

Real Property Register Act (SFS 2000:224)

(with amendments up to and including SFS 2006:144)

Introductory provisions

Section 1. A register named the Real Property Register shall be kept, for the purposes indicated in Section 2, with the aid of automatic processing. This shall make public the information (property-related information) included in the register.

For the purposes of this Act, "personal particulars" shall have the same meaning as in the Personal Data Act (1998:204).

Purposes of the register

Section 2. With regard to personal particulars, the purpose of the register shall be to supply particulars for:

1. activity for which the State or a municipality is responsible by statute law or other statutory instrument and
 - (a) which concerns property of the kind entered in the Real Property Register,
 - (b) is dependent for its effectuation on access to property-related information, or
 - (c) concerns the discharge of a duty of notification.
2. turnover of property of the kind entered in the Real Property Register,
3. provision of credit, provision of insurance or some other public or private activity in which property-related information forms a basis of assessment or decision,
4. real property management, building or some comparable measure,
5. updating, supplementation or verification of property-related information contained in a register of customers or members or other suchlike register, or
6. retrieval of samples of personal particulars for direct marketing, subject to the limitation implied by Section 11 of the Personal Data Act (1998:204).

Content of the register

Section 3. The property-related information shall be divided into:

1. a general section,
2. a land register section,
3. an address section,
4. a buildings section and
5. a tax assessment data section.

The register may also contain other information connected with information included in one or other section of the register (supplementary information). The supplementary information shall be entered separately from the sections of the register.

Further prescriptions concerning the content of the different sections of the Real Property Register and concerning supplementary information may be issued by the Government.

Authority to enter particulars in the register

Section 4. Chap. 19 of the Real Property Formation Act (1970:988) and Chap. 19 of the Land Code contain provisions as to who may enter and remove particulars in the general section and land register section of the Real Property Register.

Prescriptions as to whom may enter and remove particulars in the other sections of the Real Property Register and who may enter and remove supplementary information are issued by the Government.

Controller of personal data, etc.

Section 5. The National Land Survey is the controller of personal data for the Real Property Register, pursuant to the Personal Data Act (1998:204).

Section 6. The National Land Survey shall ensure that unauthorised encroachment on the personal privacy of persons registered and risks from a security viewpoint do not occur. To these ends the Authority may, in particular cases, define further conditions over and above those indicated in Sections 7-10.

Direct access

Section 7. Direct access to personal particulars may be granted only for such purposes as are indicated in Section 2, points 1-4.

Direct access may not be granted in such a way that a name, national registration number or part of a national registration number can be used as a search concept.

Direct access may be granted for searches by only one property unit, site leasehold, joint property unit or building at a time. The National Land Survey, however, may permit searches by more than one property unit, site leasehold, joint property unit or building at a time in particular cases, where there is special cause for so doing.

The limitations in subsections 2 and 3 do not apply to

1. activity which includes the entry of particulars in the register,
2. activity concerning a cadastral procedure under the Real Property Formation Act (1970:988) or some corresponding enactment.

Section 7 a. The limitations indicated in Section 7 (1)-(3) notwithstanding, the last party to have been granted registration of ownership of a property may have direct access to particulars of the property. If the property is conveyed in site leasehold, such direct access may instead be had by the party identified in the register section of the Real Property Register as site lessee.

Sampling and processing

Section 8. Particulars of mortgages may not be processed in the sampling and processing of personal particulars by the National Land Survey on another party's account. If the sampling or processing is concerned with the disclosure of particulars of national registration numbers, this measure may be taken only for the purposes indicated in Section 2, point 5.

The foregoing shall not apply where otherwise indicated by statute law or other statutory instrument.

Measures not permissible under subsection 1 of this section may nevertheless be taken if in particular cases the National Land Survey finds special cause for so doing.

Section 9. Particulars of national registration numbers, birth dates, marital status, attachment, bankruptcy or standard scores may not be processed in the sampling and processing of personal particulars by the National Land Survey on another party's account for direct marketing.

Measures not permissible under subsection 1 of this section may nevertheless be taken if in particular cases the National Land Survey finds special cause for so doing.

Disclosure on recording for automatic processing

Section 10. Personal particulars relating to mortgages may not be disclosed on a recording for automatic processing. Particulars of national registration numbers may be disclosed on such a recording only in connection with processing as referred to in Section 2, point 5.

The foregoing shall not apply where otherwise indicated by statute law or other statutory instrument.

Measures not permissible under subsection 1 of this section may nevertheless be taken if in particular cases the National Land Survey finds special cause for so doing.

Charges for use

Section 11. Use of the Real Property Register may be charged for. Prescriptions concerning charges may be issued by the Government or by the authority nominated by the Government.

Appeal

Section 12. Decisions made by the National Land Survey or another authority pursuant to this Act or to prescriptions which the Government has issued by authority of this Act may be appealed in a general administrative court. Appeal to an administrative court of appeal is subject to the grant of leave of appeal.

Appeal against fee decision for use of the Real Property Register follows special provisions.

Damages

Section 13. If personal particulars in the Real Property Register have been processed contrary to Section 2 or Sections 7-10 of this Act or prescriptions issued by authority of this Act, Section 48 of the Personal Data Act (1998:204) shall apply. Liability to pay compensation may not be adjusted, however, if the errors was due to a party entitled by statute law or other statutory instrument to enter or otherwise process data in the register.

Chap. 19 of the Real Property Formation Act (1970:988) and Chaps. 18 and 19 of the Land Code contain further provisions concerning damages on account of errors in the general section and land register section of the Real Property Register.

Rectification

Section 14. In matters concerning rectification of personal particulars in the general and land register sections of the Real Property Register, Chap. 19 of the Real Property Formation Act (1970:988) and Chap. 19 of the Land Code shall apply instead of Section 28 of the Personal Data Act (1998:204).

In matters concerning rectification of particulars in other sections of the Real Property Register, Section 28 of the Personal Data Act shall apply. Questions concerning such rectification shall be examined by a party other than the controller of personal data on the Government having so prescribed for a certain section of the register or for certain particulars.