



ISSUES OF DEVELOPING LAND RIGHT REGISTRATION IN MONGOLIA

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ABSTRACT

Land right registration and cadastre have been limited to develop cadastral registration systems in Mongolia. It is related to a lack of cooperation among state organizations that are five major organization conducting in land and property registration, and non-unified system of data exchange, capturing, control and monitoring in the land registration system in Mongolia. The five state organizations have different land right registration and the cadastral database to record land right and property using the distinct software. But also essential information to register land right is insufficient the database of land right, and have not recorded the database. The results indicated that the parcel number and numbering system is four different types in one organization for the land right registration system.

KEYWORDS: Land right registration and cadaster, parcel numbering system

INTRODUCTION

The land right registration (land titling) is the acquisition of legal right(s) to land ownership; it is a system by which ownership of real property is established through the issuance of an official certificate indicating the name of the individual in whom such ownership is vested. It has involved landing units and landing parcel of land ownership that is owned by citizens and legal entities by contract and by the relevant public/government authority. In other words, land right registration information is information about the land, which has a status of civil legal relationship and information about its property and non-property rights. The procedures for regulating and registering of land in the state land registration haven't clearly regulated by the current Land law of Mongolia and laws on land cadastral and its mapping. Also, the provisions of the Constitution,

Land law, Immoveable property registration and Law on citizenship indicate that the land registration system, its contents, and indicators are quite complicated. In some countries, where the land right registration and cadaster are well developed, have regulated by the land registration law. In contrast, Mongolia has no law on land registration. Due to lack of Law on land registration, the key indicators of land right registration have been complicated issues for now such as: concepts of land registration, land cadastral surveying, registration activity, registering organizations, function, registration or cadastral documentation, registering regulation, certificating land right registration, updating law-and-order amendment of state land registration and land right information systems.

OBJECTIVE

The objectives of this study are to assess the current situation of the database, design and structure, used software, the content of registration information and land right registration database, which applied in registering organizations related to land right and property registration. To achieve the aim, we proposed the following objectives.

- To study organizations (ministry and agency) related to land right and property registration and to determine the main purpose of their registration activities.
- To evaluate and analyze the current of land right registration database, using software, including data type, spatial and non-spatial database for land right and property registration.

RESULTS AND DISCUSSION

To study organizations (ministry and agency) related to land right and property registration and to determine the main purpose of their registration activities. The basic principles of land cadaster activities are following:

- The land cadastral system will be an integrated database management system and technology.
- Land cadaster activities have regulated and coordinated by the integrated administration.

○ Land cadaster activities have cooperated well with land-organizations. The figure shows that the administration of organizations related to land right and property registering aren't integrated system (Figure 1). The figure 1 showed that these organizations are implementing the main function for land right registration to record land right and property.

Table 1.

Implementation of activities and tasks related to land right registration

Implementation of activities related to land right registration	Land department of aimag, city and district	Division of mining cadaster	Urban development Information Department	Cadastral division of Forest, Water and Protected areas	Department of property registration
To authorize land use and ownership	✓	✓		✓	✓
To contract, to certify	✓	✓		✓	✓
Assignment, cancellation	✓	✓		✓	✓
Cadastral map registration	✓	✓	✓	✓	
Land right registration	✓	✓	✓	✓	✓

We evaluated and analyzed the current of land right registration database, using software, including data type, spatial and non-spatial database for land right and property registration. The organizations used

ArcGIS, AutoCAD, and sub-extensions to create and manage the spatial database, and Microsoft Access and Excel, Oracle to record land right and property registration.

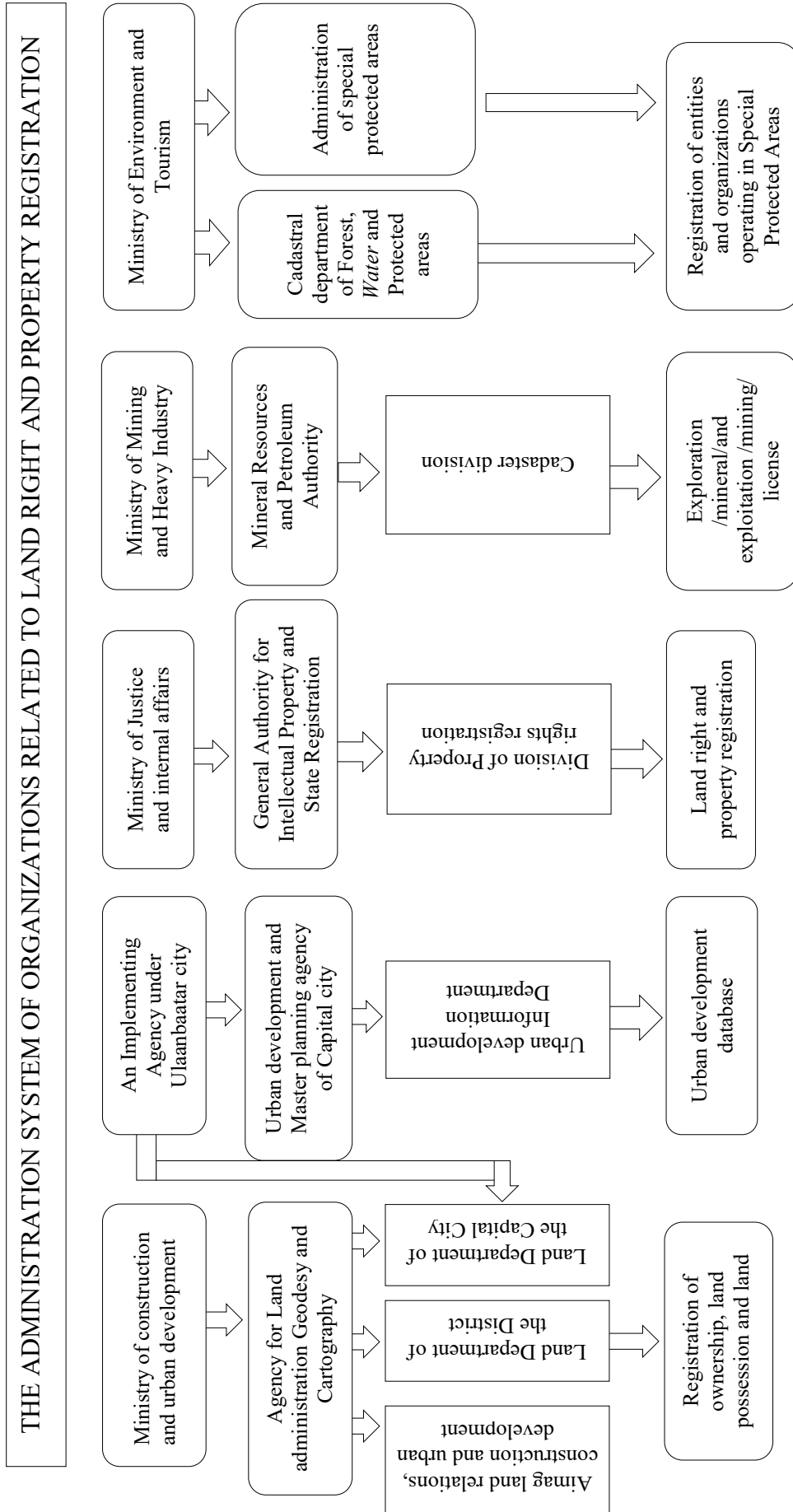


Figure 1. Administration system of organizations related to land right and property registration

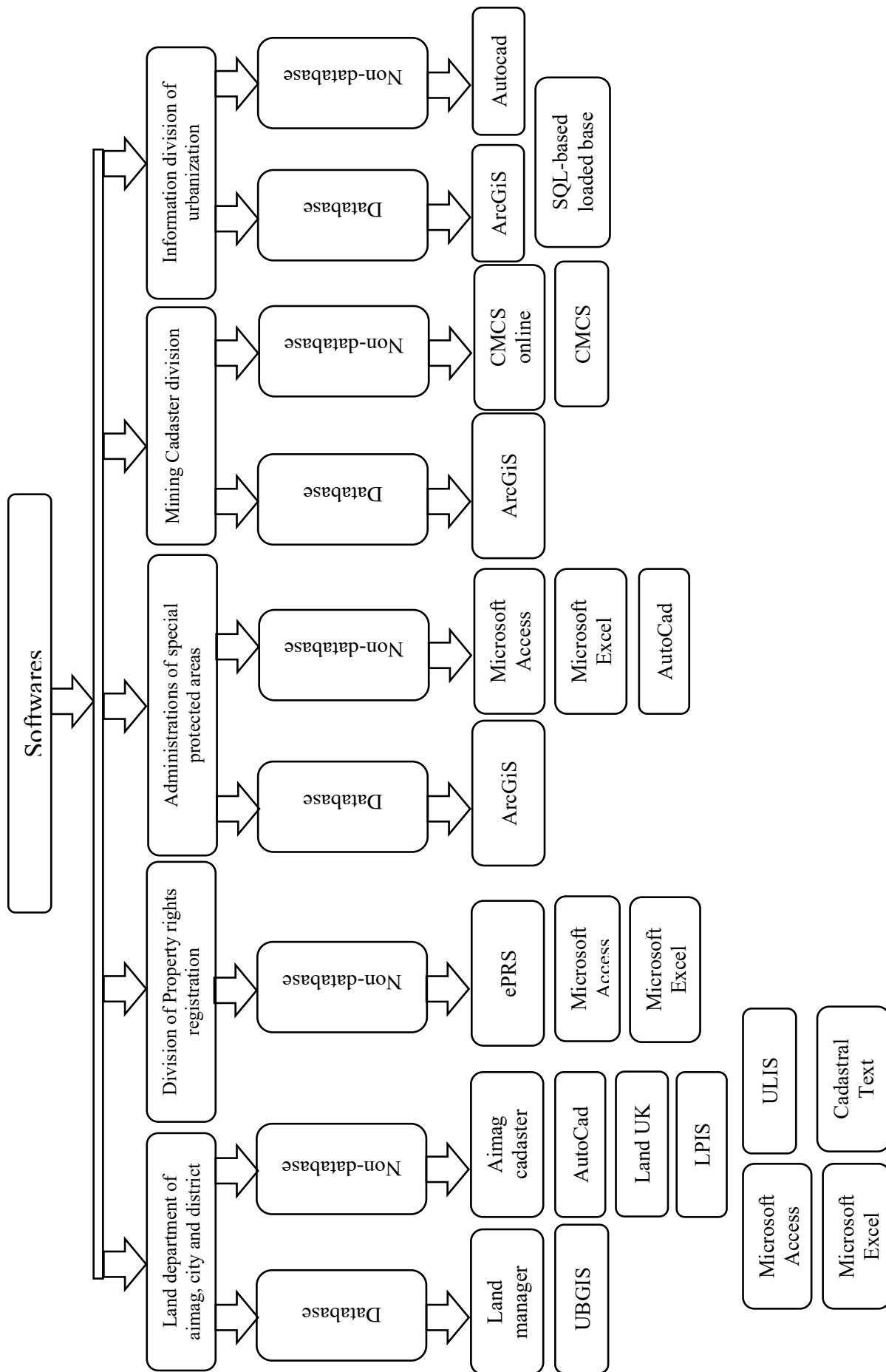


Figure 2. Softwares of the organizations for land right registration

Land right registration and cadaster included land right registering and spatial data that related to land units and land parcel. The organizations related to land right registration activities are mainly using ArcGIS program based on the spatial information system that is possible to use the integrated system. Also, the conducting organizations of the land right registration are used online database programs to register land right and property. Also, the online database programs for registering land right and

property used in this organization. From this result, we analyzed data from database using the programs (figure 2) in land right registration, and how to record needed information for land titling. The parcel number of land units and numbering system are main parameters in land right registration. However, there are four different types of numbering system of the land unit and land parcel in the land agency of province (aimag), city, and district (Figure 3).

Table 2.

Basic parameters of land right registration

No	Basic parameters required for land right registration	Land manager	Land Uk	UB GIS	ePRS	Urban development database	Mining CMCS	Environmental database
1	Coordinate system	UTM		ITRF		UTM	WGS-84	UTM
2	Number of unit field or land identification number	✓	✓	✓				
3	Register of documents proving land right	✓	✓	✓	✓	✓	✓	✓
4	Land size	✓	✓	✓	✓	✓	✓	✓
5	The number and size of property-not separated from the land	✓		✓	✓	✓	✓	✓
6	Land location	✓	✓	✓	✓	✓	✓	✓
7	Classification of land use and property operation	✓	✓			✓	✓	
8	Land and real estate prices				✓	✓		
9	Payment and tax of land and property	✓	✓			✓	✓	
10	Restrictions and servitude by the Government for use of property	✓	✓		✓		✓	✓
11	Status of land right	✓	✓	✓	✓	✓	✓	✓
12	Movement in land right and annotation of land right transfer	✓	✓		✓	✓	✓	✓

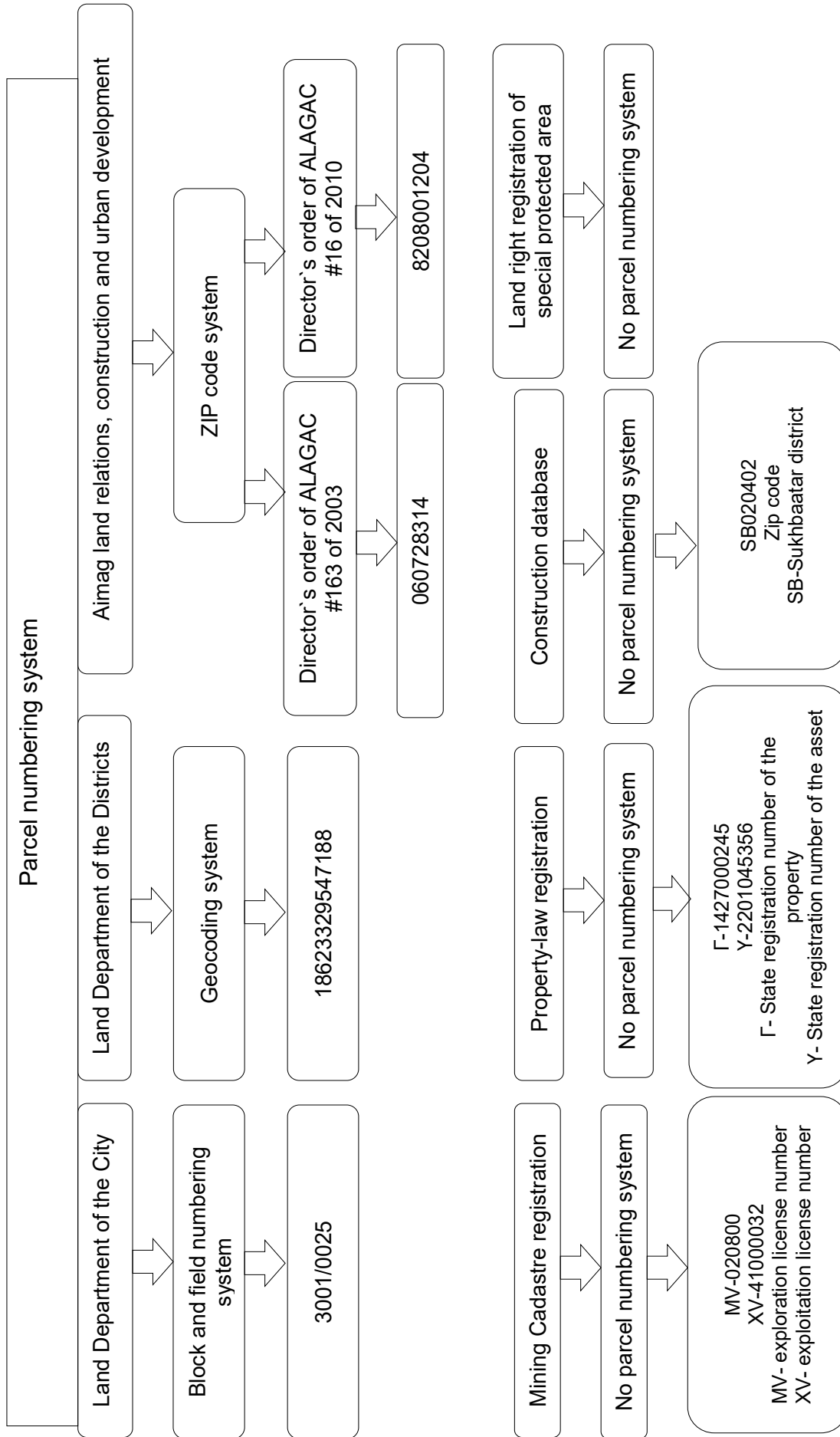


Figure 3. Parcel numbering system

Other organizations used the land parcel numbering. Registration of mining cadastre represented based on the number of exploitation and exploration licenses, and property registration used the code for numbering of state land right and state property registration

number. Moreover, it uses the code of location for registering buildings. However, the numbering system of land unit and land parcel don't apply to the land registration of citizens and organizations for special protected areas (figure 3).

CONCLUSION

1. We concluded that there is a lack of cooperation between organizations conducting land right and property registration, and is a limitation of data exchanges due to without unified standards and inter-connected systems in the land right and property registration databases.
2. There is not any software for recording all parameters when we evaluated the seven

- programs. And most of these programs is different for database contents, design and structure depending on their purposes and types of activity.
3. Land agency of aimag, capital and district applied four numbering system of land unit and the land parcel in land right registration, but others didn't use the numbering system.

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