

IMPORTANCE OF PERFORMING LAND REGISTRY WORK IN THE DOMAIN OF THE JUDICIARY

Abstract

A very important and current issue from the legal point of view (legal security, confidence in land registry, etc.), is whether the Federation of Bosnia and Herzegovina will leave the judicial concept of land administration and transfer it into the jurisdiction of the executive branch?

Namely, in searching for an answer a numerous discussions were led, but mostly among the geodetic profession, while the legal profession hasn't been sufficiently heard on this matter so far.

Recognising this deficiency, Federal Minister of Justice Mato Jozić has proposed, after the Draft Law on Survey and Property Registration was adopted on 23rd December 2015, public discussion to be held involving primarily legal professionals in this area (both practitioners and theoreticians).

Therefore this paper is a contribution to the public discussion on the Draft Law on Survey and Property Registration with the aim to stress, above all, the enormous responsibility for abolishing the land registries administered by the municipal courts as independent judicial authorities.

The current situation of land records can be bridged in a way to apply computer technologies to network courts and cadastres in order to have a unique records on the properties based upon and within the judicial concept of the land registration and by applying the present Law on Land Registries in the Federation of Bosnia and Herzegovina.

Key words: court, land registry, cadastre, cooperation, networking, digitalization.