

Disposal of State Immovable Property

Abstract

This dissertation investigates the disposal of state immovable property, a concept that defies unambiguous definition. The objective was to examine this issue comprehensively, highlighting the state's proprietary relationships. This inquiry is intertwined with the broader management of state assets. Given the extensive nature of the subject, it was impractical to address every facet of state property's disposal and management. Consequently, the dissertation concentrates on the foundational legal frameworks governing state asset management and disposal, the entities vested with state property ownership rights, and particularly the disposal processes of state-owned immovable property. The structure of the dissertation encompasses an introduction, nine chapters, and a conclusion. The introduction outlines the dissertation's objectives, motivations, methodology, sources, and organisational structure. The first and second chapters generally discuss state property, ownership rights, the fundamental legal regulations governing the management and disposal of state assets, and the basic principles applied in managing state property. The subsequent section examines the entities responsible for property rights execution. A significant discussion in the fourth chapter on acquiring state immovable property addresses both gratuitous and onerous acquisitions, highlighting notable historical acquisition methods. The central focus of the dissertation is encapsulated in chapters five, six, and seven, which concentrate on the handling of state property classified as temporarily or permanently surplus to requirements. Specifically, these chapters scrutinize the procedures for disposing of permanently surplus state assets, primarily through pecuniary and gratuitous transfers to third parties. This process of alienation, triggered by the property's redundancy, is examined in detail, offering insight into the mechanisms that facilitate the transition of state property into private ownership. An examination of compliance monitoring in asset management and disposal is presented in the penultimate chapter. In the ninth and final chapter, I undertake a comparative analysis of the legal frameworks governing state-owned immovable property within the territories of the Slovak Republic and the Czech Republic. The analysis primarily focuses on the comparison of entities exercising property rights and the comprehensive management of Slovakia's property. This comparison aims to highlight the contrasts and practices in the administration and execution of property rights between the two countries, with a particular emphasis on the Slovak approach to property management. The dissertation concludes with a critical evaluation of the research objectives, addressing subsidiary questions

and assessing current legislation with proposals for potential legal amendments to enhance state property management and disposal protocols.

Keywords: state property, disposal of immovable property, management of state property