SUMMARY OF PhD THESIS

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The **Subject** of the thesis is "Registration of a assignment of a claim secured by a mortgage". The dissertation consists of an introduction, three chapters divided into paragraphs, subparagraphs, main points and sub points, as well as "de lege ferenda" proposals, conclusion and a bibliography.

In the **Introduction** section the main subject of the research is defined and the main tasks and questions the thesis should answer to are set. In that matter, in the focus of the study is the registration procedure as a tool to make public the rights on real estate property but also as a guarantee of the protection of the rights registered first.

The First chapter examines the terms registration, assignment of a claim and mortgage from historical, comparative and positive law point of view. The terms are explained and viewed from the perspective of the Roman, French, German, Bulgarian and in some cases- the Common law. Different legal acts in the abovementioned legal systems are put under examination.

The Second chapter explains the legal mechanism of the assignment of a claim and the other contracts under art.171 of the Law on Obligations and Contracts. Further in this chapter there is a research of the legal effect of the registration of contracts under Bulgarian law and the specificities of the legal effect of the registration of the assignment of a claim when the latter is secured by a mortgage.

The Third chapter focuses on the registration as a legal procedure taking place in the Property Registry of the Registry Agency of Bulgaria. The procedure of the registration of the contract for assignment of a claim secured by a mortgage is emphasized. The different legal systems of registration of property deeds are analyzed from theoretical and historical perspective. Furthermore the registration procedure consisting of different legal actions before the judge on the registration is treated in detail.

The "**De lege ferenda paragraph"** gives several proposals for law amendments in different legal acts. An explanation as for the necessity of these amendments is also given. Most part of the amendments proposals are related to legal regulations of the following acts: "Rules of procedure of the Registration" and the "Law on Obligations and contracts".

In the **paragraph called Conclusion** there are given numerous conclusions based on the undertaken researches. The most important of them is that the registration is part of the factual elements of the contract for assignment of a claim secured by a mortgage. Other conclusions concern the transition period from the so called personal to the so called real system of registration in Bulgaria as well as the role of the judges on registration in the Bulgarian legal system and their limited powers.