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LAW OF THE REPUBLIC OF UZBEKISTAN ON STATE LAND CADASTER

Article 1. Aim of this Law.

The objective of this Law is to establish legal basis of maintaining state land cadaster, using cadaster data for developing economy, guaranteeing rights to land parcels, rational use, restoration and protection of lands.

Article 2. State Land Cadaster Legislation.

Legislation of the Republic of Uzbekistan on state land cadaster consists of this Law, other legislation acts.

If other rules than those envisaged in the legislation on state land cadaster are established in the international agreement of the Republic of Uzbekistan the rules of the international agreement are applied.

Article 3. State Land Cadaster.

State land cadaster is the main component of the General system of state cadasters and is a system of information and documents on natural, economic, legal type of lands, their categories, quality characteristics and value, location and size of land parcels, distribution of them among owners, possessors and users.

State land cadaster includes: state registration of rights to parcels, registration of quantity and quality of lands, price valuation of lands and also systematizing, preserving and renewing land cadaster information.

Article 4. Main principles of holding State Land Cadaster.

The main principles of maintaining state land cadaster are:
coverage of the whole country territory;
application of the general system of spatial coordinates;
unity of the methods of developing land cadaster data;
authenticity of cadaster information.

Article 5. State management in holding state land cadaster.

State management in holding state land cadaster is realized by the Cabinet of Ministers of the Republic of Uzbekistan, local bodies of power and specially authorized for that purpose state bodies of management.

Specially authorized bodies on maintaining state land cadaster are State Committee on Land Resources and the Main Administration of Geodesy, Cartography and State Cadaster under the Cabinet of Ministers.

Article 6. Authorities of the Cabinet of Ministers of the Republic of Uzbekistan in maintaining state land cadaster.

Authorities of the Cabinet of Ministers of the Republic of Uzbekistan in maintaining state land cadaster are as follows:

- working out general state policy aimed at rational use of land resources;
- defining priority directions and the solution of problems in the sphere of financing and investments;
- approving the annual National report on conditions of the land resources;
- establishing the order of state registration of rights to land parcels and their transacting;
- establishing the order granting licenses to topographic-geodetic, cartographic and other work related to maintaining state land cadaster;
- realizing other authorities according to legislation.

Article 7. Authorities of local state power bodies in holding state land cadaster.

Authorities of local state power bodies in holding state land cadaster are as follows:

- state registration of rights to land parcels and their transaction;
- financing the work on maintaining state land cadaster from local budget;
- realizing other authorities in accordance with legislation.

Article 8. Authorities of State Committee on Land Resources of the RU in maintaining state land cadaster.

Authorities of the State Committee on Land Resources in Maintaining state land cadaster are:

- realization of the general state policy and coordination of work in maintaining state land cadaster on the whole territory of the RU;
- organizing and maintaining state land cadaster;
- making up annual National report on the conditions of land resources;
- supplying in the fixed order Main Administration of Geodesy, Cartography and State Cadaster under the Cabinet of Ministers of the Republic of Uzbekistan with materials and state land cadaster data necessary for maintaining General system of state cadasters;
- organizing and holding work on clarifying administrative borders of viloyats, tumans and settlements jointly with Main Administration of Geodesy, Cartography and State Cadaster under the Cabinet of Ministers of the Republic of Uzbekistan;
- developing and approving normative acts in the established order jointly with the Main Administration of Geodesy, Cartography and State Cadaster under the Cabinet of Ministers of the Republic of Uzbekistan;
- organizing training and refresher courses of specialists;
- realizing other authorities according to legislation.

Article 9. Authorities of the Main Administration on Geodesy, Cartography and State Cadaster under the Cabinet of Ministers of the RU

The following authorities belong to the power of the Main Administration Board of Geodesy, Cartography and State Cadaster under the Cabinet of Ministers of the Republic of Uzbekistan in holding state land cadaster:

- defining the structure, amount and technical requirements to land cadaster information submitted to the General system of state cadasters;

organizing maintenance of state land cadaster in cities and settlements;
developing and approving normative acts and documents on maintaining state land cadaster in settlements;
supplying in the established order the State Committee on Land Resources of the RU with materials of aerophotos, plan-cartographic basis of different scales, topographic work and data necessary for maintaining state land cadaster;
organizing and holding work on clarifying administrative borders of viloyats, tumans and settlements jointly with the State Committee on Land Resources of the RU;
developing and approving normative acts on maintaining state cadaster order jointly with the State Committee on Land Resources of the RU in the established;
organizing training and refresher courses of specialists;
realizing other authorities according to legislation.

Article 10. Maintaining state land cadaster

Maintenance of state land cadaster is ensured through :

making aerophotoes, topographic-geodetic, cartographic, soil, agrochemical; geobotanical and other investigations and research, quantitative and qualitative inventory and valuation of lands, state registration of rights to land parcels of juridical and physical persons;

coordination of activity of regional services on land resources, tumon and city services of state cadaster of immovable property;

- making up reports on availability and use of lands;
- creating and maintaining data bank of land information system with the use of materials of current investigations, photos and monitoring of lands.

Maintaining of state land cadaster is carried out by regional services on land resources through the following:

- state registration of rights to land parcels and transactions with them;
- making cadaster photos;
- receiving from owners, users, lessees and private owners of land parcels information, checking their authenticity, introducing current changes into land-cadaster documents.

Article 11. National report on land resources status (or condition)

National report on land resources status will be made up annually and include information on qualitative and quantitative condition of lands and their valuation in the country on the whole and administrative-territorial units, their distribution by categories, owners, users, lessees and private owners of the parcels and other land-cadaster information.

The order of submitting information included into the National report on land resources is established by the Cabinet of Ministers of the RU.

Article 12. Land cadaster documents

Land cadaster documents consist of papers certifying the right to the parcel, land cadaster book of the district (city), reports on quantity, quality, condition and valuation of lands, cadaster maps, plans and other documents envisaged by legislation.

Article 13. State registration of rights to parcels

State registration of rights to possession, use of parcels, lease of parcels, and also the rights to own land parcels including servitudes and other restrictions of those rights is carried out in the place the parcel is located by introducing proper data into land cadaster book of the district (city).

Juridical and real persons who possess, use, lease parcels and own them will register their right to a parcel must have them registered in the established order.

Appearance, transfer, cessation of rights to parcels, their limitation are liable to state registration. Registration fee is collected in the order fixed by the Cabinet of Ministers of the Republic of Uzbekistan.

State registration of rights to parcels is carried out on the basis of application of the juridical or real person to the body which realizes state registration of rights to parcels within 10 days after the application was submitted.

After state registration of right to a parcel is carried out the certificate on state registration with the date and registration number is issued.

Article 14. Information introduced into the land cadaster book when carrying out state registration of rights to parcels.

When the rights to parcels are registered the following information is introduced into the land cadaster book:

about the person who obtained the right to land plot;

about the land plot (category of lands, purpose of use, types of land, its quality, boundary, area, cadaster number and other characteristics);

about the terms of granting (or allocating) the parcel, encumbrances and servitudes;

about the resolutions of the khokim of the tuman, city and viloyat, Council of Ministers of the Republic of Karakalpakstan and the Cabinet of Ministers of the RU on including the parcel into the zone of withdrawal for state or public needs;

number and date of issuing the certificate on state registration;

Other information established by legislation can be entered into the land cadaster book.

The information mentioned in the first part of the article makes up land registration data.

Article 15. Grounds for state registration of rights to parcels.

Documents determining, changing or ceasing these rights serve the grounds for state registration of rights to parcels.

The right to own parcels is registered on the basis of the state warrant to the right to own, agreements of buy-sell and other documents envisaged by legislation on the basis of which the right to own the parcel arises.

Rights to possess and use parcels are registered on the basis of decisions of the khokim of tuman, city, viloyat, Council of Ministers of the Republic of Karakalpakstan and the Cabinet of Ministers of the RU on allocating lands.

Land lease right is registered on the basis of the land plot lease agreement.

The right to possess and use the land plot which arose when transferring the right to own the building, construction and structure is registered on the basis of the proper

agreements of buy-sell, exchange, giving as a present, will and other proper documents to the land plot.

Servitudes and other restrictions of the rights to own, possess and use the parcels are registered on the basis of the proper agreements, decisions of court.

Article 16. Grounds for refusal to carry out state registration of rights to the parcel.

The grounds for refusal to carry out state registration of rights to the land plot are:
availability of documents testifying to the presence of a dispute on belonging of this parcel in the body of state registration;

availability in the body of state registration of the information on the withdrawal of the land plot in the established order.

Refusal to carry out state registration of rights to land plot or the breach of time limit of registration can be appealed in court.

Article 17. Inventory of land quantity and quality.

Keeping the account of lands quantity and quality is carried out on their actual condition and use, on parcels and lands, settlements, tumons (districts), viloyats (provinces), Republic of Karakalpakstan and the Republic of Uzbekistan on the whole.

Keeping the account of lands by parcels is carried out by geodetic or cartometric methods depending on the size of parcels, their value and the required accuracy.

Keeping the account of lands by types of land is carried out within the parcels by cartometric method mostly.

Keeping the account of lands includes nature-agricultural division into tumans, classification of soils and lands, their characteristics on agronomic, ecological, technical and city construction signs, soils grouping.

Keeping the account of land quantity and quality includes the main and current types. The main type (inventory) of account of lands is carried out periodically following the changes in borders, location, condition and character of lands use with the compulsory renewal of plan-cartographic basis in the proper scale, making soil, geobotanic and other investigations.

With the aim of maintaining cadaster documents and data on the up-to-date level the current account of lands is carried out and thus the changes which have taken place in the legal status of lands, their quantity and quality condition and use are discovered and registered. Owners, users, lessees and private owners of parcels are obliged (or must, or will) within a month to submit to the proper bodies responsible for maintaining state land cadaster information about the changes which have taken place.

Land accounting information consists of the registered information on the size, location, types of land and their quality..

Article 18. Soil valuation

Soil valuation is a comparative valuation of their quality and natural productive ability at the average level of agriculture technology and intensification of agriculture.

Soil valuation is the basis for further price valuation of agricultural lands, determining the amount of land shares, accomplishing land use organization and stimulating effective land use.

Soil valuation is carried out according to one hundred scale. The highest degree is given to the soils with better qualities possessing the largest productivity.

Soil valuation is carried out according to the methodology approved in the established order.

Article 19. Lands price evaluation.

Evaluation of lands of all categories is made with the help of the system of natural and price indices. Lands price evaluation is carried out in the order established by legislation.

Price evaluation of lands of different purpose is carried out for defining the level of their use efficiency, calculating land rent and its normative price, starting (or initial) price of parcels when selling them at auctions, refunding losses when the lands are withdrawn for the state and public needs.

Article 20. Land cadaster book.

Land cadaster book is the main document on state registration, inventory and valuation of lands and contains necessary information for exact definition of the location, special purpose, right to own, use or lease the parcel, the source of information on the quantity and quality condition and valuation of the parcel.

The structure, contents and procedure of maintaining the land cadaster book is established by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 21. Cadaster photo.

Cadaster photo is carried out with the aim of establishing and mapping the parcels and lands and showing them on special cadaster plans and maps.

Cadaster photo is made with the help of aerophotogeodetic and on-surface methods in scales preconditioned by the size of the parcel according to technical requirements fixed for the production of topographic-geodetic work, soil, geobotanical and other specialized research.

Article 22. Land-cadaster maps and plans.

Land cadaster maps and plans are classified in the order envisaged by the legislation according to the subjects, territory coverage (republican, viloyat, tuman, settlements, parcels), scales and other signs (or features).

Land-cadaster map of the tuman, plan of the settlement, parcel are graphic documents made up and corrected with the aim of reflecting the location of the parcel, its parts, boundaries, land valuation zones, water sources, buildings and structures located on it and also for obtaining proper cadaster characteristics.

Land-cadaster maps and plans are made up both on traditional carriers of information (paper, plastic) and on electronic ones (digital maps).

Article 23. Land cadaster information.

Land-registration, land-accounting and land-valuation information make up a set of land cadaster information to be used by the state power bodies of management and also juridical and real persons concerned. The order of submitting land-cadaster information is established by the Cabinet of Ministers of the RU.

Information of the state land cadaster is liable to compulsory application when using, restoring and protecting lands, allocating and withdrawing parcels, fixing land rent, doing

land use organization work, evaluating economic activity and realizing other activities connected with land use and protection.

Land-cadaster information is granted to the state power bodies of management free of charge and to juridical and real persons- for a certain payment.

Users of land-cadaster information are entitled to obtain it within the time limit and in the amounts envisaged by legislation or on an agreement.

Juridical and real persons when necessary have the right to demand that the land-cadaster information should be reconsidered.

Legislation can envisage the cases of limiting or prohibiting the access to land-cadaster information with the purpose of protecting state secrets.

Article 24. Land-cadaster information system.

Land-cadaster information system is an automated geographic information system carrying out collection, processing, reflection and spreading of spatial-coordinated data about land resources.

Land-cadaster information system is meant to solve scientific and applied tasks of inventory making, valuation, predicting (forecasting) and management of land resources.

Land-cadaster information system is subdivided according to the purpose into multipurpose and specialized, according to the territory coverage - into local (tumon, city), regional and republican.

Article 25. Financing maintenance of state land cadaster.

Work on maintaining state land cadaster is financed from the state budget and also from the means collected for state registration of rights to parcels and other sources not prohibited by legislation.

The work on land cadaster when taxation is applied is equaled to topographic work.

Article 26. Responsibility for infringement of land cadaster legislation.

Persons guilty of the infringement of legislation on state land cadaster bear responsibility in the established order.