

DECREE OF THE GOVERNMENT OF THE KYRGHYZ REPUBLIC

of August 2, 1996 #354

ON ISSUES OF THE STATE AGENCY FOR HYDROMETEREOLOGY UNDER THE GOVERNMENT OF THE KYRGHYZ REPUBLIC

In fulfilment of the Decree of the President of the Kyrgyz Republic of March 4, 1996

On structure and composition of the Government of the Kyrgyz Republic and with the object of carrying out functions of the state management in hydrometeorology on the territory of the Kyrgyz Republic, the Government of the Kyrgyz Republic states as follows:

1. To approve the attached Regulations on the State Agency for Hydrometeorology under the Government of the Kyrgyz Republic and Organisation System;
2. To determine the extreme amount of the central apparatus of the State Agency for Hydrometeorology under the Government of the Kyrgyz Republic - 5 (without service personnel) and pay-roll fund to the amount of 33,0 thousand Som per year.
3. To have in the State Agency for Hydrometeorology under the Government of the Kyrgyz Republic one Deputy Director and 5 members of the Collegium including the Director and his Deputy.
4. To charge the Director of the State Agency for Hydrometeorology under the Government of the Kyrgyz Republic to approve the structure of the central apparatus of the Agency.
5. To consider the Decree of the Government of the Kyrgyz Republic of 12 April 1994 #215 On the State Agency for Hydrometeorology under the Government of the Kyrgyz Republic invalid.

Prime-Minister
Djumagulov

A.

Approved
by the Decree of the Government
of the Kyrgyz Republic
of 8 July 1996 #310

Statute
on the State Agency for Land Management and Land Resources
under the Government
of the Kyrgyz Republic

1.General Provisions

1. The State Agency for Land Management and Land Resources under the Government of the Kyrgyz Republic (hereinafter referred to as Goszemagentstvo) is a Republic body of state administration following a unified policy in the field of land resources management and land relations regulation.
2. Goszemagentstvo shall take guidance in its activities in the Constitution of the Kyrgyz Republic, laws of the Kyrgyz Republic, decrees and resolutions of the President of the Kyrgyz Republic, decrees of the Legislative Assembly and Assembly of People's Representatives of Jogorku Kenesh of the Kyrgyz Republic, decrees and resolutions of the Government of the Kyrgyz Republic and this Statute.
3. Goszemagentstvo of the Kyrgyz Republic shall be a legal entity with its round seal with the emblem of the Kyrgyz Republic and its name both in Kyrgyz and Russian, an independent bank account including that for foreign currency.

II Main objectives of Goszemagentstvo of the Kyrgyz Republic

4. The main objectives of Goszemagentstvo:
 - implementation of a single state land policy;
 - participation in implementation of land and agrarian reform jointly with the Ministry of Agriculture and Food;
 - arrangement of land management operations;
 - introduction of land cadastre and land monitoring, conduction of research works in land resources use, land management and introduction of scientific achievements and advance experience into production;
 - arrangement of auctioning of the right to use land plots in the established order;

- state registration of the rights to use land;
- establishment of a single data base on land resources;
- state control over the use of land in the established order;
- determination of the amount of land payment;
- development and improvement of land legislation in the established order;
- selection and arrangement of personnel on all levels of land management services of the Republic;
- financing of all land management operations and land use rights registration operations, development of pricing, submission of relevant instructions and methodological directions.

III. Functions of the Goszemagentstvo of the Kyrghyz Republic

5. Goszemagentstvo in accordance with the tasks assigned shall:

- a) provide complex interbranch management of a single land fund of the Kyrghyz Republic creating equal conditions for all business entities regardless of their ownership and subordination;
- b) organise jointly with the research establishments of the Republic, ministries, administrative agencies in coordination with local state administrations and local self-government bodies of the city of Bishkek development of regional and target programmes and forecasts of land resources use in the Kyrghyz Republic;
- c) publish scientific and methodological directions, instructions, scientific and practical recommendations for efficient use and protection of land resources of the Kyrghyz Republic;
- d) establish Geoinformation System (GIS) of land;
- e) ensure jointly with the Ministry of Agriculture and Food of the Kyrghyz Republic, local state administrations and local self-government bodies of the city of Bishkek the establishment of the Land Reallocation Fund with further arrangement of auctions for sale of land use rights, allocation of land for enlargement of rural populated areas, renting out to individual and peasant farms, agricultural cooperatives and other agricultural farming entities, citizens for private house holding, non-agricultural enterprises and organisations for agricultural production;
- f) be engaged, jointly with local state administrations, in formation and regulation with amplification and change of boundaries of land shares of citizens, individual

and peasant farms, agricultural cooperatives and other agricultural enterprises, establishments as well as assure the reallocation of pastures for remote livestock-breeding;

- g) develop materials for administrative and territorial division (management) of oblasts, rayons and populated areas with their demarcation;
- h) develop feasibility documents of location and demarcation of the territories with particular nature preservation, legal and other regimes jointly with the ministries and agencies of the Kyrgyz Republic concerned;
- i) provide coordination and state control over the use of land in the Republic, observance of land legislation by all land users regardless of their ownership and subordination, including land use of organisations of defence, state security and internal affairs as well as land use for designated purpose, timely and equal restoration (recultivation) of land plots, lands used on temporary basis, lands being developed with their further transfer to land users in fishery, forestry and others;
- j) organize and keep land cadastre and monitoring of land, records and registration of the rights to use land plots;
- k) jointly with the ministries and agencies of the Kyrgyz Republic concerned, corresponding local state administrations determine land tax rates for all land users regardless of their ownership and subordination;
- l) develop suggestions about improvement of normatives regarding the compensation of land users for damages of agricultural production and lost profit in allocation of land.

6. Goszemagentstvo jointly with the local state administrations and local self-government of the city of Bishkek shall:

- a) organise the work of commissions for selection of land plots for all kinds of construction, acceptance for operation of recultivated, newly developed and reclaimed lands, formalize all the required documents for their submission to corresponding authorities for consideration;
- b) assure preparation and issue in the established order of state acts, certificates for land use rights;
- c) within its power participate in consideration of issues of land relations between the Kyrgyz Republic and neighboring countries (republics), prepare proposals for their consideration in the Government of the Kyrgyz Republic on land leasing and develop proposals on rent payment rates;
- d) develop the main directions and organise the implementation of the unified state policy in the rationale land use aimed at land fertility improvement, reclamation and efficiency improvement of natural fodder lands, justified involvement into economic turnover of inefficient and non-used lands.

IV Rights of Goszemagentstva of the Kyrgyz Republic

7. Goszemagentstvo of the Kyrgyz Republic and its bodies enjoy the rights to:
- a) develop and submit to corresponding authorities for consideration in the established order draft normative acts regulating land relations;
 - b) establish, reorganise and liquidate in the established order dependent enterprises, establishments and organisations, approve their charters, regulations, approve either independently or jointly with other founder in the established order funds, associations with object of efficient land resources utilisation;
 - c) call and conduct meetings, seminars and conferences for the employees of Goszemagentstva of the Kyrgyz Republic;
 - d) submit to the Government of the Kyrgyz Republic proposals on hearing of reports of local authorities on their infringements of land legislations and non-rational utilisation of land resources;
 - e) submit in the established order proposals on abolishment of normative acts of the state management bodies and local authorities on issues of utilisation of land resources contradicting the applicable legislation;
 - f) by the results of state control over the use of land submit for consideration to corresponding bodies proposals on further use of lands before utilized inefficiently and not for designated purposes;
 - g) consider materials on administrative infringements in the field of land resources utilisation, impose fees and terminate unauthorised construction and works with deviations from design consequences of which might remove agricultural lands from the rotation, non-rational use of lands, cause erosion and loss of fertility of the land attached to the construction site;
 - h) approve prices for design and survey, examination and other works and services rendered by the dependent organisations relevant to land management and registration of the rights to use land;
 - i) sue land users regardless of their ownership and subordination as well as foreign legal and physical persons and stateless persons for recompensation for damages incurred to land resources at the results of their non-rational use, deposit collected fees (including those on foreign currency) into special accounts of Goszemagentstva of the Kyrgyz Republic;
 - j) receive free of charge from the ministries, administrative agencies, establishments, organisations, small enterprises, joint ventures, cooperatives and other organisations data on use of land resources, current and final results of reclamation

- of land, recultivation of land, reconstruction of irrigation network, development and putting into operation of lands, results of instrumental and aerial photographing, plan and cartography materials, meteorological data, water cadastre data and other materials required to carry out the complex of land management works and works on registration of land use rights;
- k) submit proposals to higher authorities on government awarding of the employees of Goszemagentstva and awarding honorable ranks;
8. Goszemagentstvo shall issue instructions, directions and orders on issues of land use and observance of land legislation binding for all ministries, administrative agencies, enterprises, organisations, establishments and citizens of the Kyrgyz Republic, foreign legal and physical persons, joint ventures and other enterprises.
9. Goszemagentstvo of the Kyrgyz Republic shall provide the international cooperation in use of land resources, land cadastre and land monitoring, land management, land preservation and improvement of land relations.

V. Organisation of Work of Goszemagentstvo of the Kyrgyz Republic

10. Goszemagentstvo of the Kyrgyz Republic (Central Apparatus), oblast, rayon and city directorates of land management and resources, enterprises and organisations transferred into the composition of Goszemagentstvo or newly established entities, shall form a single system of the State Agency for Land Management and Land resources under the Government of the Kyrgyz Republic.
11. Goszemagentstvo of the Kyrgyz Republic shall be headed by Director to be appointed or released by the President of the Kyrgyz Republic in consultation with the Prime-Minister.
12. Deputies Director of Goszemagentstvo of the Kyrgyz Republic shall be appointed and released by the Prime-Minister of the Kyrgyz Republic with presentation made by the Director of Goszemagentstvo.
13. Director of Goszemagentstvo of the Kyrgyz Republic shall bear personal responsibility for fulfillment of tasks and obligations imposed on Goszemagentstvo, allocate responsibilities between the Deputies Director, heads of directorates, departments and other subdivisions of the Central Apparatus, appoint and dismiss officials of Central Apparatus of Goszemagentstvo, heads dependent organisations, subdivisions and their branches, their deputies in coordination with the heads of oblast, city and rayon directorates of land management and land resources within the pay-roll fund established by the Government of the Kyrgyz Republic.
14. Director of Goszemagentstvo of the Kyrgyz Republic shall issue orders, decrees, instructions, make resolutions and directions subject to execution by all structural subdivisions of Goszemagentstvo.

15. In Goszemagentstvo a Collegium shall be set up comprising the Director (Chairman), his deputies and other officials of the central apparatus, dependent enterprises and other organisations directly related to land relations.

The personal composition of the Collegium shall be approved by the Government of the Kyrgyz Republic.

At the meetings the Collegium of Goszemagentstva shall consider the production and economic activity of dependent subdivisions and issues of state control over land use, land cadastre and land monitoring, land registration, land legislations and other issues of land relations regulation.

Decisions of the Collegium shall be formulated by the decrees of the Director. Decision shall be put into force with the casting vote of the Chairman when votes subdivided equally. Members of Collegium not agreeable to this decision can inform the Government of the Kyrgyz Republic about their views.

16. In Goszemagentstvo a Scientific and Technical Council (with its sections) shall be set up to consider scientific and technical and technological issues. The Central composition of the Council and its Regulations shall be approved by Director of Goszemagentstvo.

17. Goszemagentstvo of the Kyrgyz Republic and its dependent bodies excluding self-supporting enterprises and organisations shall be financed from the Republic budget and other resources provided in for the legislation.

Approved
by the Decree of the Government
of the Kyrgyz Republic
of July 3, 1996 # 310 Organisation Chart

of the State Agency for Land Management and Land Resources
under the Government of the Kyrgyz Republic



