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THE FEATURES OF THE RIGHT OF USE OF LANDS OF PUBLIC BUILDINGS

Issues related to the type of use of lands of public buildings are actualized today. However, the Land Code of Ukraine regulates this area only fragmentary and does not determine features of this area.

The subjective right of use of lands of public buildings can be seen as different from the ownership that allows individuals and legal entities of all forms of ownership using lands of public buildings in accordance with the law and within their legal capacity.

In the objective sense it should be defined as a set of legal rules governing relations in the emergence, change and termination of the right of individuals and legal entities of all forms of ownership on lands of public buildings as well as implementation of this subjective right.

The right of use of lands can be car-

ried out on the bases of permanent use, land lease, superficies.

The right of permanent use of land is the right of possession and use of land of state or communal property without time specification.

Land lease agreement shall be an agreement upon which a lessor undertakes an obligation to transfer a plot of land to the lessee for possession and use for a specified period of time and for payment. A land plot may be leased with or without plants, buildings, constructions and water reserves located thereon.

An owner of the land plot shall have the right to grant it for use to another person to build industrial, amenity, social-cultural, housing and other buildings and constructions.

The superficies shall arise on the ground of contract or will.