the Court!
 - Currently: Check of EU Regulations



CORRUPTION, FRAUD AND MONEY LAUNDERING

Corruption, Fraud and money laundering



- Ministry of Interior
- Public Prosecutors
- Notaries, Lawyers, Banks, ...

Thank you for your attention!

Questions?

eRegisters data protection under eGovernment initiative in Republic of Serbia

Dr Ljiljana Zivkovic, spatial planner
Leader of Group for Territorial Development Information
System in the Republic of Serbia
Ministry of Construction, Transportation and Infrastructure

CapaCity WS “Open Data from the Perspective of Data
Protection”, 21-22 November, 2017, Bucharest, Romania

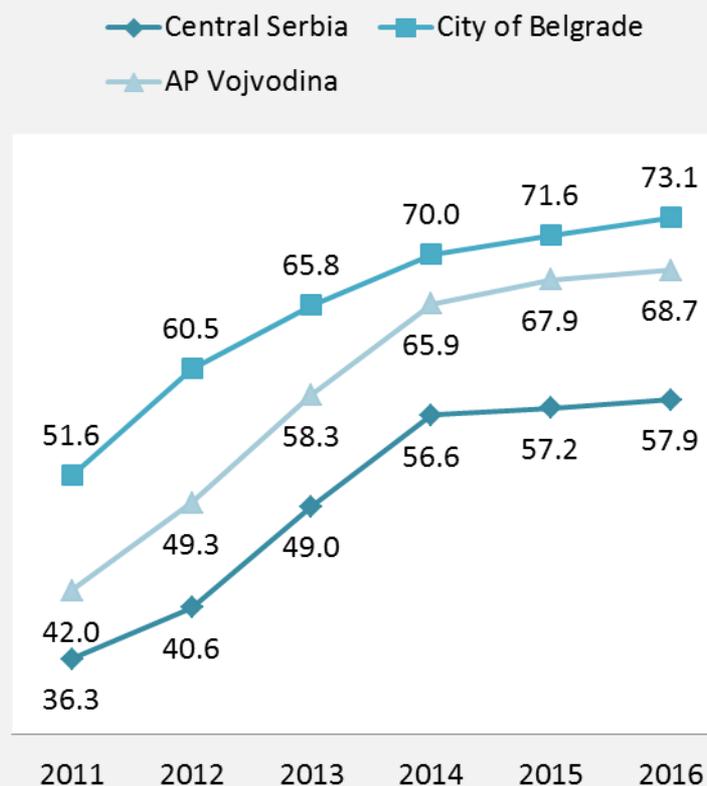
Content

- Introduction
- eGovernment initiative in Serbia
- Legal framework for eRegisters data protection in Serbia
- Directive (EU) 2016/679 and (EU) 2016/680 implementation in Serbia
- Example: RGA
- Conclusions

Introduction

- eGovernment assumes utilization of ICTs
 - for communication, collaboration and interaction between government and citizens and business, using electronic media (Internet, mobile phones, smart cards, etc.)
 - to improve and/or enhance on the efficiency and effectiveness of service delivery in the public sector
 - etc.

Share of households with minimum 1 member age between 16 to 74 with Internet access at home



eGovernment for Information Society development in Serbia (baseline 2014)

Opportunities

- > 5.5 million of Internet users in Serbia
- 55.8% households have access to Internet at home
- 59.78% mobile users have access to broadband Internet
- Lower number of eBanking, eShopping, eCommerce and other eTransaction over Internet

Challenges

- Lack of equipment
- Unreliable Internet connections
- Lack of ICT knowledge and skills
- Low interests
- Lack of user trust in eTransactions
- Underdeveloped eServices

eGovernment initiative in Serbia

2009-2014 to 2015-2018

eGovernment-relevant registers and legal framework status after Strategy 2009-2014

National -public- registers

- Need for –prevailing- electronic data to be classified, right data owners to be identified and clear responsibilities in data processing to be established
- Procedures for data reuse to be created
- Main public eRegisters establishment in beginning or development phase (citizens, address registry, real estates, etc.)

Legal framework

- Need for existing eGovernment-oriented regulations to be adjusted to national and international legal standards
- Lack of regulations for eLegal framework to be completed
- Requirement for eGovernment-adjusted standards, operations, procedures and methodology to be adopted
 - System implementation, functioning and maintenance; security; eArchiving; eAuthorization for civil servants; etc.

Public Administration Reform Strategy in Serbia

eGovernment Development Strategy in Serbia

Information Society development in various domains of Serbian government, including data and electronic transactions protection, availability and accessibility

Open Data development and (re)usage of data owned or produced by Serbian government, directly or indirectly

National eGovernment portal

Electronic services for citizens, private sector and other groups in accordance with personal data protection regulation

Strategy for eGovernment development in Serbia (2015-2018)

Areas of strategic importance for efficient eGovernment and its user satisfaction:

ICTs support, trained civil servants, financial support, created Information society (users training), legal framework completed, Strategy integration, eServices management, stakeholder involvement

<u>GENERAL GOALS</u>	<u>SPECIFIC GOALS</u>	<u>eGOVERNMENT DEVELOPMENT INDICATORS</u>
<p>A - Increase satisfaction of public services' users</p> <p>B - Decrease of administration load for citizens and business</p> <p>C - Increase efficiency of public administration by ICT utilization</p> <p>D - Support national and cross-border interoperability</p>	<p>1 - Create institutional and legal framework for coordinated development of eGovernment</p> <p>2 - Secure interoperability between national, regional and local government ISs</p> <p>3 - Establish and connect main electronic registers with other government IS on national, regional or local level</p> <p>4 - Build new electronic services on national eGovernment portal and other portals</p> <p>5 - Provide ICT-related knowledge and skills to public administration employees</p> <p>6 - Establish Open Government and Open Data portal</p>	<p>a - 40% citizens use regularly eGovernment services</p> <p>b - 85% businesses use regularly eGovernment services</p> <p>c - Electronic services available nationally and internationally</p>

Action plans for eGovernment strategy implementation – public registers

2015-2016

- Establishment of new and improvement of existing national eRegisters
 - Citizens register (phase I)
 - Planning documents register
 - Foreign citizens register
 - Education and research staff register
 - Civil servants and other staff register
 - Address register
 - Business registers, etc.
- Including
 - Establishment of new eServices
 - Connection between eRegisters and ISs
 - Improvement of functionalities and content of *Government Service Bus*, and better utilization of *State Cloud*, etc.

2017-2018

- Establishment of main eRegisters (besides existing registers on real estate and business), including standard methodology and management
 - Metaregister with code list
 - Address register
 - Citizens register (phase II)
- Establishment of IS for eGeneral administrative procedure
- Including
 - Establishment of new eServices and applications software
 - Connection between eRegisters and ISs
 - Improvement of functionalities and content of *Government Service Bus*, and better utilization of *State Cloud*, PKI, etc.

Action plans for eGovernment strategy implementation – legal framework

2015-2016

- Legal framework completion in Ministries' responsibility domains
- Law and bylaws
 - eGeneral administrative procedure
 - Information security
- Draft law and bylaws
 - eGovernment
 - eBuilding permit
 - eDocument, eAuthorization and eServices
 - NSDI
- WG for eGovernment (with subgroups, where one of them for cooperation with municipalities and local authorities), etc.

2017-2018

- Adjuste other regulations with eGovernment standards
- Prepare and/or adopt law and bylaws
 - Metaregister with code lists
 - eDocument, eAuthorization and eServices (EU eIDAS regulation)
 - eGovernment
 - eOffice management (paperless)
 - eProcedure (including ePayment and eSignature on eGovernment portal)
 - eArchiving
 - Open Data
 - State Cloud regulation
 - Including improvement of existing regulation and preparation of new rules for personal data protection in State Cloud and Cloud data security in general

eGovernment portal in Serbia (2010-today)

<http://www.euprava.gov.rs/>

The screenshot shows the eUPRAVA portal interface. At the top, there is a browser window with the URL <https://www.euprava.gov.rs/?alphabet=lat>. The page header includes the eUPRAVA logo and the text "Portal eUprava Republike Srbije". A navigation bar contains links for "Moja eUprava", "eUsluge", "Vesti", "eParticipacija", "Pomoć", and "Kontakt". A language dropdown menu is open, showing options: "LATINICA", "ЋИРИЛИЦА", "LATINICA", "ENGLISH", "MAGYAR", "РУСИНСКИ", "SLOVENSKÝ", "HRVATSKI", and "ROMĀNĀ". Below the navigation bar, there is a search bar and a "Korisničko uputstvo" link. The main content area features a "eUprava" section with a "najnovije vesti" (latest news) link. A navigation bar below this section highlights "Građani", "Privreda", and "Uprava". Under "Građani", there is a "Životne oblasti" (Life Areas) section with a grid of icons and labels: Porodica, Zdravlje, Saobraćaj, Stanovanje i životna sredina, Poslovanje, Sport i omladina, Katastar, Obrazovanje, Dokumenta, Rad, Finansije, Javni red i mir, Osobe sa invaliditetom, and Ljudska prava. On the right side, there are two news articles. The first article is titled "Direkcija apeluje na korisnike da pažljivo čitaju uputstva i ograničenja za uslugu za zamenu vozačke dozvole" and is dated 31.5.2017 9:00:00. The second article is titled "Prijava deteta u predškolsku ustanovu elektronskim putem" and is dated 8.5.2017 7:00:00. At the bottom right, there is a red button labeled "Sve vesti".

RGA on eGovernment portal

The screenshot shows a web browser window with the URL www.euprava.gov.rs/eusluge?service=services&lifeSituationId=79. The page features a navigation bar with 'Građani', 'Privreda', and 'Uprava' tabs. The main content area is titled 'Katastar nepokretnosti' and contains a list of services, each with a red person icon. To the right, there is a list of news items, including 'Produženje registracije vozila...', 'Prijava na registar nepokretnosti...', 'Zakazivanje termina za podnošenje zahteva za ličnu kartu i pasoš - Niš...', 'Zakazivanje termina za podnošenje zahteva za ličnu kartu i pasoš - Novi Sad...', 'Zakazivanje termina za podnošenje zahteva za ličnu kartu i pasoš - Novi Beograd...', 'najnovije usluge', 'Javni poziv za udruženja radi pružanja usluga...', 'Konkurs za ustupanje ribarskih područja...', 'Javni konkurs za popunjavanje izvršilačkih radnih mesta...', 'Akcija "Život za mlade vozače" - - Prijava za termin 02.12.2017. godine...', and 'Javni poziv za podnošenje predloga projekata...'. The browser's address bar and tabs are visible at the top.

Portal eUprava Republike X

www.euprava.gov.rs/eusluge?service=services&lifeSituationId=79

Apps A 16 Step Data Gover Nordic Business Allia Urban Growth Contr european smart cities Interreg-IPA Cross-b Better Planning: Sma CITYKeys - Home COHESION POLICY A

Građani Privreda Uprava

Katastar nepokretnosti

eKatastar	
eServis za podnošenje zahteva	
Aktivna geodetska referentna osnova Srbije - AGROS	
Geodetske mreže Republike Srbije	
Geoportal „geoSrbija“	
Info centar za katastar nepokretnosti Beograd	
Javni oglasi, rešenja i neuručena akta	
Kontakti službi za katastar nepokretnosti	
Korak po korak do upisa u katastar	
Obrasci za podnošenje zahteva	
Potrebna dokumentacija i takse za upis u katastar nepokretnosti	
Prijem kod načelnika Službe Novi Beograd	

Produženje registracije vozila na ovlašćenim tehničkim pregledima (usluga namenjena fizičkim licima) - Ministarstvo unutrašnjih poslova Republike Srbije

Prijava na registar nepokretnosti u javnoj svojini - Republička direkcija za imovinu Republike Srbije

Zakazivanje termina za podnošenje zahteva za ličnu kartu i pasoš - Niš - Ministarstvo unutrašnjih poslova Republike Srbije

Zakazivanje termina za podnošenje zahteva za ličnu kartu i pasoš - Novi Sad - Ministarstvo unutrašnjih poslova Republike Srbije

Zakazivanje termina za podnošenje zahteva za ličnu kartu i pasoš - Novi Beograd - Ministarstvo unutrašnjih poslova Republike Srbije

najnovije usluge

Javni poziv za udruženja radi pružanja usluga sos telefona za žene sa iskustvom nasilja - Ministarstvo za rad, zapošljavanje, boračka i socijalna pitanja

Konkurs za ustupanje ribarskih područja na korišćenje - Ministarstvo zaštite životne sredine

Javni konkurs za popunjavanje izvršilačkih radnih mesta - Ustavni sud Republike Srbije

Akcija "Život za mlade vozače" - - Prijava za termin 02.12.2017. godine - Ministarstvo unutrašnjih poslova Republike Srbije

Javni poziv za podnošenje predloga projekata za dodelu sredstava za podsticanje programa i realizaciju aktivnosti od javnog interesa iz oblasti zaštite porodice, dece i socijalne zaštite - Ministarstvo za rad, zapošljavanje, boračka i socijalna pitanja

Personal data protection on eGovernment portal

The screenshot shows the eUPRAVA portal interface. The browser address bar displays www.euprava.gov.rs/eusluge?service=services&lifeSituationId=85&alphabet=lat. The page header includes the eUPRAVA logo, navigation links for 'Moja eUprava', 'eUsluge', 'Vesti', 'eParticipacija', 'Pomoć', and 'Kontakt', and a search bar. The main content area shows search results for 'Zaštita podataka o ličnosti'. A breadcrumb trail indicates the path: [Građani](#) | [Privreda](#) | [Pregled usluga po početnom slovu](#) | [Pregled usluga po nadležnom organu](#). The search results list several services, including 'Žalba protiv odluke rukovooca...', 'Zahtev za ostvarivanje prava...', 'Produženje registracije vozila...', 'Prijava na registar nepokretnosti...', 'Zakazivanje termina za podnošenje zahteva za ličnu kartu i pasoš - Niš', 'Zakazivanje termina za podnošenje zahteva za ličnu kartu i pasoš - Novi Sad', and 'Zakazivanje termina za podnošenje zahteva za ličnu kartu i pasoš - Novi Beograd'. A legend at the bottom identifies icons for eUsluga, Obrazac, Privreda, and Građani. The page is decorated with large red and blue circles on the left and right sides.

Portal eUprava Republike X

www.euprava.gov.rs/eusluge?service=services&lifeSituationId=85&alphabet=lat

Apps A 16 Step Data Gover Nordic Business Allia Urban Growth Contro european smart cities Interreg-IPA Cross-b Better Planning: Sma CITYKeys - Home COHESION POLICY A

eUPRAVA
Portal eUprava Republike Srbije

LATINICA

PRIJAVA REGISTRACIJA

Moja eUprava eUsluge Vesti eParticipacija Pomoć Kontakt

Građani | Privreda | Pregled usluga po početnom slovu | Pregled usluga po nadležnom organu | Korisničko uputstvo

Vi se nalazite: eUprava > eUsluge > Građani > Ljudska prava > Zaštita podataka o ličnosti

eUsluge

najpopularnije usluge

Produženje registracije vozila na ovlašćenim tehničkim pregledima (usluga namenjena fizičkim licima) - Ministarstvo unutrašnjih poslova Republike Srbije

Prijava na registar nepokretnosti u javnoj svojini - Republička direkcija za imovinu Republike Srbije

Zakazivanje termina za podnošenje zahteva za ličnu kartu i pasoš - Niš - Ministarstvo unutrašnjih poslova Republike Srbije

Zakazivanje termina za podnošenje zahteva za ličnu kartu i pasoš - Novi Sad - Ministarstvo unutrašnjih poslova Republike Srbije

Zakazivanje termina za podnošenje zahteva za ličnu kartu i pasoš - Novi Beograd - Ministarstvo unutrašnjih poslova Republike Srbije

Javni poziv za udruženja radi pružanja usluga sos telefona za žene sa iskustvom nasilja - Ministarstvo za rad, zapošljavanje, boračka i socijalna pitanja

Građani Privreda Uprava

Zaštita podataka o ličnosti

Žalba protiv odluke rukovooca kojom je odbijen ili odbačen zahtev za ostvarivanje prava u vezi sa obradom, odnosno povodom obrade podataka o ličnosti

Zahtev za ostvarivanje prava u vezi sa obradom podataka o ličnosti koje obrađuje Poverenik za informacije od javnog značaja i zaštitu podataka o ličnosti

Legend: eUsluga Obrazac Privreda Građani

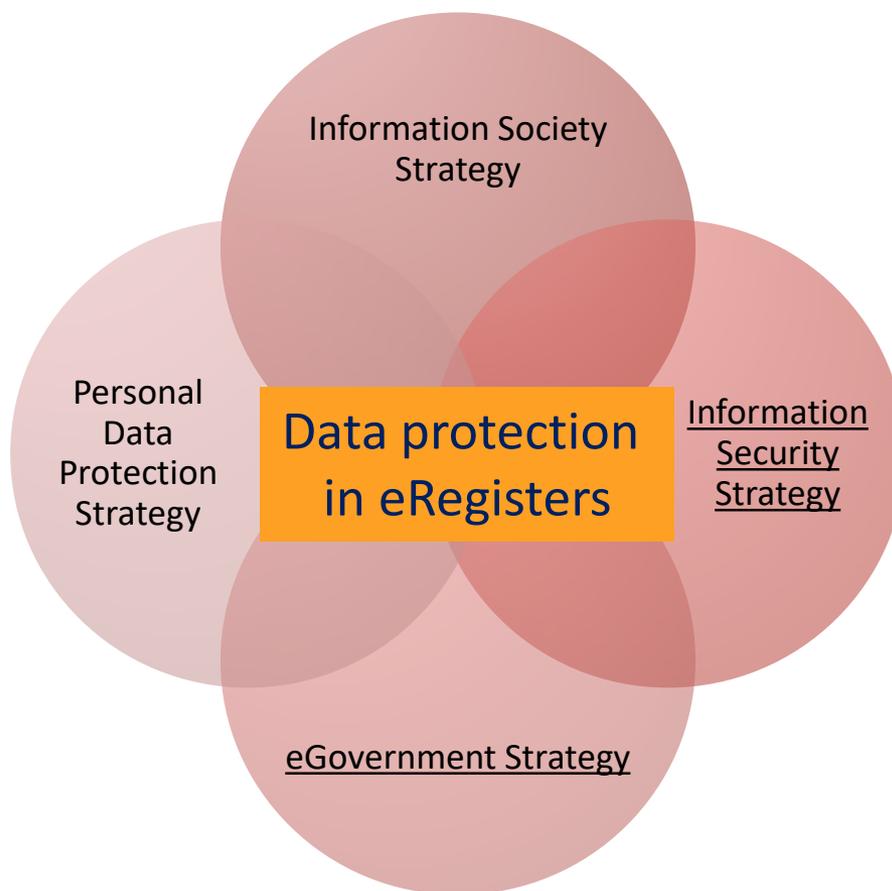
Pregled usluga po početnom slovu Pregled usluga po nadležnom organu

Law on eGovernment (draft)

- Based on the Best practices, experience and lessons learnt during usage of national eGovernment portal (2010-today), and includes issues of personal and data protection in general within eRegisters, and protection during data management (processing, sharing, storing, archiving, etc.)
 - I. General –framework- issues and principles
 - II. eGovernment infrastructure
 - Government Service Bus, data protection and management, eStamp, eGovernment portal, Metaregister, Web sites
 - III. eAdministrative procedure
 - eGeneral administrative procedure (eAuthorization, eAuthentication, eDocument/eDossier)
 - IV. Implementation supervision

Legal framework for eRegisters data protection in Serbia

Data protection in eRegisters in Serbia



eRegisters data protection

- Legal framework resulted from eGovernment initiative - **Law on information security** (adopted: January, 2016)
 - I. Prescribes general security principles, measures and procedures for information in Serbia
 - **Information security measures**
 - Directed to prevention and risks mitigation
 - Organizational, human, physical, legal and technical-technological measures for information security risks management
 - II. Defines ICT systems of special –national- importance
 - ICT systems used in public sector, for utilities, and for processing personal data

- Obligation and rules for maintenance, warning and reporting on information security and risks for these ICT systems
 - Obligation for adopting internal act on information security
 - RGA has adopted internal act with information security measures (organisational, technical-technological, physical and HR) for its ICT systems and business processes and procedures
- III. Establishes national and other-level centres, so-called CERT, for ICTs systems security risks monitoring, identification, prevention and mitigation measures implementation, both nationally and internationally
- IV. Defines cryptosecurity and protection from compromising electromagnetic radiation
- V. Establishes information security inspection

Personal data protection (1)

- Legal framework resulted from eGovernment initiative
 - Law on information security
 - RGA internal act for information security recognises and prescribes measures for personal data protection
 - Law on eGeneral administrative procedure
 - Law on eGovernment (draft)
 - Law on Open Data (in preparation), etc.

Personal data protection poverenik.rs (2)

- **Commissioner for information of public importance and personal data protection** participates in eGovernment initiative activities related to legal framework adjustment and OD establishment
 - Legal framework for personal data protection in Serbia used by Commissioner
 - Constitution of the Republic of Serbia
 - International documents
 - Directive 95/46/EC (General Data Protection Regulation)
 - GDPR (EU) 2016/679 Directive, etc.
 - Laws (national)
 - Law on personal data protection
 - Law on free access to information of public importance, etc.
 - Bylaws
 - Personal data protection strategy
 - Central Data File Register (2010 - today)
 - According to the Law on Personal Data Protection, CDFR is a unique record of data files established by all controllers' processing personal data in the Republic of Serbia

GDPR Directive (EU) 2016/679 and (EU) 2016/680 implementation in Serbia

Directive (EU) 2016/679 and (EU) 2016/680 in Serbia - status

- Challenges, opportunities
 - New Directive aims at unification -not just harmonization- of rights on privacy
 - Demands changes and new institutes to be created and implemented within existing legal framework
 - Important for 'EU integrations' (Chapter 23) as well as investing potential of Serbia
 - Demands revision of existing business models, restructuring of internal legal framework as well as building capacities of many companies doing business in Serbia
- Commissioner for information of public importance and personal data protection
 - Model of law on personal data protection adjusted to GDPR recommendations

Example: RGA's REC register data

rgz.gov.rs/usluge/ekatastar/

Катастар непокретности

РЕПУБЛИКА СРБИЈА РЕПУБЛИЧКИ ГЕОДЕТСКИ ЗАВОД

еКатастар непокретности

Насловна страна

Добродошли на интернет сервис еКатастар

Основно

Web апликација "еКатастар" представља интернет сервис који омогућава претраживање базе података катастра непокретности. База података представља централну базу података катастра непокретности у Републици Србији и формирана је преузимањем податка који се одржавају у службама за катастар непокретности Републичког геодетског завода.

Више о томе...

Важно

- Регистровани корисници - Безбедност SSL
- Погледајте најчешће постављена питања
- Пошаљите коментар
- Основна статистика
- Геопортал геоСрбија

Основни избор

Јавни приступ
Претрага базе података катастра непокретности јавни приступ...

Регистровани корисници
Претрага базе података катастра непокретности за регистроване кориснике...

Статистика катастра непокретности

Број парцела: 18.826.772 11.11.2017

Број објеката: 4.732.611

- станбених: 2.070.119
- помоћних: 1.818.700
- осталих: 843.792

Број посебних делова: 1.094.910

- станова: 915.277
- пословних простора: 94.837
- остало: 84.796

Број терета: 4.753.451
Број хипотека: 1.020.494

Новости

Датум	Наслов
21.12.2012	Преглед просторних података
27.08.2012	Сервис је јавно доступан на Интернет адреси
05.10.2010	Подаци катастра непокретности за целу територију Србије
19.09.2008	Протокол између Дирекције за грађевинско земљиште и Дирекције за катастар непокретности
01.09.2008	Сарадња РГЗ-а и Дирекције за грађевинско земљиште

- eCadastr services
 - REC register data access
 - Public users
 - Registered users
 - Appeals access (second instance)
 - Electronic submission of requests

РЕПУБЛИКА СРБИЈА РЕПУБЛИЧКИ ГЕОДЕТСКИ ЗАВОД

еКатастар непокретности

Насловна страна / Јавни приступ

Јавни приступ
Претрага базе података катастра непокретности

Помоћ

Изаберите општину:

СТАРИ ГРАД

Катастарске општине

Катастарска општина	Мат. број	Општина
СТАРИ ГРАД	704059	СТАРИ ГРАД

Напомена

Сервис омогућава претраживање података о непокретностима, који су у Служби за катастар непокретности са назначеним датумом ажурности били у статусу "активни".

Подаци су организовани по општинама. Непокретности претражујете у оквиру катастарских општина изабране општине. Београд и Ниш имају статус Градова. То значи да морате да изаберете општине ових градова код претраживања непокретности.

Погледајте најчешће постављена питања корисника...

Републички геодетски завод 2008-2017

Насловна страна / Јавни приступ / Објекти / Објекти - резултат претраживања

Резултат претраживања објекта

Претрага парцела, преглед података објекта и посебних делова.

[Помоћ](#)

Општина: СТАРИ ГРАД

Подаци о објектима

Адреса	Кућни број	Кућни под.број	Начин коришћења	Површина m ²	Статус објекта
▶ МАЈКЕ ЈЕВРОСИМЕ, СТАРИ ГРАД	22		СТАМБЕНА ЗГРАДА ЗА КОЛЕКТИВНО СТАНОВАЊЕ	248	ОБЈЕКАТ ПРЕУЗЕТ ИЗ ЗЕМЉИШНЕ КЊИГЕ

Преглед података посебних делова изабраног објекта

Евид. број	Бр. улаза	Бр. стана	Под. бр. стана	Начин коришћења објекта	Корисна површина
1	4			СТАН	39,00
2	6			СТАН	93,00
3	1			СТАН	39,00
4	2			СТАН	19,00
5	3			СТАН	18,00
6	5			СТАН	74,00
7	7			СТАН	78,00
8	8			СТАН	91,00
9	9			СТАН	90,00
10	11			СТАН	
11	12			СТАН	
12	13			СТАН	

Катастар непокретности X | Apps | A 16 Step Data Gover | Nordic Business Allia

Подаци о непокретности - Google Chrome | katarstar.rgz.gov.rs/KnWebPublic/NepokretnostProperties.aspx?nepID=se4YsUA0u8CFCP7uVn7pg==

Назив: ВЛАСНИЦИ ПОСЕБНИХ ДЕЛОВА ЗГРАДЕ УПИСАНИ У В ЛИСТ 2.
Адреса: *
Матични број: *
Врста права: СВОЈИНА
Облик својине: ДРУГИ ОБЛИЦИ
Обим права: ЗАЈЕДНИЧКИ
Удео: 3.С.

Терети на објекту
 *** Нема терета ***

Забележба објекта
 *** Нема забележбе ***

3. Подаци о посебном делу објекта

Евид. број:	9
Начин коришћења:	СТАН
Број стана:	9
Под број стана:	
Број улаза:	
Грађевинска пов. m ² :	0,00
Корисна пов. m ² :	90,00
Начин утврђивања кор.пов.:	ИЗ ЗЕМЉИШНЕ КЊИГЕ
Опис:	ДЕСНО

Имаоци права на посебном делу

Назив:	АЛЕКСИЋ () РАДОЈЕ
Адреса:	*
Матични број:	*
Врста права:	СВОЈИНА
Облик својине:	ПРИВАТНА
Обим права:	ЦЕЛО ПРАВО
Удео:	1/1

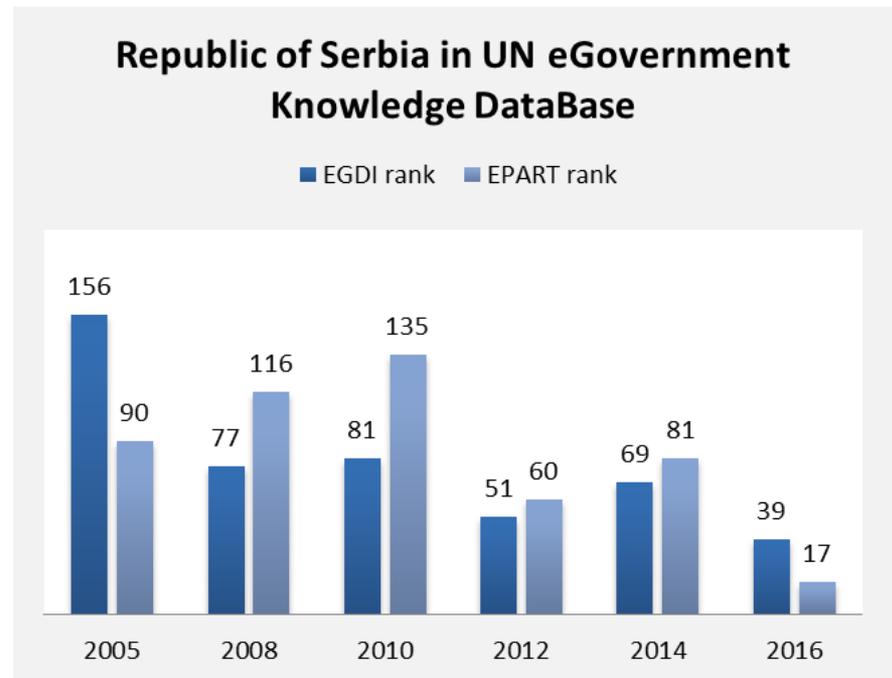
Терети на посебном делу
 *** Нема терета ***

Забележба посебног дела
 *** Нема забележбе ***

COHESION POLICY A

Conclusions

- eGovernment initiative in Serbia is still in development phase
 - Main data eRegisters, eServices and ISs still in establishment phase
 - Also, legal framework for personal and other data protection in eRegisters needs to be adjusted to eGovernment paradigm
- Emerging initiatives towards GDPR implementation in Serbia in future





Thank you for attention!

ljiljana.zivkovic@mgsi.gov.rs

Open Data initiative in Republic of Serbia

Dr Ljiljana Zivkovic, spatial planner

Leader of Group for Territorial Development Information
System in the Republic of Serbia

Ministry of Construction, Transportation and Infrastructure

CapaCity WS “Open Data from the Perspective of Data
Protection”, 21-22 November, 2017, Bucharest, Romania

Content

- Introduction
- Open Data initiative in Serbia
- National OD portal in Serbia (data.gov.rs)
- National OD initiative and Serbian municipalities and cities
- Conclusions

Introduction

- eGovernment initiative (2009-today)
- Open Government Partnership (2013-today)
- Growing needs for data for various purposes
- Sectoral ISs and eRegisters in building phase
- Untapped socio-economic potential of by government produced data
- EU integrations
- Digitalisation is a goal of Serbian Government, etc.

Open Data initiative in Serbia

Public Administration Reform Strategy in the Republic of Serbia

eGovernment Development Strategy

Information Society development in various domains of Serbian government, including data and electronic transactions protection, availability and accessibility

Open Data development and (re)usage of data owned or produced by Serbian government, directly or indirectly

Open Data Portal

Platform with information on open datasets published by government institutions, as well as place of government interaction with data-users' communities

Strategy for eGovernment development in Serbia (2015-2018)

Areas of strategic importance for efficient eGovernment and its user satisfaction:

ICTs support, trained civil servants, financial support, created Information society (users training), legal framework completed, eGovernment strategy integration, eServices management, stakeholder involvement

<u>GENERAL GOALS</u>	<u>SPECIFIC GOALS</u>	<u>eGOVERNMENT DEVELOPMENT INDICATORS</u>
A - Increase satisfaction of public services' users B - Decrease of administration load for citizens and business C - Increase efficiency of public administration by ICT utilization D - Support national and cross-border interoperability	1 - Create institutional and legal framework for coordinated development of eGovernment 2 - Secure interoperability between national, regional and local government ISs 3 - Establish and connect main electronic registers with other government IS on national, regional or local level 4 - Build new electronic services on national eGovernment portal and other portals 5 - Provide ICT-related knowledge and skills to public administration employees 6 - Establish Open Government and Open Data portal	a - 40% citizens use regularly eGovernment services b - 85% businesses use regularly eGovernment services c - Electronic services available nationally and internationally

Action plans for eGovernment strategy implementation – Open Data initiative

2015-2016

- Raising awareness and promotion of OD concept through media and WSs
- WG for OD readiness assessment and recommendations
- Change and additions to existing legal framework according to recommendations
- Tender for application software for OD portal
- Pilot-project approach

2017-2018

- Joining up to the Open Data Charter
- Prepare and adopt regulation for OD in accordance to EU Directive on the reuse of public sector information (PSI Directive 2003/98/EC)
- Further improvement of OD portal
 - Data functionalities, scope, diversities, quality, etc.
- OD promotion

Action plan for Open Government Partnership initiative implementation

COMMITMENTS

- A. Civic participation
- B. Access to information
- C. Open Data
- D. Government integrity
- E. Fiscal transparency
- F. Public services

2016-2017 Open Data

- Commitment 8: Development of an Open Data Portal
- Commitment 9: Draft a bylaw (secondary to Law on eGovernment) based on the Guidelines for government Websites Evaluation

National OD portal in Serbia (data.gov.rs)

UNDP and Office for IT and eGovernment project “Open Data – Open Opportunities”



Open Data Readiness Assessment (2015)

- Serbia was in a good position to move forward with an OD programme
 - Integration of OD within the eGovernment strategy is an excellent base and starting point for an OD programme
 - Legal and policy framework is established enough as to underpin the OD programme
 - There is articulated societal demand for OD from both civil society and the business community
 - Existing online publication, including budget and procurement data, can easily be published within OD programme
 - A number of government data holders have already volunteered to be involved in pilot projects, etc.

OD portal data.gov.rs (2017)

- OD portal on probation period since the end of 2016
- Part of the EU Open Data Portal
- Development approach is “demand-led-data-open” (instead of “data-open-by-default”)
- OD portal inventory
 - 9 participants/government data holders
 - 6 dataset themes
 - 44 datasets
 - 3 use cases
 - 8 data formats
 - 1 questionnaire
 - 115 users
 - 4 discussions

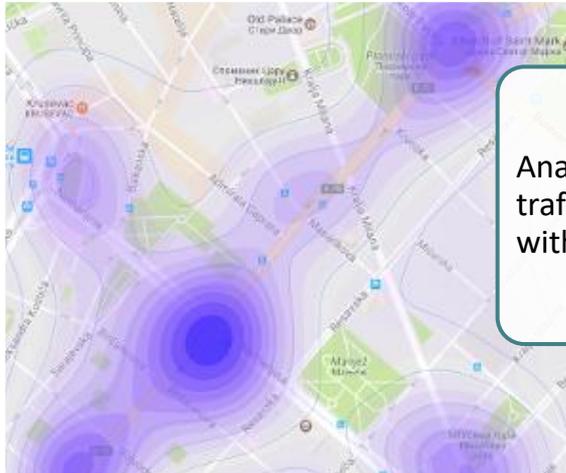
OD portal – Participants (9)

No	Participant	Dataset number
1	Ministry of interior affairs	1
2	Ministry of education, science and technological development	7
3	Serbian environmental protection agency	5
4	Commissioner for information of public importance and personal data protection	13
5	Data Science Serbia	-
6	Medicine and medical devices agency of Serbia	9
7	Public procurement office	2
8	Republic geodetic authority	2
9	Ministry of mining and energy	5

OD portal – Dataset resources

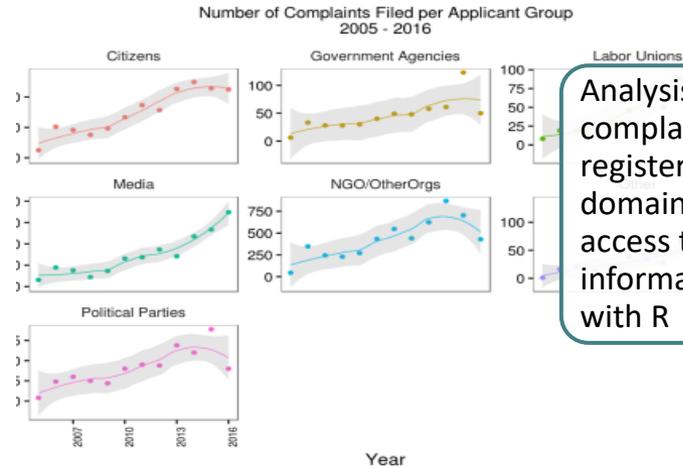
Dataset themes (6)	Datasets (44)	Use cases (3)
Public security (1)	Data on traffic accidents within the City of Belgrade area of responsibility	Analysis of traffic accidents with R (programming language)
Education (5)	R&D organizations Primary schools Work places in schools ...	-
Energy (2)	Energy License Register Registry of privileged electricity producers	-
Government (10)	Central Data File Register Advertisements data published on eProcurement portal ...	Analysis of complaints registered in domain of free access to public information with R
Health (9)	Approved clinical researches Import licences for non-registered medicine Register of medicines for veterinary medicine ...	Medicines database
Environment (8)	Soil quality National register of pollution sources Pollen ...	-

Example 1: Use case – visualisation



Analysis of traffic accidents with R

Example 2: Use case - visualisation



Analysis of complaints registered in domain of free access to public information with R

Example 3: Dataset - xlsx

INN	Rezim izdavanja leka	Oblik i doza leka
Vakcina koja sadrži inaktivisane bakterije Erysipelothrix rhusiopathiae, soj M2 (serotip 2)	NRV	suspencija za injekciju; 1zaštitna d (doza)
Vakcina koja sadrži inaktivisani goveđi rotavirus (soj UK Compton, serotip G6P5), inaktivisani goveđi coronavirus (soj Mebus) i adhezin F5 E.coli (K99)	NRV	emulzija za injekciju; 1/4 doze stitrim.titar>3.4x10 ⁶ iu 1ml; 1/4 doze stitrim.titar>3.4x10 ⁶ iu 1ml; bočica, 1x10ml
Vakcina koja sadrži inaktivisani goveđi rotavirus (soj UK Compton, serotip G6P5), inaktivisani goveđi coronavirus (soj Mebus) i adhezin F5 E.coli (K99)	NRV	emulzija za injekciju; 1/4 doze stitrim.titar>3.4x10 ⁶ iu 1ml; 1/4 doze stitrim.titar>3.4x10 ⁶ iu 1ml; bočica, 1x40ml
Vakcina koja sadrži inaktivisani virus leukemije mačaka (FeL V), tip A, B i C, (soj Kawakami-Theilen) sa antigenom gp 70	NRV	suspencija za injekciju; 8.1log ₂ (GIU/ml)
Živi virus infektivnog bronhitisa živine (coronavirus), soj CR88121	NRV	liofilizat za suspenziju; bočica
Živi virus infektivnog bronhitisa živine (coronavirus), soj CR88121	NRV	liofilizat za suspenziju; ; bočica
abamektin, prazikvantel	NRV	tableta; 0.25mg+6.25mg; blister, 10x10
abamektin, prazikvantel	NRV	tableta; 2mg+50mg; blister, 50x20
afksolaner	NRV	tableta za žvakanje; 11.3mg; blister, 10x10

Register of medicines for veterinary medicine

OD portal - Technical issues

- Dataset functions
 - Follow
 - Share
 - Integrate
 - Questions
- Dataset metadata
 - Licence
 - Update frequency
 - Date of creation
 - Date of change
 - Date of update
 - Coverage
- Dataset roles
 - Members
 - Admin
 - Editor
 - Followers
- Dataset formats
 - csv, xls, xlsx, json, zip, xml, xlsm, ods
- API documentation for OD datasets/resources management



National OD initiative and Serbian municipalities and cities

National OD initiative to Serbian municipalities and cities

Opportunities

- Creates demands and interest for new OD datasets
- Opens possibilities for establishment of different national, regional and local ISs, DSSs and other applications
- Supports launching of new economic activities and services
- Increases efficiency and decrease operational costs
- Greater transparency, accountability and user involvement – trust in government institutions on all levels, etc.

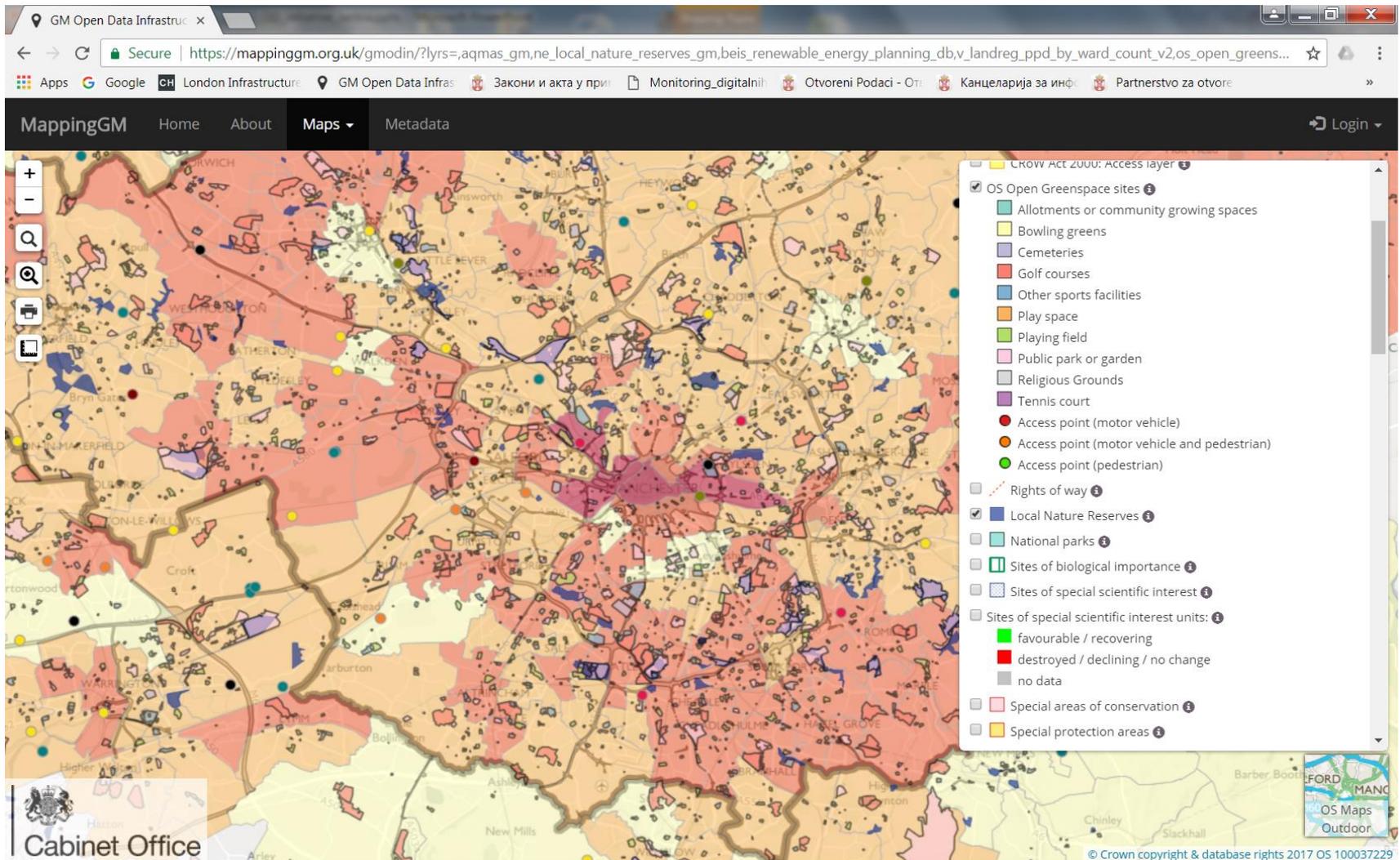
Challenges

- Lack of staff with relevant IT knowledge and skills on local level
- Old(er) ICT equipment
- Lack of funds to support OD programmes
- Absence of new datasets on national OD portal, especially from main eRegisters

National OD initiative advantages for planning development in Serbian municipalities and cities

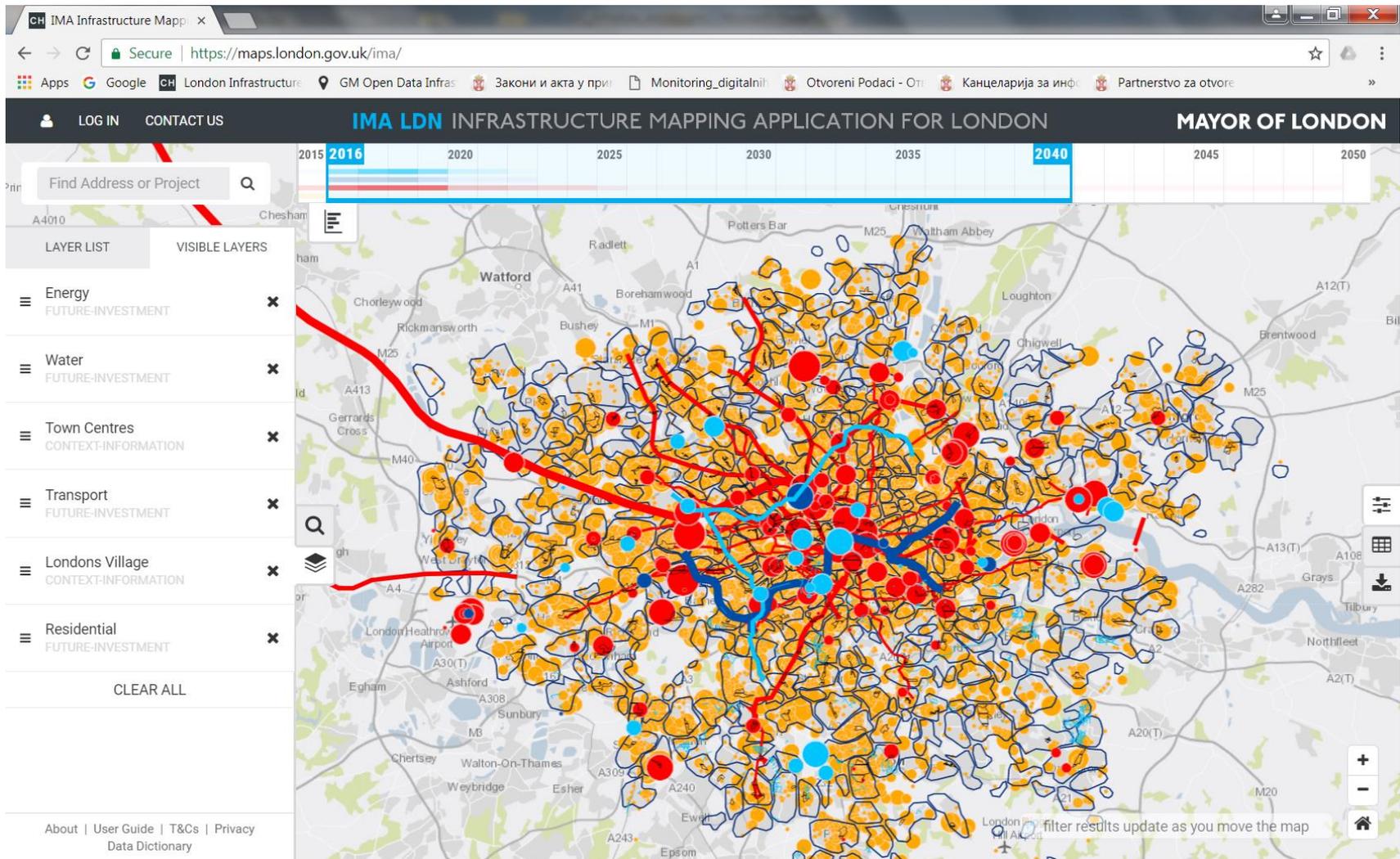
1. Opening of main national datasets would stimulate creation and/or opening of local-level datasets
2. Important for open datasets to get spatial reference (GIS)
 - Maps create better understanding of development problems on side of planners, developers and community, and trigger critical social involvement and innovation
3. Geo-referenced open datasets would support better decision-making and planning towards balanced and sustainable development
 - Launching of different development paradigms and implementation of Best practices (Smart City, Resilient City, etc.)
4. Planning right measures and conditions for strengthening economic activities, investments, innovation and creativity

Greater Manchester Open Data Infrastructure Map (GMODIN) (mappinggm.org.uk/gmodin/)



London Infrastructure Map

maps.london.gov.uk/ima/



Conclusion

- OD initiative in Serbia is in development phase
- OD portal is in initiation phase
- Ranking of OD initiative in Serbia
 - Global Open Data Index – 41
 - Open Data Barometer – 65
- With “digitalisation” as the main strategic goal of the current Serbian PM and government, e-initiatives development in general in Serbia are expected to accelerate



Thank you for attention!

ljiljana.zivkovic@mgsi.gov.rs



STADT : SALZBURG

Wir leben die Stadt

#salzburgmachtauf

Open Spending Austria and the
Visualization of Grants and
Subsidies

Bukarest, November 2017



Wir leben die Stadt

Salzburg

- Heart of Austria
- 152.367 (1. Jän. 2017) inhabitants
- Mayor Harald Preuner (Election 26.11. 2017)
- UNESCO World Heritage Site

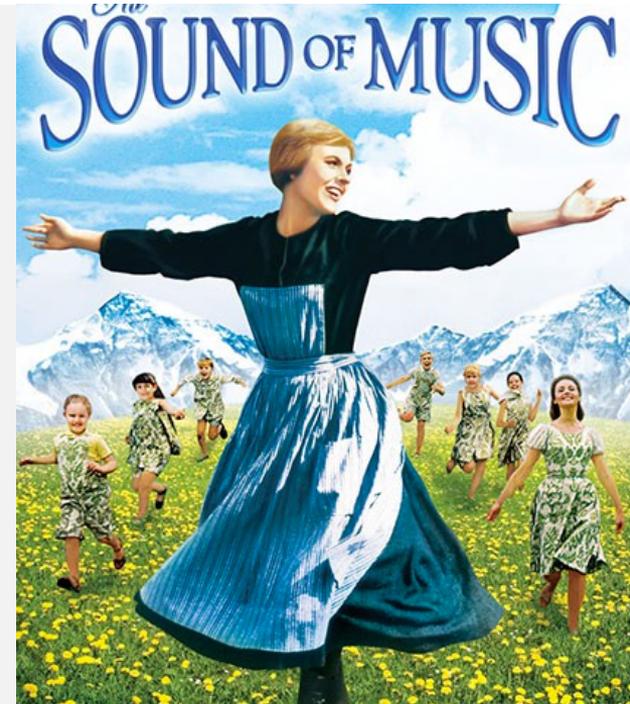




Wir leben die Stadt

Salzburg II

- Five Universities and higher education institutions
- Wolfgang A. Mozart, Stefan Zweig & Maria van Trapp...
- Tourists: 1.629.269 arrivals and 2.828.871 overnight stays



UNTERSUCHUNGS- AUSSCHUSS

Finanzmanagement
des Landes
Salzburg seit 2001





Wir leben die Stadt

Salzburg opens

- Budget & Transparency as strategic theme
- Project started in 2012
- government program (2014 – 2019)
- Strategic paper & guidelines (2017)
- Principles: eParticipation, Open Government & OGD



Offener Haushalt

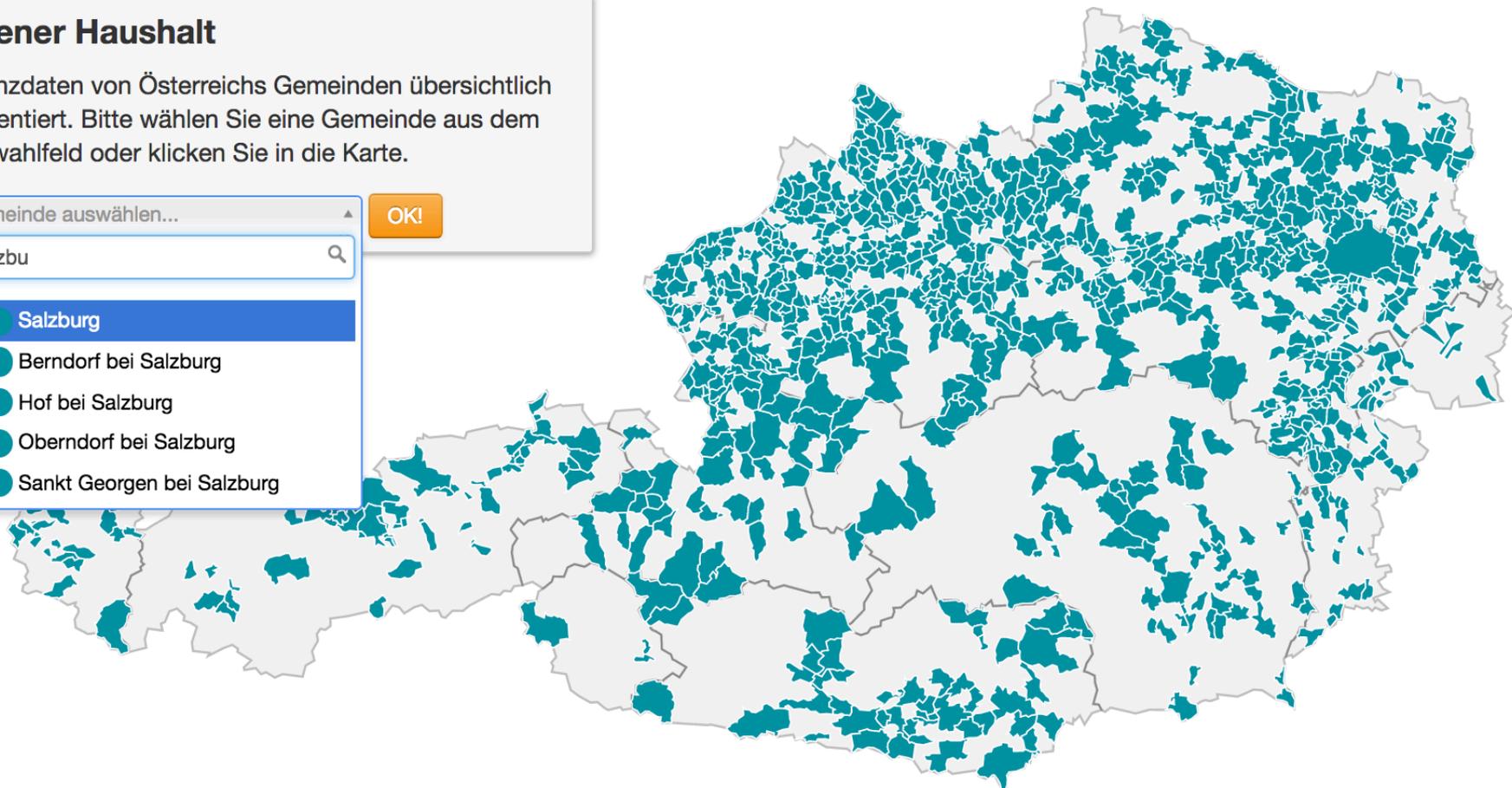
Finanzdaten von Österreichs Gemeinden übersichtlich präsentiert. Bitte wählen Sie eine Gemeinde aus dem Auswahlfeld oder klicken Sie in die Karte.

Gemeinde auswählen...

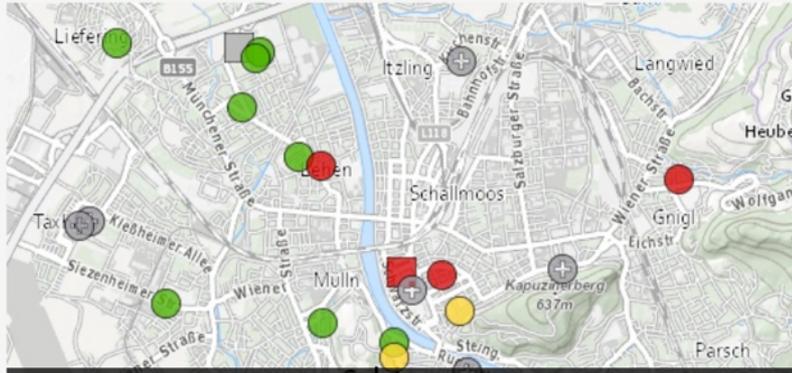
OK!

Salzbu

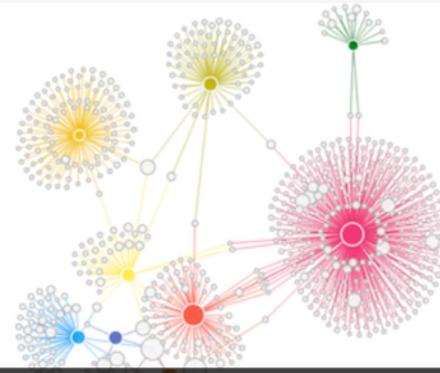
- ✓ Salzburg
- ✓ Berndorf bei Salzburg
- ✓ Hof bei Salzburg
- ✓ Oberndorf bei Salzburg
- ✓ Sankt Georgen bei Salzburg



Visualisierungen



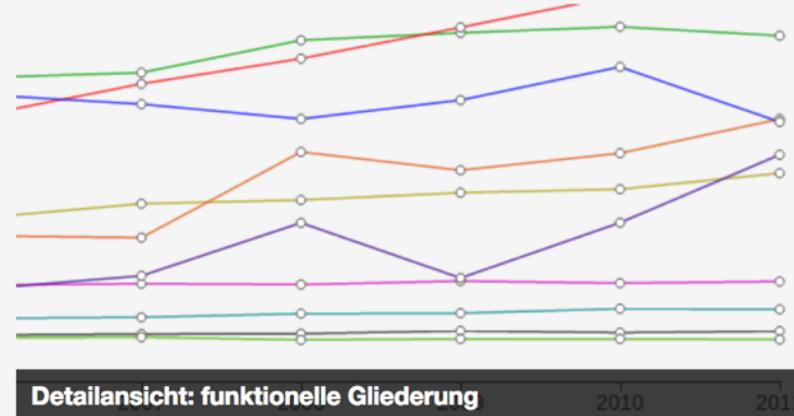
Infrastruktur-Projekte



Transfers, Förderungen und Subventionen



Hauptansicht: Treemap



Detailansicht: funktionelle Gliederung

2010

2011

Salzburg

Absolut Pro Kopf

← 2016 →

Funktionelle Gliederung i Rechnungsabschluss i

Einnahmen Ausgaben



Gruppe/Abschnitt/Unterabschnitt suchen

OK!

Gruppe	Betrag in Euro
Dienstleistungen	154.352.519
Vertretungskörper und ...	104.503.638
Finanzwirtschaft	80.363.514
Soziale Wohlfahrt und ...	69.589.018
Unterricht, Erziehung, ...	54.269.738
Kunst, Kultur und Kultus	31.635.128
Straßen- und Wasserb...	29.385.280
Gesundheit	29.110.660
Öffentliche Ordnung un...	16.344.613
Wirtschaftsförderung	1.318.317
Summe	570.872.425

Detailansicht →

Kategorien

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Kultur | <input checked="" type="checkbox"/> Soziales | <input checked="" type="checkbox"/> Wirtschaft |
| <input checked="" type="checkbox"/> Sport | <input checked="" type="checkbox"/> Bildung | <input checked="" type="checkbox"/> Schule/Jugend |
| <input checked="" type="checkbox"/> Kinderbetreuung | <input checked="" type="checkbox"/> Seniorenbetreuung | <input checked="" type="checkbox"/> Gesundheit |
| <input checked="" type="checkbox"/> Verkehr | <input checked="" type="checkbox"/> Verwaltung | <input type="checkbox"/> Alle <input type="checkbox"/> Keine |

Art des Transfers

Alle Arten ▾

Wertebereich

€ 0,00 - € 24.987.611,44



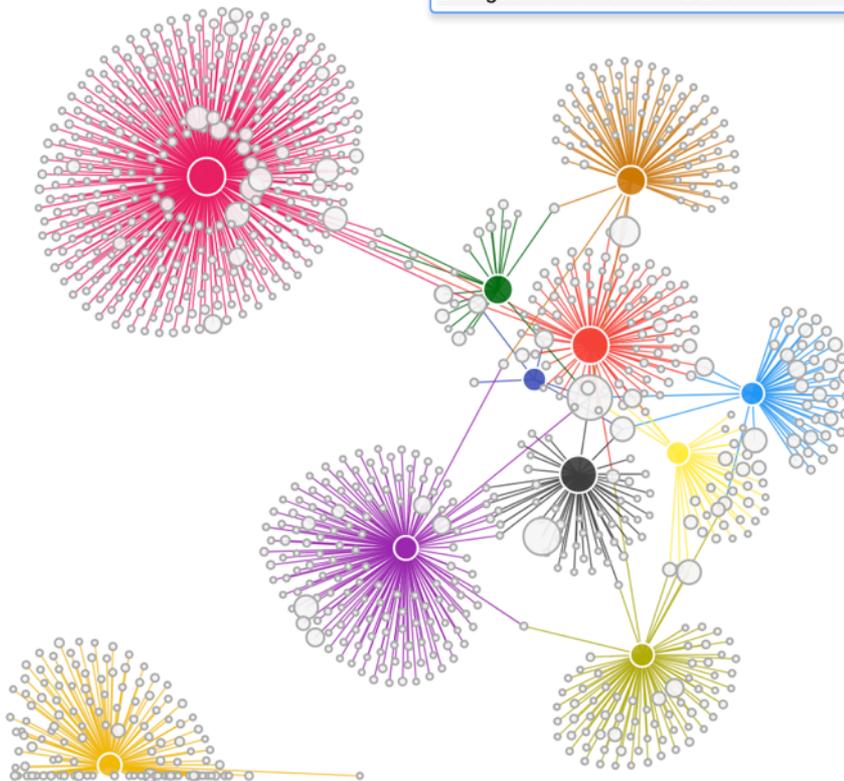
Empfänger

Empfänger suchen...

Bitte geben Sie noch min. 2 Zeichen ein.

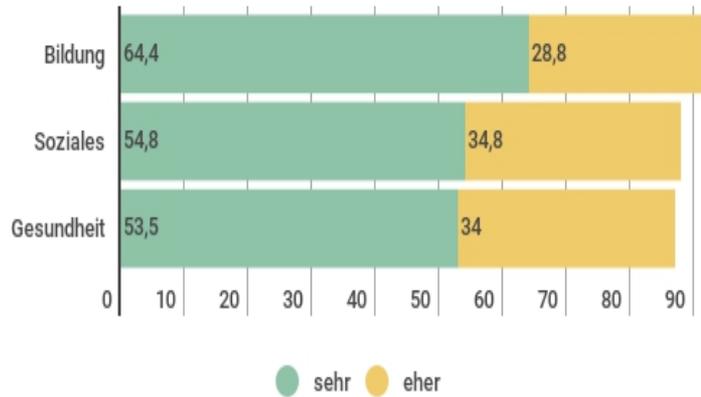
Netzwerkgrafik

Tabelle

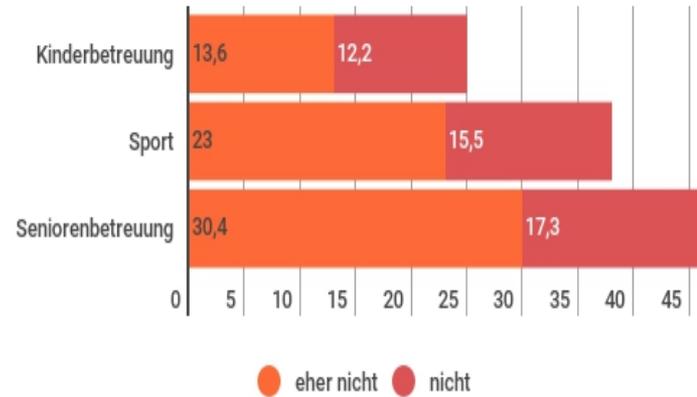




Wir leben die Stadt



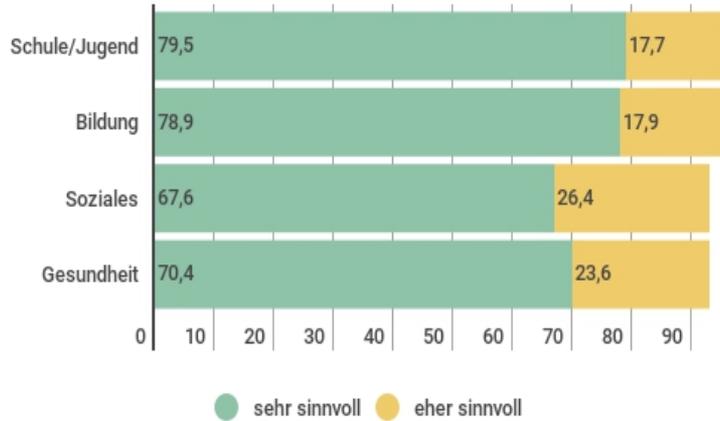
Infogr.am



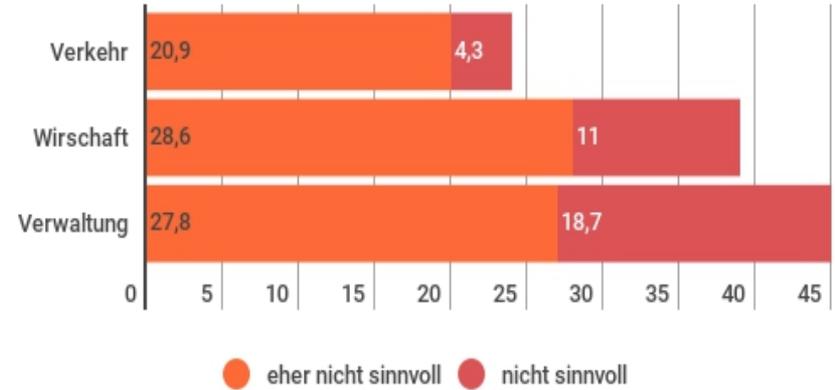
Infogr.am



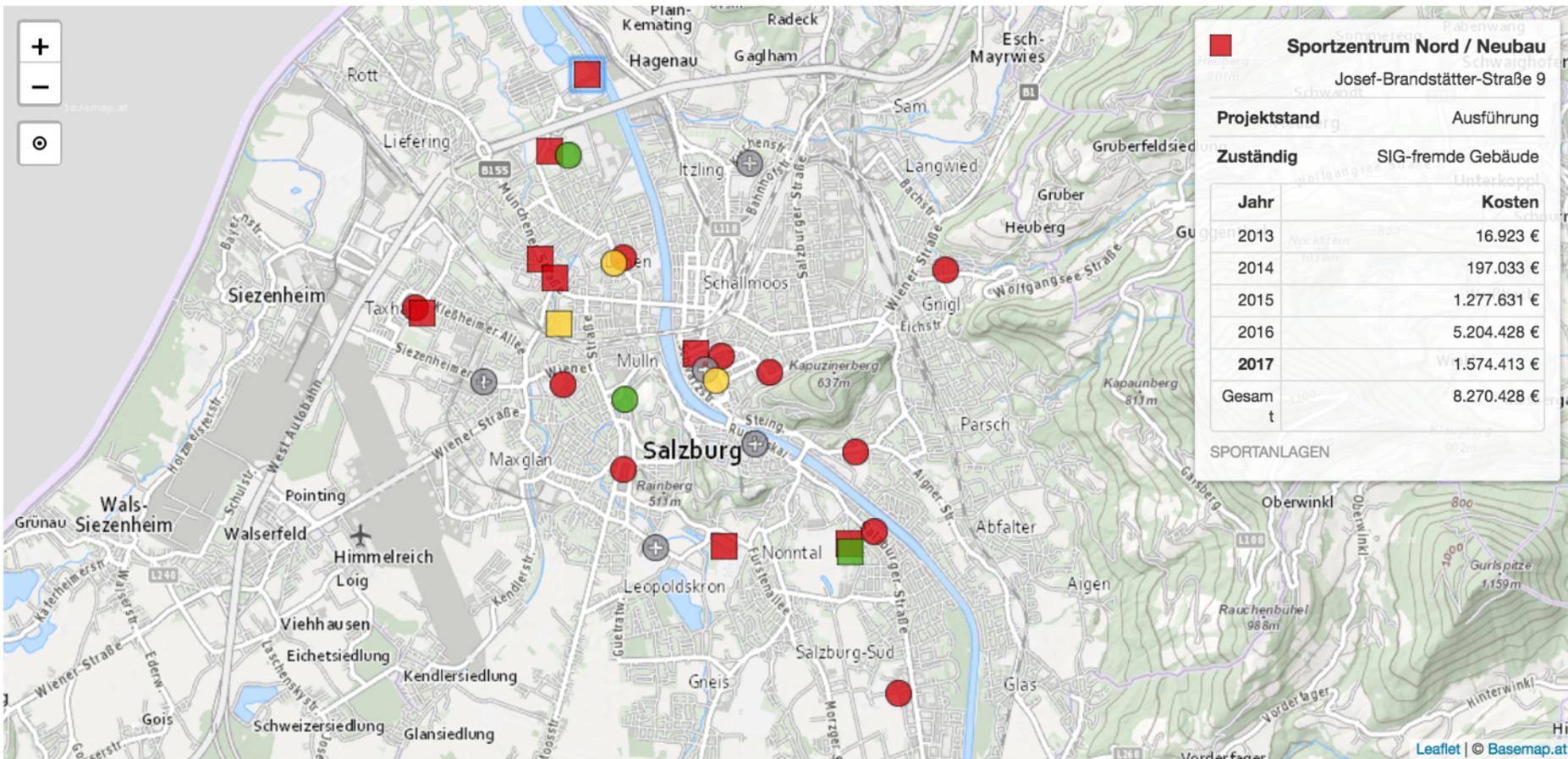
Wir leben die Stadt



infogr.am



infogr.am



Zuständigkeit (Symbol)

● SIG-eigene Gebäude

■ SIG-fremde Gebäude

Projekt Status (Farbe)

● Planung

● Ausführung

● In Betrieb



SALZBURG VERNETZEN

Digitalisierung bietet viele Chancen.

Nutzen wir sie für unsere Stadt und ihre Bürger*innen!

SALZBURGS DIGITALE ROADMAP

Wir leben die Stadt



STADT : SALZBURG



Jochen Hoefferer
Nov. 2017



NEUE MEDIEN NUTZEN
ZUKUNFT GESTALTEN

Müll 1x1

Geben Sie Ihre aktuellen Tonnengrößen oder Abfallintervalle ein. Das Müll 1x1 zeigt Ihnen, wie Sie durch eine Änderung Ihrer Tonnengröße oder Ihres Intervalls in Zukunft Geld sparen. Alle Tarife und die damit berechneten Abfallgebühren gelten erst ab 1.1.2018, vorbehaltlich des Beschlusses des Salzburger Gemeinderates.

Personen im Haushalt

Müllbehälter

Aktueller Preis

Aktuelles Restmüllvolumen

Einspar-Spielraum **3**

Mülltrenn-Typen

Die verschiedenen Mülltrenn-Typen zeigen Ihnen, wie viel Restmüll eine Person pro Woche in etwa produziert.

- Anfänger/in ab 50l
- Gelegenheitsrenner/in 40l - 50l
- Hobbyrenner/in 27,5l - 40l
- Meisterrenner/in 17,5l - 27,5l
- Experte/in bis 17,5l

Wieviele Personen leben in Ihrem Haushalt?

Es leben mehr als 10 Personen in meinem Haushalt/Haus/Wohnanlage...
 Können Sie hier ein mehr als 10 Personen eingeben als können.

WEITER

Frage's App

Das sagt's in Salzburg

Veranstaltung suchen

Sie können auf jeder Seite Check für Analyse und personalisierte Empfehlungen

SEPTEMBER

2

12.09.2017, 09:00 Uhr
Raumfahrtbewandern mit emotionaler Unterhaltung
 Moderator: Mikromon, Maria Alma

12.09.2017, 09:00 Uhr

Offener Haushalt

News Finanzdaten Visualisierungen Projektinfo Anmelden

Finanzdaten aus dem öffentlichen Sektor in Österreich.

Home / Salzburg / Transfers, Förderungen und Subventionen

Transfers, Förderungen und Subventionen

Verschiedenste Projekte und Organisationen erhalten Förderungen bzw. Subventionen und unterschiedlichen Bereichen. Wer welche Fördermittel aus welchem Bereich (Kategorie) erhält, wird mittels Netzwerkgrafik dargestellt. **1**

← 2015 →

Kategorien

- Kultur
- Sport
- Kinderbetreuung
- Verkehr
- Soziales
- Bildung
- Seniorbetreuung
- Verwaltung
- Wirtschaft
- Schule/Jugend
- Gesundheit
- Alle
- Keine

Art des Transfers

Alle Arten

Wertebereich € 19,37 - € 24.157.900,00

Empfänger

Empfänger suchen...

Netzwerkgrafik **Tabelle**

Gremien-Infoportal: Sitzungen

Dokumente mit Freigabe seit 09.06.2017

Vorgang

- Sitzung 21.06.2017 Gemeinderat - öffentlich
- Sitzung 22.06.2017 Gemeinderat - öffentlich
- Sitzung 19.06.2017 Stadtrat - öffentlich
- Sitzung 16.06.2017 Gemeinderat - öffentlich
- Sitzung 16.06.2017 Gemeinderat - öffentlich
- Sitzung 20.06.2017 Sport- und Altbauausschuss - öffentlich
- Sitzung 20.06.2017 Ausschuss für Wirtschaft und Beschäftigung - öffentlich
- Sitzung 20.06.2017 Ausschuss für Wirtschaft und Beschäftigung - öffentlich
- Mehr Sitzungen...

Aktuelle Sitzungen

Monatliche Sitzungen Sitzungskalender

Sitzung

- Mo 19.06.2017 14:00-14:30 Stadtrat - öffentlich
- Di 20.06.2017 08:24-11:00 Beo - Liegenschafts- u. B.
- Mi 21.06.2017 09:00 Gemeinderat - öffentlich
- Do 22.06.2017 Planungs- und Verkehrsausschuss - öffentlich
- Do 23.06.2017 14:00 Planungs- und Verkehrsausschuss - öffentlich
- Do 22.06.2017 14:00 Planungs- und Verkehrsausschuss - öffentlich
- Mo 20.06.2017 Beo - Liegenschafts- und B.
- Mo 20.06.2017 14:00-14:02 Stadtrat - öffentlich
- Mehr Sitzungen...

4

Offener Haushalt

Finanzdaten aus dem öffentlichen Sektor in Österreich.

Home / Salzburg / Investitionen in Infrastruktur

Infrastruktur-Projekte

Grafische Darstellung der freigegebenen aktuellen Projektkosten. Eine detaillierte Erklärung der Oberfläche finden sie unter **5**.

Kategorie Projektstand Zustandig

Alle Alle

Wertebereich € 1.000 - € 6.867.809

← 2017 →



Wir leben die Stadt

*"Our mission is to go forward,
and it's just begun. There's
still much to do. There's still
so much to learn."*



Cpt. Jean Luc Picard

Wir leben die Stadt



STADT : SALZBURG

Any questions?

more Information:

Jochen Höfferer MA

t. +43 662 8072 2357

http://about.me/jochen_hoefferer



Republic of Macedonia
Ministry of Information Society and Administration



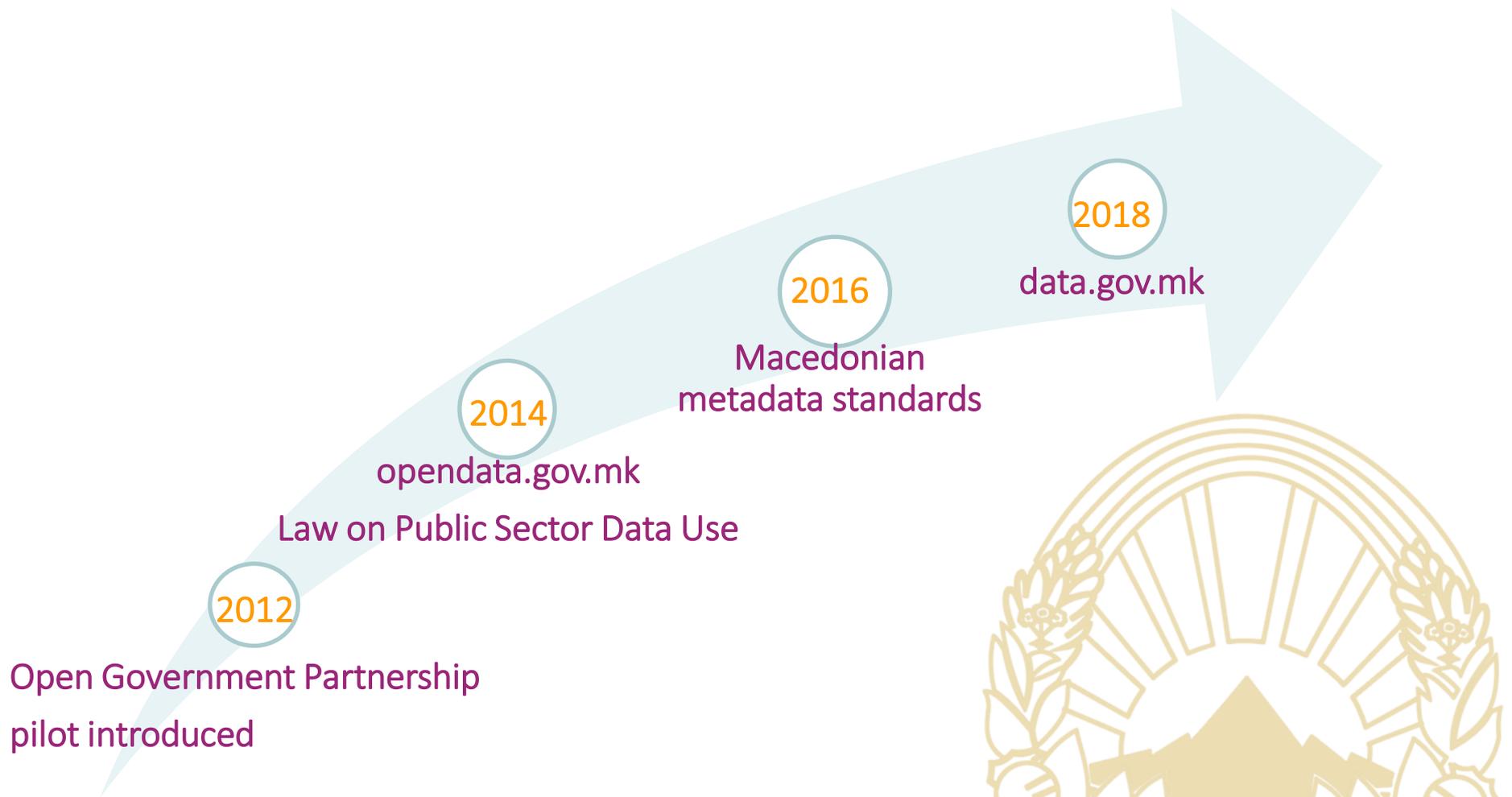
The Macedonian Open Data Initiative

CapaCity Workshop
Open Data from the Perspective of Data Protection
Bucharest November 20-21, 2017



Nadica Josifovski
ICT advisor

Macedonian Open Data Initiative



Legal bases

In the Republic of Macedonia open government data is regulated by the *Law on Public Sector Data Use* (dated February 2014), which clearly defines that:

This law lays down the obligation of the public sector authorities and institutions to publicize the data they create in fulfilling its responsibilities in accordance with the law in order to enable the use of such data by legal or physical entities for creation of new information, content, applications or services.

<http://www.otvorenipodatoci.gov.mk/Templates/Pages/BoxPage.aspx?page=51>



Macedonian Open Data Portal

www.otvorenipodatoci.gov.mk

www.opendata.gov.mk

Почетна

www.otvorenipodatoci.gov.mk

ВЛАДА НА РЕПУБЛИКА МАКЕДОНИЈА
МИНИСТЕРСТВО ЗА ИНФОРМАТИЧКО ОПШТЕСТВО И АДМИНИСТРАЦИЈА

ОТВОРЕНИ ПОДАТОЦИ

Почетна Отворени податоци Баране за отворање податоци Барометар Контакт

Македонски English

Што се Отворени податоци?
Отворени податоци се податоците кои ги создаваат органите и институциите од јавниот сектор во остварувањето на своите

Апликации
Кликнете за да ги погледнете најновите апликации кои се креирани со користење на отворените податоци од порталот.

Најчесто поставувани прашања
Најчесто поставувани прашања поврзани со отворени податоци ...

www.otvorenipodatoci.gov.mk/najchesto-postavuvani-prashanja

Republic of Macedonia
Ministry of Information Society and Administration

Macedonian Open Data Portal

- ✓ Centralized solution
- ✓ Obtaining data from the institutions:

- Web service
- Database access
- Excel file

- ✓ Data mashing
- ✓ Statistics and administration
- ✓ 24 institutions
- ✓ 154 dataset available

(82 structured datasets, 72 documents and links)

The screenshot displays the 'Mash-up' interface of the Macedonian Open Data Portal. It features a 'Choose dataset:' section with three dropdown menus, each currently set to '--- Data Sets ---'. To the right is a 'Choose column:' dropdown menu. An 'Execute' button and a help icon (?) are located to the right of the dropdowns. Below this is the 'Base Query' section, which shows the URL: `Http://ogdiotvorenipodatocigovmk.cloudapp.net:8080/v1/OtvoreniPodatoci/Mashup/?$mashupQuery=AEKNotificiraniOperatoriDavatelUslugi.FirmaPolno:AEKODObrenijaKoristenjeRadiofrekvenci.Naziv`. The 'Filter Expression' section shows a query builder with a dropdown set to '--- AEKNotificiraniOpe', a comparison operator 'is equal to', and a dropdown set to 'AND'. Below the query builder are 'Execute' and 'Clear' buttons. The 'Data View' section shows the full query URL and a 'Download as CSV' button. A table of data is displayed below, with columns: ID, Sostojba, ArhResenieBroj, ArhResenieDatum, InterenBroj, and FirmaSkrateno. The table contains 10 rows of data.

ID	Sostojba	ArhResenieBroj	ArhResenieDatum	InterenBroj	FirmaSkrateno
106	1	07-1412/3	3/24/2010 12:00:00 AM	07-1-222	ДИГИ ПЛУС МУЛТИМЕДИА ДООЕЛ Скопје ДИГИ
106	1	07-1412/3	3/24/2010 12:00:00 AM	07-1-222	ДИГИ ПЛУС МУЛТИМЕДИА ДООЕЛ Скопје ДИГИ
106	1	07-1412/3	3/24/2010 12:00:00 AM	07-1-222	ДИГИ ПЛУС МУЛТИМЕДИА ДООЕЛ Скопје ДИГИ
106	1	07-1412/3	3/24/2010 12:00:00 AM	07-1-222	ДИГИ ПЛУС МУЛТИМЕДИА ДООЕЛ Скопје ДИГИ
106	1	07-1412/3	3/24/2010 12:00:00 AM	07-1-222	ДИГИ ПЛУС МУЛТИМЕДИА ДООЕЛ Скопје ДИГИ
106	1	07-1412/3	3/24/2010 12:00:00 AM	07-1-222	ДИГИ ПЛУС МУЛТИМЕДИА ДООЕЛ Скопје ДИГИ
106	1	07-1412/3	3/24/2010 12:00:00 AM	07-1-222	ДИГИ ПЛУС МУЛТИМЕДИА ДООЕЛ Скопје ДИГИ
106	1	07-1412/3	3/24/2010 12:00:00 AM	07-1-222	ДИГИ ПЛУС МУЛТИМЕДИА ДООЕЛ Скопје ДИГИ
106	1	07-1412/3	3/24/2010 12:00:00 AM	07-1-222	ДИГИ ПЛУС МУЛТИМЕДИА ДООЕЛ Скопје ДИГИ
106	1	07-1412/3	3/24/2010 12:00:00 AM	07-1-222	ДИГИ ПЛУС МУЛТИМЕДИА ДООЕЛ Скопје ДИГИ

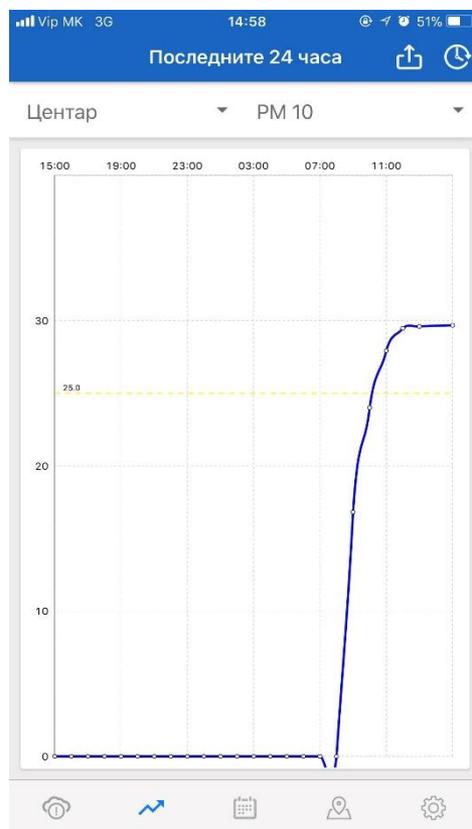
Macedonian metadata standards

- ✓ The Macedonian standard for metadata for open government data is based on DCAT-AP (DCAT Application profile for data portals in Europe)
- ✓ KDZ Austria mentorship
- ✓ 5 main classes:
 - Catalogue
 - Dataset
 - Distribution
 - Agent
 - Vocabularies



Open data applications

Мој воздух (My air)



Macedonian open data & data protection

- ✓ Decision whether to open data set or not
- ✓ What about the datasets that contain personal data?
- ✓ What if I produce a data with the data taken from other institutions, should I open it?
- ✓ Who to consult?
- ✓ Close cooperation with Directorate for Personal Data Protection



Challenges

- ✓ Government institutions
 - not data-oriented
 - proactivity
- ✓ IT-readiness of the government institutions
 - lack of IT systems
 - lack of IT professionals
- ✓ Business sector, universities and citizens
 - benefits
 - add value to Open data
 - economic value
- ✓ Budget for Open data



What's next

- ✓ Macedonian Open Data Strategy
- ✓ otvorenipodatoci.gov.mk -> data.gov.mk
 - develop new technical solution based on CKAN
 - introduce licensing model (CC-BY)
 - migrate the existing datasets to data.gov.mk
 - introduce new datasets
 - work on open data catalogization in the ministries
- ✓ Datasets ready to be harvested by other open data portals
- ✓ Promote the meta data standards to the neighbor countries
- ✓ Promotional campaigns & continuous work to raise awareness for open data (public sector, private sector, universities, citizens)





Thank you for your attention

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www.kdz.or.at

Data Governance



Bukarest, November 20th, 2017

CapaCity Workshop

Open Data from the Perspective of Data Protection

Data Governance

Data governance

From Wikipedia, the free encyclopedia

Data governance is a defined process an organization follows to ensure high quality data exists throughout the complete lifecycle. The key focus areas of data governance include availability, usability, integrity and security. This includes establishing processes to ensure important **data** assets are formally managed throughout the enterprise, and the data can be trusted for decision-

Open Data Worst Case

Shqip English Srpski

Log in Register



PRISHTINA OPEN DATA

BUDGET

DATASETS

ORGANIZATIONS

ABOUT SITE



LIST OF BENEFICIARIES OF SOCIAL CASES, PEOPLE ...

Herunterladen Auf OneDrive speichern Drucken Freigeben

NR.	Emri Mbiemri	Gjinia	nr.i ker.së parashtruar	Data Komisioni	Shuma	Adresa
1	Muharrem Ratkoceri	M	02-553/01-0000522/17 dt. 06.03.2017	14.03.2017	80 €	Rexhep Terpeza
2	Fatime Krasniqi	F	02-553/01-0000525/17 dt. 06.01.2017	14.03.2017	100 €	Deshmoret e Pr
3	Fadil Leci	M	02-553/01-0000099/17 dt. 05.01.2017	14.03.2017	100 €	Malush Kosova
4	Lulëzim Selimi	M	02-553/01-0000096/17 dt. 05.01.2017	14.03.2017	100 €	Jakup Ferri
5	Osaim Selimi	M	02-553/01-0000092/17 dt. 05.01.2017	14.03.2017	100 €	Jakup Ferri

Subvencione 2017 5 Familje per strehim OJQ Pagesat e qirasë Kerkesat e Qirase 2017

Protecting Data



General Data Protection Regulation

REGULATIONS

REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 27 April 2016

on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)

- Where do we have data about private persons?**
- Who has access?**
- How do we secure data?**

Opening Data

OPEN

ZENTRUM FÜR
VERWALTUNGS
FORSCHUNG

K
D
Z

beta
data.gov.ro

Autentificare

Seturi de date Instituții Grupuri Contact Aplicații Căutare

data.gov.ro este punctul central de acces pentru seturile de date deschise livrate de autoritățile și instituțiile administrației publice, ajutând publicul să găsească, să descarce și să folosească informațiile generate și deținute de structurile administrative.

1k
seturi de date

21452
fișiere corelate

83
instituții

25
grupuri

921
adrese de legătură externe

Date accesibile, reutilizabile, ce pot fi redistribuite

- ❑ **What data do we have not related to private persons?**
- ❑ **Can we publish it?**

AUSGABE '00000'	65	8	S	'SM2T'	0.00	15756.61	15756.61
AUSGABE '00000'	23	1	D	'0804'	0.00	0.00	0.00
AUSGABE '00000'	23	1	D	'MDPA'	1763.74	13562.71	15326.51
AUSGABE '00000'	23	3	D	'MDM'	523.76	0.00	523.76
AUSGABE '00000'	23	9	D	'STSR'	0.00	6416.83	6416.83
AUSGABE '00000'	23	1	D	'MDPA'	0.00	0.00	0.00
AUSGABE '00000'	23	1	D	'MDPA'	113.49	0.00	113.49
AUSGABE '00000'	23	1	D	'MDPA'	461.95	0.00	461.95
AUSGABE '00000'	23	1	D	'0804'	0.00	0.00	0.00
AUSGABE '00000'	23	1	D	'MDPA'	0.00	0.00	0.00
AUSGABE '00000'	23	1	D	'MDPA'	0.00	351.41	351.41

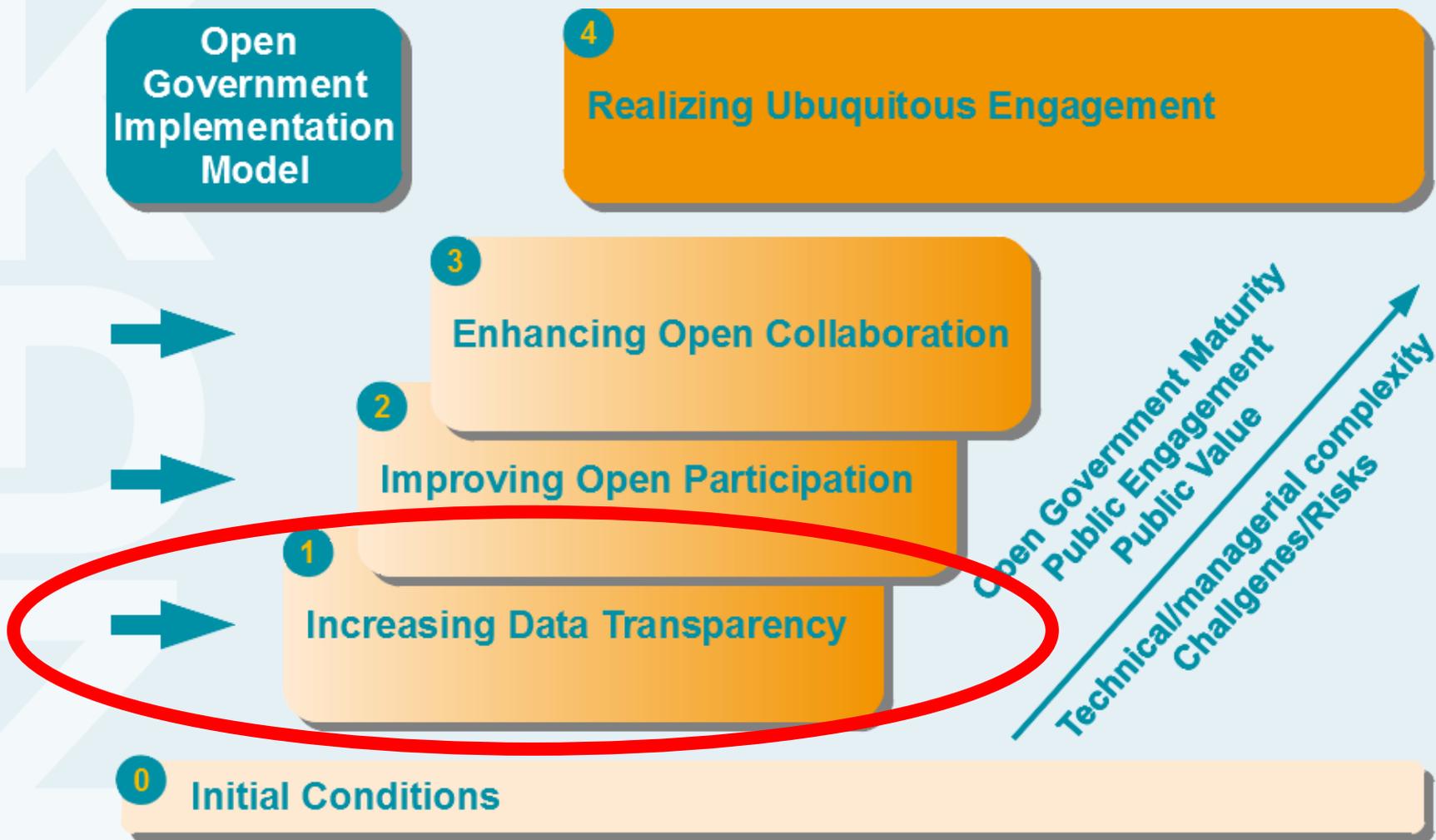
Using Data

- Big Data**
- Smart City / Smart Government**
- Social Media**
- Data Science**



- What data is relevant?**
- Do we have the knowledge to process/analyze it?**

Open Government Implementation Model



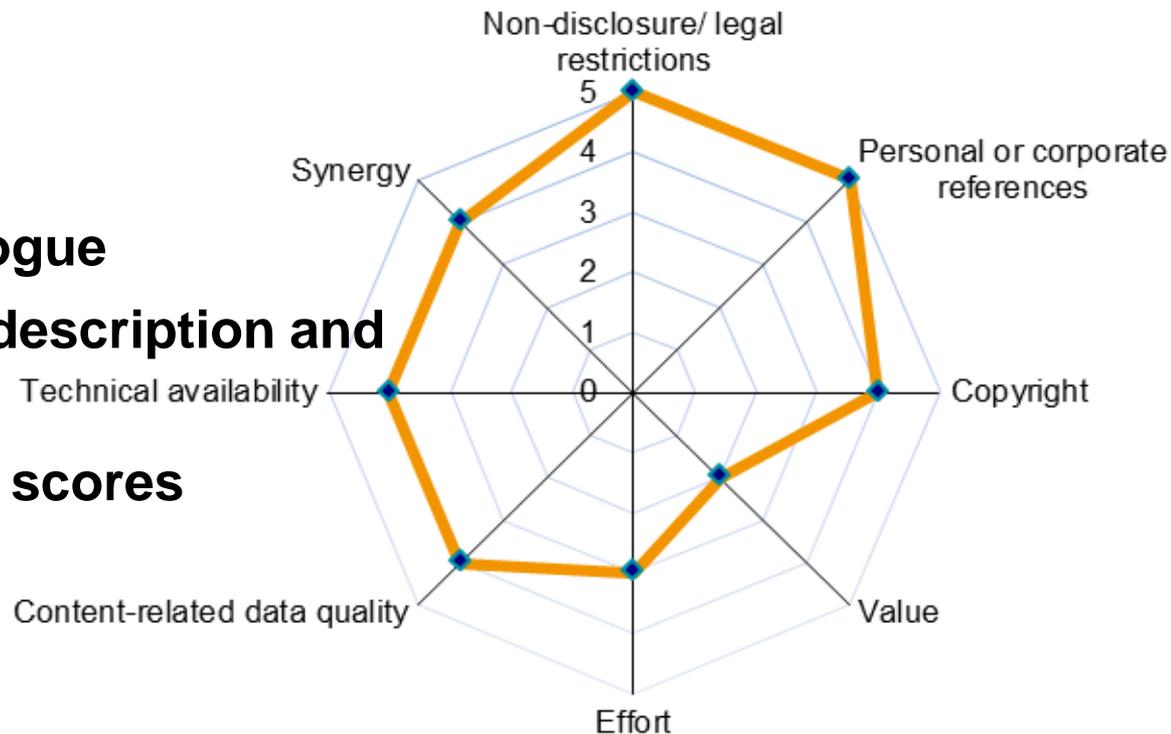
1.3 Internal data monitoring

Questions

- What (more) data do we have?
- What data can be published?
- On what criteria do we base our decision?

Metrics

- starting point: services catalogue
- 8 criteria incl. description and & metrics
- assessment in scores 0 – 5 (0 = K.O.)

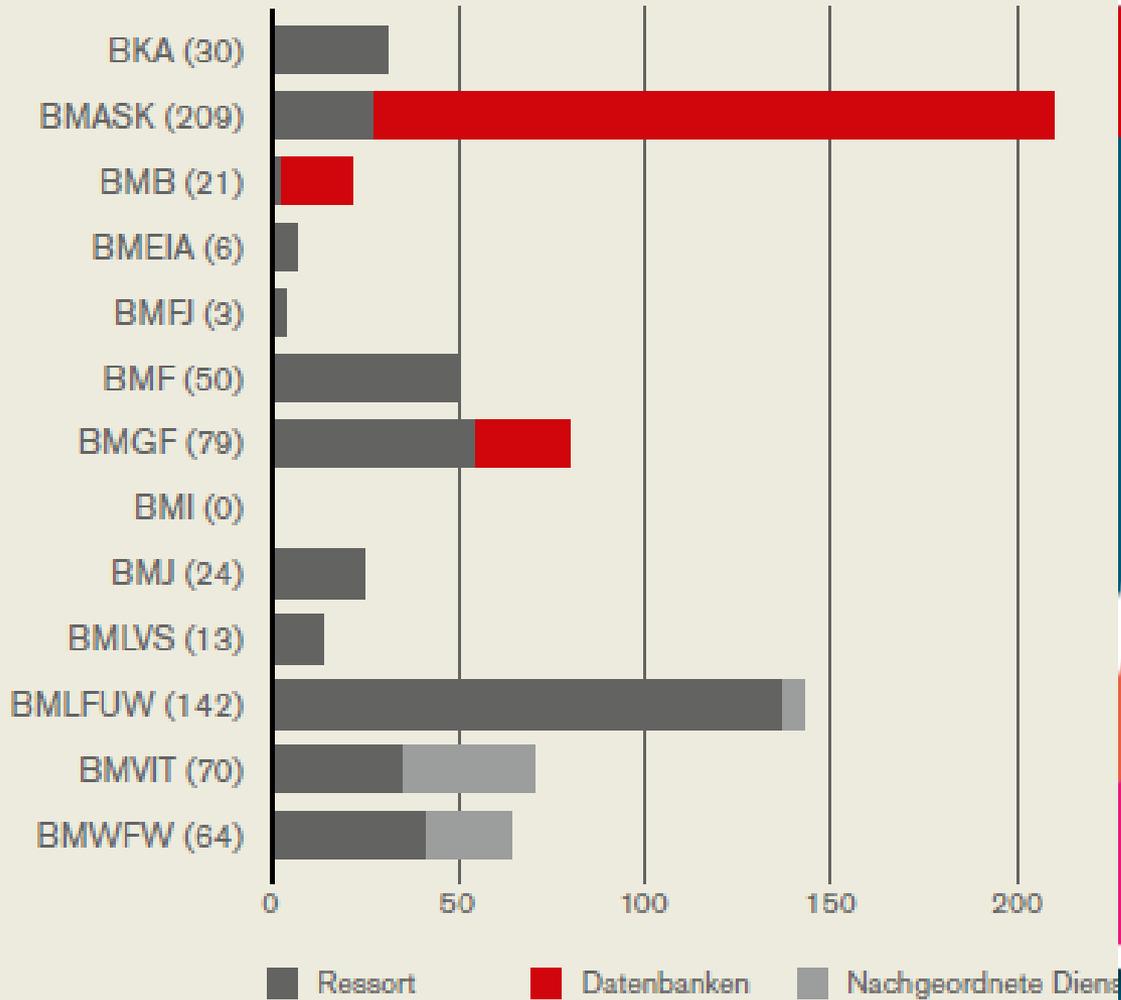


Criterion	Description	Score (0-5 points)
Non-disclosure/ legal restrictions	Is the data subject to non-disclosure obligations or other legal restrictions or does it include data critical for infrastructure?	0: non-disclosure obligation 1: restrictions exist, are hardly alterable (e. g. EU restrictions) 2: restrictions exist, alterable (e. g. regional or district council with extraordinary resolution with 2/3 majority) 3: restrictions exist, easily alterable (e. g. regional or district council with simple majority) 4: restrictions exist, very easily alterable (e. g. internal rules and practices) 5: no restrictions
Personal or corporate references	Does the data include personal references or can individuals or companies be identified?	0: personal data 1: data cannot be made anonymous, missing approval hardly obtainable 2: data cannot be made anonymous, missing approval obtainable 3: approval obtained (e. g. subsidy data) 4: data can be made anonymous 5: no identification of individuals or companies possible, or no infringement of interests in secrecy deserving protection (sec. 8 Data Protection Act ¹¹)
Copyright	Is the administrative agency sole proprietor of data copyright?	0: no copyright: disclosure not possible 1: subject to license fees and approval 2: subject to license fees, approval obtained 3: no license fees, subject to approval 4: no license fees, no approval needed 5: sole possession of copyright ensured
Value	How high is the estimated value of disclosure for all target groups?	1: very low value 2: low value 3: medium value 4: high value 5: very high value

Criterion	Description	Score (0-5 points)
Effort	How high is the effort of disclosure?	0: unjustifiable cost 1: very high cost 2: high cost 3: medium cost 4: low cost 5: very low
Content-related data quality	How high is the estimated data quality? (timeliness, completeness, accurateness, faultiness)	0: data quality unjustifiable 1: data quality very low 2: data quality low 3: data quality medium 4: data quality high 5: data quality very high
Technical availability	Available data formats and data sources, open standards: OGD formats, extended Five-Star System (see Table 4 and Table 5)	1: data available electronically 2: data available in machine-readable format 3: data available in OGD formats 4: data available with URI / as RDF 5: data available as Linked Data
Synergy	Are agencies already making the data/services available for other purposes?	1: already voluntarily published 2: soon to be published voluntarily 3: to be published under alterable regional/national laws 4: already published (e. g. INSPIRE, Environmental Information Directive 2003/4/EC...) under an obligation (e. g. statutory, EU or contractual requirements) 5: to be published (e. g. INSPIRE, Environmental Information Directive 2003/4/EG...) under an obligation that is hard to change (e. g. statutory, EU or contractual requirements)

Use Case: OGD-Screening in Austrian Ministries, 2017

Gemeldete Datensätze



Open Government Data

Open Government Data-Screening im Bund

Erhebung potentiell OGD-fähiger Datensätze

Data Cockpit

Teil 1: Basisdaten		Teil 2: Bewertung										
OGD-Screening im Bund, 2017		Bewertung										
Datensatz-Bezeichnung	OGD-Kategorie	Geheimhaltung/ rechtliche Hindernisse	Personen- bezug	Nutzungs- Recht	Nutze	Aufwan	Inhaltliche Datenqualität	Technische Verfügbarkeit	Synergie	Bewertungs- Summe	Bewer- tung	
Förderbeträge für Parteiakademien 2005 – 2016	Verwaltung und Politik	5	5	4	4	5	5	5	2			
Förderbeträge für Parteien 2005 – 2016	Verwaltung und Politik	5	5	4	4	5	5	5	2			
Denkmalliste	Kunst und Kultur	5	5	5	5	5	5	5	5	40	✓	
Denkmalliste	Kunst und Kultur	5	5	5	5	5	5	5	5	40	✓	
Jobbörse der Republik Österreich	Verwaltung und Politik	5	5	5	4	4	5	3	4	35	✓	
					5	5	5	3	5	1	34	✓
					5	4	3	5	5	1	33	✓
					4	3	3	5	3	4	32	✓
					4	3	3	5	3	4	32	✓
					4	5	3	5	2	2	31	✓
					5	3	5	5	1	2	31	✓
					5	3	5	5	1	2	31	✓
					5	3	5	5	1	2	31	✓
					5	4	2	5	3	2	31	✓
					5	4	5	5	3	1	31	✓
					4	3	3	5	5	1	31	✓
					4	5	3	5	2	2	31	✓
					4	3	5	5	2	1	30	✓
					4	3	5	5	2	1	30	✓
					4	4	3	5	2	3	29	✓
					5	1	4	5	3	1	29	⚠
					5	4	3	5	1	1	29	⚠
					4	3	4	5	2	2	28	⚠
Aktuelles USP.gov.at	Verwaltung und Politik	5	5	5	3	2	5	1	2	28	⚠	
News HELP.gov.at	Verwaltung und Politik	5	5	5	4	1	5	1	2	28	⚠	
Informationen HELP4BABY-App	Gesundheit	5	5	5	4	1	5	1	2	28	⚠	
Nachrichten Bundeskanzleramt	Verwaltung und Politik	5	3	5	5	3	5	1	1	28	⚠	
Ministerratsmaterial	Verwaltung und Politik	5	3	5	3	4	5	2	2	28	⚠	
Experteninformation USP.gov.at	Verwaltung und Politik	5	5	5	4	2	5	1	2	27	⚠	
Agenda 2030/Sustainable Development Goals	Verwaltung und Politik	5	3	5	3	2	5	2	1	26	⚠	
Aktuelle Meldungen und Termine	Verwaltung und Politik	5	3	5	2	4	5	1	1	26	⚠	
Termine zu EU-Themen	Verwaltung und Politik	5	3	5	4	3	5	1	1	25	⚠	
Digital Roadmap Austria	Verwaltung und Politik	5	5	5	1	1	5	1	1	24	⚠	
Europa aktuell	Verwaltung und Politik	5	3	3	4	3	3	1	1	23	⚠	
Personen- und Organisationsverzeichnis der österreichischen Bundesverwaltung	Verwaltung und Politik	5	0	5	3	1	5	1	2	22	✗	

Low points on criteria “personal reference” means: this is data that needs to be protected due to GDPR!



Public Management

- ❑ **Public Administrations need to be aware of their data!**
- ❑ **Internal data monitoring is a way to answer the questions**
 - What can we publish?
 - What do we need to protect?

Contact

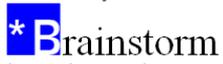



data.wien.gv.at • www.kdz.or.at

Open Government Implementation Model

Implementation of Open Government
Version 2.0

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