

## **Abstract**

I chose for my diploma thesis the theme which is called „Creation and cessation of the land ownership right – legal forms“. The aim of the work is to give complex and complete description of basic legal forms of acquiring ownership right to land. The presented work is divided into ten chapters. The first part (second chapter) of the diploma thesis determines the concepts of „ownership“, „real estate“, „land“, „plot“ etc. According to Czech law concept of „real estate“ means mainly under grounds and buildings firmly linked to ground. Property right as one of the basic human rights protected by Human rights act which for example says that the property right could be restricted or taken away only according the law, inter the legal bounds and for compensation. The current legal order of the Czech Republic regulates the ownership in three types of legal regulations: the Civil Code or the Commercial Code represent the general regulation, the Czech Republic Property Act represents the special regulation and moreover, there are numerous laws mentioning the land property.

Third chapter consists of the historical overview on the development of the land's ownership in the Czech Lands in period 1918 – 1989. First I described both Land Reforms governing the considerable transfers of the state property after then follows description of different approach to the state's ownership during the communist regime. The following part deals with the transformation of the land's ownership after the revolutionary events in 1989. The essential changes in the Czech legal order are described as well as the extensive process of restitution and privatisation.

The most extensive part of the diploma thesis (chapter four) is concerned with the particular forms of acquiring ownership right to land and is subdivided into seven parts, each for one form. I considered the single modality of the acquisition of property rights in real estate which are the contract of sale, the decision of the judiciary or administrary organ, usucaption and other facts stabilized by the law. Ownership right to land may also pass trough succession, testamentary succession and hereditary succession. Every subchapter is finished with an analysis of the new Civil Code which is still in the process of legislation a its comparison with valid civil code. The objective of the new civil code is the whole re-codification of the civil law which is based on the project of the civil code of 1937 and which has never been realized and which is based on the principles of Roman law.

Chapter six describes registration of ownership and other rights to land with Land Registry. Cadastre of Real Estates of Czech Republic presents list, description, geometric and positional determination of chosen realties. Cadastre is used as source of information, they serve for

protection of rights to properties, for taxes, for protection of environment, for evolution of territory for economy and statistics and for next information systems. Records to Cadastre of Real Estates are done by deposit, by record and by notice. The most important record is undoubtedly record of right deposit. Deposit is act of Cadastre and brings creation, change or end of rights towards realty.

Key words : Land

Ownership right