

Regulation of the Minister of Housing and Spatial Planning of [PM date], No. 2026-00000, amending the Regulation on the Key Registry of the Subsurface in connection with the amendment of the catalogue on the registration object for Drilling survey - geological core sample description and core sample analysis and certain technical amendments

(ChainID WGK 028014)

Minister of Housing and Spatial Planning,

Having regard to Articles 5(2), 17(1), 24(3) and 25(2) of the National Key Registry of the Subsurface Act [Wet basisregistratie ondergrond];

Hereby decrees:

Article I

The Regulation on the Key Registry of the Subsurface is amended as follows:

A

Annex IV is replaced by the annex included in Annex A to this regulation.

B

Article 12 is amended as follows:

1. In the first paragraph, the words ‘a web service and the government’s generic digital infrastructure’ are replaced by ‘and automated access facilities’.
2. The third paragraph is deleted.

Article II

This regulation enters into force on 1 October 2026.

This regulation and explanatory notes will be published in the Government Gazette.

Minister of Housing and Spatial Planning,

ANNEX A TO ARTICLE I, PART A

Annex IV to Article 11, part c, of the Regulation on the Key Registry of the Subsurface

This annex concerns the catalogue of the Drilling survey – geological core sample description and core sample analysis, version 3.21, dated 13 May 2026, and is published at <https://docs.geostandaarden.nl/bro/def-st-bhr-g-20260513/>.

EXPLANATORY NOTES

I. General

1. Introduction

The present regulation makes limited changes to the Regulation on the Key Registry of the Subsurface on a number of technical points and amends a catalogue. The National Key Registry of the Subsurface Act (hereinafter: BRO Act) came into effect on 1 January 2018. The Key Registry of the Subsurface (hereinafter: 'BRO') contains information on the geological and pedological structure of the soil, resulting from investigations on subsurface structures, on rights of use and on authentic models regarding the subsoil. The Minister of Housing and Spatial Planning (hereinafter: VRO) is responsible for the establishment and management and monitors the use of the BRO. Netherlands Organisation for Applied Scientific Research (hereinafter: TNO) carries out, on behalf of and under the responsibility of the Minister of the VRO, the actual work relating to the establishment and administration of the BRO.

The BRO is part of the system of key registries. Source owners which, in the performance of a statutory duty or when undertaking activities, receive a source document designated in the Key Registry of the Subsurface Decree (hereinafter: BRO Decree) relating to the subsurface and submit that source document via the source owner portal. Administrative bodies are then required to consult the BRO whenever they need soil data. Citizens, businesses and government agencies may consult the BRO free of charge.

In the Regulation on the Key Registry of the Subsurface (hereinafter: BRO Regulation) the technical aspects of the registry are specified. This concerns the provision of source documents and the requirements for the data to be submitted (catalogue of data standards), the technical and administrative set-up of the BRO and access to and provision of data.

The Registry of the Subsurface catalogue defines where the data referred to in Section 2 of Chapter 3 of the BRO Act are to be included. For each registration object, the catalogues describe the components of which it is composed (the entities), the properties of those entities (the attributes), possible values and the quality standards to which the data must conform.

2. Content of this regulation

Catalogues must be updated to reflect changing insights and circumstances. This is currently the case with the Drilling survey – geological core sample description and core sample analysis (geological drilling survey; BHR-G), listed in [Annex IV of the Bro Regulation](#). This catalogue determines the provision of results of a survey of the geological or geohydrological structure of the subsurface and of a field and laboratory testing of the soil sample ([Articles 2.1.8 and 2.1.9 of the BRO Decree](#)).

In addition, this amending regulation includes two technical changes: an amendment to the general text of the Drilling survey catalogue and an amendment to [Article 12 of the BRO Regulation](#) concerning the procedure for granting access to data.

These amendments can only be made by means of an amendment to the BRO Regulation.

2.1 Changes to working methods and expansion of the Geological drilling survey catalogue with the Berendsen and Stouthamer dataset (UU set)

If BRO catalogues are not updated in good time, they will lag behind the working methods used in practice. Working arrangements (in the BRO Product Environment)¹, implemented in the BRO National Facility, are therefore already in line with these working methods. The fact that this was done in anticipation of an amendment to the regulation is not problematic in this case: the working arrangements concern the adaptation and relaxation of the rules for the validation of historic objects because those rules for details in the layer description in the previous version of the catalogue were not worded correctly. As a result, valid historical objects will no longer be stopped on submission. 'Valid historical objects' comply with the quality scheme for the BRO information model (IMBRO)/archive (hereinafter: A).

The purpose of the amendment of this catalogue is, firstly, to legally define these working

¹ <https://www.bro-productomgeving.nl/bpo/latest/werkafspraken-bij-catalogus-bhr-g-3-1>.

arrangements.

The second goal is to expand the catalogue to include the Berendsen and Stouthamer procedure. The Berendsen and Stouthamer data set (hereinafter: UU set) is a collection of core sample descriptions compiled by the Department of Physical Geography at Utrecht University. The data set is entered in the BRO as a geological drilling survey (BHR-G). This is historical data as referred to in Article 40 of the BRO Act, which is registered under the IMBRO/A quality scheme.

2.2 Amendment to the general text of the BHR-G catalogue

The general text of the catalogues, which contains the explanatory notes, is no longer up to date, contains typographical errors and does not specify whether the obligations regarding submission, use and reporting apply to a published catalogue pursuant to Articles 9, 27 and 30 of the BRO Act 'in order to ensure that authentic records are actually used throughout the public sector as an authoritative and unique source for certain data and are (or can be) accepted as such'.²

This general text has now been amended in the BHR-G catalogue, as set out in Annex IV to the regulation, as a first step. In the event of a subsequent amendment to the BRO Regulation, the general text of other catalogues will be amended accordingly. It is not feasible from an operational point of view to amend the general text in all catalogues in one go.

2.3 Importance of changes to the catalogue

The stakeholders with an interest in this up-to-date and accurate catalogue are source owners (and, by extension, data providers and researchers). They want to provide data on a geological core sample description or analysis to the BRO without being blocked by incorrect rules for the validation of historical objects. Buyers also have an interest in having an up-to-date and correct catalogue, for example to know which catalogues are subject to supply and return obligations and whether there is an obligation for administrative bodies to use them. Furthermore, the addition of the UU set and removal of restrictions on data relating to valid historical drilling when submitted to the BRO mean that this data is now made available centrally in a standardised format, thereby facilitating its use. Buyers use this data to adapt the use of soil and subsurfaces, such as constructions and spatial plans, to their structure and properties.

2.4 Access to data in the BRO (Article 12 of the BRO Regulation)

This regulation amends Article 12 of the BRO Regulation to bring it into line with the manner in which access to the BRO is granted in practice. A web service is only one of the facilities for automated access. It has therefore been decided to designate the provisions for inspection in Article 12(1) more generally.

Generally speaking, access is not granted *through* the government's Generic Digital Infrastructure (GDI), but *the availability and access services comply* with national and international standards, including the INSPIRE Directive³ and standards for digital government as listed by the Standardisation Forum,⁴ which forms part of the government's GDI. In order to clarify this, Article 12(1) and (3) are amended. The applicability of the INSPIRE Directive is set out in the Act Implementing the EC Directive on Spatial Information Infrastructure; it is therefore unnecessary to include this in the article. Furthermore, the regulation would become obsolete if this directive were to be replaced by another directive. The availability and access services have been defined in the Global Architecture Framework (GAS) BRO, as included in Annex I to Article 2 of the BRO Regulation, which complies with the current European and Dutch architectural frameworks. By also complying with the European standard, the availability and access services are used in communication with the institutions of the European Union.

The parties affected by this amendment are users of the scheme, namely the TNO registry administrator and recipients of data from the BRO. They must be able to rely on a clear provision regarding access to data from the BRO.

3. Impact on regulatory burden

² *Parliamentary Proceedings II* 2001/02, 26387, 11, p. 3-4.

³ Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an infrastructure for spatial information in the Community as amended in 2019 and 2024, *OJ L* 2829, 2024.

⁴ <https://www.forumstandaardisatie.nl/open-standaarden/verplicht>.

3.1 Impact on individuals and businesses

Amendment to the geological drilling survey catalogue

With regard to the amendment of the BHR-G catalogue, it is noted that those working with the BRO already submit data to the BRO and use data in accordance with working arrangements, implemented in the BRO National Facility. The organisations concerned, the sector itself, have drawn up these working arrangements to ensure they are in line with actual working practices. For source owners and their data providers, companies and researchers, this means that they can submit data relating to a geological core sample description or analysis to the BRO, whilst complying with both the agreements made and the applicable laws and regulations. This regulation only legally defines these working arrangements. Furthermore, the inclusion of the UU set in the catalogue means that the data from this set will be made available centrally in a standardised format.

Both amendments to the catalogue lower the implementation costs for buyers, namely administrative bodies and companies such as engineering firms. This data can be used by buyers for projects requiring an understanding of the soil, such as those relating to flood defence (for example, dike reinforcement in river basins) and housing development. To gain an understanding of the soil at a particular site and if no data on these drillings is available, a new drilling must be carried out (or commissioned) in order to obtain information about the soil at that site. Buyers can now use the data without having to carry out drilling surveys personally or have them carried out. As a result, the cost for executors is reduced. Results of drilling surveys are needed to adapt the use of soil and subsurface to their structure and properties. The data also provides greater insight into the surroundings, which can be used to create BRO models.

The plan is to add the drilling surveys to the BRO during the year following the entry into force of this regulation.

- The valid historical objects included in the BRO consist of information on 25,000 drilling surveys with a replacement value – i.e. drilling surveys that users no longer need to carry out personally – estimated at 50 million euros.
- The UU data set contains information on 230,000 drilling surveys with a total replacement value of 13.6 million euros.

The amendments to the rules for the validation of historic objects and in relation to the UU set only add data to the catalogue that can be used by parties involved. The data does not alter the structure of the data model or impose any additional obligations on these parties.

Amendment of the general text of the catalogue

The effect of the technical amendment relating to updating the general catalogue text is that it is again reliable, for example by indicating whether the supply, use and return obligations apply to a published catalogue. It also explains the level of quality required for each type of data.

Amendment to the rules on the manner of access to data

By adjusting the regulation with regard to the manner of access, it is clarified that access can take place via facilities for automated access, such as a web service, and that the availability and access services comply with the GDI of the government. By not referring to the INSPIRE Directive in the article itself, but mentioning it in the explanatory notes, the regulation remains up to date, even if the directive were to be replaced by another directive.

It is expected that these two most recent amendments, which are of a technical and editorial nature, will reduce the regulatory burden, as the regulations will now be up to date, accurate and clearer for source owners – and consequently also for their data providers and researchers – as well as for buyers.

Citizens will not be adversely affected by the amendments. In fact, citizen access to information is improved without incurring any additional costs. Citizens can access the new data free of charge, thereby improving their access to information.

3.2 Impact on administrative bodies

The BHR-G catalogue will be expanded to include the UU set. This data set was developed in collaboration with Utrecht University, which, as the data provider, is supplying the data set to the BRO on a one-off basis with support from TNO. The source owner is the Minister of

Housing, Spatial Planning and the Environment (see Article 39(3) of the Bro Act). Although TNO needs time to implement the change to the catalogue, this change also provides data for TNO models. In addition, the amendment prevents erroneous error messages and unjustifiably rejected objects, thus preventing additional work at TNO.

For the impact on administrative bodies, see Section 3.1.

It is expected that the regulatory burden will be reduced as a result of the amendment to the regulation.

3.3 Financial impact of the proposal

The amending regulation will not lead to a financial impact for the government.

4. Advice and consultation

The amendment to the BHR-G catalogue, version 3.19, was published on the website Basisregistratieondergrond.nl from 24 May to 5 July 2024 for public access.⁵ The comments related to specific attributes and were all constructive: the aim is to enrich the BRO with this data as soon as possible. The comments have been partially incorporated into the catalogue and answered through a response document.⁶ Contact has been made with a number of those who submitted comments to address specific points.

On 9 December 2025, the BRO Programme Guidance Group recommended that this amendment to the BSR Regulation be adopted. This includes the Association of Dutch Municipalities (VNG), the Interprovincial Consultation (IPO), the Dutch Water Authorities (UvW), the Ministries of Economic Affairs (EZ), Agriculture, Fisheries, Food Security and Nature (LVVN) and Infrastructure and Water Management (IenW), Netbeheer NL, Groep Graafrechten, Bouwend Nederland, Vewin and the BRO standardisation team.

This regulation was submitted for online consultation from 13 January to 17 February 2026. No comments were received.⁷

The Dutch Advisory Board on Regulatory Burden (ATR) did not select the file for a formal opinion since it is not expected to have any substantial impact on the regulatory burden.

5. Notification

The draft order was notified to the European Commission on [PM][PM]/NL pursuant to Article 5(1) of the Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on information society services. [Response PM]

6. Entry into force

This regulation enters into force on 1 October 2026. In this case, the minimum implementation period of three months between publication and entry into force will not be met. As regards the amended BHR-G catalogue, this is justified because stakeholders are already aware of the changes to the catalogue and therefore do not need additional time to adapt their work processes to the changes. The amendments to Article 12 and the general text of the explanatory notes to the catalogue are technical amendments. A shorter implementation period therefore does not constitute a bottleneck for stakeholders.

II. Explanatory notes by article

⁵ <https://basisregistratieondergrond.nl/actueel/nieuws/nieuws/2024/mei/publieke-consultatie-geologisch-booronderzoek-bhr/>.

⁶ [https://www.bro-productomgeving.nl/_attachments/810945114/Publieksconsultatie-geologisch-booronderzoek-\(bhr-g-3.19\)-met%20verwerking.xlsx?inst-v=e482bce9-8190-4276-b2b2-12490aaf381b](https://www.bro-productomgeving.nl/_attachments/810945114/Publieksconsultatie-geologisch-booronderzoek-(bhr-g-3.19)-met%20verwerking.xlsx?inst-v=e482bce9-8190-4276-b2b2-12490aaf381b).

⁷ <https://www.internetconsultatie.nl/wijzigingregelingbrocatalogusbooronderzoek/b1>.

Article I

Part A

This part amends Article 11 of the regulation. The provision amends Annex IV, which contains the catalogue for the 'geological drilling survey' registration object. The amendment of Annex IV concerns the establishment of the working arrangements for this registration object and its extension to the Berendsen and Stouthamer procedure (the UU set). As a result, the data from this data set is centrally available in a standardised manner and its use is better facilitated. The text of the general section of this catalogue has also been amended to bring it up to date, correct typographical errors and specify that the requirements regarding submission, use and reporting apply to a published catalogue.

Part B

Article 12(1) has been amended in such a way that the provision of access to the Key Registry of the Subsurface, the register of source documents and the register of notifications of models takes place via a website and facilities for automated access rather than via a website, web service and the government's generic digital infrastructure.

The third paragraph has been deleted. This removes the reference in the BRO Regulation to the INSPIRE Directive (which the regulation must comply with) and to the generic digital infrastructure of public authorities. For a detailed explanation, see Section 2.4 of the general explanatory notes.

Article II

This article governs entry into force of this regulation. The entry into force on 1 October 2026 aligns with the standard review dates for ministerial regulations.

Minister of Housing and Spatial Planning