

Abstract

Records in the Land Register

This diploma thesis deals with the institute of records in the Land Register, which, due to Act No. 89/2012 Coll., the Civil Code, underwent numerous changes that needed to be reflected in legal regulation of the Land Register. At the time of writing this thesis, it has already been 6 years since the recodification of the Civil Code and changes associated therewith. Thus, it is possible to evaluate the legal regulation of records in the Land Register in its whole complexity.

The thesis is divided in five parts that analyse different aspects of this legal institute. The first part of the diploma thesis outlines the historical evolution of the evidence of real estate itself for better understanding of current legal regulation. The second part of the thesis is focused on current legal regulation of the Land Register, its essential principles of holding the Register and extracts from the Land Register providing information about the state of real estate. The third part deals with the subject of evidence, as not all real property is being registered in the Land Register. Regardless the general description, the contentious part of the issue based on legal regulation is being involved in the description of each real estate as well. The fourth part of the diploma thesis aims to touch the scope of subjects of the entries into to Land Register. An attention shall be paid particularly to entries related to rights with increased scope thereof. The last and the biggest part covers specific types of records. The most significant is deemed to be the entry of legal relations with the constitutive character. The process of each proceeding from its beginning to the issue of the decision is described in details, including different ways of defence against the decision. An attention is also paid to defects restraining from the conduct of proceedings.

The aim is not only the description of applicable law, but also the comparison with the previous legal regulation and practical examples for better understanding and illustration of the issue.

The topic of this diploma theses was selected among other things due to a necessity to point out at the regulation and elevate its constant timeliness in the life of each human being.