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Ordinance on Official Cadastral Surveying (OCS

of 18 November 1992 (Status as of 1 January 2024)

The Swiss Federal Council,

based on Article 48a paragraph 1 of the Government and Administration Organisation Act of 21 March 1997¹,
Article 38 paragraph 1 of the final title of the Civil Code (CC)² and
Articles 5 paragraph 2, 6 paragraph 1, 7, 9 paragraph 2, 12 paragraph 2,
14 paragraph 2, 29 paragraph 3, 31 paragraph 3, 32 paragraph 2, 33 paragraph 3,
38 paragraph ¹quater and 46 paragraph 4 of the Geoinformation Act of 5 October
2007³ (GeoIA9),⁴

ordains:

Chapter 1 General Provisions

Art. 1⁵ Functions of official cadastral surveying

Official cadastral surveying:

- a. shall provide the federal authorities, the cantons and the communes, as well as industry and commerce, academic and scientific institutions and the general public with geospatial reference data in accordance with Article 29 paragraph 1 GeoIA on objects located on, above or below the surface of the earth;
- b. ensures the availability of the official geodata required for the creation and maintenance of the land register in accordance with Article 950 CC.

AS 1992 2446

¹ SR 172.010

² SR 210

³ SR 510.62

⁴ Amended by No. I of the O of 23 Nov. 2022, in force since 1 Jan. 2023 (AS 2022 764).

⁵ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS 2023 529).

Art. 1a⁶ Relationship with general geoinformation law

Official cadastral surveying is governed by the Geoinformation Ordinance of 21 May 2008⁷ (GeoIO), unless there are special provisions in this present Ordinance.

Art. 2⁸ Participation of the cantons and consultation of partner organisations

When preparing technical standards and other federal requirements that fall within the scope of this Ordinance but do not exclusively concern the Federal Administration, the Confederation shall ensure the participation of the cantons and the consultation of partner organisations in an appropriate manner.

Art. 3⁹ Planning and implementation

¹ The Federal Department of Defence, Civil Protection and Sport (DDPS) shall define the strategic plan for official cadastral surveying in consultation with the cantonal authorities responsible.

² The cantons shall prepare implementation plans, which shall serve as the basis for the conclusion of programme agreements in accordance with Article 31 paragraph 2 GeoIA.

³ ...¹⁰

Art. 4 Military installations

¹ Provisions concerning the surveying of military installations that derogate from those in this Ordinance are reserved.

² Where military installations are transferred to civilian use, the DDPS shall regulate the procedure for their inclusion in the official cadastral survey and the allocation of costs.¹¹

Chapter 2 Content of the Official Cadastral Survey**Art. 5¹²** Components of the official cadastral survey

¹ The components of the official cadastral survey are:

- a. the data;
- b. the fixed point and border point markers on the terrain (point markers);
- c. the technical and administrative documents;

⁶ Inserted by No I of the O of 21 May 2008 (AS **2008** 2745). Amended by No I of the O of 23 Nov. 2022, in force since 1 Jan. 2023 (AS **2022** 764).

⁷ SR **510.620**

⁸ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁹ Amended by No I of the O of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

¹⁰ Repealed by No I of the O of 23 Aug. 2023, with effect from 1 Jan. 2024 (AS **2023** 529).

¹¹ Inserted by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

¹² Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

- d. the components and principles of the cadastral survey under the previous system;

² The DDPS shall regulate the details, in particular the products derived from the official cadastral survey data. Article 7 is reserved.

Art. 6¹³ Geodata model for official cadastral surveying

¹ The DDPS shall define the requirements for the geodata model for official cadastral surveying, in particular with regard to content, dimensions, accuracy and reliability. The geodata model may have a modular structure.

² Cantonal extensions to the geodata model are not permitted.

Art. 6a¹⁴

Art. 6^{bis} ¹⁵

Art. 7¹⁶ Land register plan

¹ The land register plan is an analogue or digital extract from the official cadastral survey data.

² It shall contain as a minimum the data on:

- a. the border points and boundary lines of the land or buildings (Art. 943 para. 1 no 1 CC);
- b. the border points and boundary lines of distinct and permanent rights to immovable property that have been defined in terms of area (Art. 943 para. 1 no 2 CC);
- c. mines (Art. 943 para. 1 no. 3 CC);
- d. areas subject to continuous movement (Art. 660a CC).

³ The minimum content of the plan has the effect of being recorded in the land register (Art. 971-974 CC).

⁴ The cantons may, in addition to the official cadastral survey data, require boundaries of easements to be indicated, provided their positions are clearly defined on the ground.

⁵ The Federal Department of Justice and Police (FDJP) and the DDPS shall jointly determine the requirements for the land register plan and other extracts, in particular with regard to content and presentation.

¹³ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

¹⁴ Inserted by No I of the O of 21 May 2008 (AS **2008** 2745). Repealed by No I of the O of 23 Aug. 2023, with effect from 1 Jan. 2024 (AS **2023** 529).

¹⁵ Inserted by No I of the O of 7 March 2003 (AS **2003** 507). Repealed by No I of the O of 21 May 2008, with effect from 1 July 2008 (AS **2008** 2745).

¹⁶ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

Art. 8–9¹⁷**Art. 10**¹⁸**Chapter 3 Marking****Section 1 General provisions****Art. 11** Definition and scope

¹ Marking involves establishing boundaries and placing boundary markers (monumentation).

² Marking is required for territorial boundaries, property boundaries and boundaries of distinct and permanent rights over others' land (easements), provided the latter can be clearly delimited by boundary lines. Article 17 is reserved.¹⁹

Art. 12 Cantonal law

The cantons shall enact regulations on the procedure for legally valid marking in accordance with this Ordinance.

Section 2 Establishing Boundaries**Art. 13** Procedure

¹ In general, boundaries shall be established by inspecting the location.

² The cantons may specify that boundaries be established on the basis of plans, aerial photographs or other suitable means:

- a.²⁰ in agricultural and forest land in mountainous and summer pasture areas as defined in the agricultural production register²¹, and in unproductive areas;
- b.²² in the course of an updating process, subject to the agreement of the landowners concerned.

¹⁷ Repealed by No I of the O of 7 March 2003, with effect from 1 April 2003 (AS **2003** 507).

¹⁸ Repealed by No I of the O of 23 March 2023, with effect from 1 April 2024 (AS **2023** 529).

¹⁹ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).
²⁰ SR **912.1**

²¹ Amended by No I of the O of 7 March 2003, in force since 1 April 2003 (AS **2003** 507).

²² Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

Art. 14²³ Boundary line

¹ A valid boundary line between two adjacent border points may be a straight line or an arc.

² In the initial survey, or when finalising or updating the survey, a simple boundary line should be aimed for. Existing boundary lines should be improved where possible.

Art. 14a²⁴ Elimination of discrepancies

Discrepancies between the cadastral survey data and the situation on the terrain or between the land register plan and other official cadastral survey plans shall be resolved ex officio, taking into account Article 668 paragraph 2 of the Swiss Civil Code.

Section 3 Monumentation**Art. 15** Principle

Boundary markers shall be placed so that boundaries are permanently identifiable on the ground or can be found by simple means.

Art. 16 Date

¹ As a rule, the boundary markers must be placed before the boundaries are surveyed for the first time.²⁵

² Individual boundary markers may be placed after the data is recorded in accordance with paragraph 1:

- a. in the course of updating, unless the boundary was established by inspecting the location;
- b. if there are compelling reasons why it was not possible or expedient to carry out the work earlier.

³ The boundary markers that are missing in accordance with paragraph 2 must be placed as soon as circumstances allow.

Art. 17 Exceptions

¹ If boundaries are defined by natural or artificial limits that are permanent and clearly identifiable, monumentation is generally not required.

² The cantons may provide for further exceptions, in particular:

- a. in areas where properties and distinct and permanent rights defined in area are made subject to consolidation;

²³ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

²⁴ Inserted by No I of the O of 21 May 2008 (AS **2008** 2745). Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

²⁵ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

- b.²⁶ for properties and distinct and permanent rights defined in area whose boundary markers are continually threatened by agricultural activity or other encroachments;
- c.²⁷ on agricultural and forest land in mountainous and summer pasture areas as defined in the agricultural production register, and in unproductive areas.

Chapter 4

Initial Survey, Finalisation, Updating and Pilot Projects²⁸

Section 1 General Provisions

Art. 18 Definitions

¹ An initial survey is the production of the components of official cadastral surveying in areas that have not been previously subject to a fully approved cadastral survey and in areas defined in Article 51 paragraphs 3 and 4.

² Finalisation is defined as the revision or expansion of a fully recognised official cadastral survey in order to adapt it to current regulations.²⁹

³ Updating is the modification of the components of official cadastral surveying to reflect changes in the legal or factual circumstances.

Art. 19 Procedures

The Federal Directorate of Cadastral Surveying³⁰ may issue directives concerning methods for initial survey, finalisation and updating.

Art. 20³¹ Geodetic reference system

The position and height references for official cadastral surveying are governed by Articles 4 and 5 GeoIO³².

Art. 21³³ Schedule for surveying

¹ The Federal Directorate of Cadastral Surveying and the competent cantonal authority shall plan official cadastral surveying on the basis of a programme agreement.

² The canton shall determine when individual surveys are to be carried out. It shall regulate the consultation procedure.

³ ...³⁴

²⁶ Amended by No I of the O of 7 March 2003, in force since 1 April 2003 (AS **2003** 507).

²⁷ Amended by No I of the O of 7 March 2003, in force since 1 April 2003 (AS **2003** 507).

²⁸ Amended by No I of the O of 23 Aug. 2022, in force since 1 Jan. 2023 (AS **2022** 764).

²⁹ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

³⁰ Name in accordance with No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024

(AS **2023** 529). This amendment has been made throughout the document.

³¹ Amended by No I of the O of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

³² SR **510.620**

³³ Amended by No I of the O of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

³⁴ Repealed by No I of the O of 23 Aug. 2023, with effect from 1 Jan. 2024 (AS **2023** 529).

Section 2 Updating

Art. 22 Principle of updating

All components of the official cadastral survey are subject to updating.

Art. 23³⁵ Continuous updating

¹ In cases where a reporting system for updating can be organised, the components of the official cadastral survey shall be updated within one year of a change occurring.

² The cantons may, after consulting the Federal Directorate of Cadastral Surveying, provide for different time limits in justified cases.

³ They shall regulate the reporting system.

Art. 24 Periodic updating

¹ All data that is not subject to continuous updating shall be updated periodically.

² Each periodic updating process must cover a large area forming a cohesive whole.

³ The periodic updating cycle should, if possible, correspond to that of the National Land Survey. It shall not exceed twelve years. The DDPS shall regulate the details of updating.³⁶

Art. 25³⁷

Section 3 Verification

Art. 26³⁸

All of the components of official cadastral surveying are subject to verification of quality and completeness by the cantonal oversight authority for surveying in accordance with the directives of the Federal Directorate of Cadastral Surveying;

³⁵ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

³⁶ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

³⁷ Repealed by No I of the O of 23 Aug. 2023, with effect from 1 Jan. 2024 (AS **2023** 529).

³⁸ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

Section 4 Objection Procedure, Approval and Compensation

Art. 27³⁹

Art. 28⁴⁰ Public inspection procedure

¹ After completion of an initial survey or the finalisation of an official cadastral survey and the elimination of discrepancies in accordance with Article 14a where the rights of landowners are affected, a public inspection procedure with objection procedures shall be arranged.⁴¹

² The subject of the public inspection procedure is the land register plan for the area concerned and other extracts from the official cadastral survey data relating to the maintenance of the land register.

³ The cantons shall regulate the procedure, subject to the following principles:

- a. The public inspection procedure lasts for 30 days.
- b. Official notice is given of the inspection procedure.
- c.⁴² Property owners whose addresses are known shall in addition be informed by standard post of the public inspection procedure and of the legal remedies available to them.
- d.⁴³ On request, the landowner shall be provided with an extract from the plan for the land register relating to his or her property in accordance with Article 7 paragraph 2 letters a-c.
- e. An appeal against the objection decision may be filed with a cantonal authority; the authority shall review the decision without restriction.
- f. A final appeal at cantonal level may be made to a court in accordance with Article 75 paragraph 2 of the Federal Supreme Court Act of 17 June 2005⁴⁴.

⁴ The cantons may stipulate that the public inspection procedure be conducted and official notice thereof be given exclusively by electronic means.⁴⁵

Art. 29⁴⁶ Approval

¹ After completion of the public inspection procedure and after first instance objections have been dealt with, the competent cantonal authority shall approve the cadastral survey data, the extracts derived from them and, in particular, the land register

³⁹ Repealed by No I of the O of 23 Aug. 2023, with effect from 1 Jan. 2024 (AS **2023** 529).

⁴⁰ Amended by No I of the O of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

⁴¹ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁴² Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁴³ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁴⁴ SR **173.110**

⁴⁵ Inserted by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁴⁶ Amended by No I of the O of 7 March 2003, in force since 1 April 2003 (AS **2003** 507).

plan, irrespective of any disputes yet to be resolved by court action, provided that the data meet the technical and quality requirements under federal law.⁴⁷

² This approval confers the probative value of official public documents on the cadastral survey work.

Art. 30⁴⁸ Recognition by the Confederation

¹ The Federal Directorate of Cadastral Surveying shall recognise the cadastral survey if:

- a. its formal examination has shown that the data meet the requirements of federal law; and
- b. the surveying work has been approved by the canton.

² It shall specify the documents to be submitted by the competent cantonal authority.

Art. 30^{bis}⁴⁹

Section 5⁵⁰ Pilot projects

Art. 30a

¹ The Federal Directorate of Cadastral Surveying may authorise pilot projects relating to official cadastral surveying in individual cantons or in specific geographical areas in order to test and develop:

- a. new processes and competences;
- b. new technologies;
- c. new content, and geodata and cartographic specifications.

² The DDPS shall, with the agreement of the federal authorities concerned, issue in a separate ordinance for the pilot project concerned the provisions that derogate from:

- a. this Ordinance;
- b. the GeoIO⁵¹;
- c. the Land Register Ordinance of 23 September 2011⁵²;
- d. the Ordinance of 21 May 2008⁵³ on Geographical Names;

⁴⁷ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁴⁸ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁴⁹ Inserted by No I of the O of 7 March 2003 (AS **2003** 507). Repealed by No I of the O of 21 May 2008, with effect from 1 July 2008 (AS **2008** 2745).

⁵⁰ Inserted by No I of the O of 23 Nov. 2022, in force since 1 Jan. 2023 (AS **2022** 764).

⁵¹ SR **510.620**

⁵² SR **211.432.1**

⁵³ SR **510.625**

- e. the FDJP and DDPS Technical Ordinance of 28 December 2012⁵⁴ on the Land Register.

³ Pilot projects must be for a limited period and must be evaluated.

Chapter 5⁵⁵ Administration of Official Cadastral Surveying

Art. 31 ...⁵⁶

¹ The components of the official cadastral survey must be managed so as to guarantee their continued existence, integrity and quality at all times.

² The DDPS shall regulate the technical and organisational requirements for administration, in particular data security, as well as archiving and historicisation in accordance with Articles 13-16 GeoIO^{57,58}

Art. 32⁵⁹

Art. 33

Repealed

Chapter 6⁶⁰ Data Access and Data Use

Art. 34 Principle

¹ Any person may have access to the official cadastral survey data on demand, in accordance with the regulations in Articles 10–13 GeoIA.

² The canton shall designate the agency which is to be responsible for deciding on access and use and for providing extracts and derived products.

³ The Federal Office of Topography shall operate a geoservice for networked access to cadastral surveying data (Art. 36 let. e GeoIO⁶¹).⁶²

⁵⁴ SR 211.432.11

⁵⁵ Amended by No I of the O of 21 May 2008, in force since 1 July 2008 (AS 2008 2745).

⁵⁶ Repealed by No I of the O of 23 Aug. 2023, with effect from 1 Jan. 2024 (AS 2023 529).

⁵⁷ SR 510.620

⁵⁸ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS 2023 529).

⁵⁹ Repealed by No I of the O of 7 March 2003, with effect from 1 April 2003 (AS 2003 507).

⁶⁰ Amended by No I of the O of 21 May 2008, in force since 1 July 2008 (AS 2008 2745).

⁶¹ SR 510.620

⁶² Inserted by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS 2023 529).

Art. 35 Description provided for extracts and derived products

Extracts and derived products from official cadastral surveying should be provided together with the available metadata, including, as a minimum, information on the currency, quality and completeness of the data.

Art. 36⁶³ Download service and interfaces

¹ Access to official cadastral survey data must be guaranteed by means of a download service.

² The DDPS shall regulate the technical and organisational details of the service.

³ It may provide for other interfaces.

Art. 37 Certified extracts

¹ Certified extracts are extracts from the official cadastral survey data in analogue (hard copy) or digital form whose conformity with the definitive official cadastral survey data has been authenticated by a registered surveyor who is authorised to certify extracts under Article 46a paragraph 1 letter b.⁶⁴

² Certified extracts are official public documents in accordance with Article 9 of the Swiss Civil Code.

³ ...⁶⁵

Art. 38⁶⁶**Art. 39⁶⁷** Supply to federal authorities

Unless the exchange of data among authorities is regulated by an agreement under Article 14 paragraph 3 GeoIA, payment for the supply of official cadastral survey data to federal authorities shall be based solely on the time involved and the order-related costs.

Chapter 7 Organisation and Execution**Section 1 Overall Management and Oversight****Art. 40** Specialist federal agency

¹ The Federal Directorate of Cadastral Surveying (FDCA) is the specialist federal agency. The FDCA is headed by a registered surveyor.⁶⁸

⁶³ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁶⁴ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁶⁵ Repealed by No I of the O of 23 Aug. 2023, with effect from 1 Jan. 2024 (AS **2023** 529).

⁶⁶ Repealed by No I of the O of 23 Aug. 2023, with effect from 1 Jan. 2024 (AS **2023** 529).

⁶⁷ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁶⁸ Amended by No I of the O of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

² The FDSC is responsible for the overall management and oversight of all aspects of official cadastral surveying.

³ The FDSC shall ensure the implementation and enforcement of regulations on the technical and quality requirements for official cadastral surveying.⁶⁹

^{3bis} The FDSC shall, in cooperation with the cantons, the Federal Office for Land Registry and Real Estate Law and the partner organisations, ensure the continual development of the geodata model for official cadastral surveying; it may set up working groups for this purpose.⁷⁰

⁴ The FDSC shall also ensure coordination between official cadastral surveying and other federal surveying programmes, advise the federal authorities on the acquisition of official cadastral survey data, and represent the interests of the Confederation in dealings with the cantons and third parties.⁷¹

⁵ In cooperation with the cantonal surveying oversight authorities, the FDSC is entitled to process data on individual surveying projects and on the contractors responsible therefor.⁷²

⁶ ...⁷³

Art. 41⁷⁴

Section 2 Survey Oversight⁷⁵

Art. 42 Cantonal Oversight Authority for Surveying⁷⁶

¹ The canton shall appoint the agency (the Oversight Authority for Surveying) responsible for the oversight of official cadastral surveying. This agency shall be headed by a registered surveyor, who shall not be subject to directives on technical matters.⁷⁷

² The Oversight Authority for Surveying shall manage, monitor and verify the official cadastral surveying work. It shall ensure the coordination of the official cadastral surveying work with other surveying programmes and geoinformation systems.⁷⁸

³ If a canton is unable to fulfil its oversight role due to its actual circumstances, it may delegate its responsibilities in whole or in part to the Federal Directorate of Cadastral Surveying, subject to repayment of the costs involved.

⁶⁹ Amended by No I of the O of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

⁷⁰ Inserted by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁷¹ Amended by No I of the O of 7 March 2003, in force since 1 April 2003 (AS **2003** 507).

⁷² Inserted by No I of the O of 7 March 2003 (AS **2003** 507). Amended by Annex 2 No II 28 of the Data Protection Ordinance of 31 Aug. 2022, in force since 1 Sept. 2023 (AS **2022** 568).

⁷³ Repealed by No I of the O of 23 Aug. 2023, with effect from 1 Jan. 2024 (AS **2023** 529).

⁷⁴ Repealed by No I of the O of 21 May 2008, with effect from 1 July 2008 (AS **2008** 2745).

⁷⁵ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁷⁶ Inserted by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁷⁷ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁷⁸ Amended by No I of the O of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

⁴ The cantons may delegate survey oversight to each other or establish joint institutions for survey oversight.⁷⁹

Art. 42⁸⁰ Administrative agreement with the Principality of Liechtenstein

The DDPS may conclude a rescindable fixed-term agreement under international law with the Principality of Liechtenstein covering the full or partial delegation of survey oversight for Liechtenstein to the Federal Directorate of Cadastral Surveying.

Section 3 Conduct of Official Cadastral Surveying

Art. 43⁸¹ Responsibility

¹ The canton is responsible for carrying out official cadastral surveying.

² The canton shall appoint the agency which is to be responsible for the original and definitive data set of official cadastral surveying.

Art. 44⁸² Right to carry out the work

¹ The work of official cadastral surveying may only be carried out by registered surveyors not subject to directives, or under their technical supervision.

² The DDPS may permit the conduct of official cadastral surveying work by other specialists provided the quality of their work satisfies the requirements for official cadastral surveying and the work does not relate to the minimum content of the land register plan in accordance with Article 7 paragraph 2 or territorial boundaries.

Art. 45⁸³ Award of contracts

¹ The award of contracts for work such as marking, initial survey, finalisation, periodic updating and provisional digitising must comply with the regulations on public procurement in force in the canton.

² Official cadastral surveying work to be carried out in a specific geographical area must be the subject of a public invitation to tender.

Art. 46⁸⁴ Transactions with the land register

¹ The FDJP and the DDPS shall jointly regulate the main aspects of electronic business transactions between the official cadastral surveying offices and the land register offices.

⁷⁹ Inserted by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁸⁰ Inserted by No I of the O of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

⁸¹ Amended by No I of the O of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

⁸² Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

⁸³ Amended by No I of the O of 21 May 2008, in force since 1 July 2008 (AS **2008** 2745).

⁸⁴ Amended by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023** 529).

² The cantons shall otherwise regulate the relations between official cadastral surveying and the land register.

Art. 46a⁸⁵ Deeds of mutation und certified extracts

¹ The cantons shall determine which registered surveyors:

- a. may sign deeds of mutation;
- b. may issue certified extracts under Article 37.

² The electronic issue of certified extracts shall be governed by the Ordinance of 8 December 2017⁸⁶ on the Issue of Electronic Public Documents and Electronic Certifications.

Chapter 8

Programme Agreements, Federal Contributions and Other Costs⁸⁷

Section 1 Programme Agreements⁸⁸

Art. 47⁸⁹ Subject matter and duration

¹ The subject matter of programme agreements between the Federal Office of Topography and cantons are in particular:

- a. the services provided by the canton;
- b. the contributions paid by the Confederation;
- c. management controls;
- d. the details of financial oversight.

² A programme agreement shall have a duration of four years. Sub-goals may be agreed for a shorter duration.

Art. 47a⁹⁰ Reporting and controls

¹ The canton shall submit a report to the Federal Office of Topography each year on the use of the contributions.

² The Federal Office of Topography shall carry out random checks on:

- a. the implementation of individual measures in accordance with the programme goals;
- b. the use of the contributions paid.

⁸⁵ Inserted by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS **2023 529**).

⁸⁶ SR **211.435.1**

⁸⁷ Amended by No I of the O of 23 Nov. 2022, in force since 1 Jan. 2023 (AS **2022 764**).

⁸⁸ Amended by No I of the O of 23 Nov. 2022, in force since 1 Jan. 2023 (AS **2022 764**).

⁸⁹ Amended by No I of the O of 23 Nov. 2022, in force since 1 Jan. 2023 (AS **2022 764**).

⁹⁰ Inserted by No I of the O of 23 Nov. 2022, in force since 1 Jan. 2023 (AS **2022 764**).

Art. 47b⁹¹ Inadequate performance

¹ The Federal Office of Topography shall withhold payment, in whole or in part, of instalments of federal contributions during the programme if the canton:

- a. does not comply with the reporting requirement (Art. 47a para. 1);
- b. is at fault in failing significantly to perform its part of the programme.

² If it becomes apparent after the programme that performance was inadequate, the Federal Office of Topography shall request the canton to remedy the situation; it shall specify an appropriate period for doing so.

³ If performance is still inadequate after this period, the Federal Office of Topography shall request repayment to cover the value of inadequate performance, together with interest of 5 per cent (Art. 28 para. 2 of the Subsidies Act of 5 October 1990⁹²).

Section 2 Federal Contributions⁹³**Art. 47c⁹⁴** Calculating the federal contribution

The rules on calculating the federal contribution to the funding for official cadastral surveying are set out in the Annex.

Art. 47d⁹⁵ Allowable costs

¹ The only allowable costs are those incurred in accordance with the regulations and in the cost-effective execution of the task.

² The following costs are not allowable:

- a. the costs of continuous updating and administration;
- b.⁹⁶ ...
- c. the costs of the cantonal oversight authority for surveying;
- d. compensation paid to cantonal and communal bodies for their assistance in the work of marking and surveying;
- e. the costs of cantonal verification and public inspection procedures;
- f. compensation for crop damage during surveying work;
- g. interest on advance payments for marking and surveying work;
- h. additional costs resulting from non-observance by the contracting parties of the relevant regulations or of the terms of the contract;
- i. the determination of building addresses;

⁹¹ Inserted by No I of the O of 23 Nov. 2022, in force since 1 Jan. 2023 (AS 2022 764).
⁹² SR 616.1

⁹³ Inserted by No I of the O of 23 Nov. 2022, in force since 1 Jan. 2023 (AS 2022 764).

⁹⁴ Inserted by No I of the O of 23 Nov. 2022, in force since 1 Jan. 2023 (AS 2022 764).

⁹⁵ Inserted by No I of the O of 23 Nov. 2022, in force since 1 Jan. 2023 (AS 2022 764).

⁹⁶ Repealed by No I of the O of 23 Aug. 2023, with effect from 1 Jan. 2024 (AS 2023 529).

- j. the costs of correcting discrepancies in accordance with Article 14a.

Art. 48⁹⁷ Calculating the allowable costs

¹ For work that was awarded in accordance with the regulations on public procurement, the allowable costs shall correspond to the stipulated price, subject to Article 47d.

² For work that was not awarded in accordance with the regulations on public procurement, the canton shall fix the allowable compensation in accordance with current market rates.

³ Compensation fixed by the canton requires the approval of the Confederation.

⁴ A flat-rate federal contribution may be agreed in the programme agreement instead of the allowable costs.

Art. 48a⁹⁸

3. Section:⁹⁹ Other costs

Art. 49¹⁰⁰

The cantons shall specify who is to be responsible for the remaining costs after deduction of the federal contribution.

Chapter 9 Final Provisions

Section 1 Repeal of Current Legislation

Art. 50 Repeal

The following are repealed:

1. the Instruction of 10 June 1919¹⁰¹ on Order IV. triangulation;
2. the Instruction of 10 June 1919¹⁰² on marking and surveying of land parcels;
3. the Federal Council Decree of 6 January 1920¹⁰³ on the Repeal of the Federal Council Decree of 17 November 1911 on the payment of federal contributions to the costs of monumentation of traverse points;

⁹⁷ Amended by No I of the O of 23 Nov. 2022, in force since 1 Jan. 2023 (AS **2022 764**).

⁹⁸ Originally Art. 48^{bis}. Inserted by No I of the O of 7 March 2003 (AS **2003 507**). Repealed by No I of the O of 23 Nov. 2022, with effect from 1 Jan. 2023 (AS **2022 764**).

⁹⁹ Originally Section 2.

¹⁰⁰ Amended by No I of the O of 7 March 2003, in force since 1 April 2003 (AS **2003 507**).

¹⁰¹ [BS 2 568]

¹⁰² [BS 2 592; AS **1980 106**]

¹⁰³ [BS 2 658]

4. the Ordinance of 12 May 1971¹⁰⁴ on Cadastral Surveying.

Section 2 Transitional Provisions

Art. 51 Adjustment of existing surveys

¹ Provisionally approved surveys must be modified by an initial survey (resurvey) in accordance with the new regulations.

² Fully approved surveys must be finalised subject to the reservation of paragraph 3.

³ The DDPS shall regulate which fully approved surveys carried out under the regulations in force before 10 June 1919 must be replaced by initial survey (resurvey) in accordance with the new regulations.

⁴ In fully approved surveys based on fixed point networks that are not in the national coordinate system, the adjustment of the control network to satisfy the new regulations is deemed to be equivalent to an initial survey.¹⁰⁵

⁵ Surveys approved in accordance with this Ordinance are considered to be valid surveys under the new regulations.¹⁰⁶

Art. 52 Initial surveys, finaliation, surveys in progress

¹ The cantonal oversight authority for surveying shall determine whether initial surveys and finalisation that began less than two years after this Ordinance comes into force are to be conducted in accordance with the old or the new regulations.

² The cantonal oversight authority for surveying shall decide, in consultation with the Federal Directorate of Cadastral Surveying, whether, and if necessary to what extent, surveys in progress at the time this Ordinance comes into force should be completed in accordance with the new regulations.

Art. 53 Updating of old surveys

The cantonal oversight authority for surveying shall, in consultation with the Federal Directorate of Cadastral Surveying, decide whether, and if necessary to what extent, surveys carried out under the old regulations should be updated in accordance with the new regulations.

Art. 54 Continued application of previous law

For work carried out or continued in accordance with the previous regulations as a result of a cantonal decision under Articles 52 or 53, the Instruction of 10 June 1919¹⁰⁷

¹⁰⁴ [AS 1971 704; 1991 370 Annex No 2]

¹⁰⁵ Amended by No I of the O of 7 March 2003, in force since 1 April 2003 (AS 2003 507).

¹⁰⁶ Inserted by No I of the O of 21 May 2008, in force since 1 July 2008 (AS 2008 2745).

¹⁰⁷ [BS 2 592; AS 1980 106]

on the marking and surveying of land parcels and the Ordinance of 12 May 1971¹⁰⁸ on Cadastral Surveying continue to apply.

Art. 55¹⁰⁹ General map

¹ The cantons may decide that original general maps or reproductions thereof may continue to be drawn up until the cadastral surveying data required for their replacement becomes available.

² Existing general maps must continue to be updated in areas for which the cadastral surveying data necessary for their replacement is not yet available.

³ ...¹¹⁰

Art. 56 Special measures for the preservation of land parcel surveys

¹ Provisional digitisation is considered to be covered under special measures for the preservation of land parcel surveys in accordance with Article 5 paragraph 3 of the Federal Decree of 20 March 1992¹¹¹ on Compensation for Official Cadastral Surveying.¹¹²

² Provisional digitisation is defined as the conversion of a provisionally or fully approved cadastral surveys under the old regulations into a digital form that does not or does not fully satisfy the requirements of the new cadastral surveying regulations.

³ Provisionally digitised surveys are deemed to be surveys under the old regulations.

⁴ The DDPS shall specify the requirements for provisional digitisation.

Art. 57¹¹³ Transitional Provisions to the Amendment of 21 May 2008

¹ Until the agreement in accordance with Article 14 paragraph 3 GeoIA comes into force, data supplied to the federal authorities from official cadastral surveying shall be charged for only in accordance with actual time and associated costs.

² ...¹¹⁴

Art. 57a¹¹⁵ Transitional Provisions to the Amendment of 23 August 2023

¹ If the DDPS amends the requirements for the geodata model (Art. 6), it shall regulate the transition from the current to the amended geodata model.

² In doing so, it shall specify which current provisions of this Ordinance on the geodata model continue to apply for a limited period.

¹⁰⁸ [AS 1971 704; 1991 370 Annex No 2]

¹⁰⁹ Amended by No I of the O of 7 March 2003, in force since 1 April 2003 (AS 2003 507).

¹¹⁰ Repealed by No I of the O of 23 Aug. 2023, with effect from 1 Jan. 2024 (AS 2023 529).

¹¹¹ [AS 1992 2461; 1994 1612. AS 2007 5819 Art. 6]. See now: Federal Assembly O of 6 Oct. 2006 on the Funding of Official Cadastral Surveying (SR 211.432.27).

¹¹² Amended by No I of the O of 7 March 2003, in force since 1 April 2003 (AS 2003 507).

¹¹³ Amended by No I of the O of 21 May 2008, in force since 1 July 2008 (AS 2008 2745).

¹¹⁴ Repealed by No I of the O of 23 Aug. 2023, with effect from 1 Jan. 2024 (AS 2023 529).

¹¹⁵ Inserted by No I of the O of 23 Aug. 2023, in force since 1 Jan. 2024 (AS 2023 529).

³ The information level for pipelines shall be abrogated in the following stages:

- a. The official geodata set for pipelines (Identifier 222) created with the Pipeline Safety Ordinance of 4 June 2021¹¹⁶ and the information level for pipelines in official cadastral surveying shall provisionally be managed and updated in parallel.
- b. The Swiss Federal Office of Energy (SFOE) shall verify the data in the official geodata set for pipelines by using the data from the information level for pipelines.
- c. The Federal Office of Topography shall in consultation with the SFOE determine the date on which the information level for pipelines for official cadastral surveying can be abrogated and deleted; it shall notify the cantons of this date and publish the decision in the Official Federal Gazette.

Section 3 Commencement

Art. 58

This Ordinance comes into force on 1 January 1993.

¹¹⁶ SR 746.12

*Annex*¹¹⁷
(Art. 47c)

Calculating the federal contribution

When calculating the federal contribution to the funding for cantonal projects in accordance with Article 47c, the following percentages apply; they determine the share of allowable costs in accordance with Articles 47d and 48:

1. Initial survey:

- a. for built-up areas and building zones (Zone I): 15 per cent;
- b. for agricultural and forest land in valleys according to the agricultural production register (Zone II): 30 per cent;
- c. for agricultural and forest land in mountainous and summer pasture areas according to the agricultural production register (Zone III): 45 per cent.

2. New survey

If a survey that was carried out in accordance with the regulations that applied before 10 June 1919 is replaced, the values in Number 1 apply.

3. Finalisation:

- a. for built-up areas and building zones (Zone I): 15 per cent;
- b. for agricultural and forest land in valleys according to the agricultural production register (Zone II): 20 per cent;
- c. for agricultural and forest land in mountainous and summer pasture areas according to the agricultural production register (Zone III): 35 per cent;
- d. in the case of overall improvements and land reallocations in agriculture and forestry, provided the Confederation does not make payments for the same purpose under other legislation and provided these costs are not borne by third parties: 25 per cent.

4. Marking

Marking of territorial and property boundaries for agricultural and forest land in mountainous and summer pasture areas according to the agricultural production register (Zone III), provided the canton bears an appropriate share of the costs: 25 per cent.

¹¹⁷ Inserted by No II of the O of 23 Nov. 2022, in force since 1 Jan. 2023 (AS **2022 764**).

5. Measures following natural events

For measures carried out following natural events or permanent landslip incidents and which are equivalent to an initial survey, the rates for an initial survey and marking apply.

6. Special adjustments and periodical updating:

- a. for special adjustments of exceptional national interest, provided the canton demonstrates that the funding is guaranteed: 60 per cent;
- b. for the costs of periodical updates that are not borne by the person responsible and the funding of which according to information from the canton is guaranteed, for each period in accordance with Article 24 paragraph 3: 60 per cent.

7. Pilot projects

Innovative pilot projects to develop official cadastral surveying and to test new technologies: 50–90 per cent, depending on the innovative content and the federal interest.

