

LAW OF THE
REPUBLIC OF UZBEKISTAN

December 26, 1997. N 543-I

On protection and usage of vegetation

Put in force by the resolution No. 544 of Oliy Majlis of the Republic of Uzbekistan of
26.12.97.

Amendments were made in the present Law in accordance to

Paragraph XXV of the Law of the Republic of Uzbekistan of 26.05.2000.

Article 1. Legislation on protection and usage of vegetation

The legislation on protection and usage of vegetation consists of the present Law and other acts of the legislation.

The present Law regulates the relations in the field of protection and usage of vegetation, growing in natural conditions, as well as wild plants, contained in cultural conditions for their reproduction and preservation of the genetic pool.

The relations in the field of protection and usage of forests are also regulated by forestry legislation. Relations in the field of protection and usage of vegetation in the Republic of Karakalpakstan are regulated also by the legislation of the Republic of Karakalpakstan.

If an international treaty of the Republic of Uzbekistan establishes other rules, than those contained in the legislation on protection and usage of vegetation, the rules of the international treaty shall be applied.

Article 2. Primary goals of the legislation on protection and usage of vegetation

Primary goals of the legislation about protection and usage of vegetation are as follows:

Preservation in vivo of species composition of flora and its genetic pool;

Preservation of integrity of natural vegetative communities and environment of wild plants;

Ensuring rational usage and reproduction of vegetation;

Legal regulation of activities of legal and physical entities in the field of protection and usage of vegetation.

Article 3. Ownership of vegetation

The vegetation is in state ownership, being the national wealth, and is subject to rational usage and protected by the state.

Article 4. Administration of government in the field of protection and usage of vegetation
Administration of government in the field of protection and usage of vegetation is implemented by the Cabinet of ministers of the Republic of Uzbekistan, local bodies of state power, as well as by specially authorized state bodies.

The specially authorized state controls in the field of protection and usage of vegetation include the State Committee of the Republic of Uzbekistan for nature protection and Department of forestry under the Ministry of agricultural and water management of the Republic of Uzbekistan. (In the version of paragraph. XXV, Law of the Republic of Uzbekistan of 26.05.2000)

Article 5. Vegetation objects

Vegetation objects are:

Wild-growing organisms - arboreal, shrub and herbaceous spermatophytes, Filicinae, Bryophyta, Algae, Lichen and Fungi in their specific diversity;

Natural vegetative communities, formed by wild organisms, or any combination of them;

Rare and endangered species of plants;

Fruit, seeds and other parts or products of wild plants.

Article 6. Use of vegetation objects

The use of vegetation objects can be general and special.

The general use of the vegetation objects is implemented by physical persons, free of charge, for the satisfaction of vitally indispensable needs in the volumes and order established by the legislation.

Special use of the vegetation objects is based on a permission for a payment by legal and physical persons for implementation of industrial and other activities. The permission to use the vegetation objects defines the object, type, volume and term of use in the borders of a certain territory, and is issued by the Cabinet of ministers of the Republic of Uzbekistan or by authorized state bodies. The order and conditions for the special use of vegetation objects are determined by the legislation.

Article 7. Types of use of the vegetation objects

Types of use of vegetation objects are as follows:

procurement of wild-growing fodder production for needs of animal breeding;

Grazing of cattle;

Use of vegetation objects for needs of hunting;

Procurement of wild-growing vegetative technical raw materials;
Procurement (harvesting) of wild-growing vegetative medicinal raw material;
Procurement (harvesting) of wild-growing wild plants for nutritional purposes;
Cutting arboreal and shrub plantations;
Use of vegetation objects for scientific purposes;
Use of vegetation objects for cultural, educational, recreational and aesthetic purposes;
Use of vegetation objects for nature protection purposes.

The legislation can stipulate also other types of use of vegetation objects.

Article 8. Terms of use of vegetation objects

Vegetation objects can be allocated to permanent or temporary (long-term and short-term) use.

Article 9. Standards of use of vegetation objects

The standards of use of vegetation objects are as follows:

Quotas on procurement of wild-growing species of medicinal and food plants and vegetative technical raw materials, approved by the State committee of the Republic of Uzbekistan for nature protection in coordination with the Academy of sciences of the Republic of Uzbekistan;

The norms and terms for haymaking and grazing of cattle on natural hay meadows and pasturing lands, approved by bodies of local state authorities upon presentation of appropriate state bodies of agricultural and water management, as well as forestry;

Other standards established by the legislation.

Article 10. Rights and responsibilities of the users of vegetation objects

The users of vegetation objects have the right:

to use vegetation objects pursuant to the conditions of their allocation;
to dispose of products derived from vegetation objects, obtained according to the appropriate procedure;
to restore infringed rights to use of vegetation objects and compensation for damages caused to them.

The users of vegetation objects are obliged:

To keep to the established instructions for use of vegetation objects;

To rationally use the allocated objects of vegetation;

To execute measures for the protection and reproduction of vegetation objects;

To observe fire safety regulations, and to execute fire-prevention measures in places of use of vegetation objects, and in cases of fires to ensure measures for extinguishing;

To timely install payment for the use of vegetation objects.

The users of vegetation objects may have other rights and responsibilities established by the legislation.

Article 11. Limitation, suspension and prohibition of use of vegetation objects

With the purposes of preservation and reproduction of vegetation objects and their natural environment, the use of vegetation objects can be limited, suspended or prohibited in the order established by the legislation.

The use of vegetation objects is not allowed in reserves, reservation zones and monuments of nature. It is prohibited to procure (harvest) rare and endangered species of plants included in the Red book of the Republic of Uzbekistan.

Use of plant species, included in the Red Book of the Republic of Uzbekistan, trade in them (their parts or products), exports of them abroad is allowed in exceptional cases based on permissions issued by the Cabinet of ministers of the Republic of Uzbekistan upon presentation of the State committee of the Republic of Uzbekistan for nature protection and conclusions of the Academy of Sciences Republic of Uzbekistan.

Article 12. Procurement of wild fodder products for needs of animal breeding industries and grazing of cattle

Procurement of wild fodder products for the needs of animal breeding industries and grazing of cattle by legal and physical persons is implemented on specially allocated areas of natural pastures:

On the territory of forest resources based on forestry tickets;

On the territory of landholdings of agricultural enterprises, institutions and organizations -based on their permissions;

On lands of a reserve - based on decisions of local bodies of state authorities.

Article 13. Use of vegetation objects for the needs of hunting

Use of vegetation objects for the needs of hunting by legal and physical persons is implemented on allocated hunting areas without withdrawal of vegetation objects in the order established by the legislation.

Article 14. Procurement (harvesting) of wild-growing vegetative medicinal and technical raw materials, wild nutritional plants

Procurement (harvesting) of wild vegetative medicinal and technical raw materials, wild nutritional plants by legal and physical persons in natural vegetative communities is allowed in the order established by the legislation.

Article 15. Cutting of arboreal and shrub plantations

Cutting arboreal and shrub plantations on lands of the forestry fund is implemented under the permissions issued in the order established by the legislation.

Cutting of arboreal and shrub plantations not included in the forestry fund, are allowed only as sanitary cutting and cutting for the construction of buildings, facilities and communications, upon decisions of local bodies of state power, coordinated with the State committee of the Republic of Uzbekistan for nature protection.

Article 16. Use of vegetation objects for scientific purposes

Use of vegetation objects in scientific purposes is allowed without a withdrawal or with withdrawal of wild plants, their parts and products from the growing environment in the order established by the legislation.

Realization of research activities in natural vegetative communities by appropriate legal persons can be organized in the established special areas where the use of vegetation objects by other legal and physical persons is prohibited, unless it is compatible with the purposes of research activities.

Article 17. Use of vegetation objects for cultural, educational, recreational and aesthetic purposes

Use of vegetation objects for cultural, educational, recreational and aesthetic purposes is implemented in the order established by the legislation.

Recreational and curative usage of the objects of vegetation is foreseen for plants with medicinal properties or creating favourable conditions for recreation of people.

Article 18. Use of vegetation objects for nature protection purposes

Use of vegetation objects for nature protection purposes is implemented in the order defined by the legislation.

Article 19. The termination of the right to use of vegetation objects

The right to use of vegetation objects is abolished in the following cases:

Renunciation of the right to use the object of vegetation;

Expiry of the established term of use;

Liquidation of the legal person, who was given the right to use the object of vegetation;

Violation of the rules, standards and other requirements on protection, usage and reproduction of vegetation objects;

Failure to timely install payment for the use of vegetation objects;

Emergence of the danger of irreversible changes in the natural vegetative communities due to the effects of the use;

Withdrawal of land plots for state or public needs.

The order of the termination of the right to use of vegetation objects is established by the legislation.

Article 20. Regulation of prevalence and number of certain species of wild plants

Regulation of the prevalence and number of certain species of wild plants (poisonous, drug-containing, quarantine, weed and other plants contributing to natural overgrowing of arable lands, haymaking and pastures) is implemented by means avoiding harm to other plants and other objects of nature and ensuring safety of natural vegetative communities and their environment.

Species of wild plants, prevalence and numbers of which are subject to regulation, as well as the order of such regulation are determined by the specially authorized state bodies on the basis of conclusions made by the Academy of Sciences of the Republic of Uzbekistan.

Article 21. Movement and hybridization of wild plants

Movement of new species of plants into the wild flora, as well as hybridization of wild plants are allowed according to the appropriate procedure for research and economic purposes upon a decision of the specially authorized state bodies based on the conclusions of the Academy of Sciences of the Republic of Uzbekistan and bodies of the state service for the quarantine of plants.

Article 22. Botanic collections

Botanic collections representing scientific, cultural, educational or aesthetic value are subject to state registration.

Withdrawal of wild plants for the creation and replenishment of botanic collections by legal and physical persons is allowed with observance of the requirements of the legislation.

Legal and physical persons, being the owners of botanic collections, are obliged to observe rules for the registration, replenishment, storage, acquisition and sale, transfer, as well as importation and exportation through the borders of the Republic of Uzbekistan, approved by the State committee of the Republic of Uzbekistan for nature protection.

Article 23. Protection and reproduction of objects of vegetation

Protection and reproduction of vegetation objects are provided:

by establishment of rules and standards for the protection, usage and reproduction of vegetation objects;

by establishment of the special mode of protection of rare and endangered species of plants, included in the Red Book of the Republic of Uzbekistan;

by setting limits and prohibitions for the use of vegetation objects;

by observance of the requirements on protection of natural environment of vegetation objects;

by creation of protected natural territories;

by organization of scientific research in the field of protection, usage and reproduction of vegetation objects and their natural environment;

by realization of state ecological expertise;

by implementation of the state control over the protection and usage of vegetation objects;

by realization of other measures established by the legislation.

Article 24. Protection of natural growing environment of vegetation objects

Activities affecting natural environment of vegetation objects, should be implemented with the observance of the requirements ensuring preservation of vegetation.

Location and operation of industrial objects, introduction of new technologies, realization of explorations, mining of valuable minerals, defining of areas for grazing of cattle and movement of agricultural animals, which are able to negatively influence the natural growing environment of vegetation objects, should be coordinated with the State committee of the Republic of Uzbekistan for nature protection and the Central Department of forestry under the Ministry of agricultural and water management of the Republic of Uzbekistan. (In the version of paragraph XXV, Law of the Republic of Uzbekistan of 26.05.2000)

Commissioning of industrial objects and application of technologies which are not

provided with measures of protection of natural environment of vegetation objects, is prohibited.

In applying means of protection of plants, stimulants for their growth, mineral fertilizers and other substances, the requirements for protection of vegetation objects and natural environment shall be taken into account. With the purposes of preventing loss of wild plants and deterioration of their natural environment, legal and the physical persons are obliged to observe rules of transportation, storage and application of the mentioned substances.

Unauthorized burning of vegetation in natural vegetative communities is prohibited.

Article 25. Monitoring of vegetation objects

Monitoring, collecting, summarizing and analysis of the information on the condition of vegetation objects are carried out by the unified system of State monitoring of natural environment in the order established by the legislation.

Article 26. State registration and state cadastre of vegetation objects

To ensure protection of vegetation and organization of its rational usage, the state registration of vegetation objects and their usage is carried out, and a state cadastre of vegetation objects is maintained.

The state cadastre of vegetation objects contains the entirety of information about geographical prevalence of vegetation objects, their numbers, economic usage, characteristics of natural environment.

State registration and state cadastre of vegetation objects are organized by the unified system in the order established by the Cabinet of ministers of the Republic of Uzbekistan.

Article 27. Control over safety and usage of vegetation objects

State control over the protection and usage of vegetation objects is implemented by local bodies of state power as well as State Committee of the Republic of Uzbekistan for nature protection in the order established by the legislation.

Departmental, industrial and public control over the protection and usage of vegetation objects is implemented in conformity with the legislation.

Article 28. Responsibility for the violation of the legislation on the protection and usage of vegetation

Persons, found guilty in the violation of legislation on the protection and usage of vegetation, are subject to responsibility in the order established by legislation.

Legal and the physical persons are obliged to compensate for damages caused by

violation of the legislation on the protection and usage of vegetation, in the order and on conditions, established by the legislation. The reimbursement of damages does not free the person from the responsibility according to the legislation.

President of the

Republic of Uzbekistan

I. Karimov

