

Amendments to Law on Ownership and Use of Farmland
12 March 1991

Article 14 Correction

92BA0960A Sofia DURZHAVEN VESTNIK in Bulgarian No 20. 12 Mar 91 p 16

Correction of Article 14, Paragraph 3 of the Law on the Ownership and Use of Farmland (DURZHAVEN VESTNIK No. 17, 1991)

[Text] The words "within a period of six months" should read "within a period of one month."

Article 10 Changed

92BA0960B Sofia DURZHAVEN VESTNIK in Bulgarian No 74, 10 Sept 91 pp 2-3

[Change of and addition to the Law on the Ownership and Use of Farmland, adopted by the Grand National Assembly on 15 August 1991; for the text of the law, see FBIS-EEU-91-048, 12 March 1991, pages 5-10.]

Ukase No. 265

On the basis of Article 98, Section 4 of the Constitution of the Republic of Bulgaria, I hereby decree that the following Law on a Change in and Addition to the Law on the Ownership and Use of Farmland, adopted by the Grand National Assembly on 15 August 1991, shall be published in DURZHAVEN VESTNIK.

Issued in Sofia on 27 August 1991 and sealed with the Seal of State.

President of the Republic: Zhelyu Zhelev

Law on Change of and Addition to the Law on the Ownership and Use of Farmland (published in DURZHAVEN VESTNIK No. 17, 1991; corrected in No. 20, 1991)

Single paragraph. A new Article 10a, with the following content, is hereby created:

"Article 10a. Bulgarian citizens whose lands have been used to liquidate a state debt in conformity with the Agreement on Settlement of Pending Financial Questions and Promotion of Economic Cooperation Between the People's Republic of Bulgaria and the Kingdom of Greece, dated 3 November 1964 (DURZHAVEN VESTNIK No. 87, 1964), shall be compensated, under the procedure and terms of this law, with land from the state or township land fund in amounts in accordance with Article 6 or with the monetary value thereof if they have not hitherto been otherwise compensated."

The law was adopted by the Grand National Assembly on 15 August 1991 and sealed with the Seal of State.

Chairman of the Grand National Assembly: Nikolay Todorov

Article 11 Changed

92BA0960C Sofia DURZHAVEN VESTNIK in Bulgarian No 18, 2 Mar 92 p 1

[Ukase No. 52, issued and signed by President of the Republic Zhelyu Zhelev, decreeing publication in DURZHAVEN VESTNIK of a change in The Law on the Ownership and Use of Farmland, followed by the law making the change, signed by Chairman of the National Assembly Stefan Savov; for the text of the law, see FBIS-EEU-91-048, 12 March 1991, pages 5-10]

[Text]

Ukase No. 52

On the basis of Article 98, Section 4 of the Constitution of the Republic of Bulgaria, I hereby decree that there be published in DURZHAVEN VESTNIK the Law on a Change in the Law on the Ownership and Use of Farmland, adopted by the 36th National Assembly on 27 February 1992.

Issued in Sofia on 27 February 1992 and sealed with the Seal of State.

Law on a Change in the Law on the Ownership and Use of Farmland (published in DURZHAVEN VESTNIK No. 17, 1991; corrected in No. 20, 1991; changed and added to in No. 74, 1991)

Paragraph 1. In Article 11, Paragraph 1, the words "within one year" are replaced with "within 15 months."

Paragraph 2. This law shall enter into force from the date of its publication in DURZHAVEN VESTNIK.

More Amendments

92BA0960A Sofia DURZHAVEN VESTNIK in Bulgarian No 28, 3 Apr 92 pp 1-6

[Ukase No. 89, signed by President of the Republic Zhelyu Zhelev, decreeing publication in DURZHAVEN VESTNIK of the Law on Changes in and Additions to the Law on the Ownership and Use of Farmland, adopted by the 36th National Assembly on 20 March 1992 and signed by Chairman of the National Assembly Stefan Savov; for the text of the Law on Ownership and Use of Agricultural Land, see FBIS-EEU-91-048, 12 March 1991, pages 5-10]

[Text]

Ukase No. 89

On the basis of Article 98, Section 4 of the Constitution of the Republic of Bulgaria, I hereby decree that there be published in DURZHAVEN VESTNIK the Law on Changes in and Additions to the Law on the Ownership and Use of Farmland, adopted by the 36th National Assembly on 20 March 1992.

Issued in Sofia on 2 April 1992 and sealed with the Seal of State.

Law on Changes in and Additions to the Law on the Ownership and Use of Farmland (published in DURZHAVEN VESTNIK No. 17, 1991; corrected in No. 20, 1991; changed and added to in No. 74, 1991 and No. 18, 1992)

Paragraph 1. In Article 2, Section 4 is changed as follows:

"4. Is not occupied by open cast mines or quarries or by energy, irrigation, transportation or other structures for public use, nor does any part adjoin such structures."

Paragraph 2. In Article 3, the following changes are made:

1. Paragraph 1 is changed as follows:

"(1) Agricultural land may be the property of citizens, of the state, of townships, and of juridical persons."

2. Paragraph 3 is changed as follows:

"(3) Foreign states, foreign juridical persons, and juridical persons with over 50-percent foreign participation may not possess an ownership right to agricultural land."

3. Paragraph 4 is changed as follows:

"(4) Foreign citizens may acquire agricultural land only through lawful inheritance. They must, within three years from discovery of the inheritance, transfer it to persons as per Paragraph 1."

4. Paragraph 5 is changed as follows:

"(5) Foreign juridical persons and foreign citizens may acquire a use right to agricultural land or other restricted real rights to land under conditions and procedures specified by law."

Paragraph 3. In Article 4, the following changes are made:

1. Paragraph 1 is rescinded.

2. Paragraph 2 becomes Paragraph 1 and is changed as follows:

"(1) The owner freely chooses the method of using the agricultural land in accordance with its designated purpose. In using the land, he must not harm the soil and must observe sanitary, public health, and fire and ecological regulations."

3. Paragraph 3 becomes Paragraph 2.

4. Paragraph 4 becomes Paragraph 3 and is changed as follows:

"(4) The expropriation of agricultural land for important state and township needs shall be effected in conformance with the Law on Ownership and the Law on the Protection of Arable Lands and Pastures, following a ruling of the Minister of Agriculture."

5. Paragraph 5 becomes Paragraph 4 and is changed as follows:

"(4) Landowners and users must preserve the archaeological objects, cultural monuments, and land-reclamation, electric-power, and other installations and structures existing on their land, and must not hinder the other owners, users, and officials from using and maintaining the same."

6. A Paragraph 5 is created with the following content:

"(5) The incorporation of agricultural land within the building limits of inhabited localities shall be effected in accordance with the Law on Arable Land and Pastures and the Law on Territorial and Settlement Organization."

Paragraph 4. Article 5 is rescinded.

Paragraph 5. Article 6 is rescinded.

Paragraph 6. Article 8 is changed as follows:

"Article 8. Citizens may join together into cooperatives or associations for the joint cultivation of their agricultural land. In these cases, they may retain ownership of their land within real boundaries, as well."

Paragraph 7. Article 9 is rescinded.

Paragraph 8. In Article 10, the following changes are made:

1. Paragraph 1 is changed as follows:

"(1) The rights of the owners or their heirs to agricultural land possessed before the formation of labor cooperative farms or state farms and incorporated into them or into other agricultural organizations formed on the basis thereof are hereby restored."

2. Paragraph 2 is changed as follows:

"(2) The rights of owners to agricultural land nationalized under the now-rescinded Article 12 of the Law on Citizens' Ownership shall be restored on return of the monetary compensation received."

3. Paragraph 6 becomes Paragraph 3 and is changed as follows:

"(3) The rights of owners who surrendered their land without compensation to a labor cooperative farm or to the state are hereby restored."

4. Paragraph 3 becomes Paragraph 4.

5. Paragraph 5 is rescinded and a new Paragraph 5 is created, with the following content:

"(5) The rights of the owners of agricultural lands planted to forest or with volunteer forest growth, as well as to land incorporated without compensation into the state forest preserve, are hereby restored, with the exception of tree nurseries and forest shelter belts."

6. A new Paragraph 6 is created, with the following content:

"(6) The rights of owners of farmsteads, operated by a labor cooperative farm, by a state farm, or by other agricultural organizations formed on the basis thereof as farms is delisted or abandoned settlements (villages and hamlets), are hereby restored."

7. Paragraph 7 is rescinded, and a new Paragraph 7 is created, with the following content:

"(7) The rights of the owners of land that has been incorporated into labor cooperative farms, state farms, or other agricultural organizations formed on the basis thereof and that is situated within the building limits of inhabited localities are hereby restored unless buildings have legally been constructed by third parties or unless a construction right has been granted and construction of a legally authorized building has been started."

8. Paragraph 8 is rescinded.

9. Paragraph 4 becomes Paragraph 8 and is changed as follows:

"(8) The rights of owners to agricultural land are hereby restored up to the amounts specified under the rescinded Article 8, Paragraph 1 of the Law on Labor Land Ownership of 9 April 1946."

10. A Paragraph 9 is created, with the following content:

"(9) On request of the owners, the ownership right to land, nationalized as forests that has subsequently been converted into agricultural land, is restored."

11. A Paragraph 10 is created, with the following content:

"(10) Land in ecologically polluted regions shall be returned to its owners, with ecological restoration costs borne by the state. The Council of Ministers shall determine the ecologically polluted agricultural land, as well as the procedure and method for its ecological restoration."

Paragraph 9. A new Article 10a is created, with the following content:

"Article 10a. (1) The restoration of ownership shall be effected within the real boundaries wherever they exist or can be ascertained.

"(2) The ownership of land whose boundaries do not exist shall be restored within real boundaries by ownership of an equivalent quantity of land in the territory of the same inhabited locality in question or in a neighboring territory and, with the consent of the owners, in another territory on completion of the land division and consolidation of the properties therein into larger units.

"(3) Foreign citizens whose rights of ownership are restored under the procedure of this article must, within a period of three years, transfer it to persons as per Article 3, Paragraph 1."

Paragraph 10. An Article 10b is created, with the following content:

"Article 10b. (1) The owners of land that has been incorporated into labor cooperative farms, state farms, or other agricultural organizations formed on the basis thereof, and which land has become built up or, on it, activities are conducted that do not permit restoration of ownership,

shall, on their request, be compensated with equivalent land from the state or township land fund or under conditions and procedure specified by law.

"(2) Owners whose land has been nationalized in accordance with the rescinded Article 12 of the Law on Citizens' Ownership and whose ownership cannot be restored due to the circumstances indicated in the preceding paragraph shall be compensated under the conditions and procedure specified by law.

"(3) Owners whose land has been expropriated under the rescinded Article 8 of the Law on Labor Land Ownership of 9 April 1946 and who have not received compensation in conformity with Article 14 and the following of the same law shall be compensated under conditions and procedure specified by law."

Paragraph 11. Article 10a becomes Article 10c and is changed as follows:

"Article 10c. (1) The following persons shall be compensated under the conditions and procedure specified by law:

"1. Bulgarian citizens whose agricultural land has been used to liquidate state debt pursuant to the Agreement on Settlement of Pending Financial Questions and Promotion of Economic Cooperation between the People's Republic of Bulgaria and the Kingdom of Greece of 3 November 1963 (DURZHAVEN VESTNIK, No. 87, 1964);

"2. Persons who received a right to monetary compensation under Chapter III of the Law on Settlement of Ownership of Real Estate in Southern Dobruja (published in DURZHAVEN VESTNIK No. 15, 1942; rescinded in IZVESTIYA No. 16, 1951).

"(2) Persons under the preceding paragraph shall submit applications to the Ministry of Agriculture."

Paragraph 12. In Article 11, Paragraph 2 is changed as follows:

"(2) Persons who have failed to submit applications in time under the preceding paragraph shall establish their right to restoration of the ownership of agricultural land by lodging a claim against the appropriate township. On the basis of the decision handed down, the township land commission, observing the requirements of this law, shall determine the land, the ownership of which is to be restored."

Paragraph 13. In Article 12, the following changes are made:

1. Paragraph 2 is rescinded.

2. Paragraph 3 becomes Paragraph 2.

3. New Paragraphs 3 and 4 are created, with the following content:

"(3) In the absence of written proof, the applicant may append to his application a declaration with his notarized signature, whereby he declares his ownership right. For false data, the affiant shall bear criminal liability under Article 313 of the Penal Code.

"(4) Any interested party may by judicial procedure establish his right to the property restored under the procedure of the preceding paragraph and seek compensation for the detriment suffered and the benefits lost."

Paragraph 14. In Article 13, Paragraphs 2 and 3 are rescinded.

Paragraph 15. In Article 14, the following changes are made:

1. Paragraph 1 is changed as follows:

"(1) The township land commission shall render a decision within a period of one month from the receipt of the application."

2. Paragraph 3 is rescinded, and a new Paragraph 3, with the following content, is created:

"(3) Refusals of the commission to render an opinion may be appealed within a period of 14 days to the regional court. The appeal is to be submitted through the township land commission. The court shall decide the dispute on its merits."

3. A new Paragraph 4 is created, with the following content:

"(4) In a dispute regarding a material right, the interested parties shall vindicate their rights by judicial procedure."

4. Paragraph 4 becomes Paragraph 5.

Paragraph 16. In Article 15, the following changes are made:

1. In Paragraph 1, "people's" [*naroden*] is deleted.

2. Paragraph 2 is changed as follows:

"(2) Whenever the township land commission ascertains that the amount of agricultural land in the territory of the given inhabited locality has been reduced, the land subject to restoration shall be reduced correspondingly, with the exception of land whose former real boundaries exist or are reconstructible. Owners shall be compensated, on their request, for the difference between the land paid in and the land restored by the state or township land fund with equivalent land or under the conditions and procedure specified by law."

3. Paragraph 3, with the following content, is created:

"(3) Juridical persons who have produced or keep and maintain cadastral topographic and geodetic information about the territory of inhabited localities must make it available to state authorities within 10 days of request.

The information is to be made available free of charge except for the actual expenses incurred in making a copy of the documents."

Paragraph 17. In Article 17, the following changes are made:

1. Paragraph 1 is rescinded and a new Paragraph 1, with the following content, is created:

"(1) The township land commission shall by decision restore ownership of agricultural land in its former boundaries where they exist or are reconstructible, and this is reflected in the cadastre."

2. Paragraph 2 is rescinded, and a new Paragraph 2, with the following content, is created:

"(2) When conditions according with the preceding paragraph do not obtain, the township land commission shall restore ownership of agricultural land in new boundaries, equivalent in amount and quality or reduced under the procedure of Article 15 in conformity with the land-distribution plan worked out in accordance with the principles of land consolidation."

3. A new Paragraph 3, with the following content, is created:

"(3) The procedure for drawing up the land-distribution plan and the requirements to be met by it shall be defined by the regulations for the application of this law."

4. Paragraph 3 becomes Paragraph 4.

5. Paragraph 5, with the following content, is created:

"(5) The owners of agricultural land whose rights are not restored in accordance with Paragraph 1 shall have the right to be put into possession of agricultural land before the drawing up of the land-distribution plan, up to the amounts of land that should be restored to them."

Paragraph 18. Article 18 is rescinded.

Paragraph 19. In Article 21, Paragraph 1 is changed as follows:

"(1) Shall be awarded land in the following order of priority."

Paragraph 20. In Article 24, the following changes are made:

1. Paragraph 2 is rescinded, and a new Paragraph 2, with the following content, is created:

"(2) The state's right of ownership of agricultural land that has been granted to scientific, scientific-production, and educational establishments, to prisons, to seed-production and breeding farms, to forest tree nurseries, and to hunting grounds shall, to the extent necessary for their activity, be preserved in an amount corresponding to their basic activity, determined by the Ministry of Agriculture after soliciting the opinion of the interested departments."

2. A new Paragraph 3, with the following content, is created:

"(3) The state's right of ownership of agricultural land, granted to the Ministry of Defense for state-defense-related military purposes, shall be retained in places and amounts determined by the Council of Ministers."

3. Paragraph 3 becomes Paragraph 4.

4. Paragraph 4 becomes Paragraph 5 and is changed as follows:

"(5) The owners of the properties under Paragraphs 2, 3, and 4 shall be compensated in accordance with the procedure of Article 10b, Paragraph 1."

Paragraph 21. Article 26 is changed as follows:

"Article 26. The Ministry of Agriculture and the township land commissions may grant free of charge to citizens from the state or township land fund the use right to low-productivity land and to land in depopulated regions, determined by the Council of Ministers. Persons who have cultivated the land granted to them for more than 10 years may acquire an ownership right by decision of the township council, but, when an ownership right to land is acquired from the state land fund, the advance consent of the Ministry of Finance is necessary."

Paragraph 22. In Article 27, the following changes are made:

1. Paragraph 1 is changed as follows:

"(1) The owners of land incorporated into labor cooperative farms, the members of labor cooperative farms or of other agricultural organizations based thereon shall have a right to shares of the aforementioned organizations' property. The amount of the shares shall be determined on the basis of their contribution at the time of its acquisition -- land contributed, length of labor service, unpaid equipment fees. The apportionment thereof shall be effected under the conditions and procedure indicated in the regulations for the application of this law, with equal weight given to land contributed and length of labor service after subtraction of unpaid equipment fees. If a legal claimant contributed no land or fixed assets, his labor participation shall be taken into consideration whenever it is not less than five years."

2. Paragraph 4 is rescinded.

Paragraph 23. In Article 28, the following changes are made:

1. Paragraph 1 is changed as follows:

"(1) There shall be restored to labor cooperative farms the right of ownership of the property and money that were confiscated from them or from the state farms reorganized on the basis thereof or that were transferred to other organizations."

2. Paragraph 2 is rescinded, and a new Paragraph 2, with the following content, is created:

"(2) Whenever this property constitutes an integral part of existing assets and the item has not changed its purpose from its creation to date, it shall be restored to the owner, who shall pay the difference in value."

3. Paragraphs 4 and 5 are rescinded.

Paragraph 24. In Article 29, Paragraph 1 is changed as follows:

"(1) The ownership right to agricultural land taken away from the Bulgarian Orthodox Church and other religious communities, from cooperatives, and from other organizations shall be restored on their request unless, after the expropriation thereof, buildings were legally erected thereon that have no agricultural purpose, or citizens were settled thereon. In these cases, the organizations in question shall be granted equivalent property from the state or township land

fund. Absent such land, the owners shall be compensated under the conditions and procedure specified by law."

Paragraph 25. The title of Chapter IV is changed as follows: "LAND OWNERSHIP AGENCIES."

Paragraph 26. Article 31 is changed as follows:

"Article 31. Land ownership agencies are the Ministry of Agriculture and the Township Land Commissions."

Paragraph 27. Article 32 is rescinded.

Paragraph 28. In Article 33, the following changes are made:

1. Paragraph 1 is changed as follows:

"(1) The township land commissions shall be formed in the township councils. Its members shall be appointed and dismissed by the minister of agriculture."

2. Paragraph 2 is changed as follows:

"(2) On the proposal of the township council, land commissions may be formed in inhabited localities that have the same competence. The appointment and dismissal of its members shall be effected in accordance with the procedure of the preceding paragraph."

Paragraph 29. Section 1 of the supplemental provisions is rescinded.

Paragraph 30. Section 2 of the supplemental provisions is rescinded.

Paragraph 31. The title "Supplemental Provisions" is deleted.

Paragraph 32. Section 3 of the Transitional and Final Provisions is rescinded, and a new section 3, with the following content, is created:

"Paragraph 3. Disputes over the use of land from the state and township land fund, as well as disputes over boundaries between territories, shall be settled in accordance with the general claim procedure."

Paragraph 33. Section 4 of the Transitional and Final Provisions is rescinded, and a new Section 4, with the following content, is created:

"Paragraph 4. The use right of agricultural land granted to citizens by virtue of acts of the Presidium of the National Assembly, of the State Council, and of the Council of Ministers is terminated."

Paragraph 34. In the Transitional and Final Provisions, new Paragraphs 4a, 4b, 4c, 4d, 4e, 4f, 4g, 4h, and 4i, with the following content, are created:

"Paragraph 4a. (1) Citizens who have been granted a use right to land in accordance with the preceding paragraph shall acquire an ownership right to the same when they have constructed a

building on the land if, by 31 December 1992, they pay the owner for the land through the township council at prices fixed by the Council of Ministers in keeping with the market prices of the region in question.

"(2) When the building occupies a built-up area over 35 square meters and is higher than one story, the citizen who acquires an ownership right by virtue of this law shall pay the state a progressively increasing fee in conformity with the extended built-up part of the structure in an amount fixed by the Council of Ministers. This fee shall not be paid if the building that has been erected was, as of 1 January 1992, the sole domicile of the owner's family, including the spouses and their minor children.

"(3) When the owner is not paid for the value of the land under the conditions and procedure of Paragraph 1, he shall acquire ownership of the building if he pays for it to the township council, to the user who erected the building, or to his heirs, by 30 June 1993, at a price set by the Council of Ministers, consistent with the market price for the region in question.

"(4) When the value of the land and building are not paid, the user who erected the building acquires the ownership right to it only, apart from the site, by paying the fee in accordance with Paragraph 2.

"(5) When the user's right is established by the documents indicated in Paragraph 4 to township or state land, the ownership right of which has not been restored to citizens, the user shall acquire an ownership right on paying through the township council the value of the land at prices set by the Council of Ministers under the procedure of Paragraph 1, within a period of six months after the setting of the prices or the contribution to the state or township land fund land of his own of equivalent quantity and quality.

"Paragraph 4b. (1) The ownership right of citizens to undeveloped agricultural land, to which a use right has been granted in conformity with the documents indicated in Paragraph 4, shall be restored unless it is a vineyard or an orchard, or is planted to essential-oil crops or the agricultural land is the only land of the family of the user who is a permanent resident in the inhabited locality in whose territory the property is located. In these cases, the user cannot acquire an ownership right if the land is situated less than 30 kilometers away from cities with a population of over 300,000 inhabitants or less than 10 kilometers away from the coastal strip.

"(2) When the ownership of land that has been let for use is not restored in conformity with the previous paragraph, the user may acquire ownership of it if he pays the owner for it through the township council by 31 December 1992, at prices set in conformity with Paragraph 4a, Paragraph 1.

"(3) When the user acquires the ownership right to land in conformity with Paragraph 4a and Paragraph 1 of this section, instead of paying for the land, he can grant to the owner of the land that he received from the latter land of his own, the ownership of which has been restored to him (the user), if the owner agrees to this.

"Paragraph 4c. Persons who have made improvements to the properties that are to be returned have the rights under Article 72 of the Law on Ownership.

"Paragraph 4d. (1) The properties of persons who are using them without authority are subject to confiscation.

"(2) The confiscation shall be effected on the basis of an order issued by the mayor of the township on the motion of the chairman of the township land commission. The order is appealable within a period of seven days under the procedure of the Law on Administrative Proceedings.

"(3) The persons removed from the use of land under this procedure shall have no lawful claim for the expenditures they have made on the property.

"Paragraph 4e. Citizens who have been granted a use right to two or more properties may acquire an ownership right under the conditions of Paragraphs 4a and b to only one of them of their choosing by making a declaration thereof to the township council within the time limit as per Paragraph 4b, Paragraph 2.

"Paragraph 4f. Citizens whose ownership of agricultural land has been restored by virtue of this law may acquire an ownership right to the property granted to them for their use under the conditions of Paragraphs 4a and b. The amount of these properties shall be subtracted from the land subject to restoration under the conditions and procedure specified by the Ministry of Agriculture. The subtracted amount shall be paid by the fund, in accordance with Paragraph 4g, to the owner to whom the ownership right is restored, while the land shall be incorporated into the township land fund for distribution.

"Paragraph 4g. (1) The revenues from the application of the law shall go into the central republican budget, with the exception of revenues under Paragraphs 4a and b.

"(2) Moneys under Paragraphs 4a and 4b shall be collected in a special off-budget account of the township council and used only to compensate the former owners and users.

"Paragraph 4h. The citizens whose use right becomes an ownership right in conformity with Paragraph 4a, Paragraph 1 shall acquire ownership at maximum of 600 square meters, and those in conformity with Paragraph 4b, Paragraph 1, ownership at maximum of 1,000 square meters. The right to the remaining land shall be restored to its owner.

"Paragraph 4i. (1) The owners of the land or their heirs may bring suit for restoration of their ownership right when a use right to it has been granted under Paragraph 4 and the following or the land has been transferred other than by the owner thereof if the granting of this right or the acquisition of the property has taken place in violation of prescriptive enactments, as well as through the use of official or party position or through abuse of power. The suit shall be brought within one year from the entry into force of this law and the judicial proceedings shall be exempt from any state fee.

"(2) Landowners or their heirs in cases of Article 10, Paragraph 7 of this law shall have the right under the preceding paragraph.

"(3) When a building has been erected on the land in cases under the preceding paragraphs, it shall become the property of the state. The owner of the land shall have the right to purchase it within one year from the entry into force of the decisions under the preceding paragraphs or to receive the value of the land at prices fixed under the procedure of Paragraph 4a."

Paragraph 35. Section 7 of the transitional and concluding provisions is rescinded, and a new section 7, with the following content, is created:

"Paragraph 7. (1) Agricultural producers that are natural persons shall be exempt from a tax on gross income from plant and animal production for a period of five years from their taking possession of the land.

"(2) Rental income from agricultural land shall be excluded from the amount subject to gross income tax.

"(3) Natural persons shall be exempt from a tax on the buildings on agricultural land for a period of five years from coming into possession thereof.

"(4) Young families shall be exempt from a gross income tax on receipts from plant and animal production for a period of eight years from the entry into force of this law."

Paragraph 36. In the transitional and concluding provisions, new Sections 8, 9, 10, 11, 12, 13, 14, and 15, with the following content, are created:

"Paragraph 8. The heirs of persons whose ownership of agricultural land is restored under this law shall be exempt from payment of an inheritance tax.

"Paragraph 9. Agricultural land, the ownership right to which has been restored under the procedure of Article 10 of this law and that constitutes forests in the sense of the Law on Forests, shall be governed by the regulations of the Law on Forests and the Law on Hunting and Trapping.

"Paragraph 10. Agricultural land, the ownership right to which has been restored under this law, which constitutes forests in the sense of the Law on Forests and has the status of forest preserves, can be operated by the owners as forest preserves or, on request of the owners, be replaced with other agricultural land from the land fund of the inhabited locality in question or in neighboring territory, and, with the consent of the owners, in other territory also.

"Paragraph 11. All transactions entered into by labor cooperative farms after 1 January 1990, disposing of immovable or movable property, with the exception of agricultural products and other things intended for the market, are hereby declared null and void.

"Paragraph 12. The existing labor cooperative farms and agricultural cooperatives, formed by virtue of Paragraph 7 of the Transitional and Concluding Provisions of the Law on Cooperatives, are hereby terminated. Terminated hereby are all existing organizations and firms registered by virtue of Ukase No. 922 on Land Use and Performance of Agricultural Activity (published in DURZHAVEN VESTNIK No. 39, 1989; changed in No. 10, 1990; rescinded in No. 63, 1991) and Ukase No. 56 on Economic Activity With Property and With Share Participation of Agricultural Brigades, KZS's [cooperative farms], TKZS's [labor cooperative farms], MTS's [vehicle-tractor stations], APK's [agro-industrial complexes], and agricultural institutes. Also terminated are the cooperatives registered under the Law on Cooperatives when the provision of Article 33, Paragraph 2 of the same law is not observed and the contribution of agricultural land is not provided for according to their charter.

"Paragraph 13. (1) Within one month from the entry into force of this law, the oblast managers shall appoint councils, consisting of a chairman and three to five members, for the liquidation of the organizations as per Paragraph 12.

"(2) With effect from the appointment of the liquidation councils, the activity of the general meetings, of the boards of managers, control councils, chairmen, and other officials of the organizations shall cease as per Paragraph 12.

"(3) The liquidation council shall do the following:

"1. Organize, manage, and administer the activity of the organization until its termination, and the chairman of the liquidation council shall have the powers and duties of the organization's head;

"2. Determine the shares pursuant to Article 27, Paragraph 1 of this law;

"3. Perform other liquidation activities prescribed by the regulations for the application of this law.

"(4) The juridical relations of labor with the chairmen of the organizations under Paragraph 12 and their deputies shall be terminated by the oblast managers with effect from the appointment of the liquidation councils.

"Paragraph 14. (1) The obligations, originating before 1 January 1992, that the organizations terminated as per Paragraph 12 owed to banks with state participation, shall be assumed by the state after collection of claims from third parties only if these obligations cannot be paid in full from the property of the organizations under Paragraph 12 and after the conviction and the entry into force of the judgment against the persons materially responsible for the damages caused to the above-indicated organizations.

"(2) Attachments may not be issued against the immovable and movable property of the terminated labor cooperative farms that is necessary for their activities.

"(3) Cooperatives terminated under Paragraph 12 that were registered under the Law on Cooperatives before the entry into force of this law shall be exempt from registration fees if they register again.

"Paragraph 15. (1) Within two years from the restoration of ownership, the amount of land possessed and acquired through lawful transactions may not exceed 300 decares per family.

"(2) The limitation regarding the amount of land possessed in accordance with the preceding paragraph shall not apply to properties acquired through inheritance."

Paragraph 37. Section 8 of the Transitional and Concluding Provisions becomes Paragraph 16.

Paragraph 38. Section 9 of the Transitional and Concluding Provisions becomes Paragraph 17.

Paragraph 39. Section 10 of the Transitional and Concluding Provisions becomes Paragraph 18.

Transitional and Concluding Provisions

Paragraph 40. At the end of Article 7 of the Law on the Restoration of Ownership of Nationalized Immovable Property, the following sentence is added: "Proceedings in these cases shall be free of charge."

Paragraph 41. The Council of Ministers shall, within a period of one month from the entry into force of this law, rescind the expropriations executed for state needs when the expropriated agricultural land is not used for that purpose or the state need has lapsed.