„Registrations of proprietaries into The Cadastre of real estate´s“ resumé

This thesis focuses on the registrations of proprietaries into the cadastre of real estates in The Czech Republic according to recent legal regulations. The text which due to the topic tends to descriptiveness, points out also some vagueness and dubiousness of objektive legislation as well as it´s plausible solutions offered by the practice of the courts. In my opinion this topic is very topical and established at the same time. Also the private legal status of many subjects, especially but not exclusively the owners of the real estates, is affected by the matter of proprietary registration.

The thesis consists of six chapters. Chapter one provides general view on the matter of the real estates cadastre, including the real estate evidence grand and short history discussion. In my humble opinion this discussion is advisable considering variety of real estate acquisition regulations during the last century. In chapter two the matter, subject and attribution of the real estates cadastre are described, the basic rules of cadastre management and administration are listed and basic as well as related laws and regulations are mentioned. The aim of chapter three is to define proprietary registration’s object, i.e. what kind of rights and other entries are to be recorded in the cadastre. Chapter four, which eventually concentrates on the core of the matter consists of three subchapters each dealing with specific type of registration. One of them is examined much more accurately then others since as the only one has a constitutive effect. Remaining parts deal with the problem of duplicate record and its elimination or the situation of unknown owner.

Although lots of regulations of different legal force deal with the matter in question there are some peradventures and possible interpretation interspace. That is where the the practice of the courts or the cadastre bureau itself assumes importance. But the court’s decisions are frequently divergent which on one hand invades legal
certainty but on the other hand it affords opportunity to present dissimilar views. And to illustrate them is another aim of this thesis.