

# National Cadastre Law

## CHAPTER I

### Objectives of territorial cadastres

SECTION 1- Provincial Cadastres and the Cadastre of the Autonomous City of Buenos Aires are the bodies in charge of managing the data corresponding to territorial objects and the public records of the data referring to legal territorial objects of public and private law in their jurisdictions. They are a fundamental component of the infrastructure of Argentina's spatial information and they constitute the basis of the real estate system in aspects of taxation, policy power and administrative land-use management. They shall administer the information regarding territorial objects with the following aims, without detriment to the other aims established by local legislations:

- a) To register the location, limits, dimensions, surface and property lines of immovable property, with reference to the property rights derived from the certificates invoked or the possession exerted. To establish the parcel card of immovable property and verify its subsistence pursuant to what is established by the local legislations, and rule land-use management;
- b) To publicize the parcel card of the immovable property;
- c) To record and publicize other legal territorial objects;
- d) To be acquainted with territorial wealth and its distribution;
- e) To elaborate economic and statistical data that shall serve as the basis for the tax legislation and public powers' policy making.
- f) To register the incorporation of improvements made on the parcels and determine their valuation;
- g) To determine the parcel valuation;
- h) To contribute to an adequate implementation of land-use policies, land-use management, land-use information management and sustainable development.

SECTION 2 — The local regulations shall designate the bodies in charge of the territorial cadastres and shall exert the cadastre immovable property police power.

SECTION 3 — The cadastre immovable property police power encompasses the powers as follows, without detriment to those assigned by local legislations to the bodies mentioned in the previous article:

- a) To officially perform acts of parcel and land-use surveying for cadastre purposes;
- b) To carry out parcel and land-use georeferencing;
- c) To register and publicize the parcel cards and those of other legal territorial objects based on the documentation that originates them, keeping the corresponding records;
- d) To request sworn statements to the owners of or residents in the immovable properties;
- e) To perform inspections aimed at carrying out censuses, verifying contraventions or any other procedure in accordance with this law's objectives;
- f) To issue certificates;
- g) To execute the jurisdictional cadastral cartography; elaborate, preserve and publicize its graphical record;
- h) To create, preserve and publicize the land-use historical archive;
- i) To interpret and apply the regulations that govern the subject;
- j) To set standards, metadata and any other component compatible with the role of cadastre in the development of infrastructures of geospatial data.

## CHAPTER II

Parcel card, constitution and verification.

Determination of other territorial objects

Legal

SECTION 4 — For the effects of the present law, the denomination parcel will be given to the representation of the immovable thing of continuous territorial extension, delimited by a polygonal line of limits corresponding to one or more juridical certificates or possession exerted, whose existence and essential elements are present in a cartographic document, registered under the cadastral body.

SECTION 5 — Parcel elements are as follows:

I. Essential:

- a) The immovable property's georeferenced location;
- b) The immovable property's limits, in relation with the juridical causes that originate them;
- c) The immovable property's linear, angular and surface measures.

II. Complementary:

- a) Fiscal valuation;
- b) Its boundary lines.

Said elements constitute the immovable property's parcel card.

SECTION 6 —The determination of parcel cards shall be made by means of parcel surveyance actions which consist of surveyance performed and authorized by professionals with pertinency in land surveying, who shall assume the professional responsibility for the documentation subscribed, pursuant to what is provided by the present law and in the way and conditions established by the local legislations.

SECTION 7 —The parcel card shall be constituted by its registration in the body of application of the surveyance plan and other documentation corresponding to the act of parcel surveyance executed. The plan must have the elements that will enable the definition of the parcel, according to what is established in section 5 of the present law and what is established by the local legislations. The registration does not remedy or validate the defects of the documents.

SECTION 8— After determination and constitution of the parcel card pursuant to the present law, verification of its subsistence must be made, every time it ceased to be into force, according to the provisions by the local legislations, and any of the acts contemplated under section 12 of the present law were performed.

SECTION 9 — Verification of the subsistence of parcel cards shall be made through surveyance acts or other alternative methods which, guaranteeing precision, reliability and integrity levels comparable to the measurement acts, are established by the local legislation. The acts of parcel surveyance for verification of subsistence shall be authorized by professionals with pertinency in land surveying, who shall be professionally responsible for the documentation subscribed, pursuant to what is established by the local legislation.

SECTION 10. —The legal territorial objects that do not constitute parcels pursuant to Section 5 of the present law, shall be likewise determined by measurement or other alternative methods which, guaranteeing precision, reliability and integrity levels comparable to the measument acts, are established by the local legislation and recorded under the cadastral body, pursuant to the regulations of the local legislations.

### CHAPTER III

#### Cadastral certification

SECTION 11 — The parcel card shall be awarded by means of certificates issued by the cadastral body in the form and under the conditions established by the local legislations. For the issuing of cadastral certificates when performing any act of constitution, modification and/or transmission of real rights, it must be guaranteed that the parcel card is determined and/or verified, and that its term of validity has not expired.

SECTION 12 —In the acts by which real rights over immovable properties are constituted, transmitted, declared or modified, the respective enabling cadastral certification must be at sight and its content related to the body of the pertinent deed or legal document. No cadastral certification shall be required for the cancellation of real rights and constitution of homestead, usufruct, use and habitation, and registration of embargoes and other remedies.

SECTION 13 — To the effects of the registration of the acts quoted under section 12 of the present law in the Immovable Property Registry, the cadastral certificate shall be attached to the corresponding documentation, without which the definite registration shall not become effective.

### CHAPTER IV

## Parcel valuation

SECTION 14 — Each jurisdictional cadastral body shall be in charge of determining the parcel valuation of its territory, for fiscal purposes.

The local laws shall establish and instrument the valuation methodology to be used in their jurisdictions, which shall be, in all cases, technically supported so as to achieve the correct valuation and contribute to fiscal equity. The land, its characteristics, productive capacity and the improvements thereon shall be object of fair price.

## CHAPTER V

### Creation of the Federal Council of Cadastre

SECTION 15 — Hereby is created The Federal Council of Cadastre, which shall be constituted by all the provincial cadastres and that of the Autonomous City of Buenos Aires, with the aim of complying with the objectives established by the present law, which shall dictate their regulations for their organization and functioning.

## CHAPTER VI

### Complementary or transitory provisions

SECTION 16 — The provinces and the Autonomous City of Buenos Aires shall, by means of the Federal Council of Cadastre, contribute to the adequate implementation of land-use policies, land-use management, land-use information management and sustainable development, in agreement with the role vested on cadastre as a fundamental component of the infrastructure of Argentina's spatial data.

The Federal Council of Cadastre shall contribute to coordinate the valuation methodologies, aimed at unifying criteria intended to inform the corresponding tax-collecting bodies throughout the Nation.

SECTION 17 — The pertinent standards referred to the constitution of a parcel card and its registration shall be of gradual and progressive application according to what each jurisdiction's cadastral bodies determine.

SECTION 18 — This law is complementary to the Civil Code.

SECTION 19 — Laws 20,440, 21,848 and 22,287 are hereby annuled.

SECTION 20 — Inform the Executive Power.