

## CHAPTER 1.

### INTRODUCTION.

#### 1.1 THE CADASTRE.

A cadastre is essentially a record of interests in land encompassing both the nature and extent of these interests. The cadastre has basic elements which include the unambiguous definition of land parcels and their related information like area, value, location and ownership. The validity of the cadastre tends to lie in its official status. The factors of land, law and people influence the operation of the cadastre in any given environment. Generally speaking, cadastres are composed of two parts, the first part being the written record of land parcel information; the second part consisting of a detailed map or plan depicting the land parcel in question.

Cadastrals may be classified into the following functional classes, namely

Fiscal cadastre,

Legal cadastre, and

Multipurpose cadastre.

#### **FISCAL CADASTRE:**

Fiscal cadastrals were historically compiled for the purpose of providing an information base which was used for raising revenue through land taxation. However, nowadays the trend of the fiscal cadastre has changed towards legal and multipurpose cadastrals, though their theme of equitable and efficient assessment of real properties, and the provision of the framework for valuation and equitable assessment for improvements of the land still remains the cardinal feature of fiscal cadastrals.

## LEGAL CADASTRE:

This kind of cadastre is a general official register which contains records of proprietary interests in land. The purpose of the legal cadastre is to provide information about the legally recognised interests in land parcels. It also provides a means of legal transfer of the recognised land interests. The Zambian cadastre falls into this category. A conceptual (ideal) legal cadastre is built upon the following four principles:

- \* booking principle
- \* agreement principle
- \* publicity principle, and
- \* speciality principle

- The booking principle requires that an interest in land before it can be legally transferred, and must be registered in the cadastral record. This requirement is partially fulfilled in Zambia. However, due to the emergence of the informal sector as will be later explained in detail in chapter 5, this principle is being overlooked.

- The agreement principle implies that the transfer of landed interests should be based on formally recognised agreement between the vendor and the vendee of such interests.
- The principle of publicity means that the cadastral record should be kept open to the public at all times, and
- The principle of speciality implies that the cadastral record and the land parcel must be legally related in some way, and usually the link between the two is a parcel identifier (elaborated on in chapter 5.).

#### **MULTIPURPOSE CADASTRE:**

A multipurpose cadastre is a parcel based land information system which holds information pertaining to land ownership, land economics, physical and economic planning, statistics and management. Therefore it can be viewed as encompassing both fiscal, legal and a host of other utility and inventory functions.