

Analysis of Recorded Protected Areas in the Republic of Croatia in the Cadastre and Land Registry for Two Counties

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Abstract

The Law on Nature Protection (NN 80/2013) regulates protected area declaration, its name and category, borders, cartographic representation in analogous and digital form, map scale and special geodetic basis for record in cadastre and land registry. It also prescribes parties responsible for declaring protected areas depending on category: Croatian Parliament, Government, Ministry and local administrations. Parties declaring protected areas submit documents to corresponding cadastral office or the City Office for Cadastre of Zagreb. The Law on Nature Protection also prescribes that: „After the corresponding district cadastral office records the special legal regime, the corresponding land registry court is going to receive a list of parcels in order to record the special legal regime – a protected area in land registries, based on the procedure of recording the special legal regime”, while the land registry makes a record regardless of existing records. The Law on State Survey and Real Estate Cadastre (NN 16/2007) prescribes that „Real estate cadastre is a registry of parcels, buildings and special legal regimes on land”. Recording special legal regimes on cadastral parcels is conducted on the basis of official documents. The compatibility of regulations which prescribe recording protected areas in the Republic of Croatia in official real estate documents, Law on Nature Protection and Law on State Survey and Real Estate Cadastre, guaranties that every declared protected area is also going to be recorded in official real estate registries: cadastre and land registry. How many protected areas are recorded as special legal regime in cadastre and land registry in the Republic of Croatia?

We have only been able to partially answer that question because our analysis was conducted on a small sample covering two counties: Istrian and Sisačko-Moslavačka. We used the Nature Protection Information System of the Republic of Croatia (<http://www.bioportal.hr/gis/>), Geoportal (<http://geoportal.dgu.hr/>), data on cadastral parcels (<http://www.katastar.hr/dgu/>) in cadastre and land registry (<http://e-izvadak.pravosudje.hr/pretraga-zk-ulozaka.htm>) and analysed how many protected areas were recorded according to the mentioned laws. Our analysis was done on a random sample of cadastral parcels within selected protected areas. Only a small percentage of protected areas are recorded in cadastre and land registry. Our analysis was not comprehensive and one needs to be done for the entire Republic of Croatia before a plan can be made of emergency recording protected areas in cadastre and land registry according to regulations.

Key words: protected areas, special legal regime, analysis, cadastre, land registry