



	Theme		
Effective and efficient administration			
	Name of Case		
Electronic Conveyancing			
	Acronym		
ELAN			
	Relevant websites		
www.kadaster.nl/english www.kadaster.nl/ELAN/ http://www.kadaster.nl/asplib/download.asp?absurl=/zakelijk/producten/download/electronisch_aanleveren.mpg			
<p>Every year the Kadaster (the Dutch Land Registry Office) processes 1 million deeds relating to real estate. Up until 1 September 2005 deeds could only be submitted to the Kadaster by post or in person. The manual copying across of data had various disadvantages. Because there was an unnecessary delay before the deed was recorded, this led to a short period of legal uncertainty, and a delay in payment for the transaction. It was also a potential source of errors.</p> <p>With Electronic Conveyancing the notary or court bailiff can submit the deed to the Kadaster digitally at the press of a button, because Electronic Conveyancing automates the handling process. The deed is automatically given a unique identification (part and number), displayed digitally and proof of receipt and of registration are created automatically. The introduction of Electronic Conveyancing means that the legal traffic in registerable property is faster and more efficient.</p>			
	Indication of users		
<p>The target group consists of all clients who submit documents to the Kadaster for registration. These are:</p> <ul style="list-style-type: none"> Notaries Court bailiffs Tax bailiffs Provincial councils Water control authorities Local authorities Courts Ship brokers Monumentenzorg [Built Heritage Service] <p>The first two target groups are now set up for Electronic Conveyancing.</p>			
<p>The Kadaster receives around 1,000,000 deeds a year from various client groups. Notaries account for 95-98 % of the deeds, the other deeds come from bailiffs, local authorities, provincial councils and water control authorities. For the time being, we have not carried out any marketing to persuade local authorities, provincial councils or water control authorities to submit electronically. If 85% of the deeds are being received digitally, that means that a very large proportion of our clients have started to use this solution.</p>			



Notaries

There are 930 notaries working in the Netherlands.

A number of developments within this sector are contributing to the fact that notaries are focusing on efficient service provision.

- Outsourcing standard processes

A development which was initiated recently is that notaries' offices are outsourcing their back office standard processes, such as drawing up deeds, to so-called 'service providers'. These service providers collect all the information (virtually entirely automatically) and put it together into an end-product for their clients.

- Price competition

The deregulation of notarial fees has made a significant contribution to the fact that notaries are increasingly using price as a competitive tool. The client is thereby becoming ever more assertive and increasingly aware of the notary as an expense.

- Collaboration

Notaries' offices are also seeking collaboration with companies at the bottom of the production chain. An example of this is the collaboration with financial institutions, such as Actus notaries with DSB group.

- Electronic media

The annual report of the Koninklijke Notariële Beroepsorganisatie [Royal Professional Association of Notaries] makes it clear that notaries are expanding their electronic service provision in all areas. The Electronic Conveyancing project is explicitly mentioned and is considered "...an interim step towards further automation which offers notaries the benefit of process integration."

Bailiffs

232 bailiffs

Increase in the number of seizures

The economic recession means that there are increasing debt problems. This is leading to an increase in the number of seizures.

Indication of services: describe: who provides the service to whom		
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We provide the service to notaries (others) and administrations (local authorities).



Why we should win the award in this category		
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Real estate is one of the most important areas of investment in a market economy, whereby reliable registration is essential. With Electronic Conveyancing the Kadaster has introduced a service which makes an effective and efficient contribution to the handling of an operational process which recurs on a daily basis, both internally and at our chain partners. Faster, cheaper and secure: this all goes to enhance legal certainty. Ultimately it is society which benefits from this effective and efficient collaboration.

The Netherlands is the first country in the world where the land registry and the notaries/ court bailiffs work together 'electronically'. At this moment the collaboration is being intensified towards the automatic processing of deeds for notaries and bailiffs.

The Dutch Kadaster is thereby obviously an example of good practice for other public organisations in Europe and beyond. We are happy to share our knowledge.

With Electronic Conveyancing the Kadaster is further implementing its e-government policy. This policy is aimed at the use of information and communications technology combined with organisational changes and new skills to improve the service which the Kadaster provides to citizens and businesses.

By introducing Electronic Conveyancing the Kadaster is making an important contribution to the efforts of the Dutch government to have 65% of public service provision performed electronically in 2007. At the heart of Electronic Conveyancing lie the e-government objectives such as reducing the administrative burden and improving efficiency. Notaries can now submit deeds more easily, more quickly and more cheaply. Citizens and businesses also benefit from these improvements indirectly, since notaries can charge lower fees (Dutch notaries operate in a competitive market). In technical terms the Kadaster's policy is that open standards must be used (in the following order: Worldwide, European, National) and that the system must harmonise with the basic Dutch e-government provisions. Electronic Conveyancing is based on open standards and complies with the Dutch Government PKI.

Initially the Kadaster had developed the application exclusively for notaries. After discussion in Brussels, this was modified to a version which was accessible to all. 'Leaving no-one behind/inclusion' thereby became applicable to Electronic Conveyancing. This also improved the usefulness: more parties can now use it, and we are also going to use it for the submission of documents by parties other than notaries and court bailiffs.

Electronic Conveyancing fits very well into the Kadaster's own strategic objectives and task and mission: to ensure reliable data (facilitating legal certainty) at the lowest possible cost.

The Kadaster is thereby also fulfilling its wish to be a major player in the market for real estate information. The management role which the Kadaster is seeking in the public sector on strategic grounds is strengthened by the introduction of this application.

Electronic Conveyancing has the following benefits:

- Faster and more efficient submission and processing of submitted documents (fewer mistakes in preparation, faster acceptance, higher productivity, reduction in the risk of premature seizure).
- Faster up-to-date real estate information available
- Opportunity to consult documents online (internally)



- Greater legal certainty for buyers
- A national public register, digital
- Eradication of postal problems, both inbound (document) and outbound (proof of receipt)
- Fewer mistakes thanks to direct digital transfer from the deed (no longer need to type across to the database)
- Workflow management: deeds are allocated to a particular production team, with the option of sending them on to another team for assistance. Teams have insight into the size of their workload, to enhance efficiency in the working process and speed up standard completion and delivery times.
- Deeds also available digitally (and therefore available more quickly if another client wishes to consult the deed).

Convenience for the client.

The web application is really a technological tour de force, whereby technology is integrated in an ingenious way. The good thing is that this is virtually entirely transparent for the end-user. Apart from the installation of the software and the one-off entry of particular settings, it is exceptionally easy to use. The deeds must be submitted in PDF format. This means that clients must convert their deeds to this format from MS Office or other packages. There are also sorts of free tools available to do this on the Internet.

The Kadaster initially developed the web application for clients (particularly bailiffs' offices) who did not have the financial resources to develop such an application themselves. This web application was then made available free of charge to all submitters, in order to make the threshold to electronic submission as low as possible. The free use undoubtedly contributed to the success. The application is also so simply designed that it can be used by clients who do not have their own IT supplier or IT department."

Collaboration

We started the promotion and acceptance of Electronic Conveyancing through information sessions with software suppliers. The Kadaster opted for a personal approach to clients in order to persuade them to use Electronic Conveyancing. Clients were informed about Electronic Conveyancing and the benefits that it offers at information sessions. We then monitored closely which clients were not yet using Electronic Conveyancing. These clients were approached personally by the account managers. The objections to switching were identified for each client. We increased the user-friendliness of Electronic Conveyancing where necessary and we helped clients with the technical implementation where necessary. By continuing to focusing very tightly and continuously on the conversion we achieved our objective much earlier than planned.

The migration to Electronic Conveyancing was promoted by the Kadaster in close collaboration with notaries and court bailiffs.

The clients who use Electronic Conveyancing have expressed themselves very positively about it. See appendix 4 for a number of testimonials.

NB: for a clearer description of how it works, please see appendix 2, in which notary Bouwma explains to his colleagues how simple it is.



% of offices that have registered:

Notaries: 1 May 2007: 95% (target for end of 2007: 95%)

Bailiffs: 1 May 2007: 66% (target for end of 2007: 100%)

% of documents submitted digitally:

Notaries: 1 May 2007: 92% (target for end of 2007: 90%)

Bailiffs: 1 May 2007: 69% (target for end of 2007: 90%)

Costs and benefits:

The Kadaster receives around 1 million notarial deeds a year. The system for Electronic Conveyancing went operational in September 2005. Since then the digital submission of deeds has grown by leaps and bounds. At 1 March 2007 over 85% of the deeds were received digitally. Some 800 notaries' offices and virtually all 200 bailiffs' offices use the web application produced by the Kadaster for this. For each deed the Kadaster receives approx. € 70. This therefore accounts for € 70,000,000 in turnover per year.

The investment made consists of a number of components. Digitally submitted documents are received and the digital signature checked in a portal. Reply messages are also generated here and furnished with a digital signature. The development of this component took approximately 1200 man-days. There was also an investment of around € 120,000 in cryptographic hardware and software. The web application provided to clients by the Kadaster was developed over approximately 100 man-days. 20 days were first spent on a proof of concept, in order to see whether the technology really works, and then the actual functionality was developed around it.

There is a direct saving forecast of 2.64 minutes per document for each document submitted electronically. The client receives a discount of 10 euros per submitted document.

First in the world

The Kadaster is the first land registry organisation in the world to make it possible for notaries (and later also other target groups) to submit deeds digitally for registration in the public registers. This not only means that this process runs more quickly, more accurately and more easily, but it also enhances the legal certainty for house buyers. "This is a breakthrough in digital legal traffic" (quote from the Minister of Housing, Spatial Planning and the Environment, October 2005).

It was even necessary to amend the Kadasterwet (Land Registry Act) in order to implement Electronic Conveyancing (the Kadaster is regulated by law in the Netherlands).

The fact that a high percentage of our clients have switched to the use of the web application in a short space of time is a clear sign of the high level of appreciation amongst notaries and bailiffs. The importance of the application is emphasised by the fact that the official launch of the system in October 2005 was performed by the Minister of Housing, Spatial Planning and the Environment.

For the Kadaster itself this is an important step on the path to a fully digital land registry.



Benefits in various areas

The benefits of processing deeds electronically are self-evident. In addition to the saving in terms of time and money (no paper or courier costs) the processing is no longer delayed by late postal deliveries. Because the deed can be registered by the Kadaster within 5 minutes of being sent by the notary, the risk of premature seizure of the house is substantially reduced. House buyers have access to their money sooner and have greater legal certainty about the status of their purchase when executing the deed.

Identify multichannel issues, particularly offline and online e.g. Internet, PC, mobile devices etc.

The Kadaster's multichannel strategy is that all channels are open to its clients. It is up to the client to choose the channel that best suits it. The Kadaster also steers clients towards the digital channels for both the supply of information and the receipt of documents/deeds. This steering towards the digital channel is done in two ways. One is by making the digital channel cheaper than the analogue. The other is by structuring the digital channel in a user-friendly and efficient way and constantly expanding the number of functions further. Before we started Electronic Conveyancing, deeds could only be submitted to the Kadaster offices by post.

The online submission of deeds is not just more efficient for the Kadaster, but also for our clients. The client can submit deeds to us at any time and receives a proof of receipt back straightaway. Time is saved on the overall processing at the client and at the Kadaster. To encourage clients to use Electronic Conveyancing, online submission is € 10 cheaper than analogue submission.

One is faster and cheaper

The other is therefore more expensive and takes longer

Proof of influencing other initiatives or proof of good practice Of particular interest is cross-border or exchange of experience with other European administrations. What support are you prepared to offer to other administrations?

The Kadaster has shared the experiences gained with the Ministry of Justice, the Sociale Verzekeringsbank (Social Insurance Bank) and the Chamber of Commerce. They have visited the Kadaster in order to learn about this system. Discussions are ongoing with the Chamber of Commerce about joint use of the application.

The Kadaster has also given presentations about Electronic Conveyancing at a seminar of e-provinces (November 2004, Haarlem) and the infosecurity conference (Utrecht, October 2006).

Presentations about this system have been given to delegations from Australia, Bulgaria, Cyprus, Greece, Guatemala, Indonesia, Lithuania, Slovenia, Slovakia, Spain and Uzbekistan.

Presentations were also given at a FIG seminar about e-government in Austria (Innsbruck, June 2004), an e-government conference in Egypt (Cairo, September 2004) and an e-government conference in Indonesia (Jakarta, November 2006).

Finally we have had an intensive exchange of ideas with our British colleagues at Her Majesty's Land Registry. In May 2007 the Kadaster hosted an international conference for registrars on the subject of e-conveyancing (electronic submission) which was attended by 28 countries.

The case is very suitable for use by other administrations. What actually happens is as follows. There is a client group who are entitled to submit certain requests. A free application has been developed for these requests, which makes it possible to submit these requests as quickly and efficiently as possible to the government organisation, whereby identification and



authentication are performed using a qualified digital signature. For this digital signature we use the services of commercial providers so that the solution is, in theory, also available to others.

Ever further chain integration means that the Kadaster will soon be able to accept and amend deeds automatically. By further harmonising the working processes of the Kadaster and the notaries it will be possible to register a deed even better and faster in the future. This results in an even better service provision and even more security in electronic legal traffic. The efficiency gain achieved by the Kadaster is returned in the form of a 40% discount on the registration fee. This cut in the fee in the long term is certainly a good practice. Share the benefit with your client.

Three most important lessons learned And: who can learn from the experience gained in the case?

There are three important lessons that we have learned:

(1) Projects which are dependent on complicated legislation are particularly difficult to predict in terms of turnaround time. In this case the portal component had been developed as far back as 2000, whilst legislation took another five years. The advice is to wait until the end of the legislative process is in sight before starting such a project.

(2) For the use of smartcards and certificates the Kadaster has opted not to issue these itself, but to make use of commercial companies. A government organisation is too small to build the entire infrastructure needed for this itself; it is more efficient to leave this to the market. It also offers the possibility that clients can use their smartcard for multiple purposes. Notaries can use their smartcard with the Centraal Testamenten Register (Central Register of Wills), the Chamber of Commerce and the Kadaster.

Because of the great importance of the application the Kadaster took the initiative to have it tested by a major company in the field of security, Madison Gurkha. This recent investigation gave a positive opinion about the level of security.

(3) Collaboration within the chain is very important. The good support from important key players within the user groups certainly resulted in fast acceptance amongst end-users. This was very valuable in the communications.

What management approach has been used, and to what extent partnership (also give URLs of the partners).

Umbrella organisations and software suppliers were involved with the project from the start. Prior to the actual implementation, a pilot was done with fifteen future clients. They used the application for a three week period and then gave feedback. The experiences gained served as input for the actual implementation process.

A team was put together for the implementation who assisted the clients as much as possible with the implementation. The team had direct points of contact at suppliers, lawyers and technicians in order to deal with queries as efficiently as possible. In addition, account managers were given all the software on a laptop, in order to be able to show clients the simplicity of the system. The one-to-one relationship between account manager and client led to a rapid acceptance, and took away a number of clients' fear of the unknown completely.

The close collaboration with the umbrella organisations, the certification service provider and the software suppliers meant that the implementation process went smoothly. The knowledge acquired was shared as effectively as possible through all possible channels, the manual was constantly updated etc.

This pilot was carried out because the submitters were going to be submitting in a different way and the creation of an application link creates a greater technical interwovenness between KNB [Royal Professional Association of Notaries] and the Kadaster. External communications and procedural harmonisation with KNB are therefore vital to the success of Electronic Conveyancing.

www.notaris.nl

www.sng.nl

