

THE NEWEST POSSIBILITIES AND PRACTICAL FEATURES OF THE LIQUIDATION OF UNDIVIDED JOINT OWNERSHIP OF AGRICULTURAL LANDS

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Abstract

The subject of my thesis is a detailed legal study of the liquidation of undivided common ownership in agricultural and forestry areas, with special regard to the new model effective as of 1 January 2021. My aim is to identify possible ambivalent provisions and, where appropriate, to make de lege ferenda proposals for controversial or under-regulated issues.

In my research, I make de lege ferenda suggestions on how abuses could be prevented in the case of additional acquisition with a three-year ownership clause. As a practical result of my research, the legislature made the relevant point of its amendment bill taking into account my initiative and proposal.

Furthermore, I conclude that the problem of a change in legislation in the initial phase of the annexation procedure could be eliminated if the legislator amended the rules of notification in the law.

In my scientific work I examine the impact of the change in real estate registration data resulting from the termination of undivided joint ownership on the land use contract and I provide a solution to certain problems by proposing the introduction of a land registration certificate.

In the course of my work, I formulate a practical proposal in the case of mortgages on the intangible share to be annexed, which would avoid the mortgage burden of the entire owned area.

In my dissertation, I make de lege ferenda a proposal for the performance of consideration in the case of an enforcement right on the annexing ideological share.

As a conclusion, it can be summarized that the topic I am examining is a special, multidisciplinary, multiply complex regulatory system, the examination of which is a sufficient challenge for me during the processing of the topic. The realization of Hungarian land policy goals is an indispensable pledge for the development of the Hungarian agricultural sector. I would like to contribute to this process with my comments and de lege ferenda suggestions in my thesis.

Keywords *agricultural law, land transactions regulation, undivided common property, undivided joint ownership, land incorporation*

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