

LAND CODE OF THE REPUBLIC OF UZBEKISTAN

PART I. GENERAL PROVISIONS

Article 1. Main objectives of land legislation

Land is national wealth to be used rationally used and protected by the state as the basis of life activity and welfare of the Republic of Uzbekistan.

The main objectives of land legislation are regulating of land relations with the purpose of ensuring scientifically substantiated, rational land use and protection of parcels, reproduction and increase of fertility, preserving and improving natural environment, creating conditions for equal development of all forms of economy, protection of juridical and real persons right to land parcels, strengthening lawfulness in the sphere of regulating land relations in the interest of the present and future generations.

Article 2. Main principles of land legislation.

Land legislation is based on the following main principles:

preserving the lands of the country, improving the quality and increasing fertility as the most important natural resource, the basis of the citizens activity;

ensuring rational, effective and special purpose use of lands;

ensuring specialized protection, broadening and strictly purposeful use of agricultural, lands first of all irrigated lands;

rendering state and other type of support in realizing activities aimed at increasing fertility of agricultural lands, improving land - reclamation and land protection;

preventing from causing damage to the land and the whole of environment, ensuring ecological security;

diversity of forms of possession and use of lands, guaranteeing equality of land relations participants, protection of their legitimate rights and interests;

paying for land use;

ensuring complete and available information about the condition of lands.

Article 3. Land legislation acts.

Land legislation involves the present law, laws and other legislation acts of the Republic of Uzbekistan regulating land relations.

Land relations in the Republic of Karakalpakstan are also regulated by the legislation of the Republic of Karakalpakstan.

Mountain, forest and water relations, use and protection of soil relations, those of flora and fauna, and also atmospheric air are regulated with the help of special legislation.

If according to the international agreement of the Republic of Uzbekistan there have been establishment other rules than those contained in the land legislation of the Republic of Uzbekistan then the rules of international agreement are applied.

Article 4. Competence of the Cabinet of Ministers of the Republic of Uzbekistan in the sphere of regulating land relations

The following actions are the authority of the Cabinet of Ministers of the Republic of Uzbekistan in the sphere of regulating land relations:

implementing general state policy on rational use of lands and their protection;

adopting normative acts on regulating land relations in accordance with this Law, other legislative acts;

working out and implementing jointly with local state authorities of state programs on increasing fertility, rational use and protection of lands in complex with other nature protecting activities;

organizing the procedure of natural-agricultural division of lands into districts, land use organization, lands monitoring and maintaining state land cadaster;

disposing of state property lands;

co-ordinating the activity of Ministries and departments when using and protecting land resources;

ceasing the right to possess and use the land and also land parcel lease and the right to own land parcels in the established order according to article 36 of this Law;

organizing state control over rational use and protection of lands ;

solving other problems being the competence of the Cabinet of Ministers of the Republic of Uzbekistan in the sphere of regulating of land relations.

Article 5. Competence of the state power bodies in viloyats (provinces), the city of Tashkent in the sphere of regulating land relations .

The following actions are the authority of the bodies of state power in viloyats (provinces), the city of Tashkent in the sphere of regulating land relations;

working out and implementing of territorial programs of soil fertility increase, rational use and protection of lands;

holding the state control over special purpose, rational and efficient use of land resources, lands protection ;

arranging land use organization, land monitoring and maintaining state land cadaster;

granting juridical persons lands to possess, use and lease for agricultural and other state and public needs ;

withdrawal of lands taken up by particularly protected territories, lands of suburban and green areas of cities, experimental fields of scientific - research organizations and educational institutions, those covered by forest plants from all the lands with the exception of particularly productive irrigated lands irrespective of the size;

realization into property of diplomatic representations and equated with them international organizations accredited in the Republic of Uzbekistan, land parcels for constructing buildings of these representations including the residence of the representation head;

ceasing the rights to possess and use lands and also land parcel lease and the right to land parcels in the fixed order according to article 36 of this Code;

solving other problems being the competence of state power bodies in provinces, the city of Tashkent in the sphere of regulating land relations.

Article 6. Competence of the state power bodies of districts (tumans) in the sphere of land relations

The following actions are the authority of the state power bodies in districts (tumans):

working out and implementing steps on increasing fertility, rational and efficient use of land resources, protection of land;

maintaining state control over rational use and protection of lands;

granting lands to possess, use and lease to citizens, juridical persons, and also withdrawal of lands with the exception of irrigated lands, hay fields and pastures on which the work on their radical improvement has been completed; lands of forest resources fund with the exception of lands, covered with forest plants; lands of industry, transport, communication, defence and other purpose ; lands of water resources - in the amount up to 10 hectares per 1 land owner and land user;

granting lands to citizens for farming;

granting lands to possess, use and lease to citizens, juridical persons out of reserve lands - irrespective of the land parcel size;
realizing of land parcels together with the trade and service objects to the property of juridical and physical persons;
selling to the citizens on the auction basis the right to life long inheritable possession of land parcels;
arranging land use organization, holding state land cadastre and monitoring;
state registration of the right to land parcels, land lease servitudes agreements;
ceasing the right to possess and use the land and also land parcel use and the right to own land parcels in the fixed order according to article 36 of this Code;
solving the problems of land possession and use by agricultural and forest growing enterprises in case they are set up, restructured and liquidated;
solving other problems referring to the competence of state power bodies of districts in the sphere of regulating land relations.

Article 7. Competence of state power bodies in towns in the sphere of regulating land relations.

The following actions are the authority of the state power bodies in towns in the sphere of land relations:

working out and realizing measures on rational and efficient use and protection of lands;
holding state control over rational use and protection of lands ;
granting lands to possess, use and lease and also withdrawal of lands within the city boundaries with the exception of lands of agricultural and forestry enterprises and organizations irrespective of the land parcels size;
realization into property of land parcels together with objects of trade and service to real and juridical persons;
selling on the auction basis of the right to life long inheritable possession of the land parcels to the citizens;
organizing land use, holding land cadastre and land monitoring;
state registration of rights to land parcels and also agreements on land lease;
ceasing the right to possess and use the land after confirmation in the fixed order of the causes for ceasing the right to possess and use defined in article 36 of this law;
solving other problems referring to the competence of the state power bodies of towns in the sphere of regulating land relations.

PART 2. LAND RESOURCES.

Article 8. Categories of lands.

Land resources fund in the Republic of Uzbekistan is subdivided into the following categories according to the main purpose of lands :

- 1) lands for agricultural purpose - lands granted for agricultural needs or meant for these purposes are subdivided into irrigated and non - irrigated lands ; arable lands; lands taken up by hayfields, pastures, many years old orchards and vineyards;
- 2) lands of populated areas (towns, settlements towns and rural populated areas) - lands located within town and village boundaries and also within the limits of rural populated areas (settlements);
- 3) lands of industry, transport, communication, defence and other purpose, lands , granted to juridical persons to be used with the mentioned purposes;
- 4) lands of nature, health protection, recreation purpose - lands taken up by particularly protected natural territories possessing natural medical factors and also lands used for mass rest and tourism;

- 5) lands of historical - cultural purpose - lands taken up by historic - cultural monuments;
- 6) forest lands resources lands covered with forest and also non - covered with forest but granted for needs of the forestry economy;
- 7) water lands resources - lands taken up by water objects, water economy structures and derivational canals along water objects;
- 8) reserve lands.

Article 9. Attributing of lands to categories and their transfer from one category to another.

Attributing of lands to categories and their transfer from one category to another is made according to the main special purpose of lands.

Special purpose of lands includes order and conditions of special purpose land use reflected in land cadastre information.

Removal of lands from one category into another is made in case of the main special purpose lands change.

Attributing lands to the category of land resources fund and transferring them from one category into another is carried out by the bodies having the right to grant the land to possess and use.

The category of land resources is pointed out in resolutions on granting land parcels adopted by the bodies having the right to grant lands to possess and use, in certificates, agreements, other documents testifying the right to land, documents of state land cadaster, documents of state registration of rights to land parcels.

Infringement of the fixed order of transfer of lands from one category into another serves the grounds for recognizing the fact of transfer and land parcels transactions made on their basis as illegal, and also the grounds for refusing to carry out state registration of rights to land parcels.

Article 10. Land parcel.

Land parcel is part of land resources which has a fixed boundary, area, location, legal regime and other characteristics reflected in the state land cadastre and documents of state registration of right to the land parcel.

The boundary of the land parcel is fixed in the plans and is introduced into life. The area of the land parcel is defined after the boundary is shown in life.

The land parcel can be divisible and non - divisible.

The land parcel which can be divided into parts each of which after the division can form an independent land parcel liable to state registration without the change of its purpose and without any breaches of anti-fire, sanitary, ecological , city construction and other obligatory norms and rules is (looked upon as) divisible.

The land parcel, which because of its special purpose cannot be divided into independent land parcels, is considered indivisible.

PART 3. LAND RESOURCE MANAGEMENT.

Article 11. Nature - agricultural division into districts.

Natural - agricultural division into districts is the division of territories with the view for natural conditions and agricultural-biological requirements to agricultural plants.

Use and protection of agricultural lands are carried out according to nature - agricultural division of lands into districts.

Requirements of normative acts on nature - agricultural division of lands into districts refer to legal burdening of land parcels and are included into the terms of their being granted to citizens and juridical persons.

Article 12. Purposes and contents of land management.

Land management includes the system of steps (or measures) aimed at realizing land legislation organizing land use and protection, registration and evaluation of land resources, creating favorable ecological environment and improving nature landscapes, making up territorial and internal economic plans of land use.

Land management is carried out following the decision of the Cabinet of Ministers of the Republic of Uzbekistan, local (state power) authorities or following the request of juridical and real persons.

Land management is divided into prediction and pre-design, inter-economy and internal economy ones.

The following activities refer to prediction and pre-design land management:

- 1) working out the scheme of use protection of land-water resources of the republic and her regions;
- 2) working out the scheme of land use in districts and provinces;
- 3) working out forecasts, republican and regional programs of soil fertility increase, rational use and protection of lands ;
- 4) substantiating of location and determining the boundaries of the territory with particular nature protection, recreation and protected regimes.

The following activities are included into inter-enterprise land management:

- 1) establishing in life the boundaries of mountain villages, settlements populated areas (villages), districts, towns, provinces;
- 2) making up projects of formation of new and putting into order the existing land parcels of private owners, land owners and land users with elimination of inconveniences in the lands location;
- 3) making up projects of allotting lands to newly organized, reorganized agricultural enterprises, offices and organizations;
- 4) making up projects of allotting lands to enterprises, offices and organizations for state and public needs;
- 5) allotting land parcels in life, preparation of documents, certifying the right to possess land parcels, the right to possess and use the land ;
- 6) developing working projects of re-cultivation of broken lands, protecting of soil from water and wind erosion, mud-torrents, land-slides, flooding, swamping withering, compression, contamination with production wastes , radioactive and chemical substances, improving agricultural lands , developing new lands , preserving and increasing soil fertility;

- 7) making inventory of all lands and regular discovery of non - used or used with the wrong purpose lands ;
- 8) developing land use documents on resources evaluation, land use and protection;
- 9) realizing measures on land evaluation.

Inter – enterprises land management organization is carried out within the limits of administrative boundaries of districts or a group of interconnected agricultural enterprises in the order fixed by the legislation.

In cases when the projects of inter - enterprises land use touch the territory of other districts or towns and villages then the problems of changing their boundaries are solved in the order of establishing in life the boundary of administrative - territorial formations.

Projects of inter - enterprises land management after approval are transferred into life with pointing the boundary of land parcels of land owners, users lessees and private owners with the help of beacons of the fixed model.

Internal enterprise land management includes internal organization of the territory of agricultural enterprises, offices and establishments with the introduction of scientifically substantiated crop rotation, arrangement of all agricultural lands (hayfields, pastures, orchards, vineyards and others), developing measures on fighting against soil erosion and also complex restructuring of irrigated lands.

Realization of projects of internal economy land management is subjected to authorized control which is part of land use organization.

Other projects connected with land use and protection can be developed in the order of land management.

It is envisaged to carry out topography - geodetic, cartographic, soil, agrochemical, geobotanical, historic-cultural and other investigation and research within the land management work .

Article 13. Consideration and approval of land management project.

Materials on establishing in life the boundaries of administrative - territorial formations are considered and approved in the order fixed by the legislation and materials on the remaining prediction and pre-design land use approved according to the department (of branch) normative legal documentation.

Projects of inter - enterprise and internal land management are considered and adopted by the owners of agricultural and forestry enterprises property, establishments and organizations or bodies authorized by them and are also coordinated with organizations concerned.

Projects of inter - enterprise land management are approved by the viloyat (province) khokim. Projects of allotting lands to juridical and real persons are approved by the Cabinet of Ministers of the Republic of Uzbekistan, viloyat, tumans (districts) and towns khokims, by self-governing management bodies of the populated areas in the rural regions (auls, kishlaks, settlements villages) within the limits of their competence.

Projects of internal economy land management of agricultural and forestry enterprises, institutions and organizations are approved by the khokim district.

Changes into the projects of land management are introduced with the permission of bodies (officials), who approved these projects.

Land management is carried out by the bodies of land use service from the state budget. Developing land management projects on arranging agricultural lands, improving and protecting lands carrying out anti-erosion and land-reclamation activities can be done at the request of juridical and real persons on their account.

Article 14. Monitoring of lands.

Monitoring of lands is a system of keeping annual eye on the condition of land resources fund for timely discovery of changes, their evaluation, prevention and elimination of aftereffects of the negative process.

Information supply for holding state land cadaster, land use, land use, land management, state control over special purpose and rational use of land resource fund, land protection is carried out on the basis of land monitoring.

Procedure of holding monitoring is determined by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 15. State land cadastre

State land cadastre is a system of necessary and authentic information and documents on natural, economic and legal regime of lands, on their categories, quality characteristics and value, on location and size of land parcels, their distribution among the private owners of land parcels, landowners and land users.

State land cadastre is meant to supply the Cabinet of Ministers of the Republic of Uzbekistan, local state power bodies, self - governing bodies of villages, kishlaks and auls, juridical and real persons concerned with information about the land with the aim of regulating (or improving) land relations, organization of rational land use and protection, land arranging, substantiating the amount of payment for the land , evaluation of economic activity.

State land cadastre is the basis for defining cost evaluation of land.

Information of the state land cadastre is liable to the obligatory application when using and protecting land when granting and withdrawing land parcels when defining the amount of payment for the land, when carrying out land management, evaluating economic activity and realizing other activities on the use and protection of land.

The order of maintaining state land cadastre is fixed by the Cabinet of Ministers of the Republic of Uzbekistan.

State land cadastre is carried out by the bodies of land management service following the universal for the whole of the republic system at the expense of the state budget.

Maintaining state land cadastre is ensured through topographic - geodesic, cartographic, soil, agrochemical, geobotanic and other investigations and research, registration and evaluation of lands, registration of land parcels of private owners, landowners and land users.

PART 4. LAND OWNERSHIP. RIGHTS OF JURIDICAL AND REAL PERSONS TO LAND PARCELS

Article 16. Land ownership in the Republic of Uzbekistan

Land is the property of state and the basis for national wealth, it ought to be used rationally, protected by the state and it is not liable to sale, exchange, give as a present, mortgage with the exception of cases established by the legislative acts of the Republic of Uzbekistan .

Article 17. Rights of juridical and real persons to land parcels

Juridical persons can possess land parcels according to the right to permanent possession, permanent use, temporary use, lease and property according to this Law and other legislative acts.

Real persons can have land parcels according to the right to life-long inheritable possession, permanent use, temporary (urgent) use, lease and property according to this Law and other legislative acts.

Article 18. Appearance of juridical and real persons' rights to own land parcels

The right of juridical and real persons to land parcels appears in the order established by legislation when privatizing objects of trade and service together with the land parcels on which they are located.

The right of diplomatic representations and equaled to them accredited representations in the Republic of Uzbekistan to possess land parcels appears when selling to them buildings or part of buildings used as premises of representations including the residence of the head of representation together with the land parcels on which they are located and also land parcels for constructing buildings of the mentioned representations.

The right to own of foreign juridical and real persons, employees of diplomatic corps, mass media representative accredited in the Republic of Uzbekistan, employees of firms, companies and international organizations, people working on the permanent basis at the enterprises with foreign investments and also persons permanently living in the republic and having residence permit appears when selling to them apartment houses together with land parcels they are situated on in the order established by legislation.

Article 19. The right to life-long inheritable possession of land parcels.

The right of life-long inheritable possession of the land parcel is the right of life-long possession and land parcel use transferred as descent.

The right to get a land parcel for life-long inheritable possession is given to the citizens of the Republic of Uzbekistan for :

running dehkan or peasants farms;
individual housing construction and house maintenance ;
collective gardening and vineyard;

The right of citizens to life- long inherited possession of land is certified by the state act on the right to life- long inherited possession.

The form of the state act to the right of life-long inheritable possession, the order of its registration and issue is defined by the legislation.

Article 20. The right to permanent and urgent (temporary) possession and use of land parcels.

Land parcels can be granted to juridical and real persons for permanent and temporary possession and use.

For *permanent use* the land is granted to enterprises, institutions and organizations for running agricultural and forestry farming and in cases envisaged by legislation also for other purpose.

For *permanent or temporary* (urgent) use the land is granted to:

citizens of the Republic of Uzbekistan;
industrial, transport and other non - agricultural enterprises, institutions and organizations;
enterprises with foreign investments, international associations and organizations;
foreign juridical and real persons.

In cases envisaged by legislation land parcels are also granted to other organizations and persons for use.

The right to *permanent possession* of a land parcel is certified by the State act on the right of permanent possession and use of parcel.

Temporary use of land parcel can be short term - up to 3 years and long term from 3 to 10 years. In cases of production necessity these terms can be prolonged for the period correspondingly not exceeding the terms of short - term or long - term temporary use. Extending the terms of temporary use of land parcels is carried out by the bodies which granted those land parcels.

Land parcels for cattle breeding can be granted to agricultural enterprises, institutions and organizations for the terms up to 25 years.

Article 21. Land parcels of joint possession or use.

When it is impossible to divide the land parcel on the basis of part 5 of article 10 of this Code it is recognized as the land parcel of joint possession and use by several juridical and real persons which is reflected in the State acts on the right to permanent possession and use of land parcel.

Article 22. Transfer of the right to possess and right to permanent use of the land parcel.

When the right to ownership, the right to run or the right to the operational management of the enterprise, building, structure or other real estate together with those objects is transferred and the right to possess and permanent use of the land parcel taken up by the mentioned objects and necessary for their usage (or utilization) is also transferred.

When a real persons gets the right to possess (when buying, giving as a present or getting as a descent and others) the house he also obtains the right to possess the garden house together with the right to possess these structures and the right to possess and use the whole land parcel on which these structures are located.

Transfer of the right to possess and permanent use of the land parcel taken up by the building, structure or other real estate is arranged through introducing the information about the new land owner or land user into the land cadastre book of the district, town on the basis of the corresponding agreements, decisions of private owners or bodies and persons authorized by them and granting to them the State act on the right to possess, permanent use or life long inheritable possession of the land parcel.

When the right to ownership, the right to run, the right to operational management of the part of the building, structure or other type of real estate is transferred to a new private own-

er, or the owner of other substance rights he also obtains the right to possess and permanent use of the part of the land parcel in the amount proportional to the share of the building, structure or other real estate, and in cases when such division of the land parcel is impossible and also in case of a dispute on the problems envisaged in part three of this article its division is carried out by the bodies of land management service which is approved by the district, town followed by state registration of the right to possess and permanent use of the land parcel and granting corresponding State acts.

Article 23. Granting land parcels to possession and use.

Granting of land parcel to possession and use is realized in the form of allotment.

Allotment of land parcels is made by the Cabinet of Ministers of the Republic of Uzbekistan, khokims of viloyats, city of Tashkent, tumans, towns in the order established by legislation.

Allotment of the land parcel which is in possession or in use is made only after withdrawal of the plot in the established order.

For construction of industrial enterprises, rail and auto road, communication and electricity lines, main pipe lines and also of other non - agricultural needs the land of non - agricultural purpose or the land which cannot be used for agriculture or agricultural land parcels of the worse quality are granted. Granting of land parcels from the forest resources land fund, for the mentioned purposes is mostly made at the expense of the non - covered with forest areas or areas taken up by bushes and low value plants.

It is forbidden to start possessing and using the granted land parcel before the boundary of the parcel has been established by the bodies of land management service in life and the proper document is handed in.

The order of granting land parcels to possession and use is fixed by legislation.

Article 24. Land parcel lease.

Land parcel lease is temporary, paid for possession and use of the land parcel according to the terms of lease agreement.

The land parcel on the agreement basis is leased to:

citizens and juridical persons of the Republic of Uzbekistan-by the khokims of tumans and towns;

enterprises with participation of foreign investments, international associations and organization, foreign juridical and real persons-by the Cabinet of Ministers of the Republic of Uzbekistan.

Agricultural enterprises, establishments and organizations can assign land parcels to the lessees in the order of internal enterprise lease only for agricultural production.

It is forbidden to grant the leased land parcel or part of it for sublease.

Leased land parcels cannot be objects of sell - buy, mortgage, present, exchange. The right to lease the land parcel can be passed as a mortgage for getting credits. The lessee has the right to pass his lease rights to the land parcel as a mortgage without the consent of the lease giver only in cases envisaged by Law or the lease agreement.

Conditions and terms of the land parcels lease are defined at the consent of the sides and are testified by the agreement. The lands meant for agricultural purposes can be granted on lease for the term of up to 50 years but not less than for 10 years.

The lessee has the advantageous right to renew the agreement on land parcels lease after its expiry provided other conditions are equal.

The order of payment of the land rent and its amount is to be fixed in the lease agreement according to legislation.

Pre-term cessation of the land lease agreement is carried out at the consent of the parties and when such consent hasn't been reached-on the decision of the court.

The order of granting land parcels on lease is established by the Cabinet of Ministers of the Republic of Uzbekistan .

Article 25. Land parcels use for prospecting work.

Enterprises, institutions and organizations carrying out geology-photo, search, geodetic and other prospecting work can do this work on all categories of land on the basis of the adopted in the established order decisions and agreements, without the withdrawal of land parcels from land owners, land users and lessees.

Permission to carry out prospecting work on the irrigated land, in orchards, vineyards, mulberry groves, berry fields, hay - fields and pastures on which the work of their radical improvement has been carried out, on lands covered with forests of the first group and on the lands of nature protecting, health protecting, recreational and historic - cultural purpose is granted by khokim of the province, on the rest of the lands- by the khokims of tumans and towns for the term of no longer than 1 year.

Enterprises, institutions and organizations carrying out prospecting work must bring the work into the condition suitable for using them on special purpose and grant them to land-owners. Land users and lessees take steps to ensure safety of lands, crops, plants, forests, waters and other natural objects, pipe lines, sewerage, land - reclamation system and other structures and also to refund losses (including the lost profit) of land-owners, land users and lessees which were caused during the temporary use of lands.

Article 26. Use of land parcels for construction.

Juridical and real persons who got land parcels (with the exception of arable lands) for permanent possession and use, life long inheritable possession, long term temporary use, on lease have the right to carry out in the established order the construction, pulling down and reconstruction of the purchased buildings, structures, constructions in accordance with the city construction, housing legislation, legislation on nature and cultural-historical monuments protection and other legislation on condition that obligations of burdening land parcels are carried out.

Article 27. Granting and selling to real persons of land parcels for individual housing construction and maintenance of the apartment house.

Real persons having permanent residence in towns and settlements and also in rural settlements which are not included in to the land property of agricultural and forestry enterprises, institutions and organizations, for individual housing construction and apartment house maintenance are granted for life long inheritable possession of land parcels of the size for one family up to 0,06 hectares in the order established by legislation.

For individual housing construction land parcels of the size 0,04 hectares are sold in the established order on the auction basis for life long inheritable possession.

Article 28. Land rent.

The use of lands in the Republic of Uzbekistan is paid for.

Juridical and real persons having land parcels in property, possession and use make payment for the land. The land rent is taken in the form of annual land tax the size of which is defined depending on the quality, location and water supply of land and plot.

The size, order of calculating and payment of the land tax is fixed by legislation.

When granting land parcels on lease the land rent is collected in the form of the lease payment the size of which is fixed on the consent of both sides but no less than one and no more than 3 land tax rates, for agricultural needs - in the amount of one land tax rate.

Article 29. Land parcel burdening.

The land parcel granted for possession, use, lease or obtained according to other grounds can be burdened, according to legislation, with the following obligations:

- prohibition to sell or other withdrawal;
- prohibition to grant on lease or sublease;
- prohibition to change special purpose use of the land parcel;
- prohibition to carry out some certain activity;
- prohibition to realize reconstruction, pulling down a building, structure, construction without coordinating in established order the change of the sight of real property;
- condition of implementing measures on preserving and increasing land fertility, maintaining the proper condition of irrigation and land - reclamation system;
- condition to observe nature protection regulations or carry out definite work among them to preserve soil cover, rare plants, nature historical and cultural monuments located on the land parcel;
- other obligations, restrictions or conditions fixed by legislation.

Burdenings of the land parcel is included into its legal status, are liable to state registration and are preserved when the parcel is transferred to another person.

The order of burdening of the land parcel is fixed by legislation.

Article 30. The right of the limited use of the parcel belonging to another person (servitude)

Servitude for the land parcel is the right of limited use of one or several neighboring land parcels.

Servitude can be established with the purpose of :
passing or going across somebody's land parcel;
carrying out drainage work on the land parcel;

using the land parcel for laying and maintaining of irrigation, engineering, electrical power and other lines and nets, probing of water and water well (for drinking) on the land parcel;
driving the cattle across the land parcel;
temporary use of the land parcel for carrying out prospecting, research and other work;
creating on the land parcel of protection forest plants and other nature protection objects;
other servitudes.

Servitude can be established on the agreement between owners, users and lessees of land parcels and when no agreement is reached - on the decision of the court.

Servitude is liable to state registration and is preserved when the land parcel is transferred to another person. Servitude agreement can be ceased in cases of the cessation of the reason according to which it was established.

Article 31. Appearance of the right to land parcel

The right of juridical and real persons to land parcels appears after setting up boundaries areas in the area, making up plans and descriptions of land parcels and state registration of documents certifying the right to land parcels.

Article 32. Land parcel plan. Establishing the boundary of the land parcel in place

The plan of the land parcel is a topographical plan of the land parcel on which within the limits of the mentioned land parcel all the situation and relief for the moment to the last photo according to the latest project of land management are shown entirely in accordance with the adopted signs.

Preliminary definition of the land parcel boundary in area (in life) and maps is carried out when choosing the land parcel for allotting before the decision on granting it is taken.

The plan and description of the land parcel, establishing its boundary in life is carried out by land use organizations and are approved by local authorities.

The approved plan of the land parcel becomes part of documents certifying the right to the land parcel. Genuine plans of land parcels are kept in Cadastre file, the copies are handed in the receiver of land parcel.

Arranging of the plan and description of the land parcel, establishing boundary signs are carried out at the expense of the receiver's means if other is not established by legislation.

Article 33. Documents certifying the right to land parcels.

Documents, certifying the right to land parcels are State acts on the right to permanent possession and use of the land parcel. State acts on the right to life long inheritable possession, State certificate on the right to possess the land parcel, lease agreement or temporary land parcel use agreement.

The right according to which the land parcel is granted, its special purpose of use, period of its mastering, its burdening and servitude are pointed to in these documents.

Article 34. Commission on considering land parcels granting problems

In order to consider problems of land parcels granting for possession, use and lease under local state power bodies permanent commissions headed by khokims are set up. They are

composed of representatives of land management service, nature protection, architecture, sanitary - epidemiological service, gathering of citizens and other persons.

Article 35. State registration of right to land parcels.

The right of juridical and real persons to land parcels are liable to state registration. State registration of right to land parcels is carried out in the place the land parcel is located.

The state register includes:

- 1) information of the person who obtained the right to the land parcel;
- 2) description of the land parcel (category of the land , purpose of use, type of lands, area, share in the joint possession and use boundary, cadastre number and other characteristics);
- 3) information of the terms of the agreement on granting the land parcel, burdening and servitude;
- 4) decisions of the authorized bodies on including the land parcel into the zone of alienation for state or public needs;
- 5) other information, fixed by legislation.

State registration of rights to the land parcel is carried out by the local body of power within 10 days from the moment of the necessary documents on the right to the land parcel are received.

The certificate on state registration mentioning the date and number of the registration notes is issued. It certifies the state registration of right to the land parcel.

The grounds (or reasons) for the refusal to carry out state registration of right to the land parcel are as follows:

- 1) non - availability or absence of the necessary documents on the rights to the land parcel;
- 2) non - availability of information envisaged in part three of this article in the submitted documents;
- 3) change of the special purpose of the land parcel with the infringement of the established rules;
- 4) infringement of established norms of total area of the land parcel as a result of the deal;
- 5) availability in the state registration office of documents testifying to the presence of a dispute on the land parcel belonging;
- 6) availability in the state registration office of the court decision on confiscation of service objects, apartment houses, other buildings and structures;
- 7) absence of the document on paying the registration fee if other is not envisaged by Law;
- 8) decision on the withdrawal of land parcels for state and public needs adopted in the established order.

The order (or procedure) of state registration of land parcels is fixed by legislation .

Article 36. Cessation of the right to land parcels.

The right to possess or the right to permanent or urgent use of the parcel as a whole or only part of it and also lease of the parcel is ceased in the following cases:

- 1) voluntary refusal to possess the land parcel;
- 2) expiry of the term for which the land parcel was granted;
- 3) cessation of the juridical person's activities;
- 4) annulment (cancellation) of lands lease agreement;
- 6) annulment of labor relations according to which the service land parcel was granted if other was not envisaged by legislation;
- 6) using the land with the wrong purpose;
- 7) irrational use of the land parcel expressed for agricultural lands in the level of harvesting which is lower than the normative during 5 years (according to Cadastre evaluation);
- 8) use of the land parcel with the help of methods causing the decrease of soil fertility, worsening of ecology;
- 9) regular non - payment of land tax during the period fixed by legislation and also lease payment within the period fixed in the lease agreement;
- 10) non - use of the land parcel granted for agricultural needs during one year and the lands for non - agricultural needs during two years;
- 11) non use of the land parcel within two years after receiving the warrant (permission) to the life long inheritable possession obtained on auction basis and cases when the right to life long inheritable possession of the land parcel is a mortgage - then within the period of mortgage agreement. Non - used land parcels are withdrawn with compensation (or refunding) to the former owners of the amount they paid;
- 12) withdrawal of land in the order envisaged by this Law.

Legislation can envisage other cases of cessation of the right to possess and the right to permanent use and lease of land parcels.

The right to own land parcels is ceased in the following cases:

- 1) selling objects of trade and service, and also apartments and other buildings or part of buildings together with land parcels on which they are situated;
- 2) buying out, with the consent of the owner, of the objects of trade and service establishments and also apartment houses and other buildings or part of buildings with land parcel on which they are located, for state and public needs;
- 3) confiscation of trade and service objects, also apartment houses and other buildings or part of buildings with the land parcel on which they are located in cases established by legislation.

Cessation of the right to possess or the right to permanent or temporary use of land and also parcel lease and the right to own land parcels in cases mentioned in points 1-11 of part one and point 2 of part three of this article is carried out according to the decisions of the khokims of districts, towns, viloyats either by the decree of the Cabinet of Ministers of the RU on the presentation of land management bodies or the bodies responsible for the state control over the use and protection of lands on the basis of the documents substantiating cessation of rights. The rights to permanent or temporary use of land plots and also the lease of parcels and the right to own par-

cells can be appealed in court by juridical and real persons if they disagree with the decision of the Cabinet of Ministers of the RU and the officials mentioned above.

The order of cessation of the right to possess and the right of permanent or urgent use of the parcel and also parcels lease and the right to own parcels is established by legislation.

In case when the owner, user or lessee of land parcel commits an action testifying to his refusal from his right to the land parcel (departure, non-use of land) this land parcel is registered as non - owned property in the order established by legislation.

Refusal from the right to the land parcel does not cause cessation of obligations of the owner, user, lessee of land parcel before it is granted to another person but no longer than one year from the moment of refusal or from the day of its state registration as a non - owned property.

Article 37. Withdrawal, buying out of the land parcel for state and public needs.

Withdrawal of the land parcel or its part for state and public needs is carried out with the consent of the land owner or with the agreement of the land user and lessee following the decision of the khokim of tumans, towns, viloyats, city of Tashkent or the decision of the Cabinet of Ministers of the Republic of Uzbekistan.

In cases of disagreement of the land owner, land user and lessee with the decisions of the khokim of viloyats, city of Tashkent, tumans and towns, the Cabinet of Ministers of the Republic of Uzbekistan on the withdrawal of the land parcel these decisions can be appealed against in the legal order (in court).

Enterprises, institutions and organizations interested in the withdrawal of land parcels for construction of enterprises, buildings and structures are obliged before beginning the design work to preliminary coordinate with land owners, land users and lessees also the khokims of viloyats, city of Tashkent, districts and towns, or Cabinet of Ministers of the Republic of Uzbekistan the site for the project, approximate size of the parcel and conditions (or terms) of its allotment in view of promoting complex development of the territory. Financing of the design work before the mentioned preliminary coordination is not allowed.

Withdrawal of lands for state and public needs and preliminary coordination of the project location and also arranging allotment of lands is carried out in the order established by legislation.

Buying out the land parcel which is the property of juridical and real persons including foreign owner together with objects of trade and service, or apartment houses and other buildings, or part of the buildings for state and public needs is carried out with the consent of the owner following the decision of the khokim of the viloyat, tumans, towns with the ensurance of guarantees envisaged in article 41 of this law (code).

Article 38. Withdrawal of lands at the infringement of land legislation .

In cases envisaged in point 6-11 of part one of article 36 of this Law and also other cases of land legislation infringement the body carrying out state control over the use and protection of lands after preliminary notice of the land owner or land user introduces into the body which has granted the land parcel the presentation on withdrawal of the land parcel. The body, which has granted the parcel on the basis of presentation issues the decision on its withdrawal within a month. In necessary cases the body which is responsible for the problem of the parcel withdrawal has the right to appoint the date of additional check up of the land condition and quality of the steps on rational use and protection of lands carried out by the land owner or land user.

PART 5. RIGHTS AND DUTIES OF THE LAND OWNER, LAND USER, LESSEE AND THE OWNER OF A HOUSEHOLD.

Article 39. Right of land owner, land user, lessee and the owner of a household.

The land- owner, land-user, lessee and the owner of a household have the right:

- 1) to independently run the land parcel according to its special purpose;
- 2) to own the sown areas and agricultural crops and plantation fields, produced agricultural goods and profits after their realization;
- 3) to use in the established for the enterprise order needs the available generally spread natural resources, forests, water objects and also exploit other useful properties of the land;
- 4) to carry out irrigation, drainage, agro-technical and other land reclamation work ;
- 5) to get water for irrigation of agricultural crops, plants and other purposes from the sources of irrigation according to the limits;
- 6) to construct in the established order housing, production, cultural, every day and other structures and buildings, to carry out their reconstruction and pulling down according to the special purpose of land parcels and design documents. Land owners and lessees have the right to do these actions on the agreement with land owners;
- 7) to refund losses caused to him (including lost profit) in cases the parcel is withdrawn or to compensate costs when refusing voluntarily from the land parcel;
- 8) to pass over to temporary use the land parcel or its part in the established by legislation order.

The land owner - citizen when getting a credit can pass the right to life long inheritable possession of land parcel obtained on the auction basis as a mortgage for running a peasant farm, individual housing construction.

According to the legislation the landowner, land user, lessee and the owner of a household can have other rights too.

Article 40. Duties of land-owner, land user, lessee and the owner of a household.

Land-owner, land-user, lessee and the owner of a household are to:

- 1) rationally use the land in accordance with the special purpose , increase soil fertility, apply nature protecting technology of production, prevent aggravation of ecological situation on the territory as a result of his production activity;
- 2) maintain the acting irrigation and land reclamation nets, engineering communication in a working condition;
- 3) carry out a complex of measures on land protection envisaged by this Law;
- 4) pay in time the land tax or land rent ;
- 5) not infringe the rights of other land owners, land users and leasers;
- 5) bring agricultural and forest lands allocated for developing oil and gas fields, construction

and other work after it is over to the suitable for agricultural, forestry or fishing production condition and when doing such work on other lands- to condition suitable for using them on purpose;

6) envisage and realize measures on preventing or maximum possible limiting of negative

influence on agricultural, forestry and other lands beyond the land parcels allocated to them when developing minerals and also other work;

7) submit in time to the local bodies of state power the data on land use established by legislation.

According to the legislation land owners, land users, lessees can have other duties as well.

Article 41. Guarantees of the right to land parcels.

Interference into the activity of owners of land parcels, land owners, land users, lessees and owners of households of state, economic and other authorities and organizations is forbidden, with the exception of cases of infringement of legislation by the owners of land parcels, land owners, land users and lessees.

Violated rights of the land parcel owners, land owners, land users and leasers are liable to (or subject to) restoration in the order envisaged by legislation.

Losses (or damage) caused through infringement of rights to land parcel owners, land owners, land users and leasers (including missed profit) are liable to compensation (or refunding) on the whole.

Withdrawal for state of public needs of the land parcels granted to the citizens of the Republic of Uzbekistan can be carried out after allotting at their wish by the khokim of the district or town of an equal land parcel, construction of housing production and other structures in the new place by enterprises, institutions and organization for which the land parcel is allotted in exchange for the withdrawn ones and entire compensation of all other losses (including missed profit) in accordance with article 85 of this Law.

Withdrawal for state or public needs of the lands of agricultural and forest enterprises, agricultural scientific - research institutions, experimental and training farms can be done provided housing production and other structures in exchange of the withdrawn ones are constructed at their wish and all other losses (including misses profit) are refunded according to article 85 of this law.

Buying out objects of trade and service and also apartment houses and other buildings or part of buildings together with the land parcel on which they are located and which is the property of juridical and real persons, for state and public needs is made in the order established by legislation.

Article 42. Restrictions of rights of land owners, land users, lessees and owners of households.

Rights of land owners, land users, lessees and owners of households can be restricted in the interests of the state, protection of environment, construction and exploitation of engineering communications, other land owners, land users, lessees and owners of households and also security of citizens only in cases envisaged by the law.

PART 6. AGRICULTURAL LAND

Article 43. Structure of agricultural lands.

Lands granted for the needs of agriculture and meant for such purposes are recognized as lands of agricultural purpose.

Among the lands of agricultural purpose they distinguish between agricultural farms and lands taken up by forests strings, internal farm roads, communications, forests, closed (or isolated) water reservoirs, buildings, structures and constructions necessary for agricultural functioning.

Agricultural farms include arable lands, hayfields, pastures, minerals, lands taken up by many-years-old plantations (or orchards, vineyards and others). Agricultural farms are to be especially protected.

Transfer of lands of agricultural purpose into other categories of land for non-agricultural needs is allowed in exceptional cases in accordance with this law and other legislative acts.

Artificial irrigation of agricultural farms based on the system of irrigation and water use is the basis of organizing agricultural production and condition of effective use and increase of lands fertility.

Article 44. Irrigated lands.

Lands suitable for agricultural use and irrigation which have permanent or temporary irrigation net connected with the source of irrigation the waters of which supply irrigation needs of these lands belong to irrigated lands.

The bodies of agricultural and water enterprise (farm) must supply land owners and land users who have irrigated lands, with irrigation water according to the established limits with the view for water volume of the sources in the order established by water legislation.

Irrigated lands are to be specially protected, their transfer into non-irrigated lands is made in exceptional cases with the view for soil -land reclamation and economic conditions, water supply of lands, availability of water resources and limits on them by the khokims of provinces on coordination with the Cabinet of Ministers of the Republic of Uzbekistan.

Article 45. Arable lands of special productive value

Arable agricultural lands with cadastre evaluation exceeding the average tuman score for more than 20% are looked upon as lands of special productive value.

Arable lands of special productive value are to be especially protected and it is forbidden to transfer them into the category of non-arable lands.

Granting arable lands of special productive value for constructing enterprises, buildings and structures is allowed in exceptional cases by the decision of the Cabinet of Ministers of the Republic of Uzbekistan.

Article 46. Granting of lands of agricultural purpose.

Lands of agricultural purpose are granted to:

- 1) production agricultural cooperatives, other agricultural enterprises, establishments and organizations to run commodity agricultural production;
- 2) experimental - production, training - experimental and training production farm, scientific – research institutions and other agricultural institutions and organizations - for scientific - research and training purposes, running commodity agriculture and advertising advanced experience;
- 3) citizens of the Republic of Uzbekistan organize and run farms;

- 4) citizens of the Republic of Uzbekistan - for running peasant farms, individual gardening, kitchen - gardening and cattle breeding;
- 5) citizens of the Republic of Uzbekistan - for running collective gardening, kitchen gardening and vine yard;
- 6) non - agricultural enterprises, institutions and organizations for running market garden agriculture.

In cases envisaged by legislation lands of agricultural purpose can be granted to run farming by other juridical and real persons and also for other purposes.

Agricultural lands for other purposes are granted as a rule to temporary use on condition their further improving the state suitable for the use with agricultural purpose.

Article 47. Producers of marketable agricultural goods and granting of land parcels to them.

The following farms and enterprises are considered producers of marketable agricultural production:

- agricultural cooperatives, other agricultural enterprises, institutions and organizations, including inter-farm enterprises and organizations of agricultural profile accomplishing production and realization of agricultural production ;
- peasant farms carrying out small commodity production of agricultural goods and their processing on the basis of personal labour of the country family members on the granted to them land parcel;
- farming enterprises presenting independently functioning subjects having the right of a juridical person, running commodity agricultural production with the use of land parcels granted to them on a long term basis lease;
- orchard - vine yard and kitchen gardening small firms (or unions, or groups) carrying out production and realization of goods of collective orchard, vine yard and kitchen gardening;
- market gardens attached to the enterprises of industry, transport and other branches in case they realize part of the produced by them agricultural goods.

Land of agricultural purpose the use of which is connected with organizing large commodity agricultural production (production of cotton fiber and grain crops) are granted to agricultural cooperatives based on shares.

Lands of agricultural purpose meant for the production of vegetables, potato , orchard and vineyard running and also for the needs of cattle breeding can be granted to juridical and real persons to property (including life long inheritable possession), use or lease.

Article 48. Duties of land owners, land users and lessees on the use of lands of agricultural purpose.

Land owners, land users and lessees using the lands of agricultural purpose will:

- 1) envisage in business plans exact steps on increasing soil fertility and rational use lands;

- 2) put into practice in accordance with regional conditions and specialization of the farm scientifically substantiated crop rotation, most efficient and economically rational systems of land farming;
- 3) promote preservation and broadening arable lands;
- 4) carry out complex reconstruction of land reclamation defective irrigated lands, flooding and improving hayfields and pastures;
- 5) maintain technically all internal economic irrigation and collecting – drainage net and structures on it;
- 6) carry out agricultural production by the methods excluding salting and swamping of irrigated lands, pollution and contamination of lands and water sources;
- 7) introduce water keeping technologies of drawing grain crops and plants, progressive means of irrigation;
- 8) take steps on lands protection according to this law and other acts of legislation.

Article 49. Lands of agricultural cooperatives, other agricultural enterprises, establishments and organizations.

An agricultural cooperative (shirkat) is the main organization - legal form of an agricultural enterprise based on shares with the aim of producing marketable agricultural goods.

An agricultural cooperative unites members - owners of the property shares, personally participating in the production activity of cooperatives, mainly on the basis of a family (group) contract.

In the agricultural cooperative on the decision of the highest body of management the constituent fund is formed. It consists of:
 share fund;
 non-divisible fund for carrying out steps on increasing soil fertility, maintenance of irrigation structures, purchasing technology, developing social and production infrastructure, solution of other general social and economic tasks.

Agricultural enterprises, institutions and organizations can be set up in other organization - legal forms envisaged by civil legislation, stock societies, unions with limited responsibility, companies and others.

Agricultural cooperatives and other agricultural enterprises, institutions and organizations get land to permanent possession with special purpose for running agricultural production. Mentioned enterprises, institutions and organizations can additionally lease or get the land parcels for temporary use.

Lands granted to agricultural cooperatives and other agricultural enterprises, institutions and organizations consist of the lands of public possession and lands granted to citizens for running peasant farms and are used only on special purpose.

Lands of agricultural purpose are passed over to agricultural cooperatives

and other agricultural enterprises, institutions and organizations to permanent possession on the decision of the district khokim with issuing of the State act for the right to permanent land possession.

The right of agricultural cooperatives and other agricultural enterprises, establishments and organizations to possess the land remains valid when they join associations, agricultural industrial unions, combines, agriculture-firms and other formations.

Article 50. Transfer of lands to the share fund. Property share in the agricultural cooperative.

The price of land parcels transferred for permanent possession to the agricultural cooperative is part of its share fund.

Cost evaluation of land parcels included into the share fund is made on the basis of State Land Cadastre and differentiation cost evaluation rates established by legislation.

Share fund of the agricultural cooperative includes cost evaluation of land parcels and the cost of the capital fund and other obligations, free assets of the cooperative with the exception of means deducted for forming the non - divisible fund. The size of the share and non - divisible funds are fixed in the Charter of the agricultural cooperative.

The share fund is liable to distribution among the members of the agricultural cooperative into property shares.

Property share defines the share of each member of the agricultural cooperative, cost of its share fund and gives the member of the cooperative the right to get the corresponding part of the final income of the agricultural cooperative in the form of dividends.

The procedure and terms of defining the size of the property share, payment of dividends on the shares is established by legislation.

The exact size of the agricultural cooperative is fixed according to the decision of its highest body of management with issuing the certificate assigning to the member of the agricultural cooperative the right to a certain property share and the corresponding part of the general income obtained by cooperative.

Part of the income (profit) of the agricultural cooperative meant for paying dividends on share is distributed on the results of the year and paid in proportion to the size of the property share.

Article 51. Internal distribution of land parcels. Family (collective) contract.

In agricultural cooperatives and other agricultural enterprises, establishments and organizations land parcels can be passed over for temporary use to families on terms of the agreement of a family contract to produce agricultural goods.

Land parcels for carrying out certain types of agricultural work can be passed over to groups of workers of the agricultural enterprises to temporary use on the terms of collective contract agreement.

Family contract is a form of internal organization of production and labor based on the direct participation of family members in the production of agricultural goods on the land parcels granted by agricultural cooperative, other agricultural enterprise to the rural family for temporary use on the terms of a family contract agreement.

Family (collective) contract agreement is signed every year between the agricultural structures presented by its board or administration and the head of the family (authorized representative of the collective).

The family contract agreement envisages:
size, location and condition of the land parcel;
terms of the land parcel use, obligations of the sides on increasing productivity and the quality
of the land in accordance with the scheme of crop rotation, keeping and increasing soil fertility;
amount and types of the produced agricultural goods, their quality;
price, terms of payment and realization of the produced agricultural goods;
supplying the contractor with irrigation water and logistics resources;
responsibility of the sides for non - fulfillment of the contract obligations and other
terms to
their discretion.

Land parcels granted on the terms of a family (collective) contract are used strictly on the special purpose and lessening of the arable lands area is forbidden.

The size of the land parcel and its boundaries can be changed on the agreement between the sides.

Payment for the labor when a family (collective) contract is made proceeding from the final results is envisaged by the contract amount, quality and cost (or price) of the produced goods. Together with this, members of the family - owners of the shares get dividends which are defined according to the final results of the farming activities during a year.

Payment for the land from the land parcel granted on the terms of a family contract is not collected from the contractor. Land tax from these parcels is paid in the established order by the agricultural cooperative and other agricultural enterprises, establishments and organizations.

It is forbidden to give the land parcel received according to the terms of a contract on lease or subcontract.

In case the parcel is withdrawn the contractor has the right to refunding the losses and other expenses according to legislation.

Article 52. Granting of lands to inter-economy enterprises and organizations.

Inter-economy enterprises and organizations of agricultural profile are granted lands of agricultural purpose according on the decision of the highest bodies of management of agricultural cooperatives, other agricultural enterprises and organizations in the order and terms established by article 58 of this Law.

Article 53. Granting of parcels for running a farm.

A farm is an independently acting subject having the right of a juridical person running agricultural production with the use of land parcels granted to him on a long-term lease.

Farms are set up on reserve lands, on lands of the special republican fund, land in enterprises with the shortage of labor resources and in the areas of new irrigation. They can also be set up on the basis of non-profitable or low profit agricultural enterprises. A farm can be set up on the lands of agricultural cooperatives according to the decision of the general meeting of the cooperative's members on the basis of which the khokim of the tuman makes a proper decision.

A farm cannot be set up on the lands granted to scientific - research, educational establishments and other agricultural enterprises, rural vocational and business schools, general educational secondary schools and also market gardens attached to industrial, transport and other enterprises, associations, unions, establishments and organizations and on the lands of the water fund.

In order to run the farming citizens are granted land parcels on lease for the term of up to fifty years but not less than for ten years.

The size of the land parcel for running the farm is defined by the body granting the land parcel in every exact case with the view for local conditions and also taking into consideration the number of the people in the farm.

The farm (or the farming) can additionally take on lease the land parcels for production purposes in the order and on conditions envisaged by legislation.

The farm is set up on a voluntary basis with the written application of its members to the khokim of the district and the management board of the agricultural cooperative and considered to be established from the moment of signing the land parcel lease agreement. After registration of the farm in the khokimiyat of the district the farm obtains the status of the juridical person.

The procedure of granting lands for running a farm to the citizens is defined by legislation.

Land parcels granted to the farm cannot be privatized and be the object of sale - purchase, mortgage, gift or exchange.

In order to get credits the farm has the right to mortgage its property and also the right to take the land parcel on lease. The farm has the right to pass its lease rights to the land parcel to mortgage without the lessor's consent only in cases when it is envisaged by the lease agreement.

Article 54. Granting of lands to cooperatives established on the basis of branches of agricultural enterprises.

Cooperatives which are set up on the basis of agricultural enterprises and organizations branches (except scientific - research, educational, market gardens) and leave them on the decision of the khokim of the province or tuman are granted land parcels from the earlier used by them lands with the view for the necessity of creating equal conditions for farming. These plots are liable to withdrawal from the lands of the mentioned enterprises and organizations.

The order and terms of granting land parcels are defined by legislation.

Article 55. Granting or selling lands to citizens for running a peasant farm (household).

A peasant farm is a small family commodity enterprise carrying out the production and realization of agricultural goods on the basis of the personal labor of the rural family members on the land parcel granted to the head of the family for life long inheritable possession.

The family of each member of agricultural and forest growing enterprises, establishments and organizations and also the families life-long inheritable possession a land parcel for running a peasant farm including the area taken up by buildings and yards of the size up to 0,35 hectar on the irrigated and 0,5 hectares on the non irrigated ("bogara") lands .

Families of members of agricultural and forest enterprises, establishments and organizations and also those of teachers, doctors and other specialists having worked for more then 5 years without quitting the job and continuing to work in agricultural and forest enterprises, establishments and organizations, certain settlements of which are included into the territory of the town can be granted to life - long inheritable possession a land parcel in the territory of their place of work for running a peasant farm including the area taken up by buildings and yard in the size established (or fixed) in these enterprises, establishments, organizations.

The exact size of the land parcels granted for running a peasant farm are defined proceeding from availability of land resources and with the view for the citizens' family participation in the social production at agricultural and forestry enterprise, institutions, organizations - by their owners or bodies authorized by them the decision of which is approved by the khokim of the district.

To run a peasant farm the citizens can buy land parcels within the 0,6 hectares on the auction basis to life - long inheritable possession .

The citizens not having land parcels for running a peasant farm and having them in smaller sizes than it is established in the given agricultural enterprise, institution and organization are granted to use additional land plots for industrial kitchen gardens within the established norms from the lands being possessed or used by these enterprises, establishments, and organizations.

Citizens living in rural area and possessing cattle can be granted land parcels for hay fields and pastures for temporary use.

Families running a peasant farm have an exclusive right to manage their own production including the right to realization of it to the citizens at their own choice.

Enterprises, establishments and organizations of transport, communication, water, fish, forest enterprises and also other branches of people's economy grant to certain categories of their workers temporary land parcels from the lands possessed or used by these branches.

The order of granting or realization of lands for running a peasant farm to citizens and also the order of granting temporary land parcels is defined by this Law and other legislation acts.

Article 56. Granting lands to the citizens for running collective gardening, vineyard and kitchen gardening.

The land parcel for running collective gardening and vine-yards or for temporary use for running collective kitchen gardening is granted (or allocated) to the citizens - residents of towns and settlements and rural populated areas not having house holds (or peasant farm) at the request of enterprises, establishments and organizations by the khokim of the district (or tuman).

Citizens unite into garden-vineyard and kitchen gardening groups for organizing collective gardening, vine-yard and kitchen gardening.

Land parcels for running gardening and vine-yards are allocated in cases of water supply availability and possibility of allocating limits for them from reserve lands fund and forest lands fund not liable to being forested beyond the limits of the green zone of towns or beyond the boundary of other populated areas with the view for the prospect of broadening the territory of the populated areas. When there is no reserve and forest lands fund suitable for collective gardening and vineyard running non - agricultural lands of agricultural enterprises and organizations, lands of market gardens attached to enterprises, establishments and organizations can be allocated, as an exception.

Land parcels for collective kitchen gardening are granted for temporary use provided water is supplied and with the possibility of allocation of limits for them from the lands of the populated areas reserve and forest lands fund not meant to be used in the nearest years for other purposes. For collective kitchen granting temporarily non- useable lands of non - agricultural enterprises, establishments and organizations can be granted, and when such lands are not available - low productivity lands of agricultural enterprises and organizations are granted (or allocated).

The land parcels allocated for collective kitchen gardening are used for growing vegetables, potato and water-melons, melons and gourds. It is forbidden to use them for construction of apartment houses and other capital structures. Construction on these plots of temporary buildings and structures of common use can be allowed by the (!!! added) khokim of the tuman which has granted the land parcels.

The size of the land parcels allocated for running collective gardening, vineyard and kitchen - gardening is defined from account of up to 0,06 hectare per each member of the garden - vineyard company (or group) and up to 0,08 hectare of the kitchen - gardening group with the view for the necessity of constructing streets, public buildings and structures.

The order and terms of allocation and use of lands for the collective gardening, vineyard and kitchen - gardening is established by legislation.

Article 57. Allocation of lands for running a market garden.

Industrial, transport and other non -agricultural enterprises, establishments and organizations, religious organizations in order to better supply of the workers and employees of these enterprises, establishments and organizations and also supply canteens, kindergartens, schools hospitals, houses for elderly people and invalids, health resorts, rest homes etc. can be allocated by the khokim of a province (oblast) for permanent possession non - useable or wrongly used lands and in cases envisaged by legislation also other lands of agricultural purpose for running market gardening.

Article 58. Order and terms of allocating of agricultural lands to agricultural and other enterprises, establishments and organizations.

Agricultural lands are allocated to agricultural and other enterprises, establishments and organizations, religious organizations at the consent of the land - owners and in accord with the land users from whom the lands are withdrawn on the decision of the khokim of the province on the basis of the land withdrawal project.

Arranging of permanent land parcels possession of newly set up and cessation of the rights to own the land parcel of liquidated agricultural enterprises, establishments and organizations is done after the decision on their set up or liquidation by the competent body is adopted following the decision of the khokim of the viloyat.

Allocation to agricultural enterprises, establishments and organizations of agricultural lands for permanent possession is carried out within the boundary suitable for production activity. Strip farming, wedging in and other shortcomings in land possession of agricultural enterprises, establishments and organizations, as a rule, are not allowed.

Liquidation of strip farming, wedging in and other shortcomings in land possession of agricultural, forestry enterprises, establishments and organizations is carried out in the order of inter enterprise land use organization.

PARTS 7. LAND OF POPULATED AREAS (towns, settlements and rural populated areas).

Article 59. Composition of the lands of cities and settlements (small towns).

All lands located within the boundaries of the city and settlement are considered to be the lands of cities and settlements. These lands consist of:

- 1) lands of urban building ;
- 2) lands of common use;
- 3) lands of agricultural use and other lands ;
- 4) lands taken up by forest plants;
- 5) lands of industry, transport, communication, defense and other purpose;
- 6) lands of nature - protecting, health - protecting, recreation and historical - cultural purpose;
- 7) lands of water supply fund;
- 8) reserve lands.

Article 60. Borders of settlements. Suburban zones.

The boundary of settlements is the outside boundary of the city, settlement, rural populated area which separates these lands from other ones.

Establishing the boundary of settlements is carried out on the basis of the adopted (or approved) city construction and land management documents. The boundary of settlements must be established along borders of the land parcels of juridical and real persons.

Suburban areas include the lands beyond the city boundary making up together with the city a common social, natural and production territory. In suburban zones there are distinguished territories of suburban agricultural production, rest zones for the population, reserve lands for city development.

The borders and legal regime of suburban zones are defined by legislation.

Article 61. Order of allocation, withdrawal and buying out of land parcels in cities and settlements.

Allocation of land parcels in cities and settlements is carried out on the basis of the decisions made by the (mayor) khokim of the city or district (tumon) in which the terms of allocating lands for possession, use and lease in accordance with the approved project of planning and building and defined.

Juridical persons from the assigned to them lands can grant to other juridical persons land parcels for temporary use on the decision of the khokim of the city or district (tuman).

Withdrawal, buying out of land parcels in cities and settlements are carried out in accordance with article 37 of this Law.

Withdrawal of lands of agricultural and forestry enterprises, establishments and organizations in cities, settlements is approved by the decisions of the khokim of the district (tumon), city, viloyat in the order established in article 37 of this Law.

Withdrawal of land parcels possessed by the citizens and taken up by many years old plants or connected with pulling down of houses belonging to the citizens according to the right to property is carried out in accordance with article 86 of this Code.

Article 62. Lands for the city and settlement construction.

All lands taken up by buildings and allocated for building apartment, municipal public service, cultural - educational, trade, administrative and other buildings and structures belong to the lands of the city and settlement construction..

Lands of the city and settlement construction are allocated to enterprises, establishments and organizations for housing, cultural - public service, industrial and other types of capital construction, and to the citizens - for land life - long inheritable possession for individual housing construction and maintaining the apartment house.

The lands of the city and settlement construction not being temporarily used for construction work can be allocated for temporary use to build objects of light (easy) type (tents, kiosks, advertising structures etc.) and other needs on the decision of the khokim of the city or district (tuman).

It is not allowed to divide the land parcel when this or that part of it or part of the building located on it are deprived of municipal services (electricity, sewerage, pipe line, irrigation facilities etc.), and their owners or users get deprived of the independent passage on foot or in a car.

It is not allowed to carry out construction on the land parcel of subsidiary buildings (garage, stable, cattle sheds and sheep-cot, cellar etc.) if this infringes upon the interests of juridical persons located on them or real persons living in the houses.

In case of destruction of the building as a result of calamity or because of other reasons the owner of the destroyed building keeps the right to possession or use of the land parcel if he starts the restoration of the building or construction of the new building on this land parcel not later than two years from the day of destruction with the exception of cases when the project of design and construction of the city and settlement envisages other use of this land parcel. In such cases the owner of the destroyed building is granted another land parcel within the city , settlement or another comfortable house in the established order.

Article 63. Household land parcels of apartment houses.

Household land parcels are granted to organizations carrying out management of the mentioned houses for permanent use.

The order of using household land parcels of apartment houses is defined by legislation, normative legal acts of local bodies of power.

Article 64. lands of common use of settlements.

The following areas are considered to be the lands of common use of settlements:
squares, streets, passages, roads, embankments etc.;
lands used for satisfying cultural - public service needs and recreation of the people
(forest

parks, parks, boulevards, squares and also the lands of artificial water streams);
lands of municipal - public service purpose (cemeteries, places of waste decontamination and utilization etc.).

lands of common use are not assigned to concrete (exact) juridical and real persons and are in direct management of the state power bodies of the city and self - management bodies of the settlement.

Embankment and bank boundary of water reservoirs in the settlements are used firstly for recreation and sport.

Construction of buildings and structures on the lands of common use is allowed only in accordance with the special purpose use of lands.

Land parcels from the lands of common use can be granted to juridical persons and citizens for temporary use on the lease terms for constructions and structures of easy type (trade tents, kiosks, advertisement structures, etc.) on the decision of the khokim of the city or district (tumon).

Article 65. Lands of agricultural use and other lands in cities and settlements.

Arable lands, orchards, vine-yards, mulberry bushes, berry fields, kitchen gardens, pictures, hay fields, lands taken up by irrigation, drying and road net, buildings, yards, cites, and other lands possessed by agricultural enterprises, establishments and organizations are considered to be the lands of agricultural use and other lands in cities and settlements.

Location of houses, cultural - public service and production buildings on the lands of agricultural use and other lands situated within cities and settlements by agricultural and forestry enterprises, establishments and organizations is carried out of the city or district (tumon).

Article 66. Lands taken up by city forests.

Lands taken up by city forests are meant to organize the rest and recreation of the population, improve the micro-climate, condition of the atmospheric air and sanitary-hygienic conditions of the city, satisfying cultural-esthetic needs of the population, protection from erosion. The land parcels which belong to this group not taken up by forest plants are used for setting up sport ground and other needs

Article 67. Lands of industry, transport, communication, defense and other purposes in cities and settlements.

Lands allocated to enterprises, establishments, organizations and citizens for carrying out corresponding tasks belong to the lands of industry, transport, communication, defense and other purpose.

The list of buildings and structures liable to location on the granted for use land parcel is defined in the initial data when submitting the order for the plot allocation.

Locating additional buildings and structures during the period of exploitation is carried out after the khokim of the city or district makes an additional decision for such work.

Article 68. Lands of rural settlements

All the lands located within the boundary established for these areas in the order of land management belong to the lands of the rural settlements.

The following lands are considered to be the lands of rural settlements:

- 1) lands of rural settlements managed by (or being the authority) of the self managing bodies of kishlaks (villages) and auls (mountain villages);
- 2) lands of rural populated areas possessed by agricultural and forestry enterprises, establishments and organizations.

The border line of rural settlements is established and changed by the bodies of state power of the district (tuman) in accordance with the projects of their design and construction and internal enterprise land use organization.

The order of land use in rural populated areas is defined by legislation.

The lands of rural forestry enterprises, establishments and organizations in case they are included into the city boundary are excluded from the lands of agricultural purpose and are joined to the corresponding city lands. And certain buildings and structures with land parcels necessary for their maintenance, on the wish of agricultural and forestry enterprises, establishments and organizations can be left to their permanent use and the price of the rest of the buildings and structures and other expenses made on the territory of these populated areas are refunded to the landowners and land users from the local budget.

PART 8. LAND FOR INDUSTRIAL, TRANSPORT, COMMUNICATION, DEFENSE AND OTHER PURPOSES.

Article 69. Composition of lands of industrial, transport, communication, defense and other purposes.

Lands allocated for permanent use to industrial enterprises, including enterprises of mining industry, power engineering for constructing production and subsidiary buildings and structures are considered to be the lands of industry.

Lands allocated for permanent use to enterprises, institutions and organizations of railway, internal water, automobile, air and pipe lines, transport for realization of imposed upon them tasks of exploitation, maintenance, construction, reconstruction, repairing, improving and developing structures, facilities and other objects of transport are considered to be the lands of transport.

Lands allocated for permanent use to enterprises, institutions and organizations of communication, radio, TV and information for locating communication lines and corresponding facilities are considered to be the lands of communication.

On lands adjacent to the lands of transport, cable, radio-relay and air lines of communication and electricity transmission, protection zones are established in the order fixed by legislation.

Lands granted for the location and constant activity of troops, military educational institutions, enterprises, establishments and Armed Forces organizations, frontiers, internal and railway troops are considered to be the lands for the needs of defense.

The rest of the lands which did not enter agricultural lands, those of settlements, industrial, transport, communication, defense, recreation and historical - cultural purpose and also for-

est and water funds being used by enterprises, establishments and organizations are considered to be the lands for the other purposes.

The order of using the lands of industry, transport, communication, defense and other purposes is defined (established) by legislation.

Article 70. Allocation of lands to enterprises, establishments and organizations of industrial, transport, communication, defense and other purposes.

The order of allocating lands for the use by enterprises, establishments and organizations of industrial, transport, communication, defense and other purposes is established by legislation.

Enterprises, establishments and organizations of industrial, transport, communication and other branches of people's economy grant the lands non - used by them for temporary use to juridical persons and citizens on the decision of the khokims of districts and cities in the order and on terms established by legislation.

PART 9. LAND OF SPECIALLY PROTECTED TERRITORIES.

Article 71. Composition of lands of specially protected territories.

The following lands belong to specially protected lands of:

- 1) nature protecting purpose;
- 2) health protecting purpose;
- 3) recreation purpose;
- 4) historical - cultural purpose.

The order of allocating, using and protecting lands of specially granted (or protected) territories is defined by legislation.

Article 72. Lands of nature protecting purpose.

Lands of state reservoirs, national and dendrologic parks, botanical gardens, reserves (except those for hunting), monuments of nature allocated in the established order to enterprises, establishments and organizations for special purpose belong to the lands of nature protecting purpose. It is forbidden to carry out the activity contradicting their special purpose on the mentioned lands.

In order to promote the schedule of state reserves, national and dendrological parks, botanical gardens, (game) reserves (except those for hunting) , monuments of nature protecting zones are established with the prohibition on the lands of these zones of the activity harmfully affecting the observance of their schedule.

The order of nature protecting lands use and establishing protection zones is defined by legislation.

Article 73. Lands of health care purpose.

Land parcels possessing natural medical factors favorable for organizing prophylactics and treatment allocated in the established order to the corresponding establishments and organizations for permanent use are considered to be the lands of health protecting purpose.

With the aim of providing necessary conditions for treatment and recreation of the population and also protecting natural medical factors on the lands of health protecting purpose the point of sanitary protection are established. It is forbidden to carry out the activity incompatible with the protection of natural medical properties and favorable conditions for the population's rest within the limits of these points.

The order of health protecting lands use and setting up points of sanitary protection is defined by legislation.

Article 75. Lands of recreation purposes.

Lands allocated to corresponding establishments and organizations for arranging mass rest and tourism of the population are considered to be the lands of recreation purpose.

On these lands it is forbidden to carry out the activity which prevents from using them according to their special purpose.

The order of use of recreation purpose lands is defined by legislation.

Article 76. Lands of historical - cultural purpose.

Lands of historical - cultural reserves, memorial parks, cemeteries, archeological monuments, monuments of history and culture allocated to corresponding establishments and organizations for permanent use are considered to be the lands of historical - cultural purpose. It's forbidden to carry out the activity contradicting their special purpose on these lands.

Protecting and construction regulating zones are established around the monuments of history and culture.

The order of allocating lands of historical - cultural purpose, establishing of protection and construction regulating zones round them, the order of using the lands of historical - cultural purpose and the mentioned zones, accomplishing on these lands construction, ground and other work is established by legislation.

PART 10. LAND OF THE FOREST FUND AND RESERVE LANDS.

Article 76. Lands of forest fund.

Lands allocated for the needs of forest growing (farming) are considered to be the forest land fund.

With the purpose of forest growing, stopping the development of gullies, creating protection forest plantations and green zones round cities and industrial centers, lands of other purposes can be allocated to the lands of the forest fund in the established order.

The khokim of the district in accord with the state bodies of forest farming can grant on lease terms the lands of forest fund for temporary use to agricultural enterprises, establishments and organizations for carrying out agricultural work.

The order of forest land fund use is established by special legislation.

Article 77. Lands of water fund.

Lands taken up by water reservoirs (rivers, lakes water reservoirs etc.), hydro-technical and other water enterprises facilities and also strips of derivation along the banks of water reservoirs and other water supplying objects granted to enterprises, establishments and organizations for the needs of water supply enterprise in the established order are considered to be the lands of water fund.

Water protecting zones and banks -side strips are established along the river's banks, main line canals and collectors, water reservoirs and other reservoirs and also resources of drinking and household water supply, medical and cultural - health protecting needs of the population in the order established by legislation.

Banks-side strips of rivers, main line canals, collectors, water reservoirs and other water objects can be withdrawn from landowners and land users for nature protecting needs.

The order of water lands fund use is defined by legislation.

Article 78. Reserve lands.

All lands not allocated for permanent possession and use by citizens, enterprises, establishments and organizations are considered to be reserve lands. Here also belong the lands the right to permanent possession and use of which was ceased according to article 36 of this Law.

Reserve lands are in the authority of state power bodies in districts, cities and are meant to be allocated for agricultural purposes for possession, use and lease in accordance with this Law. The khokim of the district can by his decision grant certain reserve land parcels to self-management bodies of settlements and rural populated areas.

PART 11. LAND PROTECTION.

Article 78. Maintenance and protection of lands.

Lands protection includes the system of legal, organization, economic, technical and other steps aimed at their special purpose, rational use, reproduction and fertility increase of soil, productivity of forest lands fund, preventing non - substantiated withdrawal of lands from agricultural turnover and from the lands of specially protected territories, protection from harmful anthropogenic action.

Land protection is carried out on the basis of a complex approach to the lands as complicated natural formations (ecosystems) , with the view for their zone and regional peculiarities.

The system of rational use of lands must have nature protecting resources saving character and envisage preservation of soils, limiting the influence upon the flora and fauna, geological rocks and other components of environment.

With the purpose of ensuring land protection landowners, land users and lessees carry out the following measures :

- rational organization of the territory ;
- restoration and increasing soil fertility and also other land properties;
- protection of lands from water and wind erosion, mud flows, flooding, swamping, secondary salting, drying , conservation, contamination with production wastes, chemical and radioactive substances from other ruining processes;
- protection of agricultural lands from overgrowing with bushes and small forests, and other
- process of worsening of cultural - technical condition of lands;
- conserving of degraded agricultural lands if it is impossible to restore soil fertility by other methods;
- recultivating of broken lands, increasing their productivity and other useful properties of lands;
- removing, use and preserving fertile layer of the soil when holding work connected with the breach of lands.

State bodies take all necessary measures on land protection within the framework of republican and territorial programmers.

The order of conserving of degraded agricultural lands is established by legislation.

Article 80. Ecology requirements to location, design, construction and exploitation objects, structures and buildings affecting condition of the land.

Ecology requirements to location, design, construction and exploitation objects, structures and buildings are established by legislation on nature protection.

When locating, designing, constructing and putting into operation of new and restricted objects, structures and buildings and also when introducing new technologies negatively influencing the condition of lands measures on land protection are envisaged and realized.

Evaluation of negative influence of the put into operation object or technology being introduced upon the land condition and efficiency of the envisaged measures on use and protection of lands is realized on the basis of ecology expertise.

It is forbidden to put into operation objects and to apply technologies not supplied with facilities of protection of lands from degrading or break and positive conclusion of ecology expertise.

Location of objects influencing the condition of lands is agreed upon with land use organization, nature protection and other bodies in the order defined by legislation.

Article 81. Use of lands subjected to chemical or radioactive contamination.

Land parcels on which it is impossible to ensure production meeting ecological and sanitary -hygienic requirements because of chemical order to radioactive contamination are liable to withdrawal from agricultural turnover and can be transferred to the reserve lands for conservation. It is forbidden to produce and realize agricultural goods on such lands.

The order of use of the lands subjected to chemical or radioactive contamination, establishing protection zones, preserving on these lands of apartment houses, objects of production and social - cultural purpose, carrying out on them land reclamation and agro-technical work is established by legislation.

Article 82. Economic stimulating of rational use and protection of lands.

Economic stimulating of rational use and protection of lands is directed to increasing interest of land owners, land users and leasers in preserving and reproducing soils fertility, protection of lands from negative consequences of production activity and includes:

granting privileges on land tax for newly developed lands and the lands of the existing irrigation which are under the process of land reclamation improvement in the order established by legislation;

granting tax, credit and other privileges to juridical and real persons when introducing little

waste and resources saving technologies, realizing the activity on protection and restoration of lands;

stimulating the quality improvement of lands, mastering scientifically substantiated crop

rotations, increasing fertility of the lands of agricultural and forestry purpose, production of ecologically clean goods;

allocating in case of necessity of means from the republication or local budget for restoration of
lands broken not because of the land owners, land users and leases fault , carrying out agro-technical, forest reclamation and other soil protecting steps;
partial refunding with the means of the state budget the decrease of income as result of temporary conservation of land parcels broken not because of the land owners, land users and lessees fault;
other steps envisaged by legislation.

The order of realizing steps connected with economic stimulating of the rational use and protection of lands is established by legislation.

PART 12. CONTROL OVER THE USE AND PROTECTION OF LAND.

Article 83. Main tasks of the control over the use and protection of lands.

The main tasks of the control over the use and protection of lands are promoting observance by juridical and real persons, state power bodies of the requirements of land legislation, rules established by the normative legal acts, norms and normative documents with the purpose of rational use and protection of lands.

Article 84. Bodies realizing control over the use and protection of lands .

State control over the use and protection of lands is carried out by local state power bodies and also specially authorized state bodies.

Self- management bodies of settlements, rural populated areas carry out control over the rational use and protection of land within the framework of their competence.

Societies of nature protection, scientific societies and other public organizations and also citizens render assistance to state bodies of settlements, management bodies of settlements, rural populated areas over the use and` protection of lands.

Article 85. The order of realizing state control over the use and protection of lands.

State control over the use and protection of lands within the limits of their competence have the right to:

carry out check-ups on the problems of rational use of lands and their protection, get all the necessary documents and materials on the pointed questions, carry out analysis of the soil for discovering their coincidence with cadastre data;
give obligatory for fulfillment by all juridical and real persons of the orders (or provisions) aimed at elimination of causes and conditions for the land legislation infringement;
bring the official and citizens to administrative responsibility, sue to refund the damage caused by the infringement of land legislation, direct presentations to proper enterprises, establishments and organizations and law protecting bodies for bringing the people to responsibility;
submit to local state bodies of power and self -management bodies of settlement, rural populated areas the materials on land parcels withdrawal, including those following before- term cessation of agreements of land lease and also on limiting and stopping the temporary use of lands because of the infringement of law legislation ;
get from juridical and real persons the necessary information of the problems of land use and

protection, listen to the reports and information on the pointed questions of state bodies heads, enterprises, organizations, establishments;
involve in the established order specialists for participation in the work on state control over
the use and protection of lands.

State bodies and officials carrying out state control over the use and protection of lands are obliged :
in the established order to carry out check-ups of the use of land parcels on special purpose, observance by land owners, land users and lessees of the land protection legislation;
to take timely measures on liquidating infringements and bringing to responsibility the people to be blamed ;
to give really accomplishable directions on the activity connected with the rational use and protection of lands.

Check up of the juridical and real persons activity on the use and protection of lands can be carried out not more than once a year. In cases when the body (official) gave an obligatory order on liquidating the causes for irrational use and protection of lands he has the right to carry out check-up of the mentioned activities within the fixed period of time.

The bodies and officials realizing control over the use and protection of lands bear responsibility for the right organization and realization of the activity in accordance with the legislation.

PART 13. REFUNDING OF LOSSES TO THE OWNERS OF LAND PARCELS, LAND USERS, LESSEES AND LOSSES OF AGRICULTURAL AND FOREST FARMING PRODUCTION.

Article 86. Refunding (or compensating) the losses to the owners of land parcels, land owners, land users and leasers.

Losses caused to the owners of land parcels, land owners, land users and lessees are liable to full refunding (including the lost profit) in the following cases:

withdrawal, buying out or temporary use of lands;
limitation of their rights in connection with the established protection, sanitary and protecting zones round state reserves, game reserves, national nature parks, monuments of nature, cultural-historical monuments, water reservoirs, water supply sources, resorts along the banks of rivers, canals, water throw points, roads, pipe lines, communication and electricity lines;

worsening the quality of the land as a result of the affect caused by construction and exploitation of water reservoirs, canals, collectors and other objects exuding harmful for agricultural crops and plantations substances and other actions of juridical and real persons causing the decrease of harvesting and worsening of the quality of agricultural goods.

Refunding of losses is carried out by enterprises, establishments and organizations to which land parcels are located and also by enterprises, establishments and organizations the activity of which causes limitation of rights of land parcel owners, land owners, land users and lessees or worsening the quality of the neighboring lands in the order established by legislation.

Article 87. Refunding of the losses of agricultural and forest production.

The losses of agricultural and forest production caused by withdrawal of agricultural and forest lands including agricultural lands possessed and used by real persons, for using them with the purposes not connected with running agricultural and forest farming, restriction of rights of land owners, land users and leasers or worsening of the quality of lands as a result of the affect caused by the activity of enterprises, establishments and organizations are liable to refunding beside refunding of losses envisaged by article 86 (!!!) of this Code.

Losses of agricultural and forest production are refunded by juridical and real persons: who are allocated with withdrawn agricultural and forest lands for the needs of connected with running rural and forest farming;

round objects of which protection sanitary and protection zones are established with the exclusion from the turnover of agricultural and forest lands or through transferring them into less valuable lands .

Losses of agricultural and forest farming production are not refunded:

at the withdrawal of land parcels for individual housing construction and maintenance of the house ;

at the withdrawal of land parcels for building schools, boarding schools, children's homes, pre-school and medical establishments;

(!!!) at allocating land parcels to water enterprise for the construction of water reclamation objects and hydrotechnic structures.

Other cases and order when juridical and real persons are exempt from refunding losses of agricultural and forest production can be also established by legislative acts.

The size and order of defining of liable to refunding losses of agricultural and forest production are established by legislation.

Article 88. Use of means received in the order of refunding agricultural and forest production losses.

Means received in the order of refunding of agricultural and forest production losses are used to special puprose for:

developing the new lands and complex reconstruction of irrigated lands;

soils fertility increase;

onstruction and reconstruction of the collector - drainage net, capital planning and increase of

water supply of irrigated lands;

radical improvement of hayfields and pastures;

correcting or making up design and other documents on land use orgnization broken in connection with the withdrawal and allocation of lands.

On the decision of the khokim of the viloyat these means can be used for realisation of other activities aimed at the increase of agricultural production.

Means received in the order of refunding losses of forest production are accounted separately and used for creation and restoration of forests and forest-fruit plantations, covering sands, bank side strips of water reservoirs and rivers with forests and also for realization of other activities aimed at improving of the condition of forest lands.

PART 14. SOLUTION OF LAND DISPUTES AND RESPONSIBILITY FOR INFRINGEMENT OF LAND LEGISLATION.

Article 89. Solution of land disputes.

Land disputes between juridical and real persons are solved in court or enterprise court in the order defined by legislation.

Article 90. Responsibility for infringement of land legislation.

Buy-sell, presenting, mortgage (with the exception of the mortgage of the right to life long inheritable possession of the land parcel obtained on the auction basis and also the right of land parcel lease), self-will exchange of land parcels by land owners, land users and lessees are looked upon as invalid. Persons guilty of making such deals bear responsibility according to the law.

Responsibility is also borne by the persons guilty of:

- using the lands for the wrong purpose;
- self-willed occupation of land parcels;
- spoiling agricultural and other lands, polluting them with chemical and radioactive substances,
- production wastes and sewage waters;
- locating, constructing, designing, putting into operation of objects negatively influencing the condition of lands;
- non-fulfilling of nature protection requirements of land use;
- breaking of the term of returning temporarily taken lands or non-fulfillment of obligations towards bringing them into the condition suitable for special purpose use;
- liquidating of beacons of land parcels boundaries of private owners, land owners, and lessees;
- distortion of information of the state land cadaster;
- self-willed hay fielding and using pastures;
- not taking measures of fighting against weeds and insects by land owners, land users and lessees;
- non-economic use of lands, non-fulfillment of obligations towards improvement of lands and protection of soils from wind, water erosion and other process worsening the condition of soils;
- infringement by officials of terms and order of considering applications for granting land parcels - bear responsibility according to legislation.

Article 91. Return of lands occupied without permission.

Self-willingly occupied land parcels are returned to their belonging without refunding the expenses made during the illegal possession and use.

Bringing land parcels into suitable for use condition including pulling down buildings is carried out at the expense of the persons who occupied land parcels self-willingly.

Return of the self-willingly occupied land parcels to land owner, land user or lessee and private owner is carried out on the decision of the corresponding khokim of the tuman, city, viloyat or the decision of the court.

RESOLUTION

OF OLIY MAJLIS OF THE REPUBLIC OF UZBEKISTAN

On the order of introducing into action the Land Code of the Republic of Uzbekistan

Oliy Majlis of the Republic of Uzbekistan makes the following resolution:

1. To introduce the Land Code of the Republic of Uzbekistan into action from July 1, 1998. This should be ensured according to the time period and activities envisaged in the “Program of Deepening Economic Reforms in Agriculture during the Period of 1998-2000”, adopted by the Decree of the President of the Republic of Uzbekistan of March 18, 1998.

2. To determine that until legislation is brought into accord with the Land Code of the Republic of Uzbekistan the acting legislation of the Republic of Uzbekistan are applied in the part which does not contradict this Code.

3. The Cabinet of Ministers of the Republic of Uzbekistan shall:

submit to the Oliy Majlis of the Republic of Uzbekistan proposals on bringing the legislative acts of the Republic of Uzbekistan into accord with the Land Code of the Republic of Uzbekistan;

bring the decisions of the government into accord with the Land Code of the RU, ensure reconsideration and abolishment by ministries and departments their normative acts contradicting the above mentioned Code.

4. To recognize that the legislative acts of the Republic of Uzbekistan have lost their power entirely or partially from July 1, 1998.

**Chairman of Oliy Majlis
of the Republic of Uzbekistan**

E. Khalilov