

ACT
of 6 July 1982
ON LAND AND MORTGAGE REGISTERS
AND ON MORTGAGE

(Consolidated text: Dziennik Ustaw 2013, item 707, item 830, item 941)

SECTION I. LAND AND MORTGAGE REGISTERS

**Chapter 1. Provisions on Rights Evidenced in Land
and Mortgage Registers**

Article 1. 1. Land and mortgage registers shall be kept in order to establish the legal state of immovable property.

2. A land and mortgage register shall be opened and kept in respect of the immovable property which has not yet had a land and mortgage register or whose land and mortgage register has been lost or damaged.

3. Land and mortgage registers may also be kept in order to enable establishing the legal state of the cooperative member's ownership right to an accommodation.

Article 2. Land and mortgage registers shall be freely accessible. No one may plead ignorance of entries in a land and mortgage register, nor of applications which have been noted therein.

Article 3. 1. An entry of a right evidenced in a land and mortgage register shall be presumed to be reflecting actual legal state.

2. A right which has been deleted from a land and mortgage register shall be presumed non-existent.

Article 4. A right presumed to be enjoyed under a relevant entry in the land and mortgage register may not be questioned by the presumption that a right arises from possession.

Article 5. Should there be inconsistency between the legal state of the immovable property evidenced in the land and mortgage register with its real legal state, the contents of the land and mortgage register shall decide in favour of the person who has, by performing an act in law with the person entitled under the contents of the register, acquired the right of ownership or another right in rem (land and mortgage registers' public credibility warranty).