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Land registers in EU countries

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Croatia

Croatia



Croatia's system for registering real estate and associated titles is based on two registers – the land register managed by municipal courts (*općinski sudovi*) (ordinary courts), and the cadastre managed by the State Geodetic Administration (*Državna geodetska uprava*). In the case of the region of the City of Zagreb, however, the cadastre is managed by the City Office for the Cadastre and Geodetic Activities (*Gradski ured za katastar i geodetske poslove*). In the cadastre, real estate is described in terms of its technical characteristics, whereas in land registers, data on cadastral parcels are combined with data on the holders of ownership rights and other rights in rem. Land registers are also used to record other rights and facts pertinent to real estate transactions, as provided for in specific legislation.

Croatia's system for registering real estate and associated titles has multiple objectives, the most important of which are to ensure the security of real estate transactions and to protect the titles recorded in the registers. As such, the cadastre and land register are fundamental pillars underpinning the rule of law.

Land registration reform

The Government of the Republic of Croatia has been implementing the national programme for improving the organisation of land registers and the cadastre (referred to as 'Organised Land' (*Uređena zemlja*) for short) through the Ministry of Justice (*Ministarstvo pravosuđa*) and the State Geodetic Administration since 2003.

This programme encompasses all activities undertaken by the ministry responsible for judicial matters and the State Geodetic Administration to modernise and improve the way in which the registration of real estate is organised in Croatia. Apart from regular activities and numerous bilateral projects, one of the key components of the reform is a project for improving the organisation of land registers and cadastres.

The project was launched with the primary aim of establishing an effective system of land administration to contribute towards the development of a well-functioning real estate market.

The land registration reform has created the preconditions for the implementation of an efficacious real estate registration system. Under this, a Joint Information System on Land Registers and the Cadastre (*Zajednički informacijski sustav zemljišnih knjiga i katastra* – ZIS) has been developed. The aim of this information system is to establish a single database and applications for the management and maintenance of cadastral and land register data. The ZIS has been fully operational in all of Croatia's 107 land registry offices and 112 cadastral offices and in the City Office for the Cadastre and Geodetic Activities of the City of Zagreb since 21 November 2016.

Many results of the reform are already apparent. The modernisation of both systems (the cadastre and the land registers) has sped up and simplified the process of registering real estate and associated titles. Information can be obtained from the cadastre and land registers immediately; all cadastral and land register data have been digitalised and can be consulted on the internet 24 hours a day.

The 'One Stop Shop' provides better, faster and simpler access to cadastral and land register data, leading in turn to an improvement in the level of quality and more rapid service provision, in other words, faster registration of real estate transactions thanks to greater involvement of key external users, and facilitates access to data, which is available in one place.

This system makes it possible for extracts from land registers to be issued electronically (via the e-Citizens (*eGrađani*) platform, lawyers and notaries) and for electronic requests to be made to authorised users (lawyers, notaries and prosecutors) for entry in a land register.

This system is one of the key levers for establishing paperless government in Croatia (*e-Hrvatska*), and for securing public trust in Croatia's registers.

Land registers – essential features

- Land registers are public registers for recording data on the legal status of real estate which are relevant for legal transactions.
- Land registers are managed by Croatia's municipal courts.
- Land registers are kept in electronic format.
- A land register is public and anyone can request access to it.
- Land registers consist of a main register and a collection of documents.
- Extracts can be taken from the main register and copies or print-outs from the collection of documents.
- Land registers, extracts, and print-outs and transcripts from land registers are objects of public trust and have the probative value of public documents.

The procedure to be followed in land registry offices is laid down in:

the Land Registry Act (*Zakon o zemljišnim knjigama*) (*Narodne Novine* (NN; Official Gazette of the Republic of Croatia) No 63/19);

the Rules on the internal structure and operation of land registers and the performance of other tasks in land registration courts (Rules of Procedure for Land Registration) (*Pravilnik o unutarnjem ustroju, vođenju zemljišne knjige i obavljanju drugih poslova u zemljišnoknjižnim sudovima* (*Zemljišnoknjižni poslovnik*)) (NN Nos 81/97, 109/92, 123/02, 153/02, 14/05 and 60/10) and other regulations.

What is an extract from a land register?

An extract from a land register is evidence of ownership or some other title which may be subject to registration in a land register. Extracts, i.e. print-outs and transcripts from land registers, are objects of public trust and have the probative value of public documents.

Since 2 November 2015, notaries, lawyers and public prosecutors, as authorised users, and other natural and legal persons, as users, have been able to obtain extracts from land registers electronically via the e-Citizens platform.

How do the land registry offices of municipal courts work?

The land registry offices of municipal courts hear proceedings solely on the basis of a motion by a person authorised to make a proposal or on the basis of a submission for land registration by a competent authority (e.g. an office of a state administration body, such as the cadastre, other court, or similar).

Since 15 March 2017, it has been possible, on the basis of a motion by a person or competent authority, for such a proposal or submission to be lodged electronically by a notary, lawyer or public prosecutor.

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