

# GEODETSKI BONI SURVEYING VOUCHERS

*Blaž Mozetič*

*predsednik Zveze geodetov Slovenije | president of the Association of Surveyors of Slovenia*

Ali si predstavljate, da bi se v enem od zakonov o interventnih ukrepih za omilitev in odpravo posledic epidemije covid-19, ki se sprejemajo v Sloveniji, znašel tudi člen, ki bi opredeljeval geodetske bone? Denarni znesek si zamislite sami: za podporo boljši pravni varnosti lastnikov nepremičnin, posodobitev in ureditev nepremičninskih evidenc ter izboljšanje medsosedskih odnosov, saj so lastniki nepremičnin v času posebnih ukrepov zaradi razglašene epidemije imeli večinoma omejeno gibanje na domači nepremičnini in so zato do zadnjega kotička prehodili stanovanje ali vrt družinske hiše ter ugotovili, da bi bilo dobro kaj postoriti iz naslova dolžnosti in izključnih pravic ter interesa lastnika nepremičnine. Torej urediti in ažurirati podatke o nepremičnini, se pravi jasno opredeliti meje svojih pravic.

Seveda bi geodetske bone lastniki žal lahko uveljavljali le za nekatera področja geodetskih storitev – katastrske storitve, sodobna država mora namreč zagotavljati osnovne pogoje in taka država je tudi prepričana, da so na eni strani lastnikom nepremičnin dobro poznane njihove pravice in dolžnosti ter da so na drugi strani usposobljeni in prodorni ponudniki geodetskih storitev zelo zainteresirani in znajo prepričljivo ponuditi dodatne »samoplačniške« storitve, ki lastnikom nepremičnin zagotavljajo umirjeno uživanje pravic na nepremičnini do njene pravne meje. Poleg ponudnikov geodetskih storitev na nepremičninskem področju, ki jih lahko opredelimo kot del javne geodetske službe, bi bila posebnega geodetskega bona deležna tudi geodetska uprava, kajti brez dobre in urejene infrastrukture se v zemljiški administraciji ne pride prav daleč.

V obrazložitvi tega člena bi pisalo, da bodo rezultat urejene in znane meje pravic na nepremičninah; zavedati se moramo, da posredno govorimo o človekovih pravicah in ustavnih določbah, ki se nanašajo na pojem zasebne lastnine, da je to osnova trajnostnemu razvoju družbe tako v človeškem kot gospodarskem smislu. Pisalo bi tudi, da je javna geodetska služba zaradi svoje strokovnosti, kompetentnosti, visoke integritete, korektnosti in pomembnosti v sistemu državne administracije ključna pri ponovnem zagonu gospodarstva.

Mediji bi morda v svoji službeni skeptičnosti in novinarski radovednosti geodetskim subjektom zastavljali številna vprašanja v zvezi z izvedljivostjo tako velikega projekta, zadostnimi kadrovske in drugimi zmogljivostmi, strokovnostjo in usposobljenostjo kadra, časovnimi okviri, informacijskimi sistemi in podporo, odpravo birokratskih ovir ... Ne bi se pa bilo mogoče izogniti vprašanjem bolj komercialne tematike, kot so cene storitev, posebne ponudbe, popusti in morebitne podražitve, ter tudi čisto uradniškimi temam, kot so trajanje postopkov, zaostanki in birokratizacija.

Kot vedno bi se našli tudi dvomljivci in nergači, ki ne bi bili zadovoljni z načinom reševanja geodetske problematike, razlagali bi, da je težav in področij še več, a zaradi njim neznanih razlogov niso zajeti v določbah zakona, čeprav bi bilo to nujno. Pojavila bi se tudi najrazličnejša vprašanja: ali je predvideni znesek geodetskega bona dovoljšen, saj so na primer parcele označene z različnim številom in vrstami mejnih znamenj, dostop in pogoji za meritve so tudi zelo raznovrstni, lastniki imajo več nepremičnin, težave s solastniki ...

Spoštovane kolegice in kolegi, jaz si z lahkoto predstavljam vse to (pa ni nujno, da v povezavi z boni), ampak žal v oddaljeni prihodnosti, ko bo tudi geodetska stroka dozorela v spoznanju, kaj je njeno pravo poslanstvo na področju zemljiške administracije, in ko bo družba končno ugotovila ter ponotranjila, da so urejene meje pravic na nepremičninah svete in da je to tudi temelj dobrih družbenih odnosov ter jamstvo proste gospodarske (s)pobude na trgu znanja, idej, konceptov, rešitev, kapitala, lastnine ter ne nazadnje umetnost ponudbe in povpraševanja.

Ostanite zdravi in srečno!

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*Can you imagine that one of the acts on the intervention measures to mitigate and prevent the consequences of the covid-19 epidemic that are being adopted in Slovenia at the moment would include an article on surveying vouchers? Feel free to choose their value: be they intended to support the legal certainty of property owners; to update and maintain property registers; to improve relations with neighbours. In the period when measures to cope with the epidemic were in force, the movements of property owners were mostly limited to their properties, which allowed them to explore every nook and cranny of their apartments or gardens around their family houses; and to establish that it would not harm if they invested some of their energy into the duties, exclusive rights, and interests of a property owner. In essence, this means to compile and update the data associated with their property, which is to state the boundaries of their rights clearly.*

*As might be expected, surveying vouchers could, unfortunately, be used only in some areas of the mapping and surveying profession, mainly for cadastral services. As is, the state is obliged to create the basic conditions; besides, such a state has no doubts that, on the one hand, property owners are well informed about their rights and obligations and, on the other hand, providers of surveying services are properly trained and resourceful, they are highly engaged and know how to offer additional, 'self-paid' services that enable property owners to enjoy their property rights up to their legal boundaries calmly. Apart from surveying entities operating in the real-estate market that might be considered a part of public land surveying services, a special surveying voucher would be issued in favour of the Slovenian surveying mapping and authority as no real progress in land administration is possible without good and orderly infrastructure.*

*The reasons for the inclusion of the above-mentioned concept would include formally established and known boundaries of property rights; the issue is linked to human rights and constitutional provisions that apply to private property; it is the foundation of the sustainable development of the society, be it for people or economy. It would also be stated that the public surveying and mapping authority, with its high professional standards, competencies, high levels of integrity, regularity, and importance in the system of public administration, is of central importance for rebuilding the economy.*

*It might happen that journalists, bound by their professional scepticism and curiosity, would ask many questions about the feasibility of the project of this size; about the sufficient human and other resources, professional capacities, and skills of employees; about timelines, information systems and support; about the elimination of bureaucratic obstacles, and similar. It would by no means be possible to evade economic questions, for example on the price of the service, special offers, discounts, and possible increases in prices; and there are also some purely administrative issues as the length of procedures, backlogs, and unnecessarily bureaucratic procedures.*

*As always in such cases, doubters and grumblers would emerge; they would be highly discontent with solutions for surveying issues. They would go on to explain that there are more problems, more areas that are extremely urgent but have not been included in the legislation. Numerous other questions would emerge: is the amount of the surveying voucher sufficient, as different plots of land contain different numbers and types of survey markers; some plots are not easily accessible, the surveying conditions might differ considerably; some owners have several properties; there are co-owners and so on.*

*Dear Colleagues, for me it is extremely easy to imagine all this (not necessarily in connection with vouchers), but unfortunately only in the remote future, when the surveying profession will mature with the recognition of its true meaning in land administration; when society will finally realize and welcome the presumption that regulated boundaries of rights on properties are sacred, that they are the foundation of sound social relationships; that they assure free economic initiative and stimulus in the markets of knowledge, ideas, concepts, solutions, capital, property, and, last but not least, that this is where the art of supply and demand comes in.*

*Stay healthy and good luck!*