

Country Report 2011

Japan

Country/state for which the indications are valid: Japan

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I. Country Report

A. Country Context

Geographical Context

Japan is an island nation stretching archwise in northeastern Asia between the North Pacific and the Sea of Japan. The land consists of 4 main islands and over 6,800 islands with a total area of approximately 377,915 sq km, which is roughly the size of California. Japan is mountainous country lying on the circum-Pacific volcanic zone. Mountain ranges with altitude of 2,000-3,000m, which are collectively called the Japan Alps, cross the center of the main island. The highest point, Mt. Fuji is one of the active volcanoes reaching 3,776m. There are 150 important volcanoes and crustal movements cause frequent earthquakes. The Population is approximately 126.5 million with an annual growth rate of -0.278% ('11 estimated). The majority resides in urban areas along the Pacific side. With few flat areas (approx. 24% of total land), its density of population in inhabitable area is one of the highest of the world.

Historical Context

Japanese history can date back over 10,000 years and its unique culture has continued adapting imported cultures all the way. Traditionally, it is supposed to be founded in 660 B.C. by Emperor Jimmu. The country made steady modernization after the Meiji Restoration which began in 1867 and became the most prominent nation in Asia. However, with the complete defeat of World War II, every major city was devastated; the economy was a disaster with only 1/10 industrial production compared with the prewar level. After a few years of postwar turmoil, Japanese economy began its remarkable recovery that marked over 10% economic growth for years and brought a payment surplus already in late 1960s. Though it slowed down at oil crisis in 70s and a decade

following the collapse of asset-inflated economy in 90s, Japan has been one of the largest economic powers as well as the largest donor of bilateral ODA, which started with the Colombo Plan signed in 1954.

Current Political and Administrative Structures

The Imperial structure has continued since the Japanese nation was founded. Under the present Constitution of Japan, the Emperor serves as the symbol of the state while the Cabinet has power over all aspects of the nation. The Diet consisting of the House of Representatives and House of Councilors elected by direct vote of the people designates the Prime Minister from among its members. Then the Prime Minister appoints the other Ministers and organizes the Cabinet. The government bureaucracy was reorganized in 2001 into 11 ministries and Cabinet Office. Ministry of Land, Infrastructure, Transport and Tourism is responsible for cadastral systems.

Historical Outline of Cadastre

The first survey that can be called 'Cadastre' in Japan was carried out through the country at the end of 16th century. The purpose was, however, to survey the harvest of rice by measuring the dimension of farmland with the same standard.

The first cadastral survey in meaning of the present age in Japan started in 1873. However, the results are not based on the national geodetic control network, and accuracy of the dimension and border is not enough either.

After World War II the National Land Survey Law was enforced in 1951, and reform of cadastre started. This survey is still in progress.

6th Land Survey promotion 10years Plan

To promote survey, Land Survey Promotion 10 years plan have been implemented since 1957. Presently, 6th plan started in May 2010 is being implemented. In 6th plan, Government will carry out surveying boundaries between private and public properties in urban area and boundaries in forest in mountain villages as fundamental survey which plays a role of basis of surveys following it.

Through this measure, it is expected that survey in urban and mountain village will be promoted. As a result, it is expected that progress of survey reaches 57% when this plan is completed.

B. Institutional Framework

Government Organizations

Land registration: Legal Affairs Bureau, District Legal Affairs Bureau, Branch Bureau and Branch Office of Ministry of Justice.

Cadastral surveying: Cadastral Promotion Division, Land Economy and Construction and

Engineering Industry Bureau, Ministry of Land, Infrastructure, Transport and Tourism, and Cadastral Survey Division in each prefecture and each municipality.

Private Sector Involvement

Most cadastral surveys are undertaken by the private sector. Only the Parcel Investigation is undertaken by the municipality.

Professional Organization or Association

There are two Associations for cadastral surveyors:

- ALL Japan Land Survey Association: 1,145
- Japan Land Survey Association: 379

Licensing

There is no license for cadastral surveying. But a license "registered surveyor" is necessary to carry out surveying using tax as even a part of funding and at the same time referring to national geodetic control stations. Examination is the requirement to get a license "registered surveyor".

Licensed Land and House Investigators take care of registration of transaction of land.

Education

There are some lectures to train the staff of municipality hosted by Cadastral Promotion Division or ALL Japan Land Survey Association. There is no university with the education system for cadastral surveying professionals.

C. Cadastral System

Purpose of Cadastral System

National Land Survey has been carried out under provisions in laws mainly National Land Survey Law (Law No.180 of 1951) and The Act on Special Measures for Promotion of National Land Survey (Law No.143 of 1962). National Land Survey aims at improving basic data concerning land of the whole country for more efficient and reasonable land utilization through the scientific and comprehensive survey of actual conditions of the national land and reforming the cadastre.

National Land Survey consists of 3 surveys; Cadastral Survey, Land Classification Survey and Water Survey.

Cadastral survey is one of National Land Survey based on National Land Survey Law. Mainly municipalities conduct Cadastral Survey to survey owner, parcel number, type of land, boundary and the dimension for every parcel of land.

Nearly half of maps kept and utilized at registry office as record concerning land in Japan are still based on old map (recorded map) etc. made at the time of extensive revision of the land taxation system in the Meiji era (the end of 19th century). There are some cases that some recorded map is different from the real boundary and

configurations etc., and the dimension of land listed on a registry book is inaccurate. The product of the cadastral survey is submitted to the registry office to update registry books and maps. The updated registry books and maps will be useful for the smooth transaction of interests in land and efficient administration.

Types of Cadastral System

There is only one cadastral system in Japan except the national forest and public land. The Forestry Agency manages the national forest in its own way, and the public lands are not usually registered in the registry books.

Cadastral Concept

Cadastral Survey is conducted by local public body like municipalities. The land parcel is the main unit, and the followings are surveyed; owner, parcel number, type of land, boundary and the dimension for every parcel of land.

Content of Cadastral System

The basic cadastral components are owner, parcel number, type of land, boundary and the dimension for every parcel of land. All of them are registered and maintained. Their information is basically written on the paper and the rate of computerization is 30%.

D. Cadastral Mapping

Cadastral Map

The contents of cadastral map are address, boundary, parcel number, scale, control point and coordinates.

Example of a Cadastral Map

(→ see next page)

Role of Cadastral Layer in SDI

The cadastral map is basically used for update of registry maps at registry office. Some municipalities apply the cadastral map as a basic map to manage some information by GIS. Beside this, NSDI is prepared as a reference of position. Precision of it is 1/2,500 level in urban area and 1/25,000 level in other places. NSDI has 13 layers.

E. Reform Issues

Cadastral Issues

The three most important problems are:

1. Promotion of cadastral survey;
2. Maintain of cadastral system;
3. Delays in standard transaction.

Current Initiatives

1. Some services are provided to promote the cadastral survey.

2. Some municipalities try to share the information of cadastral survey results including new survey in the municipal office by using GIS.

3. It is necessary to promote the reasonable plan and carry out the cadastral survey properly.

II. Questionnaire

1. Cadastral Principles

Deed or title registration

1.1 Is your cadastral system based on deeds registration or on title registration ?

title registration

Registration of land ownership

1.2 By law, is registration of land ownership compulsory or optional ?

compulsory

1.3 If felt necessary, please, comment on the actual practice and the legal consequences.

Approach for the establishment of the cadastral records

1.4 Are landowners required to register their properties systematically during the initial establishment of the cadastre or is registration sporadic, i.e. triggered only by specific actions (such as for example sale) ?

all properties are already registered

2. Cadastral Statistics

Population

2.1 What is the **population** of your country ?

126,925,843

2.2 Please, estimate the **population distribution** between urban and rural areas.

urban: ...65.2... %

rural: ...34.8... %

total: ...100.0... %

Number and distribution of land parcels

2.3 Please, estimate the approximate **total number of the smallest uniquely identified land units**, often called "land parcels" in your country, including urban and rural areas ? 200,000,000

The total number would include all freehold and state owned land, regardless of registered, non-registered or informal holding.

2.4 What is the approximate **total number of registered strata or condominium units** ? This number would be in addition to the

number of land parcels indicated in 2.3 ?0...

2.5 For **URBAN areas**, please, estimate the **distribution between the smallest uniquely identified land units, often called "land parcels"**

(i) that are legally registered and surveyed, (ii) that are legally occupied but not registered or surveyed, and (iii) that are informally occupied without any legal title (this may include illegal occupation or squatting).

If the estimation is too difficult or complex using land parcels, you may base your estimation alternatively on the number of people occupying these forms of land parcels.

legally registered and surveyed:

...22... %

legally occupied, but not registered or surveyed:

78... %

informally occupied without legal title:

.....0... %

total: ...100... %

2.6 For **RURAL areas**, please, estimate the **distribution between the smallest uniquely identified land units, often called "land parcels"**

(i) that are legally registered and surveyed, (ii) that are legally occupied but not registered or surveyed, and (iii) that are informally occupied without any legal title (this may include illegal occupation or squatting).

If the estimation is too difficult or complex using land parcels, you may base your estimation alternatively on the number of people occupying these forms of land parcels.

legally registered and surveyed:

...51... %

legally occupied, but not registered or surveyed:

...49... %

informally occupied without legal title:

.....0... %

total: ...100... %

Number of professionals

Please estimate the total number of *academic professionals* that are active within the cadastral system and

the proportion of the time that they actually commit for cadastral matters (as opposed to work outside of the cadastral system) ?

2.7 Total number of **professional land surveyors**, such as licensed surveyors active within the cadastral system: 201,351

2.8 Proportion of the time that these land surveyors commit for cadastral matters: (No information)

2.9 Total number of **lawyers/solicitors** or equivalent active within the cadastral system or land market: 2,000

2.10 Proportion of time that these lawyers/solicitors commit for cadastral matters or land market: 90%

Remarks and Comments

Please, identify the best aspect of this questionnaire ?

Please, suggest the area in the questionnaire that could be improved ?