

# ONGOING STUDY ON LAND REGISTRAR'S STATUS IN EUROPE




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# PREVIOUS WORK: (based on ELRN CPs contribution)

- LAND REGISTRAR'S STATUS IN EUROPE  
Mihai Taus -2014
- THE CIVIL LIABILITY IN LAND REGISTRIES  
Marius Mackevičius – 2019
- LAND REGISTRAR'S STATUS IN EUROPE  
(interconnection context)  
Mihai Taus -2020

**GENERAL OVERVIEW**

- *25 European Land Registry Association CP's contribution*
- *different organisations*
- *different systems*
- *different profiles*
- *different aims*



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**CIVIL LIABILITY AGAINST THE DAMAGE CAUSED BY THE FAULT OF THE KEEPER OF THE REAL PROPERTY REGISTER**

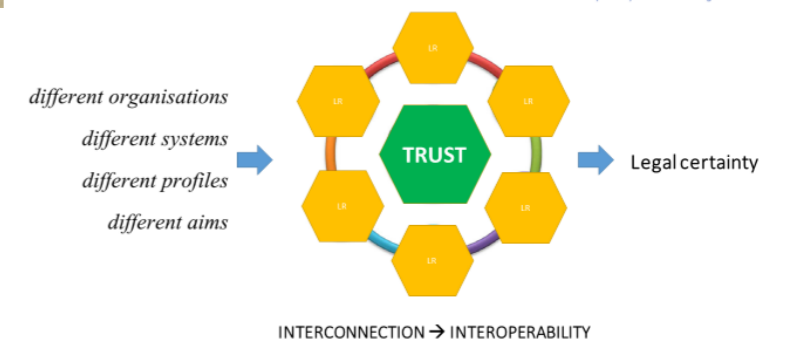
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26-06-2020



WHY AN EUROPEAN STATUTE FOR LAND REGISTRARS?

Land Registers Interconnection (LRI)

**IMOLA**  
Interoperability Model for Land Registers



# LAND REGISTRAR'S EUROPEAN STATUTE

## 1. NEW ERA! NEW DIMENSION FOR LAND REGISTRY

- Increased number of cross-border cases requiring LR INFORMATION
  - TRANSFERS OF PROPERTY RIGHTS
    - Inter vivos
    - Mortis causa – Regulation (EU) nr. 650/2012
  - MORTGAGES
    - Secondary market
  - INSOLVENCY
  - CRIMINAL MATTERS
    - Increased efficiency of judicial orders
    - Faster and more accurate reaction of legal authorities (courts, prosecutors, FIUs)
    - Fight against money laundering
    - International seizures

# LAND REGISTRAR'S EUROPEAN STATUTE

## 2. INTERCONNECTION

- Need for reliable information – mutual trust
  - Structure – LRI/IMOLA
  - Content – MS/EU STATUTE
- Full respect to MS national legislations

# LAND REGISTRAR'S EUROPEAN STATUTE

## 2. INTERCONNECTION

- Need for reliable information – mutual trust
  - Structure – LRI/IMOLA
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- Full respect to MS national legislations

## 3. INTERFERENCE

- External Influence over certain LR system
  - Legal
  - technical

# LAND REGISTRAR'S EUROPEAN STATUTE

## **MAIN GUIDELINES:**

- STANDARDIZATION BASED ON PRINCIPLES
- QUALIFICATION
- TRAINING STANDARDS
- GENERAL HARMONIZATION OF RESPONSABILITIES AND LIABILITY
- LEGAL PROTECTION
  - DECISIONAL INDEPENDENCE
  - LIABILITY AND RESPONSIBILITY LIMITS

# LAND REGISTRAR'S EUROPEAN STATUTE

## WHERE IS LAND REGISTRY HEADING TO? PREDICTION/ANTICIPATION

- **TRENDS** – PATTERNS OF EVOLUTION
- **DYNAMIC OF LEGISLATION** (RITHM)
- **MILESTONES**
- **PERSPECTIVE** – PREDICTION/ANTICIPATION OF CHANGES THAT MIGHT AFFECT THE LEGAL TRAFFIC OF IMMOVABLES
- **RISKS:**
  - INSTABILITY
  - POOR VALUE (AND CONSEQUENCES)

The value of the Land Registry is given by the value of the legislation and also by the value of the land registrars



QUESTIONNAIRE TO BE RELEASED  
(summer homework😊)

# THANK YOU!

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