

Acquisition of ownership right to plots

Abstract

The topic of this thesis is the problematics of acquisition of the right of ownership of lands. The work is divided into four chapters, which are further divided into subchapters. The first of them focuses on the definition of basic concepts related to the topic of the work, namely land, plot and property rights. The second chapter deals with the specifics of land ownership, among other things through its basic features - subject matter, content and subject. The third and fourth chapters form the very focus of the work. The third chapter deals with the transfer of ownership of land, the definition of basic types of contracts for the transfer of ownership (contract of sale, donation contract and contract of exchange), the problematics of invalidity, putativeness and relative ineffectiveness of the contract on transfer of ownership of land, withdrawal from the contract and its consequences and problematics of review activities within the registration in a Cadastre of Real Estate by cadastral office. The fourth chapter deals with the problematics of the transition of ownership of land and defines the various ways of acquiring ownership in the context of the Civil Code of 1964 and related case law and applicable law of the Civil Code. The work focuses on inheritance, acquisition of ownership by decision of a public authority, acquisition of ownership by law, acquisitive prescription, acquisition of the right of ownership from a non-entitled person, abandonment, accession and property encroachment. In connection with the individual ways of transition of ownership of land, the work draws attention to controversial issues arising from the current legislation.

The aim of this work is to evaluate the current legislation on the acquisition of ownership of land and to draw attention to some, still persistent or newly raised issues that are the subject of professional discussions. All this taking into account the legislation in force before the adoption of the Civil Code, where appropriate, and the current case law, or the applicability of case law adopted under the Civil Code of 1964 to existing legislation.

Key words: land, land ownership, acquisition of the right of ownership