

Record into cadastre

The purpose of my thesis is to analyze czech legislation regarding czech cadastre, to research, if there are some problematic subjects and to present some of my own suggestions de lege ferenda. The reason, why I chose this subject, is that all people have to deal with record into cadastre at least once in their lives, so I thought it would be useful to present something like a manual for everybody, in which I analyze what forms of record are available, how do they work, what are the problems etc.

The thesis is composed of three main chapters, which are subdivided into parts.

Chapter One is introductory and defines the basic elements of czech cadastre. It is subdivided into five parts. First part focuses on history of czech cadastre from the first real estate registry attempts in bohemian and moravian lands until today's cadastre. This part helps us to understand, where are the main reasons of today's problems regarding cadastre. Second part describes basic elements of czech cadastre, its functions and acts that govern the whole subject. Third part is about the subject of czech cadastre, that means it names which realties are recorded in cadastre and what information about these is registered. Fourth part concerns about the content of cadastre, which is divided into sections of geodetic, geometric, written informations and collection of documents. Fifth part studies the basic principles concerning czech cadastre.

Chapter Two represents the main theme of the whole thesis. It is the analysis of the three possible forms of record into cadastre, which are entry, record and note. These three forms of registration match the fragmentation of this chapter into three parts. The main purpose of these parts is to offer systematic interpretation of their subject. First I try to deal with the general issues, then I explore the proceedings regarding entry, record and note and in the end I examine, what are the questionable elements of czech legislation and practical functioning of czech cadastre or record into cadastre.

The conclusion of diploma thesis are drawn in Chapter Three. It summarizes especially the problematic parts of czech legislation and practical functioning of czech cadastre. Czech cadastre passes through a process of digitizing of geodetic informations in cadastre, which would be the main goal in upcoming years. Another important goal will be to solve the problems regarding duplicate records and unknown owner, which depress the legal certainty in the field of property rights. The best way how to do it will be to pass a new bill governing these problems by setting clear rules, procedures, that will clarify the legal relations and restore the legal certainty in property rights. I also presume that information technologies will increase their influence regarding record into cadastre and its forms, that in the future it will be possible to pass the process of entry completely by using the internet.