

Abstract

The Cadastre of Real estate has relied on a principle of formal publicity for a long time since the Cadastre integrates functions of both land registry and land cadastre. According to some authors, unfettered access to information in the Cadastre is the only possible way to meet its purpose. Such idea is in a violation of a right to privacy and personal data protection that were accepted as fundamental human rights, therefore I am convinced that there exists a necessity to find an equity between the value of privacy and the principle of formal publicity.

The diploma thesis deals with contemporary legislation of Cadastre's publicity as well as its prior regulation. Every single important amendment concerning publicity is followed by a comment where I try to criticize it objectively with regard to the personal data protection.

The first part of the thesis consists of a description of what a cadastre is and what the word means, history of land registry and land cadastres in the context of predecessors of the Czech Republic and finally the Cadastre of Real estate of the Czech Republic. There is a short section categorizing the principle of formal publicity among other principles applied to the Cadastre at the end of the part as well. The second part explains in general the value of privacy along with fundamental principles as a mean of its protection. The third part deals with the principles of personal data protection *in concreto* under European and Czech national law. The fourth and fifth parts of the thesis are the crucial ones. The fourth part focuses on the principle of formal publicity itself. The part provides information about the regulation under Land Registry Act (2013) and Land Registry Act (1992) including its crucial amendment concerning personal data No. 8/2009 Coll. that enacted an obligation to provide the cadastral clerk with an identity in order to get access to documents saved in the Document Registry and to get a list of all individual's real property. Whereas I find the regulation unsatisfactory, I try to acquire some inspiration from legislation of Germany and Slovakia in the fifth part. The final part of the thesis is devoted to the elemental requirements for the fair and lawful processing of personal data with an extra attention to the special character of the Cadastre as a public register.