



Real Property Formation in Sweden – The Role of the Cadastral Surveyor

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Introduction

Sweden has a centuries-old tradition of property formation, dividing the country into real properties and thus securing ownership and rights associated to land use. This paper briefly describes the role of the Swedish officials mandated to conduct the formation of new and alteration of already existing real property, i.e., performing and being responsible for the cadastral property formation process and the creation of rights, restrictions, and responsibilities, here referred to as RRRs. RRRs also include the right of ownership, which is traditionally seen as the central right executed in a real property. This paper only provides a general outline of the history and organisation of Swedish real property formation and the role of the cadastral land surveyor.

The Swedish term for a land surveyor is “lantmätare”, which literally translates to land measurer in English, i.e., land surveyor. Lantmätare is not a protected title, and several universities offer academic educations giving the students competence in a variety of subjects, such as land and cadastral surveying, planning, real property formation, valuation of real property and land management.

Historical Background

The basis of the legal system for formation and registration of real property as we know it today was introduced by royal provision in 1628, almost 400 years ago, when Lantmäteriet – the Swedish Mapping, Cadastral and Land Registration Authority – was founded. The reason was that Sweden was in rapid development and on the way to becoming a European political as well as economic power and the government needed better information about resources within the kingdom (Sandgren, 2017). One central task was the mapping of resources related to agriculture, mining, and forestry, as well as the country’s division into real properties in rural and as well as urban areas for taxation purposes. A textual description of the real properties was registered in books by the central administration, and the geometry of the outline of the real properties was drawn on maps. A real property can consist of one or more geometrical areas. Several of these maps are works of art and even

290 municipalities are responsible for real property formation within their domains. It is typically larger municipalities, such as Stockholm, Malmö and Gothenborg who wished to be responsible for their real property formation. There is close cooperation between Lantmäteriet and the municipal cadastral agencies, and Lantmäteriet is still the main governmental agency for property formation and registration in Sweden.¹ All real property formation, alterations, and changes in RRRs and cadastral boundaries are registered physically in dossiers at the organisation responsible for the formation, but stored digitally in the national central real property register.

The Role of the Cadastral Surveyor

The Swedish Real Property Formation Act (SFS, 1970a), hereafter shortened as FBL, clearly states that property formation is conducted through a cadastral procedure and that the procedure is the responsibility of a cadastral authority. The procedure is normally initiated by the landowner submitting an application to the cadastral authority, unless another procedure is agreed (SFS 1970a, ch. 2, §2). The appointed cadastral surveyor is responsible for the entire process, which ends with registration of the cadastral changes in the national real property register. The process includes, for example, an investigation of existing RRRs, the localisation of boundary markings, meetings with property owners and municipal, regional, and governmental representatives, etc., if necessary.

The FBL is one of several laws, including the Swedish Land Code (SFS, 1970b), implemented around 1970 to modernize the somewhat antiquated and outdated legislation regulating real property and associated RRRs. The FBL and the Land Code provided a modern set of rules for property formation in rural as well as urban areas, which had been different, and gave the cadastral surveyor increased possibilities and responsibilities as governmental officials (Sandgren, 2017, p. 38).

Education of Cadastral Surveyors

The first cadastral surveyors were educated in-house at Lantmäteriet by Anders Bure, the founder of Lantmäteriet. Bure (1571–1646) was a Swedish cartographer and considered by many as the father of Swedish cartography. The education consisted of land surveying, legal studies, etc. to build up competence for this new professional corps. Since then, the field has become much more specialised and there are programmes at bachelor and/or master levels at a small number of Swedish universities, such as the University of Gävle, the Royal Institute of Technology KTH, Lund University and Uppsala University. It can generally be said that the traditional education of land surveyors in Sweden contains three main topics: 1) Land surveying, including geodesy and GIS; 2) Real property legislation, including economy; and 3) Urban and rural planning. All topics are normally taught, but with varying focuses depending on the programmes offered by the respective institutions. Swedish land surveyors have a broad knowledge base and are well equipped to work in the public or private sector, depending on their individual interests and the job market. Prior to 1995 it was a requirement to have a master's degree (in Swedish: *civilingenjör*) specializing in real property formation or related topics from the Royal Institute of Technology KTH in Stockholm, or having obtained similar competence elsewhere, and to have at least two years of relevant work experience overseeing a local Lantmäteriet office (SFS, 1988, ch. 6, §4). This requirement was withdrawn in connection with a major reorganisation of Lantmäteriet (SFS, 1995b). In other words, today there are no formal, legal requirements

¹ See Lantmäteriet (2024) for a list of municipal cadastral authorities.

for a specific education of any kind for cadastral surveyors responsible for the cadastral procedures.

The cadastral organisations mentioned above recruit newly educated as well as experienced (cadastral) surveyors and have in-house education programmes and practical training before employees are allowed to be responsible for a cadastral formation process. The organisations have internal routines for quality management of the different procedures and stages in the property formation process. An example is Lantmäteriet's (2023) specification of a career ladder and salary structure for cadastral surveyors. This compensates for detailed legal requirements for working as a cadastral surveyor. There are examples of employees with pure legal backgrounds being recruited. Lantmäteriet and the municipal cadastral organisations have formal responsibility for ensuring a valid, objective and legally secure cadastral process within their domains.

The person in charge of the cadastral process acts as a representative for the cadastral authority. In case of mistakes and procedural errors in the cadastral process, the organisation is held responsible, not the civil servants.

Summary

Sweden has a long tradition of forming and changing real property. This is the responsibility of the state or municipality, depending on where the real property is located. The work is done by cadastral surveyors employed by Lantmäteriet or a municipality granted the right to form and change real property itself within its domain. There is no official educational requirement to work as a cadastral surveyor, and several universities offer educations at bachelor and/or master levels. Private real property formation is not allowed, and the Swedish real property formation process is thus a public affair. The responsibility for errors is held by the organisations, not the cadastral surveyors working as civil servants. This contrasts with many other countries where e.g. private companies and licensed cadastral surveyors are strongly involved in real property formation.

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