



POSSIBLE WAYS OF TRANSFERRING AGRICULTURAL HOLDINGS IN HUNGARY

ZSÓFIA HORNYÁK

ABSTRACT

Agricultural holdings were typically established by farmers who acquired land ownership through agricultural land auctions in Hungary during the regime change; they have been farming in these areas ever since. As they approach retirement age, which is only a few years away for many, they are considering transferring their farms. But this process without special rules is extremely difficult. For this reason, it is necessary to facilitate the change of generations and reduce the administrative burden of the transfer of agricultural holdings. Recognising this phenomenon, the legislator developed a new legal instrument, the farm transfer contract, in order to make the generational change much smoother. The question is, what can the legislator possibly take over from the regulations of the past? I examine the rules of fideicommissum in the past in Hungary, and I try to find the connection between the two legal institutions and highlight the points of the former legislation that can serve as a guideline for the Hungarian legislator today.

Keywords: agricultural holding, fideicommissum, generational change, farm transfer contract, Hungarian land policy.

Hornyák, Zs. (2026) 'Possible Ways of Transferring Agricultural Holdings in Hungary' in Szilágyi, J.E. – Ilyés, K. (eds.) *Instruments for Preserving the Unity of Family Businesses and Agricultural Assets: Perspectives of Legal History*, pp. 195–212. Budapest – Miskolc: Central European Academic Publishing. https://doi.org/10.54171/2026.jeszik.ipufbaa_8



1. INTRODUCTORY THOUGHTS

The study originated from a conference titled “Instruments for preserving the unity of family businesses and agricultural assets – perspectives of legal history”. In connection with this subject, I would like to highlight its agricultural law dimensions. I specifically focus on how the so-called agricultural holding can stay together over time. How does the legal regulation treat this totality of assets in the event of legal transactions *inter vivos* and *mortis causa*? I want to draw attention to the special regulations of agricultural law concerning the ownership transfers, stressing that the fundamental unit of Hungarian law is agricultural land,¹ rather than agricultural holdings.² For this reason, there is currently no specific succession regulation for agricultural holdings, and I must point out that the succession regulation for agricultural land – which is an element of the holding – is not sufficiently coherent. Since holding regulation in the classical sense³ is absent in Hungary, I cannot comment on a coherent holding-specific regulation in relation to legal transactions between living persons. Nevertheless, in recent years, certain legal institutions have been introduced, according to which, despite the possibility that the components of agricultural holding will be fragmented in connection with succession – that is definitely a matter requiring future legislative resolution. To ensure these elements

- 1 Land Transfer Act Art. 5, point 17: Agricultural, forest land shall mean any parcel of land, irrespective of where it is located (within or outside the limits of a settlement), registered in the real estate register as cropland, vineyard, orchard, garden, meadow, permanent pasture (grassland), reed bank or forest or woodland, including any parcel of land shown in the real estate register as non-agricultural land noted under the legal concept of land registered in the Országos Erdőállomány Adattár (National Register of Forests) as forest.
- 2 Land Transfer Act Art. 5, point 20: Agricultural holding (=farm) shall mean the basic organisation unit of production equipment and other means of agricultural production (land, agricultural equipment, other assets) operated with the same objective, functioning also as a basic economic unit by way of economic cohesion.
- 3 For possible holding regulation solutions, see: Kurucz, 2010, pp. 151–176; Kurucz, 2013, pp. 66–70; Kocsis, 2014, pp. 105–106; Kurucz, 2001, p. 229; Kurucz, 2007, pp. 41–86; Kurucz, 2008, pp. 5–124; Kurucz, 2005, pp. 68–70.

remain unified, and specifically to maintain the cohesiveness of agricultural holdings and promote generational change, the legislator has developed a concept in the form of farm transfer, for which the relevant regulation entered into force on 1 January 2023. The farm transfer regime is basically intended to avoid the application of succession rules, but it does not replace the *sui generis* farm succession rules.

In the context of Hungarian legal regulation,⁴ it is reasonable to presume that significant changes occurred in the regulation in the 2020s for the preservation of the unity of family farms from an agricultural law perspective. Act CXXIII of 2020 on Family Farms⁵ was enacted, the purpose of which is to define agricultural and forestry activities carried out with the participation of family members, the joint use of their resources and the results of their work in order to ensure their joint prosperity, as the forms of operation and the rules of operation of family farming. In addition, Act LXXI of 2020 on the Liquidation of Undivided Common Ownership of Land (hereinafter, “Co-ownership Land Act”)⁶ was also enacted, which basically regulates the liquidation of undivided common ownership on agricultural lands. The latest legislation is Act CXLIII of 2021 on the Transfer of Agricultural Holdings (hereinafter, “Farm Transfer Act”),⁷ which is specifically intended to promote generational change in relation to agricultural holdings. These acts have been incorporated into the system of provisions laid down by Act CXXII of 2013 on the Transfer of Agricultural and Forest Land (hereinafter,

4 See about it: Szilágyi, 2022b, pp. 145–197.

5 See about the previous regulation on family farms: Bacsikai, 2013, p. 11; Cseszlai, 2020.

6 See about it: Szinay, 2022, pp. 29–34; Andr  ka, 2020, pp. 6–11; Nagy, 2022, pp. 112–113.

7 See about it: Nagy, 2023; Olajos, 2022a, pp. 29–36; Olajos, 2022b, pp. 56–75.

“Land Transfer Act”),⁸ which has been totally in force since 1 May 2014. The Land Transfer Act essentially establishes rules for the acquisition of ownership and use of agricultural land. With regard to succession, it can be stated that the Land Transfer Act basically excluded from its scope the acquisition of ownership of land by intestate succession, thus bringing the acquisition of ownership of land by intestate succession under the general rules of the Civil Code. In contrast, succession by testamentary disposition is covered by the Land Transfer Act and subject to the conditions for acquisition of ownership introduced by the Act, which prefers to maintain the land as a whole and its acquisition by a competent person. Meanwhile, the Land Transfer Act treats testamentary disposition as a special title and provides for differences from the general conditions for acquisition of land ownership.⁹ The situation that there are special rules for the succession of land by testamentary disposition, while the general rules of succession apply in the case of intestate succession, has changed somewhat since 1 January 2023, as the special provisions on the intestate succession of land, introduced later into the Act on the Liquidation of Undivided Common Ownership on Land, in the case that several people inherit the land jointly, came into force.¹⁰ But all these provisions apply only to agricultural land, and in relation to the agricultural holding, we encounter a concept between the living persons by means of a farm transfer contract, transferring the ownership of the agricultural holding, and within the framework of this publication, I intend to deal with this legal institution, since it is the only legal institution that specifically wishes to keep assets belonging to the agricultural holding in the hands of the family, facilitating its transfer under certain conditions.

8 For analysis of this and its background, see: Andréka, 2010, pp. 7–19; Bobvos and Hegyes, 2015; Csák, 2018, pp. 19–32; Csák, 2010, pp. 20–31; Csák and Szilágyi, 2013, pp. 215–233; Fodor, 2010, pp. 115–130; Horváth, 2013, pp. 359–366; Jani, 2013, pp. 15–28; Kapronczai, 2013, pp. 79–92; Kecskés and Szécsényi, 1997, pp. 721–729; Korom, 2013, pp. 11–24; Mikó, 2013, pp. 151–163; Nagy, 2010, pp. 187–197; Olajos, 2002, pp. 13–17; Olajos and Szilágyi, 2013, pp. 93–110; Prugberger, 2012, pp. 62–65; Raisz, 2017a, pp. 434–443; Raisz, 2017b, pp. 68–74; Vass, 2003, pp. 159–170; Zsohár, 2013, pp. 23–24.

9 See about it: Hornyák, 2019.

10 Co-ownership Land Act Art. 18/A, Art. 18/B; See about it: Kiss, 2022, pp. 39–43.

2. HISTORICAL APPROACH

As I have already indicated, the starting point of the research is that, in the current Hungarian agricultural law regulation, the subject of the transfer transactions is the agricultural land, not the agricultural holding. It is a unique set of assets, with agricultural land forming only one part of this holding. In this relation, the regulation addresses not the agricultural holding but the agricultural land.¹¹ But Hungary has specific legal institutions to protect the unity of agricultural holdings during ownership transfers, applicable only in special cases. These distinct legal institutions are components of a new regulation in Hungary designed to facilitate the transfer of the agricultural holding's ownership. In this publication, I attempt to establish a link between the current Hungarian rule and the historical legal approach. Furthermore, I will focus on just one historical facet within this framework and examine the legal institution of *fideicommissum*,¹² but solely from the standpoint of Hungary's current land policy. This discourse draws attention to some of the purposes the legislator previously highlighted regarding this legal institution. The analysis concludes that, on the one hand, the primary aim of the current Hungarian land policy is to retain the agricultural land in the transfer scenarios as a single unit. On the other hand, the ownership of the land by a competent individual is a crucial additional aim. As Hungarian regulation seeks to prevent fragmentation, the next objective is to keep the agricultural assets within the family. Additionally, my work involves analyzing the *fideicommissum* under earlier regulation. The essence of a *fideicommissum* is that the founder exempts a certain portion of the acquired property from the general succession rules by determining a special succession regime, prescribing its undivided succession, and also placing it under the prohibition of alienation and encumbrance. The family *fideicommissum*,

11 But in most Western European countries, the focus of the regulation is the agricultural holding, not the agricultural land. Hornyák, 2018, pp. 381–395; Hornyák, 2017, pp. 182–188; Kronaus, 2022, pp. 75–92; Prete, 2022, pp. 141–154; Muñiz Espada, 2020, pp. 171–183.

12 See about it: Peres, 2014.

a legal institution originating in Roman law, was regulated in Hungary by Act IX of 1687. It fitted perfectly into the tied estate system of mediaeval Hungary. The purpose of the creation of fideicommissums was to exempt large estates from the free disposal of the transfer of the ownership. Thus, the special succession rules were used to protect the unit of the holding.¹³ The foundation of the fideicommissum could have been done in several ways. On the one hand, between living persons, by unilateral declaration of will, which was practically done either in a public document or in a private document with full probative value. This method of foundation required the approval of the prince. Another method of foundation was the testamentary disposition, when the founder intended to create a fideicommissum from his free wealth after his death. In this case, it was the task of the heir to submit the founding letter – which the testator either prepared during his lifetime or left the principles of its preparation to the heir in his will – to the monarch for approval.¹⁴ The most important element of a fideicommissum is the asset that forms its subject, since keeping it together and passing it down within the family through generations means the family's well-being. The most typical of these assets is land, which is usually covered under the fideicommissum along with other related elements (e.g. economic equipment). The reason I highlighted this legal institution is that in Hungary, the agricultural holding encompasses the agricultural land, movable and immovable properties, equipment, and associated rights and obligations, resulting in a comprehensive entity. From this standpoint, the current definition of the agricultural holding and the fideicommissum's definition in the past are moderately analogous. The Council of Ministers' 5200/1919 Decree prohibited the establishment of new fideicommissums. With Act XI of 1936, the reform of the fideicommissum became law. The act freed the affected assets – except for a few cases – from the limitation of the fideicommissum. This act made it possible to create a smallholding of fideicommissum and a tied succession system to protect smallholders and prevent the fragmentation of estates. The act also imposed specific restrictions on

13 Sebess, 1933, p. 131.

14 Katona, 1894, p. 60.

the fideicommissum smallholders, allowing only those who undertook farming as an occupation to be eligible.¹⁵ At this point, we can identify a connection with the present Hungarian agricultural regulation.

As early as 1933, Dénes Sebess drew attention to the fact that the protection and perpetuation of the holding unit could be achieved by introducing special succession rules in case of death. During this period, it was the institution of fideicommissum that protected the permanence of the holding by prohibiting unequal succession and the transfer between living persons. Only one heir could inherit the agricultural holding, and exceptional rules had to be established to satisfy the co-heirs. This was the essence of special succession rules. In his opinion, the extreme freedom of transfer of land ownership and the absence of barriers to prevent the fragmentation of land led to the fragmentation of the holding. During this period, many considered the parcel minimum to be the solution for safeguarding land capital and the territorial unity of the land under production.¹⁶ According to Dénes Sebess, without the enactment of special rules of agricultural succession, it is not possible to strengthen the farming class, which is the strongest support of agricultural production.¹⁷ In his opinion, special land succession rules should serve the following purposes: a) they should prevent excessive fragmentation of land ownership; b) to allow the land to be owned by the person most suited for it; and c) to reduce the burdens on the permanent heir upon taking over the land so that the interests of the co-heirs are not jeopardised. These goals permeate the legal institution of succession ubiquitously, which essentially replaces the fideicommissum institution of large estates, because even in areas that do not fall under the category of fideicommissum, it seeks to achieve the land preservation along with special succession rules. However, it does not violate the principle of equal class to the same extent and is more consistent with the principle of family property than fideicommissum. From an economic standpoint, it is critical to provide agricultural stability, which can be

15 But the Hungarian peasantry was averse to this legal institution and preferred to remain with traditional estates, not taking advantage of the opportunity to establish a smallholding of fideicommissum.

16 Sebess, 1933, p. 118.

17 Ibid., p. 244.

achieved through the unity, permanence and immutability of the land or agriculture holding.¹⁸

In the first third of the 1900s, it was also stated what objectives legislation aimed at protecting the unit of holding should pursue, namely, to prevent the improper and economically harmful division of agricultural land and the splitting up of the unit of the holding and to allocate agricultural land or holding to the most suitable person for proper production, and the unity of land and holding should be protected by introducing special succession rules.¹⁹

However, we still do not encounter such special succession rules in relation to agricultural holdings in Hungary – except for one provision in the Civil Code²⁰ – but we can find regulation on legal transactions between living persons that are intended to ensure the unity of the holding during the promotion of generational change.

18 Ibid., p. 281.

19 Ibid., p. 117.

20 Civil Code Art. 7:89(2): The heir shall be entitled to separately disclaim inheritance of a farmland and/or its equipment, accessories, livestock, and tools and implements if he is not engaged in agricultural production by profession.

3. CURRENT SITUATION IN HUNGARY

It was typical during the regime change that farmers²¹ who acquired land ownership through agricultural land auctions established agricultural holdings and farmed them. The regime change occurred roughly 35 years ago, and as we counted the years, these farmers are nearing the retirement age and considering transferring their farms. In this situation the legislator is tasked with helping them to transfer the ownership of the agricultural holding to the next generation. But the process of this without special rules is extremely difficult, because Hungary has a land transfer regulation, so it doesn't have a holding transfer regulation. This means that there are some very strict restrictions on the acquisition of ownership of agricultural land in Hungary but no strict regulation for the transfer of ownership of agricultural holdings. It is necessary to facilitate the change of generations and reduce the administrative burden of the transfer of agricultural holdings. Hungary has a new legal instrument, the farm transfer contract, which is regulated in a quite new act, Act CXLIII of 2021 on the Transfer of Agricultural Holdings, which came into force on the 1st of January 2023. This act gives the possibility to the elder farmer to transfer the ownership of the agricultural holding, the farm, to the next generation. The act has two main aims:

- 21 According to the rules currently in force: Land Transfer Act Art. 5, point 7: "Farmer" shall mean any domestic natural person or EU national registered in Hungary, who has specific vocational skills or professional qualifications in agricultural or forestry activities as provided for in the decree adopted for the implementation of this Act, or, in the absence thereof, who:
- a) has been verifiably engaged in the pursuit of agricultural and/or forestry activities and other secondary activities in his/her own name and at his/her own risk in Hungary continuously for at least three years and has verifiably produced revenue by such activities, or revenue did not materialise for the – completed – agricultural or forestry investment project has not yet turned productive, or
 - b) verifiably holds membership for at least three years in an agricultural producer organisation in which he/she has at least a 25 per cent ownership share and who personally participates in agricultural and forestry operations, or in agricultural and forestry operations and the related secondary activities.

one is to facilitate the generational change, and the other is to keep the holding in the hand of the family. The farm transfer is considered an inter vivos institution, indicating that it is not a special succession rule. Importantly, Hungary lacks special succession regulation for the agricultural holdings, though it has certain special succession rules for the agricultural lands which are not coherently regulated.

What is the definition of the farm according to the Act? The aa) agricultural and forest land, including farmstead, owned or used by the transferor of the holding, ab) other immovable properties owned or used by the transferor of the holding necessary for carrying on agricultural and forestry activities, ac) movable properties owned or used by the transferor of the holding for carrying on agricultural and forestry activities, in respect of which the transferor has the right to organise production and – with the exception of production of seed for hire, hired breeding, hired fattening and the keeping of exposed animals – the right to use the results of production, ad) rights in rem in respect of agricultural and forestry activities belonging to the transferor of the holding, ae) a share in the assets of a business association related to the agricultural and forestry activities carried out on the holding, a share in a cooperative society, a corporate interest in an association of forest holders, and af) rights and obligations relating to the assets set out in points (aa) to (ae), which are serving the operation of the farm.²² The farm transfer contract has four types: farm transfer sale contract,²³

²² Farm Transfer Act Art. 2, point a).

²³ Farm Transfer Act Art. 3(2) a) Based on the farm transfer contract, the farm transferor is obliged to transfer the ownership of the farm and the rights in rem related to the farm, and the farm transferee is obliged to pay the purchase price and take over the farm.

farm transfer gift contract,²⁴ farm transfer maintenance contract,²⁵ and farm transfer life-annuity contract.²⁶ The farm transferor can decide which one to utilise; however, this contract can also be used in combination. The parties to this contract are the farm transferor and the farm transferee. Both the transferor and the transferee must be primary agricultural producers or individual entrepreneurs engaged in agricultural and forestry activities. The farm transferor is someone who has reached the age limit for retirement or will reach it within 5 years from the conclusion of the contract.²⁷ The farm transferee is under 50 years of age, at least 10 years younger than the transferor, and must either (a) be in the chain of relatives defined in the Family Farms

- 24 Farm Transfer Act Art. 3(2) b) Based on the farm transfer contract, the farm transferor is obliged to transfer the ownership of the farm and the rights in rem related to the farm free of charge, and the farm transferee is obliged to take over the farm.
- 25 Farm Transfer Act Art. 3(2) c) Based on the farm transfer contract, the farm transferee is obliged to provide care and maintenance in accordance with the circumstances and needs of the farm transferor or the person designated by the farm transferor until the death, and the farm transferor is obliged to transfer the ownership of the farm and the rights in rem related to the farm.
- 26 Farm Transfer Act Art. 3(2) d) Based on the farm transfer contract, the farm transferee is obliged to periodically provide a specified sum of money or other replaceable thing until the death of the farm transferor, and the farm transferor is obliged to transfer the ownership of the farm and the rights in rem related to the farm.
- 27 Farm Transfer Act Art. 2 b) the farm transferor can be a primary agricultural producer or an individual entrepreneur engaged in agricultural and forestry activities, who has reached the age-limit for retirement or will reach it within 5 years from the conclusion of the contract, who a) for at least 10 years, including the period of activity of himself or his legal predecessor, in his own name and at his own risk, he has carried out agricultural and forestry activities or additional activities, and has proven sales revenue derived from this, and b) more than three-quarters of the agricultural and forestry land area defined in the farm transfer contract has been the owner of the land for at least 5 years prior to the date of the farm transfer – with the exception of agricultural and forestry land acquired within 5 years – or has been registered in the land use register for at least 5 years under another legal title a land user, a forest manager registered in the forest management register for at least 5 years, a close relative of this person or the owner of at least 25% of the agricultural production organisation registered as a land user or forest manager.

Act with the transferor or (b) have been employed or have been in other employment relationship²⁸ with the transferor for at least 7 years.²⁹

It can be seen from the rules that not only family members can enter into a contract. A critical constraint is that only one person can be the transferee. Holding the land in one's possession is one of the primary objectives of Hungarian land policy. According to the Act, another viable option is a cooperation term, when the transferor and transferee co-operatively operate the farm for a maximum of 5 years. It is one aspect to transfer ownership of the holding, but another is knowledge transfer that can occur during the cooperation period. The farm transferor will instruct the farm transferee in farm management during this time, and following the collaboration term, the farm transferee will become the owner of the holding. The transferee replaces the transferor in the civil law contracts relating to certain elements of the farm, as defined in the farm transfer contract, without the consent of the third party remaining in the contract. The transferee shall, by means of the farm transfer contract, replace the transferor as the holder of any prior authorisation required for the pursuit of the economic activity related to the farm, as defined in the farm transfer contract, provided that they comply with the legislation laying down the conditions for pursuing that activity.

Act CXXIII of 2020 on Family Farms is another recent law in Hungary.³⁰ It establishes that a family farm is a production community rather

28 Farm Transfer Act Art. 2 d) Other employment relationships are employment as an outworker and business association activities involving personal participation.

29 Farm Transfer Act Art. 2 c) The farm transferee can be a primary agricultural producer or an individual entrepreneur engaged in agricultural and forestry activities who is at least ten years younger than the farm transferor, under the age of 50, and who meets the conditions prescribed by law for the operation of the farm to be taken over and must either (a) be in the chain of relatives defined in the Family Farms Act with the transferor or (b) have been employed or have been in another employment relationship with the transferor for at least 7 years.

30 Based on the opinion of János Ede Szilágyi, the Family Farms Act was the one in the Hungarian legislation that brought about a marked regulation of agricultural holdings in relation to land transactions, and thus, according to his point of view, introduced a conceptual change in Hungarian land law. Szilágyi, 2022a, p. 407. For the effect of the introduction of the Family Farms Act on the Land Transfer Act, see: Olajos, 2022c, pp. 105–117.

than a legal entity,³¹ emphasising it does not denote the unity of the assets, which means it cannot be classified as an agricultural holding. The family farm of primary agricultural producers is defined as a collective production community formed by at least two relatives who are primary agricultural producers. This entity does not possess legal personality or assets independent of its members. The agricultural activities within this framework are carried out collectively on the individual farms of the members, relying on the personal contributions of each participant and a coordinated approach to manage their operations.³² This defines the “family farm”, and I would like to reiterate that it is merely a production community. The current regulation states that if the farming occurs within the parameters of the family farm and the farm transferor, the owner wishes to transfer ownership of the farm; in this situation, the farm transferee must also fulfil the requirements of the family farm in order to maintain the production under the family farm. The criteria state that the transferee must be in the same chain of relations³³ as the other members of the family farm.

4. CLOSING THOUGHTS

At present, I consider the farm transfer contract to be both a significant opportunity and a meaningful step toward establishing classical agricultural holding regulation in Hungary. With the farm transfer contract, the owner of the farm (the farm transferor) has the opportunity to transfer only a part of this farm. So, the transferor has the right to define freely what belongs to this farm – within the legal conditions

31 See about it: Bányai, 2023, pp. 142–143.

32 Family Farms Act Art. 6(1).

33 Family Farms Act Art. 2. b). Chain of relatives is the group of natural persons who are close relatives (*close relative shall mean spouses, direct relatives, adopted children, stepchildren, foster children, adoptive parents, stepparents, foster parents, and siblings*) within the meaning of the Civil Code, as well as relatives (*relative shall mean close relatives, domestic partners, spouses of direct relatives, spouse's direct relatives and siblings, and spouses of siblings*) of these persons and direct relatives of these relatives.

– and he or she can transfer only a part of it to the next generation. But the farm transferor cannot continue his agricultural activity afterwards, because he will be deleted from all registers³⁴ after the farm transfer. The question is, in this case, how will the unit of the farm be developed in the future? It is a very interesting part of the regulation because the Hungarian legislator would like to keep the agricultural land together in the legal transactions, and it would be useful if the regulation also kept the unit of the agricultural holding. But this act and this regulation made it possible to transfer only the part of the agricultural holding – defining it as an agricultural holding.

In the past, the *fideicommissum* was a tied estate, with a predetermined order of succession, which restricted free disposal of ownership and hindered transfer of property but kept holdings together in the family. I think the notion of having a separate succession rule for agricultural holdings is extremely desirable and vital in Hungary, but I believe we also need cohesive *sui generis* legislation for the succession of agricultural lands and holdings. The *fideicommissum* was significantly distinct, and it would be difficult to implement in modern Hungarian legislation, but the concept of a separate succession rule for agricultural holdings should be explored. At present, the Hungarian agricultural succession regime is incoherent and land-specific, as Hungary has some peculiar rules for agricultural land succession. In my opinion, Hungarian regulation is progressing well, though it has not yet reached its conclusion. The farm transfer contract is one of the tools that can keep the agricultural holding in one hand, and the other tool could be a special agricultural holding succession regulation. In addition, keeping the existing, well-functioning farms together, either between living persons or, in the case of death, could be a worthwhile objective from an economic perspective.

34 Farmers, primary agricultural producers.

BIBLIOGRAPHY

- Andréka, T. (2010) 'Birtokpolitikai távlatok a hazai mezőgazdaság versenyképességének szolgálatában' in Csák, Cs. (ed.) *Az európai földszabályozás aktuális kihívásai*. Miskolc: Novotni Kiadó, pp. 7–19.
- Andréka, T. (2020) 'A földeken fennálló osztatlan közös tulajdon felszámolására vonatkozó új szabályok', *Agro napló*, 2020/10, pp. 6–11 [Online]. Available at: <https://www.agronaplo.hu/agrofokusz/20201009/a-foldeken-fennallo-osztatlan-kozos-tulajdon-felszamolasara-vonatkozo-uj-szabalyok-39201> (Accessed: 7 July 2023).
- Bacska, E. (2013) 'Jogi tudnivalók: A családi gazdaság alapítására és működtetésére vonatkozó alapvető szabályok', *Agro napló*, 2013/3, p. 11 [Online]. Available at: <https://www.agronaplo.hu/agrofokusz/20140117/jogi-tudnivalok-a-csaladi-gazdasag-alapitasara-es-mukodtetesere-vonatkozo-alapveto-szabalyok-32274> (Accessed: 7 July 2023).
- Bányai, K. (2023) *A mezőgazdasági föld megszerzése – a szerzőskorlátozások alapjai és kihívásai*. Budapest: Publicitas Art-Media Kft.
- Bobvos, P., Hegyes, P. (2015) *A földforgalom és földhasználat alapintézményei*. Szeged: SZTE ÁJK–JATE Press.
- Csák, Cs. (2010) 'Die ungarische Regulierung der Eigentums- und Nutzungsverhältnisse des Ackerbodens nach dem Beitritt zur Europäischen Union', *Journal of Agricultural and Environmental Law*, 5, pp. 20–31.
- Csák, Cs. (2018) 'Constitutional issues of land transactions regulation', *Journal of Agricultural and Environmental Law*, 24, pp. 19–32; <http://doi.org/10.21029/JAEL.2018.24.5>.
- Csák, Cs., Szilágyi, J.E. (2013) 'Legislative tendencies of land ownership acquisition in Hungary' in Norer, R., Holzer, G. (eds.) *Agrarrecht Jahrbuch – 2013*. Wien–Graz: Neuer Wissenschaftlicher Verlag, pp. 215–233.
- Cseszlai, I. (ed.) (2020) *Családi gazdaságok reformja. Tájékoztató kiadvány a családi gazdaságokról szóló törvényről*. Budapest: Nemzeti Agrárgazdasági Kamara.
- Fodor, L. (2010) 'Kis hazai földjogi szemle 2010-ből' in Csák, Cs. (ed.) *Az európai földszabályozás aktuális kihívásai*. Miskolc: Novotni Kiadó, pp. 115–130.
- Hornyák, Zs. (2017) 'A földöröklés szabályozása egyes európai országokban', *Miskolci Jogi Szemle*, 2017/2 special issue, pp. 182–188.
- Hornyák, Zs. (2018) 'Egyes európai országok földöröklési szabályozása', *Publicationes Universitatis Miskolcensis Sectio Juridica et Politica*, 2018/1, pp. 381–395.
- Hornyák, Zs. (2019) *A mezőgazdasági földek öröklése*. Miskolc: Bíbor Kiadó.
- Horváth, G. (2013) 'Protection of Land as a Special Subject of Property: New Directions of Land Law' in Smuk, P. (ed.) *The Transformation of the Hungarian Legal System 2010–2013*. Budapest: Complex Wolters Kluwer–Széchenyi István University, pp. 359–366.

- Jani, P. (2013) 'A termőföld-szerzés hatósági engedélyezésének szabályozása de lege lata és de lege ferenda' in Ágoston, E.I. (ed.) *Komplementer kutatási irányok és eredmények az agrár-, a környezeti- és a szövetkezeti jogban*. Szeged: SZTE-ÁJK, pp. 15–28.
- Kapronczai, I. (2013) 'Az új földszabályozás hatása az agrárpolitikára' in Korom, Á. (ed.) *Az új magyar földforgalmi szabályozás az uniós jogban*. Budapest: Nemzeti Közzolgálati Egyetem, pp. 79–92.
- Katona, M. (1894) *A magyar családi hitbizomány*. Budapest: Franklin-Társulat Nyomdája.
- Kecskés, L., Szécsényi, L. (1997) 'A termőföldről szóló 1994. évi LV. törvény 6. §-a a nemzetközi jog és az EK-jog fényében', *Magyar Jog*, 1997/12, pp. 721–729.
- Kiss, T. (2022) 'A termőföld öröklésének új szabályai', *Gazdaság és Jog*, 2022/7–8, pp. 39–43.
- Kocsis, B.E. (2014) 'The new Hungarian land transfer regulation from the aspect of examination of the European Union', *Journal of Agricultural and Environmental Law*, 16, pp. 95–110.
- Korom, Á. (2013) 'Az új földtörvény az uniós jog tükrében. Jogegyenlőség vagy de facto más elbírálás?' in Korom, Á. (ed.) *Az új magyar földforgalmi szabályozás az uniós jogban*. Budapest: Nemzeti Közzolgálati Egyetem, pp. 11–24.
- Kronaus, H. (2022) 'The Austrian legal frame of the agricultural land/holding succession and the acquisition by legal persons', *Journal of Agricultural and Environmental Law*, 33, pp. 75–92; <https://doi.org/10.21029/JAEL.2022.33.75>.
- Kurucz, M. (2001) *A mezőgazdasági ingatlanok agrárjogi szabályozása*. Budapest: ELTE Jogi Továbbképző Intézet.
- Kurucz, M. (2005) 'Gondolattörédek a termőföldforgalom szabályozásának alapkérdéseiről és meghatározottságairól' in Steiger, J. (ed.) *Gazdaság és Jog. Szakács István ünnepi tanulmánykötet*. Budapest: ELTE Állam- és Jogtudományi Kar–Gondolat Kiadó, pp. 33–81.
- Kurucz, M. (2007) 'Agricultural law's subject, concept, axioms and system', *Journal of Agricultural and Environmental Law*, 2, pp. 41–86.
- Kurucz, M. (2008) 'Az agrárüzem és földtörvény lehetséges szabályozási modellje és annak jogi környezete' in Jójárt, L., Kurucz, M. *Van megoldás. „Földtörvény – Üzemszabályozás”*. Budapest: Barankovics István Alapítvány, pp. 5–124.
- Kurucz, M. (2010) 'A mezőgazdasági üzem, mint jogi egység: a nyilvánkönyvi jószágtest kialakítása különös tekintettel az elővásárlási jogok tömegvételi problémájának kiküszöbölésére' in Csák, Cs. (ed.) *Az európai földszabályozás aktuális kihívásai*. Miskolc: Novotni Kiadó, pp. 151–176.
- Kurucz, M. (2013) 'Az ún. agrárüzem-szabályozás tárgyának többféle modellje és annak alapjai' in Korom, Á. (ed.) *Az új magyar földforgalmi szabályozás az uniós jogban*. Budapest: Nemzeti Közzolgálati Egyetem, pp. 55–77.

- Mikó, Z. (2013) 'A birtokpolitika megvalósulását segítő nemzeti jogi eszközök' in Korom, Á. (ed.) *Az új magyar földforgalmi szabályozás az uniós jogban*. Budapest: Nemzeti Közszerkeleti Egyetem, pp. 151–163.
- Muñiz Espada, E. (2020) 'Particular Rules on the Transfer of the Holding Farm in Spanish Law', *Journal of Agricultural and Environmental Law*, 29, pp. 171–183; <https://doi.org/10.21029/JAEL.2020.29.171>.
- Nagy, Á.L. (2023) *Generációváltás a magyar agráriumban: új törvény az agrárgazdaságok átadásáról* [Online]. Available at: <https://jogaszegylet.hu/jogelet/generacio-valtas-a-magyar-agrariumban-uj-torveny-az-agrargazdasagok-atadasarol/> (Accessed: 7 July 2023).
- Nagy, M. (2022) 'Tanulmány a termőföldeken fennálló osztatlan közös tulajdon-felszámolásának új lehetőségéről', *Miskolci Jogtudó*, 2022/1, pp. 102–116.
- Nagy, Z. (2010) 'A termőfölddel kapcsolatos szabályozás pénzügyi jogi aspektusai' in Csák, Cs. (ed.) *Az európai földszabályozás aktuális kihívásai*. Miskolc: Novotni Kiadó, pp. 187–197.
- Olajos, I. (2002) 'A termőföldről szóló törvény változásai a kormányváltozások következtében: gazdasági eredményesség és politikai öncélúság', *Napi Jogász*, 2002/10, pp. 13–17.
- Olajos, I. (2022a) 'A gazdaságátadási szerződés, mint a generációváltást megalapozó szerződéstípus', *Advocat*, 2022/2, pp. 29–36.
- Olajos, I. (2022b) 'Át kell-e alakítani a mezőgazdasági cégeket? Avagy a családi gazdaságokra vonatkozó jogalkotás hatása a mezőgazdasági termelőszervezetekre', *Miskolci Jogi Szemle*, 17(4), pp. 56–75; <https://doi.org/10.32980/MJSz.2022.4.2114>.
- Olajos, I. (2022c) 'Creation of Family Farms and its Impact on Agricultural and Forestry Land Trade Legislation', *Journal of Agricultural and Environmental Law*, 33, pp. 105–117; <https://doi.org/10.21029/JAEL.2022.33.105>.
- Olajos, I., Szilágyi, Sz. (2013) 'The most important changes in the field of agricultural law in Hungary between 2011 and 2013', *Journal of Agricultural and Environmental Law*, 15, pp. 93–110.
- Peres, Zs. (2014) *A családi hitbizományok megjelenése Magyarországon*. Pécs: Publikon Kiadó.
- Prete, F. (2022) 'The Italian Legal Framework of Agricultural Land Succession and Acquisition by Legal Persons', *Journal of Agricultural and Environmental Law*, 33, pp. 141–154; <https://doi.org/10.21029/JAEL.2022.33.141>.
- Prugberger, T. (2012) 'Szempontok az új földtörvény vitaanyagának értékeléséhez és a földtörvény újra kodifikációjához', *Kapu*, 2012/9–10, pp. 62–65.
- Raisz, A. (2017a) 'A magyar földforgalom szabályozásának aktuális kérdéseiről', *Publicationes Universitatis Miskolcensis Sectio Juridica et Politica*, 35, pp. 434–443.

- Raisz, A. (2017b) 'Topical issues of the Hungarian land-transfer law Purchasing and renting agricultural land: Legal framework and practical problems', *CEDR Journal of Rural Law*, 2017/1, pp. 68–74.
- Sebess, D. (1933) *Magyar agrár-evolúciók 1902–1932*. Budapest: Királyi Magyar Egyetemi Nyomda.
- Szilágyi, J.E. (2022a) 'A magyar földjogi szabályozás egyes sarkalatos kérdései', *Miskolci Jogi Szemle*, 2022/2, pp. 402–411; <https://doi.org/10.32980/MJSz.2022.2.2030>.
- Szilágyi, J.E. (2022b) 'Hungary: Strict Agricultural Land and Holding Regulations for Sustainable and Traditional Rural Communities' in Szilágyi, J.E. (ed.) *Acquisition of Agricultural Lands: Cross-Border Issues from a Central European Perspective*. Miskolc–Budapest: Central European Academic Publishing, pp. 145–197; https://doi.org/10.54171/2022.jesz.aolcbicec_7.
- Szinay, A. (2022) 'Az osztatlan közös földtulajdon megszüntetésének új szabályairól', *Gazdaság és Jog*, 2022/7–8, pp. 29–34.
- Vass, J. (2003) 'A földtörvény módosítások margójára' in Vass, J. (ed.) *Tanulmányok Dr. Domé Mária egyetemi tanár 70. születésnapjára*. Budapest: ELTE-ÁJK, pp. 159–170.
- Zsohár, A. (2013) 'A termőföldről szóló törvény módosításának problémái', *Gazdaság és Jog*, 2013/4, pp. 23–24.

