

**THE STATE REGISTRATION PRINCIPLES OF LAND ENTITLEMENT IN
UKRAINE: LEGAL ASPECT**

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Principles of registration of rights to land parcels in Ukraine are set forth in the article through the lenses of categories generated in land law and civil law science.

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The availability of mentioned registration principles which are allocated by law is a significant aspect of the legal regulation of social relations in the field of law registration of land entitlement of any kind. It is indicated in the juridical literature that the legal principles, in spite of their more common disposition, have advantage over other principles [1, p. 206]. The principles of state land entitlement registration in Ukraine can be defined as allocated in the legislation of Ukraine main inceptions, leading ideas that determine the main contents of law standards and the direction of legal regulation in the field of land entitlement. A lot of fundamental state registration base of land entitlement in Ukraine come in native authors' view [2; 3, p. 14; 4, p. 233–236; 5, p. 79–99;]. Nevertheless, following the approaches in terminology in the context of principles, which were formed in the study of land and civil laws [6, p. 71–72; 7, p. 33–41; 8, p. 70–98; 9, p. 37–43; 10, p. 25–29; 11, p. 86–87; 12, p. 114–118; 13, p. 127], analyzing contemporary edition of the Law of Ukraine «About the state registration of material real estate entitlements and their burdens» from June 1, 2004 (further is Law), there may be distinguished 13 principles of state land entitlement registration in Ukraine. We shall give their brief description concerning separate problems of their fulfillment singled out in the law sources:

1. The principle of obligatory registration (or **«formalities principle»** according to certain scholars). The importance of present principle is stipulated for real estate entitlements and their durables appear

from the moment of state registration of them (p. 3 p. 3 of Law of Ukraine «About the state registration of material real estate entitlements and their burdens»).

Before the date of validity acquirement of the revision of the given law (16.03.2010), the principle of obligatory registration of land entitlement was clearly allocated in p.1 p. 3 of the Law. Today this principle ensues from p.1 c. 3 of the Law:

«The state entitlement registration is **obligatory**. The information about real estate entitlement and their burdens is under the inclusion into State rights register», and also from p.1 p. 4 of the Law, where rights which are under registration are enumerated .

The fulfillment of the principle of obligatory enrolment of a number of land entitlements was troubled for a long period of time as both the edition of the Law before 16.03.2010 [14, p. 776], and edition which acted before the Law of Ukraine, "About inserting changes to the certain laws of Ukraine concerning refinement of state registration order of real estate entitlements of both state and municipal properties connecting with their differentiation" from May 14, 2013 (further is the Law № 233-VII) became valid, contained the norm according to which the registration of the derivative rights from entitlement, for example, the constant use of land entitlement, usage entitlement (easement), land leasing entitlement, emphyteusis, superficies, is realized only after state registration of land entitlement (p. 2 p. 4 of the Law), and the legal norm, which accounted this circumstance and provided the possibility of registration corresponding rights without proceeding entitlement registration lost its validity from 1.01.2013 (it is meant here p. 4 Final and transitional points of the Law of Ukraine «About inserting changes to the Law of Ukraine «About state realty entitlement registration and their limitations» and other legislative acts of Ukraine» from February 11, 2010 №1878-VI, which was excluded with the Law of Ukraine «About inserting changes to certain legislative acts of Ukraine concerning differentiation of the lands of state and municipal property» from September 6, 2012 № 5245-VI).

With last of the mentioned laws from January 1, 2013 and until validity acquirement of the Law № 233-VII (is not published at the time when the present article is written) it was provided the norm-principle (p. 9 Chapter II), according to which land entitlement of state and municipal property indicated in the points 3 and 4 of the same chapter, *is fulfilled after state registration of the certain land entitlement*.

Thus, there was mislaid the problem model according to which in order to registrate, for example, constant usage land entitlement, it was necessary to provide the registration of the state or territorial community entitlement for this land at first considering the demands of p. 5 Final and transitional points of the Law of Ukraine «About inserting changes to the certain legislative acts of Ukraine about differentiation the state lands of state and municipal property» (putting in an application from appropriate body is provided with p. 122 AC and an excerpt from the State land cadastre about corresponding plot of land), and in case when the information about an appropriate plot of land «is not introduced in the data of the State land register» the registration of the plot of land in the State land cadastre must be previously ensured, having elaborated (with the permission of bodies provided with p. 6 mentioned in the Final and transitional points) and corroborated corresponding documentation about organization of land exploitation which is the grounds for state plot of land registration.

Only in one out of three draft laws (2303-2 from 27.02.13), there was proposed better approach than regular delay of the outset of corresponding norm. Finally on May 14, 2013 there was adopted the Law of Ukraine «About inserting changes to certain legislative acts of Ukraine concerning improvement of state registration order of proprietary interest entitlement on plots of land of state and municipal property in view of differentiation of them», that inserts changes into the Law of Ukraine «About state registration of proprietary interests on real estate and their burdens», where there were laid approaches by authors [15] according to which (p. 4-1 of the Law):

- state executive bodies or municipal government bodies can take decisions about plots of land assignation or the usage of them without previous state registration of state or territorial community entitlements on such plots of land;

- state registration of the state or territorial community entitlement on land, which were formed from the state or municipal property, is accomplished after being approved, in order determined by Agrarian Code of Ukraine, organization of land exploitation documentation, according to which such formation is realized, simultaneously with state registration of derivative proprietary interest on such plots of land;

- when assigning of plots of land of state or municipal propriety in constant use, the state or territorial community right on which are not registered according to this Law, state registration of entitlement is fulfilled

simultaneously with the state registration of entitlement on the constant use of such plots of land;

- the problem of renewal or inserting changes to the corresponding contracts is solved too: «when renewing or inserting changes for superficies, emphyteusis, easement, plots of land leasing of the state or municipal, state or territorial community rights on which are not registered according to this Law, state registration of entitlement is realized simultaneously with state registration of use right (easement), land entitlement use for agricultural needs (emphyteusis), right of plot of land encumbering (superficies), leasing right of plot of land»;

- the *decision* of executive power body or body of municipal power about assignment of plot of land in use (permanent use, leasing, use of plot of land for agricultural needs (emphyteusis), use of other's plot of land for building (superficies), easement) *is considered an announcement* concerning accomplishment of state registration entitlement of state or territorial community for the considered plot of land. The law provides that in case of carrying out the state registration of proprietary interests on the plots of land, derivative from entitlement, when the state registration entitlement of state or territorial community for the mentioned plots of land is absent, the corresponding body of executive power or the body of municipal power is obliged to put in an application to both the body of state registration of rights and to the state cadastre registrar corresponding announcement about the state entitlement registration of the state or territorial community for the mentioned plots of land (p. 7 p. 1 p. 16 of the Law).

In the context of formalities principle we cannot but mention about critical attitude towards obligatory leasing right registration in Ukraine which exists in the literature. Authors consider it as an obligate right [16], but inserted by the legislator to the rank of proprietary interest [17, p. 5–8] and also critical views on absence of norm about responsibility for evasion from state registration of land entitlement [18, p.20].

We shall also mention that there is the draft law (№ 2523 from March 12, 2013 p) «About inserting changes to certain legislative acts of Ukraine concerning ordering of obligation of state registration of proprietary interests on realty and their burdens», where on the level with others there is proposed to complete the first sentence of p. 1 p. 3 of the Law («state registration of rights is obligatory») with a phrase «in the cases determined by the law». In the paragraph 6 of the part 3 of the Law there is proposed to define that state registration of entitlement or another proprietary interest is

the premise for perpetration not any kind of transaction concerning realty, but only that one the subject of which is transmission of entitlement, another proprietary interest on realty or establishment of burdens, which are under state registration [19].

2. The principle of succession. The mentioned principle concerning separate legislative forms of land use on the law level was consolidated beginning from January 1, 2002 (it is meant p. 7 Transitional points of AC). Later the situation was corrected a bit, dealing with right on constant use, paragraph 2 Resolution of Cabinet of Ministers of Ukraine «About the ratification of forms of state act to use plot of land constantly» from April 2, 2002 № 449. In the previous edition of the Law of Ukraine «About the state registration of proprietary interest on realty and their limitation» (p. 5 p. 3) the mentioned principle was allocated unsuccessfully as the legislator demanded artificially re-registration even those rights which were registered in the full correspondence to the demands of active for that time legislation.

Today the mentioned principle is reflected clearer in p. 4 p. 3 of the Law of Ukraine "About the state registration of proprietary interests for realty and their burden", according to which the realty rights and their burdens that appeared before this Law becomes valid are considered to be true in case of absence of their state registration provided with this Law on the assumption of the rights registration and their burden was held according to the legislation that was valid at the moment of their appearing or if at the moment of the rights appearing and their burdens the legislation that did not provide the obligatory registration of such rights and their burdens was active. Except for that, p.10 of the Final and Transitional statements of the Law of Ukraine «About State agrarian cadastre» from July 7, 2001 № 3613-VI provide for these *documents*, which were testified the entitlement or the right for constant use of plot of land, issued before this Law becomes valid are true.

Certain fulfillment peculiarities of the succession principle in the field of state registration of land entitlement are provided by the Law of Ukraine «About peculiarities of public join-stock formation of railway transport of general use» from February 23, 2012 № 4442-VI. In particular, there is provided with the mentioned Law the possibility of land entitlement legalization, which is used by the State administration of railway transport and railway companies in fact and even, the provided *obligation to use* the mentioned plots of land in end use during the period of entitlement redrafting (p. 2 p. 3 chapter III):

«From the day of cessation of the State railway transport administration of Ukraine and the railway transport companies until the day when the Institution legalize plots of land entitlements, which were in constant use of the State railway transport administration of Ukraine and the mentioned companies, the Institution is obliged to use corresponding plots of land according to an end use in the measurements and boundaries, in which they were in constant use by the State railway transport administration of Ukraine and the railway transport companies or *were used by them in fact*, for which land tax was paid».

The mentioned succession variant of the plots of land can be understood including the present problems of the legal regime of strips of railway stations assign, which are distinguished in the legal literature. In particular, in the O. M. Onyskiv's thesis research on the following subject: «The legal regime of the land stripes of the railway stations assign in Ukraine» the author mentioned that the railway stations as the users of vast plots of land do not still have documents that establish rights on lands of stripes of railway station assign. The absence of such documents can cause irrational use of them [20, p. 71].

3. The principle of state registration authenticity is allocated in the part 2 p.3 of the Law: «The state guarantees the authenticity of the realty entitlements and their burdens» (the mentioned principle also indirectly emerges from p. 3 p. 10 of the Law, p. 27 of the Law «Correction of technical» and p. 30 «The responsibility in the field of rights state registration»).

The principle of state land cadastre authenticity and the principle of state registration of land entitlement authenticity, basing on to date valid legislation of Ukraine is not the same. But the objectless rights do not exist, and in case the information of the State land cadastre about the plot of land as the object of law is not precise or unauthentic (for example, in case when plots' of land boundaries are laid on one another or all the plot of land is laid on another one), then this inevitably grades almost all advantage from the nominally authentic information about certain plots of land *entitlement* according to the data of the State register of proprietary interests on realty and their burdens, as anyway, territorial boundaries, on which corresponding right is spread, remain inexact, even according to the data of another register.

In this context problems distinguished in the juridical literature in the context of principles of state land cadastre remain relevant. Such as: discreteness (distinctiveness) of the cadastre data (under the absence of

70 % of the data concerning available plots of land, obsolescence of topo data in the same percentage, legislation drawbacks about land accounting, actual paperiness of cadastre, absence of the unitary ensured approaches towards the formation of the system of geospatial data)²; the completion of filling of the state cadastre until 2020, laying the weight of mistakes elimination, that appear as the result of transferring information from the state land register to the new-created state land cadastre upon the interested individuals with all additional expenses³.

According to the specialists' messages, such extracted on legislative level function of cadastre registrar as accomplishment of electronic exchange between the property registrars and cadastre registrars, are not executed by them at the moment. It is pointed out that the applicants themselves are «electronic exchange», they transfer documents from the cadastre registrar to the State registration service [25].

As for the authenticity of land entitlement registration we shall notice that there is pointed out the suggestion in the literature about allotment priorities to the notation in the State right register, but not to the data of registration contract in case of finding out the contradictions in the notations of the State register of realty rights and the registration notation itself must be the only proof for existence the corresponding right [4, p.234]. The Law Norm in the part of desirable absoluteness⁴ notation in the register would be reasonable to change correspondingly (it is said about p. 3 p. 10 of the Law).

5. The principle of state registration unity. Before 16.03.2010 the present principle was allocated on the level of p. and 8 p. 3 of the Law: «In Ukraine the single State right register is forming and is valid, which is based on the state registration of plots of land of all kinds of property and situated on them another realty, registration of proprietary interests in the objects of realty, their limitation and transactions concerning realty». Thus,

² In more detail, look [21, p.54-57].

³ In detail look [22]. Alike problems about the providing of authenticity of the State register of proprietary interests on realty and their burdens are also distinguished information BTI about the objects of realty different from the plots of land in the context of absence of information transference by BTI to the new-created register, preserving information concerning the realty to 2002 only in the paper variant - in the registration books and registration inquiries of BTI, look [23; 24].

⁴ In this context we cannot but mention about existence, even under modern disposition of right regulation of corresponding relations (it is clear enough in this part, to our mind), scientific discussions concerning availability or absence of notations about the State register of proprietary interests on realty and their burdens of absolute disposition. [26, p.1-23].

the legislator tried to build the single registration system of land entitlements, realty and transactions concerning realty. Today corresponding changes are inserted more or less successfully to the number of legal acts in the part of dissolution the necessity of fulfillment of transactions registration (at the moment the draft law №1177 from December 26, 2012 «About inserting changes to certain legal acts of Ukraine in view of introducing the state registration of the proprietary interests on the realty and their burdens» in the part of corresponding correction, for example, p. 100 and 132 of AC, is waiting for the second lecture and the draft law № 2421 from February 28, 2013 «About inserting changes to the Agrarian Code of Ukraine and other legislative acts of Ukraine (concerning agreement of their positions with new mechanism of state registration of plots of land and entitlements on them)» is waiting for the consideration too, with which there is proposed to insert changes to a number of legal acts that still provide delivery and registration of corresponding legal acts as documents which evidence the right).

The paragraph 3 p. 1.p. 2 of the Law of Ukraine «About state registration of proprietary interests on realty and their burdens» provides that «The State register of the proprietary interests on realty ... is the **single** state informative system that contains data about realty entitlements and their burdens and also **about objects** and subjects of these rights», but the State land cadastre and the State register of proprietary interests on realty and their burdens are artificially separated. The subjects of their conducting are not characterized with the departmental. According to R.I. Marusenko: «in contrast to the native legislator, a great amount of the countries of the world follow the path of unification, amalgamation into one informative system of procedures of conducting of the land cadastre, place mapping and providing with geodesic information, the registration plots of land entitlements and other realty objects» [27, p.37]. It is worth to agree that the mentioned principle in Ukraine is not realized to the extent.

4. The publicity principle (or in other words – **the openness principle**). Before 16.03.2010 it was allocated in the p. 4 p. 3 of the Law, and from 16.03.2010 it was allocated in the p. 5 p. 3 of the mentioned Law: «The state registration of rights is public, is conducted by the body of state registration of rights, which is obliged to give information about registered rights and their burdens in order, prescribed with this Law». Except for that, the principle of obligation and public registration are laid in the p.2 and 3 p. 182 of the Civil code of Ukraine, correspondingly. O.O. Pifko determines the sense of the given principle in giving reliable information about

registered realty entitlements by the registration body to property owners, state bodies and other interested individuals according to the legislature [5, p. 84]. The author, reflecting on the known variants of availability of the information about registered proprietary interests within the limits of European registration system (full openness in asserting of «justified interest», learning by means of excerpts) places Ukraine to the third group and also mentions that new edition of the corresponding Law did not extended the list of individuals that has right on learning the data of the State right register (p. 28 of the Law). The author ascertains the necessity of inserting changes in the p. 32 of the Constitution of Ukraine in order to the date of the State right register becomes open in Ukraine [5, p.84].

To the problem of realization of publicity principle may be referred the fact that getting information by legal entity and individual persons about prohibition, arrest and hypothec from the registers until 2013 is impossible without registration of realty objects entitlement [25]. The register service does not have right to give information from the register to answer the layer's request [25]. There is also mentioned that if thieves managed to change the object owner, the previous owner cannot, having made a request to the register, find out who owns his property now. According to the Law, exterior individuals do not have right to get information about alien's interests [28].

6. The principle of declarative disposition of the state registration (or the permissive principle). The sense of the permissive principle in juridical literature is explained in such way that the procedure of the state registration of realty entitlements begins to put into the effect by the subjects of right registration of land entitlements only after getting corresponding application from the direction of the applicant about the conducting of the state registration [29, p. 73]. Before new edition of the mentioned Law becomes valid, the given principle was provided with p. 5 p. 3 of last. Today the given principle emerges from a number of norms of the mentioned Law, beginning from p. 16 «Putting in an application about the state registration of rights and their burdens». At the same time, the peculiarity of new edition of the Law is that application about state registration of rights and their burdens is not accepted in case of absence of the document that confirms services retirements from the state rights registration and their burdens (p. 4 p. 16), that is strange enough in the context of, for example, general prohibition of application acceptance, for example, citizens which were processed in appropriate way and given in

established order (p. 1 p. 7 of the Law of Ukraine «About individuals' application» from October 2, 1996).

Varieties of applicants are provided with p. 7-8 p.1 p. 16, p. 7-9 p. 16 of the Law.

7. The speciality principle (or the determination principle) lays in the fact that registration is made due to certain object. Before 16.03.2010 according to p. 2 p. 12 of the Law there was provided: «The state right register consists of the chapters, which are opened for every realty object during the conducting of state register of entitlement on it». Today the mentioned principle is allocated in p. 1 of the p. 11 of the Law «The state right register consists of the chapters which are opened for every realty object during the conducting of state registration of entitlement on it», and indirectly in p. 25 of the Law: «Registration number of the realty object».

8. The accounting principle means the calculation and preserving all the documents that relate to the State register of realty entitlements. Today the mentioned principle emerges from p.p. 10, 13, 14, and another Law.

9. The principle of payment for the state registration. The present principle is provided in p. 29 and the previous and valid edition of the mentioned Lawy, with the Law of Ukraine (p. 6 Final and transitional points of the Law of Ukraine «About inserting changes to the Law of Ukraine «About state realty entitlement registration and their limitations» and other legislative acts of Ukraine» other legislative acts of Ukraine» from February 11, 2010 №1878-VI, KМУ Decree «About the state tax» from January 21, 1993 №7–93, KМУ Ordinance from November 21, 2012 № 1204 «About the approval of measure and the order of payment use for inserting changes to the notations of the State register of proprietary interests on realty and giving information from the mentioned register». On May 14, 2013 there was adopted above-mentioned Law № 233-VII, which provides exemption of the executive and municipal bodies from the payment for giving the extract from the State register of proprietary interests during the conduct of the state registration of state or territorial community entitlement on plots of land.

10. The legality principle means that actions of both the applicants and the registration body must qualify the law. Thus, in the previous edition the mentioned Law (p. 5 p. 2 p. 8) provided: «The State right register within the limits of its power establish the correspondence between applied rights and given documents and laws demands and other legal acts», and according to p. 1 p. 20 of the Law the documents that established appearance, cessation and lapse of realty entitlements and were applied to

the state registration of realty entitlements must qualify the Law, Civil Code of Ukraine and other legal acts. On the date of writing of this report the valid are norms of p. 1 p. 2 p. 9 of the Law, according to which the state registrar establishes the correspondence of the alleged rights and entered documents to the demands of the legislation, and also the absence of the contradictions between the alleged and already registered realty entitlements and their burdens. According to the valid edition of the Law, (p. 4 p. 15) the alleged rights and their burdens complies with the state registration exclusively, on the assumption of their correspondence to the legislation and the entered documents; (p. 3 p. 17) documents that establish appearance, transaction and cessation realty entitlements and their burdens and are entered for the state registration of rights, must respond the demands, established with the Law and other legal acts; (p. 4 p. 24) the entered documents do not respond the demands, established with this Law, or do not permit to establish the correspondence of the alleged rights to the documents that ascertain them.

In the mentioned context we shall permit ourselves not to agree with the thought expressed in the literature [30, p.28] about authentically technical disposition of the registration of land entitlements «without any elements of legal estimation of the documents that approach to the registration, its definition according to the valid legislation» under the previous edition of the mentioned Law.

11. The principle of priority of the rights that were registered before in the conception of verification concerning the absence of contradictions between the alleged rights and rights that are already registered [12, p.114] and impossibility of conducting of the state registration of realty entitlements, if they do not contradict those which appeared and (or) registered before [8, p.75-76]. For example, before 16.03.2010 there was provided with the Law (paragraph 5 of the part 2 p. 8) that the state right registrar within the limits of their proxies accomplish verification for the purpose of an absence of contradictions between alleged and already registered interests on the realty object, availability of other grounds for the state registration of rights and such registration renunciation. Under the valid edition of the mentioned Law, according to p.1 p.2 p.9 the state registrar establishes ... the absence of contradictions between the alleged and already registered realty entitlements and their burdens.

12. The principle of irrevocability means that registrar according to the general rule (if there were no technical mistake) cannot insert changes

into already registered information. From the data of validity of new edition of the Law emerges from the context of p. 26 «Inserting notations to the state right register» and p. 27 of the Law «The correction of technical mistakes in the State right register». P. 2 p. 26 of the Law provides the presence of court decision about reversal of state registrar's decision about the state right registration for inserting information to the register about abolishment of the state right registration.

13. The seniority principle means examination of the applications in order of entrance and consideration of the next application only after adoption the decision concerning the previous application. Before 16.03.2010 the present principle was reflected in p. 5 p. 17 and in p. 6 p. 4 of the Law. Beginning from the above-mentioned date, the mentioned principle is allocated in p. 5 p. 3 of the Law, according to which the state right registration and their burdens is held in the order of priority of entrance of applications, and also in p. 2 p. 4 of the Law: «Realty interests, mentioned in points 2 and 3 of the first part of this clause, are derivative and are registered and are registered after the state registration of entitlement on such kind of property». Except for that, according to p. 6 p. 15 of the Law, in case if during examination of the application about state registration of rights it is established by the state registrar that other applications are entered for the state registration of the same property, the applications are considered in order of priority of their entrance. At the same time the application is considered only after adoption of the decision by the state registrar concerning the application which was considered previously and his inserting of the corresponding notation to the State right register.

Summing up a brief analysis of norm-principles in the field of registration of plots of land entitlements, we may notice that the legislator for some reason did not find the place for the full composition of the above-enumerated principles of registration in the clause 3 «The bases of state registration of rights» of the Law of Ukraine «About the state registration of realty interests and their burdens. Henceforth, the clause 3 of the Law in legal-technical sense is not perfect. To our mind, it is necessary to reflect 6-12-th principles in the mentioned clause by means of inserting corresponding additions. The disposition of the further transformation of the public relations in the field of registration of land entitlements in Ukraine and in the field of fulfillment of principles of the mentioned registration, form scientific interest to the further investigation in the delineated field.

References:

1. Мірошніченко А.М. Колізії в правовому регулюванні земельних відносин в Україні : моногр. / А.М. Мірошніченко. – К.: Алерта; КНТ; ЦУЛ, 2009.
2. Кулинич П.Ф. Правові аспекти становлення державної реєстрації прав на нерухомість в Україні / П.Ф. Кулинич // Юридична газета. – 2006. – № 10.
3. Миколук М. Державна реєстрація прав на земельні ділянки і їх обмежень: платити чи не платити? / М. Миколук // Юридична газета. – 2006. – № 7.
4. Бусуйок Д.В. Принципи правового регулювання здійснення державної реєстрації прав на нерухоме майно та їх обтяжень / Д.В. Бусуйок // Часопис Київського університету права. – 2010. – № 4.
5. Піфко О.О. Реєстрація прав на землю у країнах Європи: порівняльний аналіз : дис. ... канд. юрид. наук : 12.00.06 / О.О. Піфко. – Ужгород, 2011.
6. Аппак Т.Д. Правовое регулирование государственной регистрации прав на недвижимое имущество и сделок с ним (На примере договоров аренды нежилых помещений в г. Москве) : дис. ... канд. юрид. наук: 12.00.03 / Т.Д. Аппак. – М., 2004.
7. Бондаренко Д.С. Значение государственной регистрации прав на земельные участки для обеспечения эффективности использования и охраны земель : дисс. ... канд. юрид. наук: 12.00.06 / Д.С. Бондаренко. – М., 2004.
8. Волынцева А.В. Актуальные гражданско-правовые проблемы государственной регистрации прав на недвижимость и сделок с ней : дис. ... канд. юрид. наук: 12.00.03 / А.В. Волынцева. – Томск, 2003.
9. Галунов П.Б. Основные проблемы практики государственной регистрации прав на недвижимое имущество и сделок с ним (По материалам Южного федерального округа) : дис. ... канд. юрид. наук: 12.00.03 / П.Б. Галунов. – М., 2003.
10. Дзуцева М.Р. Законодательное обеспечение государственной регистрации прав на недвижимое имущество и сделок с ним : дис. ... канд. юрид. наук: 12.00.03 / М.Р. Дзуцева. – М., 2004.
11. Ильченко А.Л. Государственная регистрация прав и сделок с недвижимостью как средство государственного регулирования предпринимательской деятельности : дис. ... канд. юрид. наук: 12.00.03 / А.Л. Ильченко. – М., 2005.
12. Токаева А.С. Гражданско-правовые аспекты государственной регистрации прав на недвижимое имущество и сделок с ним (На примере договоров аренды нежилых помещений в Республике Северная Осетия-Алания) : дис. ... канд. юрид. наук: 12.00.03 / А.С. Токаева. – М., 2005.

13. Фадеев А.В. Договор ипотеки и его государственная регистрация : дис. ... канд. юрид. наук: 12.00.03 / А.В. Фадеев. – Самара, 2002.

14. Гринько С.В. Коментар до статті 202 «Державна реєстрація земельних ділянок» / С.В. Гринько // Земельний кодекс України: Науково-практичний коментар / за заг. ред. В.І. Семчика. – 3-є вид., перероб. і доп. – К. : Видавничий Дім «Ін Юре», 2007.

15. Долженков О.В. Пояснювальна записка до проекту Закону України «Про внесення змін до деяких законодавчих актів України щодо вдосконалення порядку державної реєстрації речових прав на земельні ділянки державної та комунальної власності у зв'язку з їх розмежуванням» № 2303-2 від 27 лютого 2013 року / О.В. Долженков : [Електронний ресурс]. – Режим доступу: http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=45912

16. Бусуйок Д.В. Правові аспекти державної реєстрації прав на землю та їх обтяжень / Д.В. Бусуйок // Науковий вісник НУБіП. – 2010. – № 156.

17. Мірошніченко А.М. Зобов'язальні права на земельні ділянки за законодавством України / А.М. Мірошніченко // Збірник наукових праць за результатами Міжнародної наук.-практ. конференції «Актуальні проблеми реформування земельних, екологічних, аграрних та господарських правовідносин в Україні» (м. Хмельницький, 14–15 травня 2010 р.). – Хмельницький : Вид-во Хмельницького університету управління та права, 2010.

18. Шульга М.В. Проблеми державної реєстрації земельних прав / М.В. Шульга // Українське комерційне право. – 2009. – № 9.

19. Атрошенко В.А. Пояснювальна записка до проекту Закону України «Про внесення змін до деяких законодавчих актів України щодо впорядкування обов'язковості державної реєстрації речових прав на нерухоме майно та їх обтяжень» № 2523 від 12 березня 2013 року / В.А. Атрошенко : [Електронний ресурс]. – Режим доступу: http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=46060.

20. Ониськів О.М. Правовий режим земель смуг відведення залізниць в Україні : дис. ... канд. юрид. наук. 12.00.06 / О.М. Ониськів. – К., 2011.

21. Марусенко Р.І. Погляд на запровадження державного земельного кадастру крізь призму принципів останнього / Р.І. Марусенко // Вісник Київського національного університету імені Тараса Шевченка. – 2012. – Вип. 92. – (Серія: Юридичні науки).

22. Марусенко Р.І. Перехід до нової процедури реєстрації прав на земельні ділянки: «Спростити не можна ускладнити» / Р.І. Марусенко : [Електронний ресурс]. – Режим доступу: <http://lector.org/ua/node/432>.

23. Саєнко М. Практика дала збій. Нові правила реєстрації прав на нерухомість: перші враження з «фронту» / М. Саєнко // Закон і бізнес. – 2013. – № 5.

24. Бузинний А. «Договірні» дилеми. Більшість нотаріусів не готові реєструвати право власності на об'єкти нерухомості / А. Бузинний // Закон і бізнес. – 2013. – № 15.

25. Сахарова Ю. «Нерухомий» погляд. Державі катастрофічно не вистачає кадастрових реєстраторів / Ю. Сахарова // Закон і бізнес. – 2013. – № 13.

26. Мірошніченко А.М. Земельні ділянки: віндикація, реституція, кондикція, визнання прав (співвідношення та деякі проблемні питання) / А.М. Мірошніченко, Ю.Ю. Попов, А.І. Ріпенко // Часопис Академії адвокатури України. – 2012. – № 3.

27. Марусенко Р.І. Стан законодавчого забезпечення та перспективи державної реєстрації прав на земельні ділянки / Р.І. Марусенко // Українське комерційне право. – 2010. – № 10.

28. Бажан А. Реєстр нерухомості: де є та вулиця, де є той дім / А. Бажан : [Електронний ресурс]. – Режим доступу: <http://www.epravda.com.ua/publications/2013/04/23/372264>.

29. Піфко О.О. Правові проблеми реалізації принципів диспозитивності та обов'язковості державної реєстрації прав на землю та інше нерухоме майно в Україні / О.О. Піфко // Збірник наукових праць за результатами Міжнародної наук.-практ. конференції «Актуальні проблеми реформування земельних, екологічних, аграрних та господарських правовідносин в Україні» (м. Хмельницький, 14–15 травня 2010 р.). – Хмельницький : Вид-во Хмельницького університету управління та права, 2010.

30. Піфко О.О. Правове регулювання процедури державної реєстрації прав на землю в Україні та окремих країнах Європи: порівняльний аналіз / О.О. Піфко // Міліція України. – 2011. – № 1–2.