

DELAY OF THE PUBLIC TRUST PRINCIPLE IN LAND REGISTERS IN BOSNIA AND HERZEGOVINA?

Summary: *The final provisions of the entity Laws on Real Rights invite/order non-registered holders of real rights to real estate to register their rights within the deadlines prescribed there, and stipulate that deadlines for filing an action for cancellation begin to run only after the entry into force of these laws. These provisions can, comparatively legally grounded, be interpreted as delaying the effects of the rules on trust in land registers. On the other hand, before the enactment of the Law on Real Rights, the Laws on Land Registers provide for the protection of the acquisition of real rights on real estate based on trust in the land register, without leaving a transitional deadline for harmonizing the land registry with the unregistered rights on real state, in which period the effects of trust in the land registers would not be valid. Hence, it seems contradictory that the principle of trust in land registers operates in the period after the adoption of the Land Registry Act and until the entry into force of the Real Rights Act, after which its effects are suspended. This paper analyzes potential obstacles to the effects of trust in land registers in the entities and the Brčko District of BiH (such as the procedure for establishing a land registry /real estate cadaster), and attempts to prove that in BiH, since the entry into force of the reformed land registry legislation, the effects of trust in land registers has not been delayed (except in Republika Srpska in the period 2010-2011, but only regarding real estate in social ownership).*

Key words: *principle of public trust in land registers, delay of public trust, establishment of land register.*