

Summary

The subject of the research undertaken in the dissertation is the legal situation of the applicant in land and mortgage register proceedings, and in particular the right to submit an application for entry in the land and mortgage register.

The first chapter explains the concept of land and mortgage registers and their functions. In addition, the concept of real estate and the legal status of real estate are discussed.

The second chapter describes the rules operating within the land and mortgage register proceedings, which are closely related to the applicant's situation. In addition, the issues of judgments in land and mortgage register proceedings and the ambiguous term "entry in the land and mortgage register" were analyzed.

The third chapter presents the legal situation of the applicant in land and mortgage register proceedings, taking into account his legal interest. This part of the work discusses the concept of a legal interest in non-litigious, exploratory proceedings, as well as the course of examining its existence. The applicant's situation was discussed together with the presentation of the relationship between the applicant's legal interest and the right to submit an application for entry.

The fourth chapter describes the individual entities listed in Art. 6262 § 5 k.p.c. as entitled to apply for an entry in the land and mortgage register. They are: the owner of the property, including the co-owner, the perpetual usufructuary, the person for whom the entry is to be made and the creditor.

The fifth chapter presents the entities entitled to submit an effective application for entry in the land and mortgage register, which have not been explicitly listed in the provision of Art. 6262 § 5 k.p.c. or whose entitlement to submit an application for entry results from legal acts other than the Code of Civil Procedure.

The sixth chapter discusses the principle of participation in non-litigious proceedings and the relationship between the status of the participant and the applicant in land and mortgage register proceedings. The considerations contained in this part of the work were focused mainly on determining whether the applicant of the land and mortgage register proceedings is also a participant in these proceedings, or whether he assumes a separate role.

The seventh chapter is devoted to the analysis of the issue of the application for entry in the land and mortgage register as a letter initiating land and mortgage register proceedings. The methods of submitting an application, formal requirements and the effects of submitting

an application for entry have been described. The possibility of withdrawing the application for entry was also discussed.

The eighth chapter is devoted to the discussion of entries in the land and mortgage register. In addition to the entry being a judgment, the types of recording content in the land and mortgage register are also characterized, which are included in the group of the so-called land and mortgage register activities that are not judgments, such as: annotation, mention or warning, as well as rectification of judgments.

Chapter nine analyzes the remedies and appeals against entries in the land and mortgage register. Due to the subject of this dissertation, this chapter is supplementary and informative.

