

The objective of the research project is to verify whether the existing Polish regulations concerning access to electronic land and mortgage registers and electronic land and mortgage proceedings, which have been introduced recently, prove sufficient in terms of ensuring effective and fast real estate turnover. Then the research will let us determine which elements of the land registration system based on the use of new technologies should be improved and developed to further facilitate the access to land and mortgage registers and obtaining the entry in the register. In this context it is also crucial to ensure the security of turnover and the protection of personal data disclosed in the land and mortgage registers which are now easily available via the Internet. In order to make a complex assessment of the domestic legal solutions adapted in this field, the complementation of the research concerning Polish law will constitute a comparative analysis of different electronic land registration systems operating in European countries. At the same time actions are taken to harmonize national land registers in Europe by ensuring cross-border access or even providing for uniform registration procedures. Therefore the research project is also intended to assess the prospects for integration of European land registers.

The issues regarding the informatization of land and mortgage registers – as a part of informatization of justice in general – are of great significance for the development of real estate turnover and thus for the economic growth. This applies to both national and EU levels. A necessary prerequisite for effective development of the market is ensuring a transparent and reliable system of land registration and the way to fulfill the above objective is the extensive use of new technologies.

The provisions regulating electronic land and mortgage registers are developing rapidly on subsequent stages of informatization – with the aim to meet the demands of the market practice. Moreover many new Europe-wide initiatives aiming at developing transnational co-operation of land registers are still proposed. For these reasons there is a need to analyze the current tendencies observed in this field and formulate some postulates as to how land registration systems should work to fulfill properly their function, i.e. determining the legal status of real estate, in contemporary conditions. The need for thorough research is evident especially in case of new regulation of electronic land and mortgage proceedings introduced in January 2015 to the Code of Civil Procedure.