



Interoperability Model for Land Registers

STRUCTURE OF THE TEMPLATE

Proposal in the light of answers of the questionnaire

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Ways to reach a solution in Comparative Law

1. To impose a **national solution** (usually not explicitly)
2. **Bottom-up**: to map legal diversity of all the countries (MM.SS) and find conclusions from it
3. **Agreements** (*legal formants*) usually on specific matters



IMOLA WS1: Bottom-up

- WS1 task: LR output / European standard template
 - IMOLA Governance Plan
- WS1 way: Bottom up: to map legal diversity of the European LR systems
 - by means of networking (ELRN), questionnaires and debates
- WS1 first step: ABC structure for the template
 - A= Description of property
 - B= Ownership
 - C= Mortgages and encumbrances



Finding an output soon

Part A) Athens: first conclusions

Part B) Athens: approach

Part C) Athens: preliminary questions

Other possible sections or parts (D), ongoing question



Part C. Preliminary questions

Some topics of discussion

- Developing structure: to classify secondary property rights
- Inclusion in Part C of judiciary burdens
- Is the date enough for purposes of priority or preference?
- Management of other burdens (e.g.fiscal)



Conceptual classification of secondary rights

- Security rights (mortgages and others)
- Property use rights (usus fructus and others)
- Leases if registered: specific box or within use rights?
- Easements? (in the event of servient landholding)
- Pre-emption rights

Possible division of judiciary charges

- Annotation of **claims or disputes** on the LR unit
- Annotation of **attachment** for debts
- Annotation of **restrictions or prohibition** of disposal of the properties
- Annotation on **insolvency** cases
- Other questions:
 - Are these ones the majority of cases?
 - Is it useful to divide judiciary charges into legal purposes?
 - A specific box within Section C)?



Part free in section C): aims

- For specific or hardly equivalent national rights
- For the extent of the secondary right or judiciary charges
- For defining priority among the rights or charges which encumber the LR entity.



Additions to this structure

(Ongoing questions)

- Heading-Presentation
- What we may call “Part D”. Other relevant contents for strict purposes of information:
 - Pending documents
- Legal warnings



Thank you for your attention

