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Ordinance on Official Cadastral Surveying

of 18 November 1992 (Status as of 1 July 2008)

The Swiss Federal Council,

based on Article 48a paragraph 1 of the Government and Administration Organisation Act of 21 March 1997¹,
Article 38 paragraph 1 of the Final Title of the Civil Code² (CC),
and Article 5 paragraph 2, Article 6 paragraph 1, 7, 9 paragraph 2, Article 12 paragraph 2, Article 14 paragraph 2, Article 29 paragraph 3, Article 31 paragraph 3, Article 32 paragraph 2, Article 33 paragraph 3 and Article 46 paragraph 4 of the Geoinformation Act of 5 October 2007³ (GeoIG),⁴

ordains:

Chapter 1: General Provisions

Art. 1⁵ Definition and purpose

¹ Official cadastral surveying as defined in Article 950 of the Swiss Civil Code consists of the surveying work approved by the canton and by the Confederation for the establishment and maintenance of the land register.

² The data of official cadastral surveying is geospatial reference data that is used by the federal authorities, the cantons and the communes, as well as industry and commerce, academic and scientific institutions and the general public to obtain geographical information.

Art. 1a⁶ Relationship to general geoinformation law

Official cadastral surveying is governed by the Geoinformation Ordinance of 21 May 2008⁷, unless there are special provisions in this present Ordinance.

AS 1992 2446

¹ SR 172.010

² SR 210

³ SR 510.62

⁴ Footnotes

⁵ Amended in accordance with No. I of the Geoinformation Ordinance of 21 May 2008, in force since 1 July 2008 (AS 2008 2745).

⁶ Inserted by No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS 2008 2745).

⁷ SR 510.620

Art. 2⁸**Art. 3⁹** Planning and implementation

¹ The Federal Department of Defence, Civil Protection and Sport (DDPS) defines the strategic planning of official cadastral surveying in consultation with the responsible cantonal authorities.

² The cantons prepare implementation plans, which serve as the basis for the conclusion of programme agreements in accordance with Article 31 paragraph 2 GeolG.

³ In case of land realloftments and in areas in which necessary agricultural or forestry realloftments cannot be carried out in the foreseeable future, the technical work of data acquisition for the "landownership" information layer is performed using a simplified procedure. The DDPS specifies the technical requirements.

Art. 4 Military installations

Provisions concerning the surveying of military installations that deviate from those in this Ordinance are reserved.

Chapter 2: Content of Official Cadastral Surveying**Art. 5** Elements of official cadastral surveying

Official cadastral surveying consists of:

- a. the markers of the control points and boundary points;
- b.¹⁰ the data in accordance with the data model of official cadastral surveying;
- c.¹¹ the cadastral map and further extracts of the cadastral data set required for the land registration;
- d. the required technical documents;
- e. the components and principles of former cadastral surveying under the old regulations;
- f.¹² the base map of official cadastral surveying.

⁸ SR 510.62

⁸ Repealed by No. I of the Ordinance of 21 May 2008, with effect from 1 July 2008 (AS 2008 2745).

⁹ Amended in accordance with No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS 2008 2745).

¹⁰ Amended in accordance with No. I of the Ordinance of 7 March 2003 (AS 2003 507).

¹¹ Amended in accordance with No. I of the Ordinance of 7 March 2003 (AS 2003 507).

¹² Inserted by No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS 2008 2745).

Art. 6¹³ Data model of official cadastral surveying

¹ The data model describes the content in accordance with the object catalogue, and the data structure in a standardised data description language.

² The object catalogue comprises the following information layers:

- a. control points;
- b. land cover;
- c. single objects;
- d. heights;
- e. local names;
- f. landownership;
- g. pipelines;
- h.¹⁴ territorial boundaries;
- i.¹⁵ permanent landslip areas
- j.¹⁶ building addresses;
- k.¹⁷ administrative subdivisions.

³ The "landownership" information layer includes properties in accordance with Article 655 paragraph 2 of the Swiss Civil Code insofar as these may be designated on an area basis, with the exception of parts in co-ownership.¹⁸

Art. 6a¹⁹ Responsibilities of the DDPS

¹ The DDPS defines the object catalogue and specifies the data to be captured, its accuracy and reliability, together with other requirements. Where necessary it may depart from Articles 3, 10 and 17 of the Geoinformation Ordinance of 21 May 2008²⁰.

² The DDPS specifies the official cadastral surveying interface.

³ The DDPS specifies the content, updating and management of the extracts to be prepared from official cadastral surveying data, and also the related technical documentation.

¹³ Amended in accordance with No. I of the Ordinance of 7 March 2003 (AS **2003** 507).

¹⁴ Amended in accordance with No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

¹⁵ Inserted by No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

¹⁶ Inserted by No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

¹⁷ Inserted by No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

¹⁸ Amended in accordance with No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

¹⁹ Inserted by No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

²⁰ SR **510 620**

Art. 6^{bis} 21**Art. 7²²** Land Registry Plan

¹ The Land Registry Plan is a hard copy or a digital graphical extract from the data of official cadastral surveying, which, as a constituent part of the land register, delimits properties, area-related distinct and permanent rights and mineral rights determined on an area basis. It has the legal force of entries in the land register.²³

² The Land Registry Plan includes the content of the “control points”, “land cover”, “single objects”, “local names”, “landownership”, “pipelines”, “territorial boundaries”, “building addresses” and “administrative subdivisions” information layers.²⁴

³ The cantons may, in addition to the cadastral surveying data, require boundaries of easements and servitudes to be portrayed, insofar as their positions are clearly defined on the ground.

⁴ The Federal Directorate of Cadastral Surveying (FDCS) defines the cartographic specification of the Land Registry Plan.²⁵

Art. 8–9²⁶**Art. 10²⁷** Cantonal Additions to the Federal Data Model

Within the framework laid down by the DDPS²⁸, the cantons may extend the content of official cadastral surveying as prescribed under federal law, and may specify additional requirements.

Chapter 3: Demarcation**Section 1: General Provisions****Art. 11** Definition and Scope

¹ Demarcation comprises the delimitation of boundaries and the emplacement of boundary markers (monumentation).

²¹ Inserted by No. I of the Ordinance of 7 March 2003 (AS **2003** 507). Repealed by No. I of the Ordinance of 21 May 2008, with effect from 1 July 2008 (AS **2008** 2745).

²² Amended in accordance with No. I of the Ordinance of 7 March 2003 (AS **2003** 507).

²³ Amended in accordance with No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

²⁴ Amended in accordance with No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

²⁵ Amended in accordance with No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

²⁶ Repealed by No. I of the Ordinance of 7 March 2003 (AS **2003** 507).

²⁷ Amended in accordance with No. I of the Ordinance of 7 March 2003 (AS **2003** 507).

²⁸ Expression in accordance with No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745). This amendment has been taken into account throughout the document.

² Demarcation is required for territorial boundaries, property boundaries and boundaries of distinct and permanent rights over others' land (easements) insofar as the latter can be clearly delimited by boundary lines.

Art. 12 Cantonal law

The cantons enact regulations dealing with demarcation within the framework of this Ordinance.

Section 2: Delimitation of Boundaries

Art. 13 Procedures

¹ In general, boundaries are to be defined *in situ*

² The cantons may specify that boundaries be defined on the basis of plans, aerial photographs or other suitable means:

- a.²⁹ in agricultural and forest land in mountainous and summer pasture areas as defined in the agricultural production register³⁰, and in unproductive areas;
- b. in the course of an updating process, subject to the agreement of the landowners concerned.

Art. 14³¹ Alignment of boundaries

¹ A valid boundary line between two adjacent boundary points may be a straight line or a circular arc.

² During first survey, renovation or updating of the "landownership" information layer, simplification of boundary lines should be sought. Existing boundary lines should be improved where possible.

Art. 14a³² Elimination of discrepancies

Discrepancies between maps of official cadastral surveying and reality, or between the plans themselves, shall be officially eliminated.

²⁹ Amended in accordance with No. I of the Ordinance of 7 March 2003 (AS **2003** 507).

³⁰ SR **912 1**

³¹ Amended in accordance with No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

³² Inserted by No. I of the Ordinance of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).