

LEGAL AND ECONOMIC CHARACTERISTICS OF STATE ELECTRONIC RESOURCES FOR REGISTRATION OF REAL ESTATE OBJECTS

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Abstract. The article clarifies the state and prospects for the functioning of state electronic resources for registration of real estate objects. The article identifies the legal principles of the procedure for state registration of real estate rights, defines the general principles of the administrative procedure for state registration of real estate rights, analyzes the technological processes of forming state electronic resources for registration of real estate objects, and defines the prospects for improving the administration and financing of the State Register of Rights. As a result of the study, it was found that the following ways are proposed to improve the administration and financing of the State Register of Rights: implementation of electronic services, optimization of procedures, modernization of information systems, attraction of private investments for the creation and maintenance of databases and diversification of funding sources, in particular by increasing the efficiency of fund management and expanding paid services, as well as expanding cooperation with international organizations. It has been established that the key areas for improving the administration of the State Register of Rights include: further implementation and development of electronic services – transferring most services to electronic format to ensure convenience for citizens and businesses, as well as reducing corruption risks; optimization of procedures – reducing document processing times and improving the quality of service by simplifying administrative procedures related to the registration of rights; modernization of information systems – updating software and technical base to ensure reliability, security and speed of the register; staff training – conducting training and advanced training of employees responsible for maintaining the register to ensure a high level of professionalism. It has been proven that the key areas for improving the financing of the State Register of Rights are: diversification of funding sources – reducing dependence on the state budget by attracting funds from other sources; attracting private investment (introducing the principles of public-private partnership, in which the software of the register and its updates are provided by a private partner, and the maintenance of databases and their protection is carried out by the state); paid services – optimization of service fees, expansion of the list of paid services provided by the registry in order to obtain additional funding; cooperation with international organizations – expansion of cooperation with international financial institutions and organizations to obtain technical and financial assistance.

Keywords: state registration of real estate, State Register of Real Estate, administration and financing of the State Register of Rights, areas for improvement.

JEL Classification: R38, K23, O47

1. Introduction

The relevance of the topic lies in the fact that administrative and legal regulation of state registration of real rights to real estate is key to ensuring the protection of property rights and creating a transparent real estate accounting system. This regulation is important for: 1) protection against fraud – state

registration and the State Register of Real Estate Rights prevent illegal transactions with real estate, as they make it impossible for third parties to interfere with the rights of the owner; 2) confirmation of rights – the register is the only source of information about registered real rights and encumbrances, which allows you to legally confirm ownership, in particular,

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in the absence of paper documents issued before 2013; 3) efficiency of the real estate market – transparent and clear registration makes the real estate market more predictable and safe, which contributes to its development; 4) protection of citizens' rights – ensures the protection of the rights of citizens and legal entities in accordance with the current legislation of Ukraine, which is one of the main tasks of the state; 5) systematic accounting – registration provides systematic accounting of real estate objects, their encumbrances, as well as ownerless property; 6) transparency and accessibility of information – information from the register can be obtained electronically through services, which makes the procedure more accessible and transparent.

Thus, the above-mentioned factors necessitate a systematic study of the functioning of state electronic resources for registering real estate objects as a means of administrative and legal regulation and an economic component of the efficiency of the administrative procedure for state registration of real rights to real estate.

The state of research on the issues of the article. The issue of studying the essence and content of administrative procedures is not new in domestic legal science, it has been studied by the vast majority of domestic scholars, in particular, the administrative procedure for state registration of real estate objects has been the subject of research by individual researchers, among which the works of Kolesnikova M. O. "Administrative services for state registration of real rights to real estate" (2016) (Kolesnikova, 2016), Tamarya Ya. V. "Administrative procedures for state registration of real rights to real estate" (2018) (Tamarya, 2018), Kumanska-Nor O. P. "Administrative services in the field of state registration of real rights to real estate in Ukraine under decentralization conditions" (2021) (Kumanska-Nor, 2021), Slobodyanyuk S. O. "Legal regulation of state registration of real rights to real estate" (2013) (Slobodyanyuk, 2013).

However, the main emphasis in these works was placed on the issues of determining the legal nature of this procedure, distinguishing it from other procedures carried out within the branches of civil and commercial law, determining their place in the system of administrative services, at the same time, less attention was paid to procedural norms in general and in relation to the functioning of state electronic resources for registration of real estate objects, which determines the updating of the research conducted within the framework of this article.

Taking into account the above, the purpose of this article is to clarify the status and prospects of legal regulation and financial stimulation of state electronic resources for registration of real estate objects. Within the framework of the stated goal, the tasks of the study in this article will be the following:

- to clarify the legal principles of the procedure for state registration of real rights to real estate;
- to determine the general principles of the administrative procedure for state registration of real rights to real estate;
- to analyze the technological processes of forming state electronic resources for registering real estate objects;
- to determine the prospects for improving the administration and financing of the state register of rights.

Materials and methods of research. Based on the subject of the research, a comprehensive approach to the application of scientific research methods was chosen. The methodological basis of the research is the dialectical method, the application of which allowed us to comprehensively reveal the nature of the "procedure for registering real estate objects" as a regulated activity of a subject of public administration or a public law person authorized by it, aimed at granting legal status to a real estate object through its state registration in the relevant state registers, to identify its principles and content. The technical method was used to analyze the technological processes of forming state electronic resources for registering real estate objects. The application of the technical method became the basis for identifying shortcomings in the national legal regulation of maintaining real estate registers and finding ways to overcome them.

2. Legal Principles of the Procedure for State Registration of Real Rights to Real Estate

Analysis of the legal principles of the procedure for state registration of real estate objects makes it possible to single out the main regulatory acts of procedural and procedural law that determine the essence of the administrative procedure for state registration of real estate objects and the procedure for protecting the rights of individuals and legal entities in state registration of real rights to real estate, which include: 1) the Civil Code of Ukraine, which in Art. 181 establishes the concept of real estate to which land plots are attributed, as well as objects located on a land plot, the movement of which is impossible without their depreciation and change of their purpose (Civil Code of Ukraine, 2003); 2) The Law of Ukraine "On State Registration of Real Rights to Real Property and Their Restrictions", which regulates relations arising in the field of state registration of real rights to real property and their encumbrances, and is aimed at ensuring the recognition and protection of such rights by the state (Law on State Registration, 2004); 3) The Law of Ukraine "On Administrative Procedure", which defines the general principles of

implementing administrative procedures, and the effect of which extends to the administrative procedure for state registration of real rights to real property (Law on Administrative Procedure, 2022); 4) The Code of Administrative Procedure of Ukraine, which regulates the procedure for judicial resolution of public law disputes, including disputes regarding the appeal of decisions, actions or inaction of entities providing administrative services regarding state registration of real rights to real property (Code of Administrative Procedure of Ukraine, 2005); 5) Resolutions of the Cabinet of Ministers, in particular – dated December 25, 2015 No. 1127 "On Approval of the Procedure for State Registration of Property Rights to Real Estate and Their Encumbrances"; dated October 26, 2011 No. 1141 "On Approval of the Procedure for Maintaining the State Register of Property Rights to Real Estate", which determines the procedure for the functioning of the State Register of Property Rights to Real Estate; 6) Orders of the Ministry of Justice of Ukraine, in particular dated November 21, 2016 No. 3276 "On Approval of Requirements for Registration of Applications and Decisions in the Field of State Registration of Property Rights to Real Estate and Their Encumbrances", which approved the requirements for registration of applications and decisions in the field of state registration of property rights to real estate and their encumbrances.

Systematic monitoring of these regulatory and legal acts makes it possible to draw conclusions about the existence of certain shortcomings in the regulatory and legal regulation of the administrative procedure for state registration of real rights to real estate, which include: uncertainty of the legal status of applicants (subjects of application) of the registration procedure, their rights, guarantees and obligations; lack of clearly defined requirements for the activities of state registrars (as special public servants) of executive authorities and local self-government bodies regarding their duties, limits of authority, guarantees of the exercise of authority and responsibility.

We see the following as areas for improving the legal regulation of the administrative procedure for state registration of real estate objects: 1) the need to bring the Law of Ukraine "On Administrative Procedure" into line with the norms of the Law of Ukraine "On State Registration of Real Rights to Real Estate and Their Restrictions", in particular, it is advisable to supplement Article 1 "Scope of Application of the Law" with the following norm: "State registration of the right of ownership to an object of unfinished construction, encumbrances of such a right is carried out in accordance with the procedure established by this Law, taking into account the features established by the Law "On Administrative Procedure"; 2) to supplement Chapter 11 of the Code

of Administrative Procedures of Ukraine "Features of Claim Proceedings in Certain Categories of Administrative Cases" with a new norm – Article 266-3 "Features of Proceedings in Cases on Appealing the Procedure for State Registration of Real Rights to Real Property", which will determine the features of the procedure for considering administrative cases on appealing decisions, actions or inaction of entities providing administrative services on state registration of real rights to real property.

3. General Principles of the Administrative Procedure for State Registration of Real Rights to Real Estate

The administrative procedure for state registration of rights to real estate is based on the general principles of administrative procedure, which include: the rule of law, including legality and legal certainty; equality before the law; justification; impartiality (impartiality) of the administrative body; good faith and prudence; proportionality; openness; timeliness and reasonable time; efficiency; presumption of legality of actions and requirements of a person; officiality; guaranteeing the right of a person to participate in administrative proceedings.

At the same time, the procedure for registration of rights to real estate has its own specifics, and therefore the principles inherent in its implementation are: guaranteeing by the state of objectivity, reliability and completeness of information about registered rights to real estate and their encumbrances; mandatory state registration of rights in the State Register of Rights; simultaneous performance of a notarial act with real estate, an object of unfinished construction, a future real estate object and state registration of rights; publicity of state registration of rights; entry of information into the State Register of Rights exclusively on the grounds and in the manner specified by this Law; openness and accessibility of information in the State Register of Rights.

State registration of real rights to real estate is one of the mechanisms for protecting property rights and is a procedure the final result of which is the official recognition and confirmation by the state of the facts of acquisition, change or termination of real rights to real estate, encumbrances of such rights by entering relevant information into the State Register of Real Rights to Real Estate. The legal and social essence of this procedure is that, on the one hand, it is a form of exercising the powers of relevant bodies and officials, aimed at officially determining the legal status of real estate, ensuring its registration in relevant state registers, and protecting the information resources of this register; on the other hand, it is a procedural form of exercising the property rights of owners of real estate through its official state registration and the owner

receiving an official act – a registration certificate. It should be noted that today in Ukraine the legislation regulating the procedure for state registration of real rights to real property has been systematized and harmonized, in particular: the legal status of real property and issues of its ownership are regulated by the Civil Code of Ukraine, the right of the owner of real property to apply to a public authority for its state registration is enshrined in the Law of Ukraine "On Administrative Services", the possibility and at the same time the obligation to state registration of real rights to real property are assigned to public authorities by the Law of Ukraine "On State Registration of Real Rights to Real Property and Their Encumbrances", which defines the system of entities providing services for state registration of real rights to real property and the procedural order for providing such an administrative service, and accordingly, the standards of such a procedure are established by the Law of Ukraine "On Administrative Procedure", which defines the general principles of administrative procedures, and the effect of which extends to the administrative procedure for state registration of real rights to real property. Thus, the legislation in this area is established and fairly stable, however, the practice of its implementation requires improvement, taking into account the analysis of the implementation of procedures for registering real rights to real property by the relevant entities authorized by the state, as well as based on the analysis of judicial practice in resolving disputes regarding the state registration of real rights to real property.

Below, to fulfill the research objectives, it is advisable to clarify the stages of the administrative procedure for state registration of real estate objects. Without going into a detailed analysis of scientific provisions on the types and content of the stages of administrative proceedings, we will identify the main theoretical conclusions of researchers regarding the stages of the procedure under study. In particular, Tamarya Ya. identifies the following stages of the administrative procedure for state registration of real rights to real estate: application of a person and acceptance of the application for consideration by the state registrar; consideration of the case; making a decision; appealing the adopted decision (optional); executing the decision" (Tamarya, 2018; 18). Shchavynska Yu. notes that "the administrative procedure for state registration of real rights includes the following stages: 1) application of the applicant and acceptance of the application for consideration by the state registrar; 2) consideration of the case; 3) making a decision; 4) administrative or judicial appeal of the adopted decision" (Shchavynska, 2020; 105). Kolesnikov M. identifies the following stages of the provision of administrative services for state registration of real rights to real property: 1) acceptance and verification of documents submitted

for state registration of rights and their encumbrances, registration of the application: 2) establishment of the fact – the absence of grounds for refusal of state registration of rights and their encumbrances, suspension of consideration of the application for state registration of rights and/or their encumbrances; 3) making a decision on registration of real rights, suspension or refusal to register rights; 4) entering relevant information into the State Register of Real Rights to Real Property; 5) provision of information; 6) appealing the actions or inaction of officials carrying out such registration, i.e. an optional stage of the procedure for the provision of administrative services in the field of state registration of real rights to real property and their encumbrances (Kolesnikov, 2016; 9). The difference in their opinions regarding the stages of the administrative procedure for state registration of real rights to real property is that some authors place the stage of appealing the decision to refuse to register real rights and property outside the scope of this procedure, agreeing with them, we note that it is necessary to distinguish between administrative and judicial appeals of the decision to refuse to register. In our opinion, administrative appeals are covered by the administrative procedure for state registration of real rights to real property, since they are regulated by relevant Laws, while judicial appeals go beyond this procedure and are carried out on the grounds and in the manner determined by the CACU, that is, not within the administrative procedure, but within the judicial administrative process.

At the same time, it should be noted that any theoretical discussion regarding the content of a particular legal concept (phenomenon) ceases if it has undergone regulatory consolidation at the level of the law. As noted above, the administrative procedure for state registration of real rights to real estate is normatively defined both in the Law on State Registration (as a special regulatory act) and in the Law on Administrative Procedure (as a basic, general legal act).

Thus, an analysis of these laws makes it possible to determine that the administrative procedure for state registration of real estate objects consists of such stages and procedural steps within them as: 1) submission of an application and accompanying documents (identification of the applicant, systematization of submitted documents, their registration); 2) acceptance and verification of documents submitted for state registration of rights and their encumbrances, registration of the application; 3) consideration of the case and decision-making (verification of the authenticity and legal compliance of documents, monitoring of state registers and receiving requests from them, entering information into the State Register of Rights, providing an extract from the State Register of Real Estate Ownership Rights or refusing

registration); 4) administrative appeal of the decision to refuse to register real estate ownership rights (as an optional, non-mandatory stage). We believe that the procedure for state registration of real estate objects through the Unified Portal of State Services – Diya, which will be discussed below, requires clearer regulatory regulation in the law.

4. Technological Processes of Formation and Administration of State Electronic Resources for Registration of Real Estate Objects

According to the Law on State Registration of Rights, state registration of real rights to real estate and their encumbrances is the official recognition and confirmation by the state of the facts of acquisition, change or termination of real rights to real estate, encumbrances of such rights by entering relevant information into the State Register of Real Rights to Real Estate. The State Register of Real Rights to Real Estate (hereinafter referred to as the State Register of Rights) is the only state information system that ensures the processing, storage and provision of information on registered real rights to real estate and their encumbrances.

Thus, the State Register of Rights is a unique source of information on real rights to real estate. The technical administrator (maintenance entity) of the State Register of Rights is a state unitary enterprise, determined by the Ministry of Justice of Ukraine and assigned to its management, which carries out measures to create, implement and maintain the software of the State Register of Rights, is responsible for its technical and technological support, storage and protection of data in this register, carries out technical and technological measures to provide, block and revoke access to the State Register of Rights, organizes and conducts training for working with this register.

Subjects that are not administrators of the State Register of Rights but have access to it and ensure its filling with data on real estate objects and their owners are state registrars, who are citizens of Ukraine who have a higher education in law, meet the qualification requirements established by the Ministry of Justice of Ukraine, and are in employment relations with the subject of state registration of rights, as well as notaries and, as an exception, state or private executors, but only in the event of imposition/removal by such an executor of an arrest on real estate during the forced execution of decisions in accordance with the law. It is the state registrar who opens and/or closes sections in the State Register of Rights, enters relevant information about real rights to real estate, objects of unfinished construction, future real estate objects and their encumbrances into the open section or special section of the State Register of Rights; and also

assigns, using the State Register of Rights, a registration number to a real estate object, an object of unfinished construction, a future real estate object in cases provided for by this Law.

The essence of the State Register of Rights (as a database) is that it registers property rights and their encumbrances on land plots, as well as on real estate objects located on the land plot, the movement of which is impossible without their depreciation and change of purpose, namely: residential buildings, buildings, structures, as well as their individual parts, apartments, residential and non-residential premises, land reclamation networks, components of the land reclamation network, i.e. all objects that, in accordance with the Civil Code of Ukraine, are classified as “immovable property” (real estate).

The State Register of Rights consists of sections, a special section, a database of applications and registration cases in electronic form. An integral archival component of the State Register of Rights is the Register of Ownership Rights to Real Estate, the Unified Register of Prohibitions on the Alienation of Real Estate Objects, and the State Register of Mortgages.

For each real estate object, an object of unfinished construction during the state registration of ownership rights to them for the first time and for each object of unfinished construction, a future real estate object during the state registration of a special property right to them for the first time, a new section is opened in the State Register of Rights and a registration file is formed, and a registration number is assigned to the corresponding object.

Features of providing information from the State Register of Rights

It should be noted that information on registered rights to real estate and their encumbrances contained in the State Register of Rights is open, publicly available and paid for by individuals or legal entities, and free of charge for public authorities. The State Register of Rights refers to public electronic registers. Thus, in accordance with Article 5 of the Law of Ukraine “On Public Electronic Registers”, the objects of the registers are information on: “legal regimes of use and development of territories and individual objects; movable property, which in accordance with the law is the object of state registration; property and non-property rights, their restrictions and encumbrances; construction objects and objects completed by construction” (Law on Public Electronic Registers, 2023).

For individuals and legal entities, information on the object of real estate and the subject of real rights is provided in electronic form through the official website of the Ministry of Justice of Ukraine, provided that such a person (individual or legal entity) is identified using a qualified electronic signature or an advanced electronic signature based on a qualified electronic

signature certificate, or electronic identification means with a high or medium level of trust, in accordance with the requirements of the laws of Ukraine "On Electronic Documents and Electronic Document Management" and "On Electronic Identification and Electronic Trust Services", or in paper form.

Information on registered rights and their encumbrances, obtained in electronic or paper form using the software of the State Register of Rights, has the same legal force and is used in accordance with the legislation. Provision of information from the State Register of Rights is an administrative service provided in accordance with the procedure determined by the Cabinet of Ministers of Ukraine (mentioned above).

Information from the State Register of Real Property Rights can be obtained electronically through the Diya portal or in paper form by contacting the state registrar, administrator of the ASNap or notary. To obtain information online, you must log in to the Diya portal, specify the search criteria and pay an administrative fee. To obtain a paper certificate, you must submit an application, an identity document and a document confirming payment of the fee.

It should be noted that with the launch of the Unified Portal of State Services – Diya and especially in the conditions of a full-scale war, online registration of ownership of real property has become even more relevant. Today, it is possible to submit electronic applications in the field of state registration of rights in the State Register of Real Property Rights to Real Property (hereinafter – the DRRP) for real property objects, ownership rights to which arose and were registered in accordance with the procedure established by law before January 1, 2013 (i.e., before the introduction of the DRRP in 2013). The service is implemented by the State Enterprise "National Information Systems" of the Ministry of Justice of Ukraine together with the Ministry of Digital Transformation of Ukraine. This state portal defines in detail the stages and phases of such registration, which are based exclusively on the norms of the aforementioned law, and therefore the decision to refuse registration received as a result of submitting documents through the single portal of public services can also be appealed in the manner established above.

5. Problems of Formation and Administration of State Electronic Resources for Registration of Real Estate Objects

The main problems of formation and administration of state electronic resources for registration of real estate include cyberattacks and system failures, insufficient digitalization of certain processes and dependence on paper documents, which complicates access, preserving data integrity and requires constant updating of the

infrastructure. There are also issues of protecting personal data and avoiding fraudulent schemes, as well as ensuring the availability of services for all citizens. These problems can be systematized into the following groups: 1) insufficient digitalization – despite progress, some processes remain paper-based, which complicates integration with electronic resources; 2) technical failures and cyberattacks – large-scale cyberattacks, such as the one that occurred on January 20, 2025, lead to temporary blocking of the work of registers and loss of data; 3) insufficient infrastructure update – there is a need for constant updating of software and hardware to ensure stable operation of the system; 4) maintaining data integrity – the need to ensure data protection from unauthorized access, as well as avoiding duplication of information and errors; 5) detecting and countering fraud – electronic resources must be reliable in order to prevent fraudulent schemes that can lead to loss of property rights; 6) maintaining confidentiality – it is necessary to comply with the legislation on the protection of personal data when processing information from the register.

An important component of the effective operation of the State Register of Rights is taking measures to prevent and prevent fraud, in particular, entering inaccurate information into the register. The state takes some precautions in this regard, in particular, on May 29, 2020, changes in the field of state registration of real estate entered into force, which are provided for by the Cabinet of Ministers' Resolution No. 399 of May 13, 2020 "On Amendments to Certain Cabinet Resolutions in the Field of State Registration" (On Amendments in the Field of State Registration, 2020). These changes provide for multi-factor authentication of the state registrar's access to the Register through a logical connection between the access identifier and the qualified public key certificate of the state registrar with control over the use of a qualified electronic signature and a qualified electronic trust service for the formation, verification and confirmation of a qualified electronic time stamp.

However, the commission of fraudulent actions with the State Register of Rights in most cases is not related to the efficiency of the electronic resources, but to the integrity and legality of the activities of state registrars. The literature has repeatedly drawn attention to this, in particular, it speaks of the lack of inevitability of punishment for persons who enter into a criminal conspiracy, especially for state registrars, because without them the implementation of a fraudulent scheme is impossible (Basko, Myroniuk, Kotelyukh, 2024; 24-33). It is noted that the qualification of the actions in question usually occurs under Art. 190 of the Criminal Code of Ukraine "Fraud" (Criminal Code of Ukraine, 2001). This is one of the most complex categories of criminal cases. In the Register of Court

Decisions, very few court verdicts on this issue can be found. This confirms the complexity of this category of cases. To solve this problem, it is proposed to provide for a norm in the Criminal Code that would establish the criminal liability of the state registrar, where the evidence of intent would be the actions of the registrar that caused serious consequences (Taranova, 2021; 140-143).

Also, an important factor in reducing the level of unlawful interference in the State Register of Rights is the strengthening of requirements for state registrars. It is advisable to bring their activities to the standards of notaries, namely, the activities of the state registrar should be carried out exclusively at the place of the legal address of registration of his activities, or in the premises of the ASN, the premises should be equipped with a room for storing the archive of registration documents, monitoring of the procedure and grounds for the registrar's entry into the State Register of Rights should be strengthened.

6. Problems of Financial Administration of State Electronic Resources for Registration of real Estate Objects and Ways to Overcome Them

The economic components of the financial maintenance of the state register of rights include: funding from the State Budget, which covers operating costs and technical support, as well as income from payment for services related to the registration of rights (for example, for making entries, providing extracts). The main economic components of the financial maintenance of the state register of rights can be divided into the following groups: 1) state funding – these are funds allocated from the State Budget, which are the main source of covering the costs of maintaining the register; 2) payments for services – payment for registration of rights (for example, purchase and sale of real estate), payment for providing extracts from the register, other services provided through the register; 3) operating expenses, which include costs for staff salaries, software updates and support, hardware and server maintenance, security services and physical security; 4) other income, which may include income from providing access to data for commercial purposes or from fines for violations.

In accordance with Article 34 of the Law on State Registration, the fee (administrative fee) for carrying out registration actions and for providing information from the State Register of Rights is calculated based on the amount of the subsistence minimum for able-bodied persons, established as of January 1 of the current year. In accordance with Article 7 of the Law of Ukraine “On the State Budget of Ukraine for 2025” dated November 19, 2024 № 4059-IX, the subsistence minimum for able-bodied persons (hereinafter

referred to as the NMDC) for 2025 is 3028 hryvnias (Law on the State Budget of Ukraine, 2025).

In accordance with the Law, the following administrative fee rates have been established for 2025 for state registration of real estate, as well as the provision of other registration and information services regarding such property: 1) for state registration of ownership rights for a period not exceeding five working days from the date of registration of the relevant application in the State Register of Rights – UAH 302.8; for state registration of ownership rights for two working days – UAH 3028 (i.e. 10 times more than the basic payment), respectively, for one working day – UAH 6056 (20 times more), for 2 hours – UAH 15140 (50 times more); and obtaining information from the State Register of Rights in paper form – UAH 75, and in electronic form – UAH 38.

It should also be added that for state registration of a special property right to a future real estate object on the basis of an application for state registration of the right, submitted in paper or electronic form, an administrative fee of 0.05 of the minimum wage for each future real estate object is charged.

In this regard, a number of questions arise: first, regarding the adequacy of the assessment of the service depending on the term of its provision; second, regarding the basis for payment of the administrative fee for the provision of related types of administrative services of different units of measurement.

Regarding the first, it should be noted that in accordance with the principles of the provision of administrative services, enshrined in Article 4 of the Law of Ukraine “On Administrative Services” dated September 6, 2012 № 5203-VI, state policy in the field of the provision of administrative services should be based on the principles of equality before the law, efficiency and timeliness, impartiality and fairness (Law on Administrative Services, 2013). And therefore, there cannot be such a significant difference in the terms of providing an administrative service – 300 UAH. within a period of up to five days and 3000 within a two-day period, which according to the content of the Law is also covered by the term “up to five working days”, because this definition leads, on the one hand, to abuse of rights by the subject of registration, and on the other hand, encourages the subject of registration to engage in “earning money”. In this regard, we believe that the golden mean in the established size of the administrative fee is to increase the cost of simple registration, that is, within a period of up to three working days – 0.5 NMDC (i.e. 5 times the existing one), within a period of 2 days – 1 NMDC (equal to the existing one), within a period of 1 day – 2 NMDC (equal to the existing one). Instead, the norm on the possibility of registration within 2 hours should be excluded, since such registration may lead to the

lack of proper verification of the subject and object of registration, as well as the entry of erroneous data into the register. That is, the proposed proposal is aimed, on the one hand, at raising the amount of the administrative fee for registration of real estate, which will be aimed at more efficient operation of the State Register of Rights and, first of all, at increasing the level of protection of data systematized in it from cyberattacks aimed at theft or destruction of this data; on the other hand, it minimizes the risks of abuse of authority to enter data into the register.

It is also worth establishing, in order to bring the understanding of tariffs to unity, the payment of an administrative fee for state registration of a special property right to a future real estate object on the basis of an application for state registration of the right, submitted in paper or electronic form, an administrative fee of 0.2 NMDG is charged.

7. Conclusions

The following ways are proposed to improve the administration and financing of the State Register of Rights: implementation of electronic services, optimization of procedures, modernization of information systems, attraction of private investments for creation and maintenance of databases and diversification of sources of financing, in particular by increasing the efficiency of fund management and introduction of paid services, as well as expanding cooperation with international organizations.

The key areas for improving the administration of the State Register of Rights include: further implementation and development of electronic services – transferring most services to electronic format to ensure convenience for citizens and businesses, as well as reducing corruption risks; optimization of procedures – reducing the time for processing documents and improving the quality of service by simplifying administrative procedures related to registration of rights; modernization of information systems – updating the software and technical base to ensure the reliability, security and speed of the register; staff training – conducting training and advanced training of employees responsible for maintaining the register to ensure a high level of professionalism.

The key areas for improving the financing of the State Register of Rights include: diversification of funding sources – reducing dependence on the state budget by attracting funds from other sources; attracting private investment (introducing the principles of public-private partnership, in which the software of the register and its updates are provided by a private partner, and the maintenance of databases and their protection by the state); paid services – optimizing service fees, expanding the list of paid services provided by the register in order to obtain additional funding; cooperation with international organizations – expanding cooperation with international financial institutions and organizations to obtain technical and financial assistance.

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Received on: 25th of November, 2025

Accepted on: 13th of January, 2026

Published on: 17th of February, 2026