



UKRAINE

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THE LAW OF UKRAINE
On Coastal Zone

This Law establishes the legal principles governing the territorial organisation, zoning, planning and land development of the coastal zone, as well as the legal regime of the implementation of economic activity. The law introduces Integrated Coastal Zone Management on the basis of state, public, sectoral and other social actions at national, oblast and local levels taking into account the diversity of the natural conditions and resources of this zone, cultural heritage and sustainable development needs of the society.

Chapter I

GENERAL REGULATIONS

Article 1. Terminology and definitions

In this law the below terminology is used in the following interpretation:

Integrated Coastal Zone Management – is a complex of planning, organizational, legal, economic, scientific and technical, sanitary and hygienic and other measures, aimed at protecting the nature complexes and at the sustainable development of the coastal zone by means of balanced actions at national, oblast and local levels while attracting all sectors of the society.

Beach zone – is the part of the coastal zone (both upland and in the coastal marine waters) the planning, size, limits and regime of which are defined according to the Land Code of Ukraine;

Coastal marine waters – is a part of the coastal zone, the size, limits and regime of which are defined according to the Land Code of Ukraine;

Coastal zone - is the area of contact between the land and the sea, which stretches along the whole coastal zone (water edge) and includes upland natural and anthropogenic complexes which are under the influence of the sea and the contiguous marine waters which are under the influence of the the coast, the size and limits of which are defined according to this Law;

Edge of water – is the conventional line from which the land part of the coastal zone is measured towards the upland and from which the marine water part of the coastal zone is measured towards the sea.

Article 2. Structure and Limits of the Coastal Zone

1. The upland part of the coastal zone includes districts and centers of population, which directly border the water's edge.

2. The border of the coastal zone in marine waters follows the limits of the coastal marine waters. But if a resort sanitary protection zone is established beyond these limits, the border of coastal zone follows the external limits of the resort sanitary protection zone.

3. The edge of water, if otherwise not established pursuant to parts 4 and 5 of this Article, is defined as the line of highest tide along the coast, as marked on officially recognised large scale maps of Ukraine.

4. The edge of water which is measured from islands is considered as the line of a reef turned to the sea in the highest tide, indicated with respective sign on sea charts, officially recognised by Ukraine.

5. In areas where the coastline is deeply indented and wavy or areas where along the coast or in direct closeness to it there is a chain of islands, the determination of the edge of water is carried out by connecting the straight baseline with the respective points. In areas, where the edge of water is subject to substantial changes as a result of natural conditions (in particular, the presence of estuaries), the respective points may be selected along the line of the highest tide going father to the sea; they remain valid, disregard the further retreats of line of highest tide, up to their official modification by way of marking them on the officially recognised map of Ukraine.

Article 3. Legislation of Ukraine on Coastal zone

The relationships in the field of planning the development of Coastal zones, their integrated management, and the regime of their economic use are regulated by this Law, the Land Code of Ukraine, other legislative acts of Ukraine, as well as international agreements of Ukraine.

Article 4. The Purpose of the Law of Ukraine on Coastal zone

The purpose of the Law of Ukraine on Coastal zone is the regulation of social relations in the field of planning the respective territories, organising their effective integrated management taking into account the economic, social and environmental interests of the society, establishing the regime of their economic use.

Article 5. Organization of Resort, Medical and Health, Recreation and Nature Protection Areas within the Coastal Zone.

1. The territory located within the limits of the Coastal zone may in accordance with the legislation of Ukraine be declared a resort or territory of the nature protection fund.

2. The presence of spits, dunes, nature habitats of the rare or disappearing types of continental or marine flora and fauna, wetlands of international or national importance, unique or typical natural landscapes on the Coastal zone shall justify the establishment (announcement) of territories or objects of the nature protection fund of Ukraine.

3. In the course of organization of the resort, medical and health, recreation and nature protection areas or objects and their zoning the features related to the location of such territories or objects within the limits of the Coastal zone are taken into account.

Article 6. Lands of Coastal zone.

1. The lands of coastal marine waters, coastal protective area, including sea beaches outside of resorts limits, unless the law sets forth otherwise, are allocated to the water fund lands and are used according to the requirements, set forth by law for this category of lands.

2. Territory of the Coastal zone outside of the limits of coastal protective areas may be allocated to the water fund lands or to other land categories (recreational, health, forestry, the nature protection fund or other nature purpose, agricultural purpose, housing or public building etc).

3. Territory (marine waters) of the Coastal zone on which the nature protection territory or object is established (announced) is allocated to the nature protection fund lands and is used in accordance with requirements, set forth by the law on nature protection fund lands.

PLANNING OF THE DEVELOPMENT OF THE COASTAL ZONE

Article 7. Planning of the Development of the Coastal zone.

1. The planning of the development of the coastal zone is ensured by approving the development plan of the areas in the coastal zone of the Black Sea and the Sea of Azov within the limits of Crimean Autonomous Republic, coastal areas of Ukraine (Odesa, Mykolaiv, Kherson, Zaporizhia and Donetsk), as well as Sevastopol city.

2. The Coastal zone development plans are strategic documents, which contain text and graphic materials and in accordance with this Law determine the concrete size and limits of the Coastal zone, the particularities of its territorial organization and requirements to the regime governing its protection and use.

3. The Coastal zone development plan can be developed as part of the scheme of the territory planning of Autonomous Republic of Crimea or relevant oblast. In this case the process of the development and approval of the scheme of Autonomous Republic of Crimea or oblast territory planning is determined by this Law.

4. The provisions of the coastal zone development plan are directly applicable whether or not it is included into city building and land planning documentation.

5. In case of the discrepancies between the provisions of the Coastal zone development plan and regional or local level city planning documentation, the provisions of the Coastal zone development plan will govern.

6. The Coastal zone development plan can envisage the distribution of land according to their function to the following zones:

- Resort (resort and recreation) zones;
- Rural populated zones (centers of population);
- Industrial and port zones;
- Agricultural zones;
- Nature conservation zones

Article 8. Elaboration of the Coastal zone Development Plan.

1. The coastal zone development plans are prepared for coastal zone areas within the Autonomous Republic of Crimea, coastal regions and Sevastopol city.

2. By decision of the local self-government authorities the detailed coastal zone development plans can be also developed for the areas of coastal zone within the limits of separate administrative districts or populated centers. Such plans are subject to approval by the local self-government authority of certain level after passing the procedures envisaged by this Law.

3. The coastal zone development plan is prepared at the expense of the state and/or local budget by entities which have a license for the land management activities or performance of special designing and construction work on the basis of the agreement with the oblast council (Verhovna Rada of Autonomous Republic of Crimea, city council of Sevastopol city) and Terms of Reference (TOR), which are approved by the customer after agreement with the relevant oblast (republican, Autonomous Republic of Crimea, Sevastopol city) authorities on land resources, nature protection authorities, sanitary epidemiological, architectural and cultural heritage protection authorities .

4. The elaborated Coastal zone development plan is subject to the state examination of land planning and state ecological examination.

Article 9. Public hearing of the Coastal zone Development Plan.

1. After the state examinations the Coastal zone development plan will undergo a public hearing in the form of open discussion. Interested physical and legal entities can send remarks and suggestions to the project in writing, which are made available at the public hearing.

2. The Council of Ministers of Autonomous Republic of Crimea, oblast, Sevastopol city and state administrations are responsible for the organisation and holding of the public hearing.

3. The public hearing is scheduled on the days off or at evening time.

4. The Coastal zone development plan, the conclusions of the examinations and announcement about public hearing indicating the time and place of its taking place should be published in the local press not later than one month prior to holding of the public hearing.

5. The process of the public hearing is documented by the protocol, which is subject to publication by order, set forth for publication of acts by authority, which is empowered to approve the Coastal zone development plan.

6. The decision to approve or refuse to approve the Coastal zone development plan should take into account the public opinion.

Article 10. Approval and Publishing the Coastal zone Development Plan.

1. After the public hearing the Coastal zone development plan is submitted for consideration to the Verkhovna Rada of Autonomous Republic of Crimea or oblast (Sevastopol city) Council, which approves the plan, returns it for revision or rejects it.

2. Once approved, the Coastal zone development plan is subject to publication in whole (including all additions) according to the rules, set forth for the publication of acts by approving authority. In case the plan provides for changes in the regime of the use of plots of land, owners and users of the relevant plots of land shall be notified. Provided the approving authority has its official website, the project is subject to publication on it.

3. Council of Ministers of the Autonomous Republic of Crimea, oblast (Sevastopol city) state administration will provide all interested persons with permanent unimpeded access to the approved Coastal zone development plan and the possibility to get the certified copies and excerpts from the plan. A decision of the Council of Ministers of the Autonomous Republic of Crimea, oblast (Sevastopol city) state administration can set up the procedure to indemnify the interested persons for incurred expenses for making copies and excerpts.

Article 11. Effect of the Coastal zone Development Plan over Time.

1. The Coastal zone development plan is approved for an indefinite period of time.

2. The approved Coastal zone development plan will not apply to the existing types and methods of the plots of land use, except for the cases, envisaged by part three of this Article.

3. The Coastal zone development plan can envisage bringing of existing types and methods of the plots of land use in conformity with the Coastal zone development plan in case it is required by human safety, nature environment conservation, nature protection fund objects and cultural heritage security interests. In such cases, the Council of Ministers of the Autonomous Republic of Crimea, oblast (Sevastopol city) state administration shall provide in advance the complete reimbursement of losses, inflicted to land owners and land users including those caused by the duty to implement requirements under the Coastal zone development plan.

4. In the event the Coastal zone development plan envisages bringing the existing regime of land use in conformity, the plan will indicate the term of providing such conformity.

Article 12. Amending the Coastal zone Development Plan.

1. The Coastal zone development plan is subject to official revision every 5 years for the purpose of making amendments to it.

2. The order of elaboration, submission to public hearing, approval and publication of amendments to the Coastal zone development plan, as well as the effect of the amendments in time, are determined by Articles 8-11 of this Law.

3. Starting from the day of the official publication of the Coastal zone development plan prior to the five years' period expiry, the plan can be modified by decision of the relevant oblast

(Sevastopol city) council or Verkhovna Rada of the Autonomous Republic of Crimea, accepted by majority of votes but not less than two thirds of its general composition.

Chapter III

FEATURES OF ECONOMIC ACTIVITY WITHIN THE LIMITS OF COASTAL ZONE

Article 13. Features of Utilization of Coastal Zone Territory (marine waters).

1. The Coastal zone is used in compliance with the regime set out for the territories (waters) it is composed of (beach zone of the sea, Coastal protective sea zone, water protective area, districts of sanitary safety of resorts, coastal marine waters etc.) in accordance with the Coastal zone development plan.

2. New construction at two kilometers' distance from the water edge is prohibited prior to the establishment of the Coastal zone and approval of the relevant Coastal zone development plan.

3. Within the limits of the two kilometers' area from the water edge of the landward part of Coastal zone the construction of new industrial facilities is prohibited except for linear objects, nature protection fund facilities, fisheries, marine transport facilities with their infrastructure, ports, safety navigation facilities, coastal fortification facilities, hydro technical structures and berths.

4. Limitations of economic activity within the limits of coastal marine waters, beach zones, Coastal protection sea zone, water protection sea zone are determined by the legislation of Ukraine. Additional limitations can be set forth by the Coastal zone development plan.

Article 14. Limitations of Construction within the Coastal zone

1. Construction within the Coastal zone (new construction, reconstruction, restoration, major repairs, arrangement of land planning objects) is allowed only in a way which provides to the maximum extent the maintenance of the natural conditions of the Coastal zone and the marine ecosystems.

2. The construction of artificial bank fortification, in particular the construction of wave breaking walls, stone embankments, artificial appearances above the surface of sea etc. are allowed only for the protection of populated centers, ports, territories where cultural and health, sport, recreational establishments are located from harmful impact of negative environmental occurrences if such protection can not be provided without such construction. Building of the mentioned structures and objects on the territory of nature protection fund are allowed only if it does not contradict to the legal regime determined under the legislation of Ukraine.

Article 15 Health, Resort, Recreation, Tourist, Sport Objects Within the Limits of Coastal zone.

1. The construction and functioning of the health, resort, recreation, tourist, sport facilities and other similar establishments are allowed only if they are equipped with centralized water supply and sewage system or use of technologies which protect environment from contamination taking into account the needs to maintain the natural local features and landscapes.

Article 16. Limitation of Activities Connected With Noise Influence.

1. In the Coastal zone within the limits of populated centers and at the distance less than 500 meters from the sleeping apartments of sanatoria and resort establishments, preventive clinics, rest houses and other health and recreation establishments, the establishment of discos and other noise generating facilities which are not equipped in accordance with the set noise absorbing standards, is prohibited.

2. The border of the territory with building limitations will be marked with informative signs and brought into land use and city building documentation.

Chapter IV. INTEGRATED COASTAL ZONE MANAGEMENT

Article 17. Aim and Objective of the Integrated Coastal Zone Management.

1. The purpose of Integrated coastal zone management is to satisfy the long-term economic, social and environmental needs of the society by ensuring rational territory planning of the coastal zone use, the balanced and inexhaustible nature use within its limits on the basis of the principles of environmental protection, maintenance of biodiversity and landscape variety, and protection of the cultural and archaeological heritage.

2. The purposes of the Integrated coastal zone management are as follows:

Providing of the territorial planning means for the most effective, rational organization of territory (marine waters) of the coastal zone;

Guaranteeing the free access of people to the sea and environmental safety in the coastal zone;

Conservation of biodiversity and landscape variety, especially habitats of animals and plants listed in the Red book, the maintenance of environmental balance;

Implementation of measures, aimed at preventing seashore destruction, distribution of negative geological processes, degradation of coastal zone lands;

Promoting effective economic activity within the coastal zone in the sphere of fishing, port activities, shipbuilding, navigation, agriculture, workmanship etc. in compliance with the limitations set forth by the legislation of Ukraine;

Rational use of recreation resources, creating conditions for the development of tourism, rest and health treatment activities.

Article 18. Principles of Integrated Coastal Zone Management.

1. The Integrated coastal zone management is based on the following principles:

Strategic approach towards planning and implementation of all administrative and economic measures as to coastal zone taking into account the long - term perspective;

Environmental and economic integrity of the coastal land and marine ecosystems and nature landscapes, organic connection between the marine and surface components of the coastal zone;

Taking into account of the local natural and cultural features of the coastal zone territory;

Guaranteeing access to the seashore with the purpose of general nature use;

Mainly preventive character of measures undertaken within the coastal zone;

The use of the best existing technologies for preventing contamination and improvement of the coastal zone environment;

Transparency of all administrative and economic decisions related to the coastal zone, involving the public to approval process;

Combination of stimulating, compulsory and other administrative instruments to provide the regime of coastal zone.

Article 19. State Management in the Area of the Development of Coastal Zone Planning and Provision the Regime of Economic Activities within its Limits.

The state administration in the field of the development of coastal zone planning and provision of the regime of economic activity within its limits in accordance with the jurisdiction will be performed by: the Cabinet of Ministers of Ukraine, the Council of Ministers of the Autonomous Republic of Crimea, the central executive bodies responsible for environmental protection (in the part related to nature environment conservation, the rational use of the natural resources), land resources (in the part related to conservation and rational use of land, realization of the land use), forestry (in the field of forest relations), health protection (in the field of health protection, providing of sanitary and epidemic wellbeing of the population, rational use of nature treatment resources and nature territories of resorts) and regional development and construction (in the part related to construction and architecture); the territorial bodies and special subdivisions, and also the central

executive bodies responsible for culture and tourism (in the field of cultural heritage conservation), agrarian policy (in the part related to agriculture, gardening, viticulture), fish industry (in the field of fishing and fisheries, guarding, use and recreation of living water resources), the local executive bodies and local self-government bodies in the limits of their competencies as established by the law.

Article 20. Competencies of the Cabinet of Ministers of Ukraine in the Area of Integrated Coastal Zone Management

1. The competencies of the Cabinet of Ministers of Ukraine in the field of Integrated Coastal Zone Management are as follows:

Development and implementation of the state policy in the field of Coastal zone management;
Elaboration and implementation of the government programs on Integrated coastal zone management;

Guiding and coordinating the activity of ministries, other central executive bodies in the field of Integrated coastal zone management;

Undertaking measures on improvement of the government control in the field of Integrated coastal zone management;

2. The Cabinet of Ministers of Ukraine exercised other competencies, established by the Constitution and the laws of Ukraine.

Article 21. Competencies of Verkhovna Rada of Autonomous Republic of Crimea, Oblast, Sevastopol City Council Regarding Implementation of the Integrated Coastal Zone Management

The competencies of Verkhovna Rada of Autonomous Republic of Crimea, oblast, Sevastopol city council are as follows:

Approving expenditures of the respective budget for the elaboration of the Coastal zone development plan;

Contracting with the entities holding a license for carrying out land use works, for the preparation of the Coastal zone development plan;

Approving the Coastal zone development plan and ensuring its publication in accordance with the procedure set forth by approving body;

Reporting regularly but not less than once in two years about the status of implementation of the Coastal zone development plan for discussion at the session of the Council of Ministers of Autonomous Republic of Crimea, oblast or Sevastopol city state administration;

Amending the Coastal zone development plan according to the procedure set forth by this Law.

Article 22. Competencies of the Council of Ministers of Autonomous Republic of Crimea, Oblast, Sevastopol City Council

1. The competencies of the Council of Ministers of Autonomous Republic of Crimea, area, Sevastopol city state administration in the field of Integrated Coastal Zone Management are as follows:

Organising the system of Integrated coastal zone management on their territories;

Developing and implementing of republic (Autonomous Republic of Crimea), oblast or city Coastal zone development plan;

Coordinating the activity of executive power bodies regarding the introduction of the system of Integrated coastal zone management in subordinated territory;

Ensuring that on-site marks showing the limits of the Coastal zone complies with the approved Coastal zone development plan in Autonomous Republic of Crimea;

Arrangement of public hearing regarding the Coastal zone development plan within its own jurisdiction;

Providing unrestricted access to the approved Coastal zone development plan and the possibility of obtaining the certified copies and excerpts from the project;

Cooperating with the respective republic council, the council of Autonomous Republic of Crimea, the oblast or Sevastopol city councils on issues relating to Integrated coastal zone management;

Controlling the use of the funds allocated for implementation of Integrated coastal zone management;

Reimbursing losses, inflicted to land owners and land users including limitations imposed under implementation of the Coastal zone development plan, at the expense of the republican, oblast (Sevastopol city) budget.

Article 23. Competencies of the Central Executive Bodies regarding Implementation of the Integrated Coastal Zone Management.

The competencies of the central executive bodies regarding the Integrated coastal zone management listed in article 20 of this Law will be determined by the Cabinet of Ministers of Ukraine.

Article 24. Competencies of the Local Self - Government Bodies in the Sphere of Integrated Coastal Zone Management.

The competencies of the local self-government in the field of Integrated coastal zone management are as follows:

Participation in the system of Integrated coastal zone management;

Formation of the respective local coordinating councils on the issues of Integrated coastal zone management;

Consideration of proposals of the relevant local coordinating councils on the issues of Integrated coastal zone management and taking decisions on expenditures allocated for the implementation of Integrated coastal zone management and arrangement of the activities carried out within the limits of Coastal zone;

Exercising other competencies as established by the legislation of Ukraine.

Article 25. Public Participation in the Provision of Integrated Coastal Zone Management.

Citizens, their associations, have the right to:

Get free access to information about the condition of environment within the Coastal zone, other environmental information, right to its distribution;

Participate in public hearing and other forms of public discussion on Coastal zone development plans, as well as plans, programmes for their implementation, strategic and political documents, plans for social and economic development of territories, for the part concerning coastal zone, deliver speeches on these issues in mass media and give written or oral comments, proposals to the above provisions;

Delegate representatives to take part in coordinating councils on the issues of Integrated coastal zone management

Organize or implement the public environmental expertize, take part in the public hearing, open meetings related to the projects of economic and other activities, which are planned within the Coastal zone, delegating their representatives to join the commissions (groups) of state ecological examination regarding the Coastal zone;

Require consideration of public opinion while preparing the conclusions of state ecological expertize, making decisions related to the use, application, putting into operation of economic and other objects that may influence the state of Coastal zone environment of Coastal zone or may change the coastal marine natural landscapes or ecosystems.

Article 26. Coordination Councils on Integrated Coastal Zone Management Issues

1. The Coordinating councils on the issues of Integrated coastal zone management are advising bodies established under the Verkhovna Rada of Autonomous Republic of Crimea, oblast councils, city council of Sevastopol city. Coordinating councils can be established under other local self-government bodies and public authorities.

2. The Coordinating councils on the issues of Integrated coastal zone management shall be composed of the representatives of the executive bodies, territorial communities, interested public organizations and also economic entities, located on the corresponding territory.

3. The personal composition and the regulating provisions of the Coordinating councils on Integrated coastal zone management are approved by the body under which they are established.

4. The Coordinating councils on the issues of Integrated coastal zone management will submit to the bodies under which they are established proposals regarding Coastal zone development plans and measures aimed at achieving the purpose of Integrated coastal zone management as defined by Article 18 of this Law on coastal zone. Such proposals shall be subject to obligatory consideration within one month as of the date of submission.

5. The Coordinating councils under Verkhovna Rada of Autonomous Republic of Crimea, oblast councils and city council of Sevastopol city will draft the terms of reference (TOR) for economic entities to develop the Coastal zone development plans and submit it to Verkhovna Rada of Autonomous Republic of Crimea or to the corresponding local council for subsequent implementation in accordance with the procedures set by Article 8 of this Law.

6 The Coordinating councils on the issues of Integrated coastal zone management will convey meetings as necessary, but not less than twice a year. In order to control the regime envisaged by the Coastal zone development plan the coordinating councils may invite persons, responsible for implementation of the projects, and also persons violating the regime of Coastal zone.

7. Based on the results of discussion the coordinating councils on the issues of Integrated coastal zone management will make recommendation on decisions which will be submitted to the body under which they are established and also published in mass media.

Article 27. Monitoring of the Coastal Zone.

1. Monitoring of the Coastal zone is carried out in order to ensure state control, collection and analysis of the information relating to the condition of Coastal zone, forecasting the change dynamics, prevention of unfavorable processes influence and removal of the consequences of this influence, development of the scientifically substantiated recommendations and making effective administrative decisions.

2. Supervising the condition of the Coastal zone and the level of its contamination will be performed within the framework of the state system of environmental monitoring by specially authorized central executive body on the issues of environmental protection within its jurisdiction, by other specially authorized executive bodies, enterprises, institutions and organizations which influence the condition of the Coastal zone.

Article 28. Maps of the Environmental Condition of the Coastal Zone

1. The maps of the environmental condition of the Coastal zone shall represent the condition of the land and water resources, soils, landscapes, biodiversity, atmospheric air, and potential threats, and should be used in the course of planning the Coastal zone development, exercising the economic activity within its limits etc.

2. The maps of the environmental condition of Coastal zone shall indicate the zoning within the Coastal zone, existing limitations under the existing legislation related to the conservation and inexhaustible use of the natural resources, protection of the remarkable nature history and culture objects and landscapes etc.

3. The development of maps showing environmental condition of Coastal zone and their updating, not less than once in 5 years' period, as well as their distribution, is ensured by the central executive body responsible for environmental protection.

Chapter V.

RESPONSIBILITY FOR THE BREAKING OF LAW ON COASTAL ZONE

Article 29. Responsibility for the Breaking of Law on Coastal Zone.

1. An individual, guilty of:

- Implementation of new construction within two kilometers distance from the edge of water prior to the approval of the Coastal zone development plan;
 - Violation of the restrictions of economic activity within the coastal marine waters, beach zone, coastal protective area, water protective zones envisaged by this Law, the Land code, other acts of Ukrainian legislation in force;
 - Performance of construction work (new construction, reconstruction, restoration, major repairs, arrangement of city planning facilities) in a method which does not provide for the conservation of the environmental conditions of the Coastal zone and marine ecosystem;
 - Actions which entail or could entail the destruction of seashore, distribution of negative geological processes, deterioration of Coastal zone lands;
 - Creation of artificial bank fortifications (construction of the wave breaking walls, stone embankments, artificial appearances above the sea surface etc.), provided it is not expressly allowed under this Law for the protection of population centres, ports, territories occupied by cultural, resort, health improvement, sport, recreation establishments, from harmful impact of unfavorable geological processes;
 - Placement within the limits of the Coastal zone of new industrial facilities (except for linear objects, fisheries, marine transport facilities with their infrastructure, ports, navigation safety facilities, bank fortifications, wave breaking, hydro technical structures and berths);
 - Building or functioning of health- resort, recreation, tourist, sport facilities and other similar establishments, which are not equipped with centralized water and sewage system or such facilities which do not conform to criteria of environmental quality and conservation of natural local features and landscapes;
 - Setting of disco, bars and other noise generating facilities within the populated centers of the Coastal zone at a distance of less than 500 meters from the sleeping apartments of sanatoria, resort establishments, preventive clinics, rest houses and other health and recreation establishments if they are not equipped in accordance with the established standards for noise isolation systems;
 - Elaboration of Coastal zone development plans by a management entity which does not have a license to perform works on land use and territory planning, or violates other requirements of this Law;
 - Failure to hold public hearing in relation to the Coastal zone Development plans or violation of the procedure for holding such hearing set forth by this Law;
 - Failure to provide to the interested public the information regarding the condition of environment within the Coastal zone, other environmental information, as well as restrictions of the public rights on its distribution;
 - Restriction of the legal or physical entities' access to the approved Coastal zone development plans and obtaining by them of the certified copies and excerpts from the plan;
 - Restriction of the pedestrian access to the beach area of the Coastal zone by physical persons with the purpose to exercise the general nature use;
 - Undertaking actions which violate the regime of the Coastal zone set forth by legislation
- will bear civil, administrative, disciplinary or criminal responsibility in accordance with the law.

Article 30. Compensation of the Damage Caused to the Nature Objects, Resources or Complexes of Coastal Zone, Restoration of Damaged Conditions.

In the case of inflicting harm to nature objects, resources or conditions, to human health as a result of non-compliance with the Coastal zone legislation, the guilty persons must reimburse the inflicted losses voluntarily or by court order.

Chapter VI

INTERNATIONAL COOPERATION IN THE AREA OF PLANNING, PROTECTION AND USE OF COASTAL ZONE.

Article 31. International Cooperation in the Area of Planning, Protection and Use of Coastal Zone.

Ukraine cooperates with other States and international organisations in the sphere of planning, protection and use of the Coastal zone in the following forms:

- Participation in international multilateral agreements in relation to planning, protection and use of the Coastal zone natural resources;
- Participation in bilateral and regional collaboration as to the sustainable use of the Black Sea and the Sea of Azov, environmental protection, rational use of transboundary water flows of the Black Sea basin, prevention of emergency situations and removal of their consequences, including also special purpose program method;
- Collaboration within the framework of international and European organisations in the sphere of planning, protection and use of the Coastal zone;
- Exchange of monitoring and other information with the states of the region in relation to the environment condition of the Coastal zone, dynamics of its changes, pattern of the natural resources use, exchange of urgent information about contaminations having transboundary character;
- Harmonisation of national legislation of Ukraine in the sphere of planning, protection and use of the Coastal zone with international and European law.

Chapter VII

FINAL REGULATIONS.

1. This Law takes effect as of the date of its publication.
2. Amend the legislative acts of Ukraine as follows:

Effective Law	Text of the Draft Law	Law with Proposed Amendments
1) The Land Code (News of Verkhovna Rada of Ukraine, 2002, N 3-4, p. 27; 2004, N 7, p. 57):		
<p>Article 58. Composition of the water fund lands</p> <p>1. The water fund lands include the lands covered by:</p> <p>a) seas, rivers, lakes, storage pools, other water bodies, swamps and also islands not covered with forests;</p> <p>б) coastal protective area along the seas, rivers and around reservoirs, except for lands covered with forests;</p> <p>в) hydraulic engineering and other water industry constructions and channels, and also lands allocated for them;</p> <p>г) The coastline of water-ways.</p> <p>2. For the creation of favorable regime for the water bodies along the seas, around lakes, storage pools and other reservoirs the water protective areas are established with their size defined by the projects of the land use.</p>	<p>a) To exclude Part 2 of the Article 58</p>	<p>Article 58. Composition of the water fund lands</p> <p>1. The water fund lands include the lands covered by:</p> <p>a) seas, rivers, lakes, storage pools, other water bodies, swamps and also islands not covered with forests;</p> <p>б) coastal protective area along the seas, rivers and around reservoirs, except for lands covered with forests;</p> <p>в) hydraulic engineering and other water industry constructions and channels, and also lands allocated for them;</p> <p>г) The coastline of water ways.</p>
	<p>b) To add to the Code the Article 59-1 of the following content:</p> <p><i>“Article 59-1. Water protective areas.</i></p> <p><i>1. For the creation of favorable regime of water bodies along the seas, near lakes, storage pools and other ponds the water protective areas which size is determined by land landplanning schemes are established. 2. The water protective area is a nature protective territory of the managed (regulated) economic activity.</i></p>	<p>“Article 59-1. Water protective areas.</p> <p>1. For the creation of favorable regime of water bodies along the seas, near lakes, storage pools and other ponds the water protective areas which size is determined by land landplanning schemes are established.</p> <p>2. The water protective area is a nature protection territory where economic activity is regulated.</p> <p>3. Ot the territory of water protective areas</p>

	<p>3. <i>On the territory of water protective areas the following activities are prohibited:</i></p> <ol style="list-style-type: none"> 1) <i>use of persistent and strong pesticides;</i> 2) <i>arrangements of cemeteries, burial ground for animal refuse, dumps, disposal fields;</i> 3) <i>Discharge of sewage, using the landscape of the territory (gullies, estuaries, open casts, etc.) as well as near streams.</i> <p>4. <i>In some cases it might be allowed to perform sand and gravel extraction outside the lands of water fund on the dry part of flood plain in stream canal by agreement with state environmental, water management and geology authorities.</i></p> <p>5. <i>Outside limits of water protective areas are determined according the project of land management</i></p> <p>6. <i>Size and limits of water protective areas of seas and the regime of carrying out economic activity on them are determined by the Coastal zone Development Project .</i></p> <p><i>Order of determining size and limits of other water protective areas and regime of carrying out economic activity on them is established Cabinet of Ministers of Ukraine.</i></p> <p>7. <i>Executive committees of the local Councils have to inform the population, interested organizations about the decisions regarding limits of water protective areas and coastal protective zones as well as about water</i></p>	<p>the following activities are prohibited:</p> <ol style="list-style-type: none"> 1) use of persistent and strongly active pesticides; 2) setting of cemeteries, burial ground for animal refuse, dumps, disposal fields; 3) Discharge of sewage, using the territory features (gullies, estuaries, open casts, etc.) as well as near streams. 4. In some cases it might be allowed to perform sand and gravel extraction outside the lands of water fund on the dry part of the flood plain in stream canal by agreement with state environmental, water management and geology authorities. 5. Outside limits of water protective areas are established according the land planning scheme <p>6. Size and limits of water protective areas of seas and the regime of carrying out economic activity in them are determined by the Coastal zone Development Plan.</p> <p>The procedure for determining the size and limits of other water protective areas and the regime for carrying out an economic activity in them is established by the Cabinet of Ministers of Ukraine.</p> <p>7 Executive committees of the local Councils have to inform the population, interested organizations about the decisions regarding limits of water protective areas and</p>
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	<i>protective regime, acting on these territories.</i>	coastal protective zones as well as about water protective regime, which is in force on these territories.
<p>Article 60. Coastal protective areas</p> <p>1. For the purpose of protection of the surface waters from contamination and littering and preserving their water content the plots of land should be allocated within the water protection area to establish the coastal protective area.</p> <p>2. Coastal protection zones are established along the banks of the rivers and around the ponds (in delimitation period) of the following width:</p> <p>a) For the small rivers, flows and streams, and also ponds of the area less as 3 hectares - 25 meters;</p> <p>б) For the middle size rivers, storage pools on them, water bodies, and also ponds of the area over 3 hectares - 50 meters;</p> <p>в) For the large rivers, storage pools on them and lakes - 100 meters.</p> <p>At the steepness of slopes more than three degrees the minimum width of coastal protective areas is doubled.</p> <p>The size and limits of coastal protective areas along the seas, around the bays of the sea and estuaries are set forth by land use documents; and those within the limits of populated centers – shall be set forth taking into account the city planning documentation.</p>		<p>Article 60. Coastal protective areas</p> <p>1. For the purpose of protecting surface waters from contamination and littering and preserving their water content, land plots should be allocated within the water protection area to establish the coastal protective areas.</p> <p>2. Coastal protective areas are established along the banks of the rivers and around the ponds (in delimitation period) with the following width:</p> <p>a) For the small rivers, flows and streams, and also ponds of less than 3 hectares - 25 meters;</p> <p>б) For middle size rivers, storage pools on them, water bodies, and also ponds of over 3 hectares - 50 meters;</p> <p>в) For the large rivers, storage pools on them and lakes - 100 meters.</p> <p>At the steepness of slopes more than three degrees the minimum width of coastal protective areas is doubled.</p> <p>3. The width of the coastal protective area is 2 kilometers, if not set forth otherwise by the coastal zone development plan.</p> <p>4. The size and limits of the coastal protective area in populated areas is determined according to the land planning schemes, but in maritime territories –according to coastal zone development plans taking into account city</p>

	<p>b) to read part three of Article 60 as follows: “3. The width of coastal protective area is 2 kilometers, if not set forth otherwise by the coastal zone development plans”.</p> <p>r) to add Article 60 with part 4 of the following content: “4. The size and limits of the coastal protective zone in populated areas are determined according to the land planning schemes, but in maritime territories –according to coastal zone development plans taking into account city building documentation.</p>	<p>building documentation.</p>
	<p>д) to add the Code with Article 60-1 of the following content: “Article 60-1. The coastal marine waters area</p> <p>1. The coastal marine waters area is a zone, that goes from the water edge up to 1 nautical mile seawards from both the mainland and from islands which belong to Ukraine”.</p> <p>2. <i>Within the limits of coastal marine waters area the construction of any facilities is forbidden, except for port structures, bank fortification, wave - breaking constructions,</i></p>	<p>“Article 60-1. The coastal marine waters area</p> <p>1. The coastal marine waters area is a zone, that goes from the water edge up to 1 nautical mile seawards from both the mainland and from islands which belong to Ukraine”.</p> <p>2. . Within the limits of coastal marine waters area the construction of any facilities is forbidden, except for port structures, bank fortification, wave - breaking constructions, berths, constructions for sea, estuaries and bays coastal protection and their engineering protection as well as constructions connected</p>

	<p><i>berths, constructions for sea, estuaries and bays coastal protection and their engineering protection as well as constructions connected with the establishment and placement of navigation equipment and provision of safety of navigation and yacht and boats stations.”</i></p>	<p>with the establishment and placement of navigation equipment and provision of safety of navigation and yacht and boats stations.”</p>
	<p><i>e) to add to the Code with Article 60-2 of the following content:</i></p> <p><i>Article 60-2. Beach zone of the sea.</i></p> <p><i>1. Beach zone of the sea – is a part of the coastal zone, suitable for swimming and marine recreation that is distinguished both within the limits of health resorts and out of them and includes the part of upland territory, the width of which is determined according to the coastal zone development plan taking into account the local relief (lay of land), but not less than 6 meters and also the part of marine waters of 500 meters width, from the water edge. The beach zone of the sea does not include territories of marine transport lands.</i></p> <p><i>2. The beach zone of the sea is intended for exercising general land and water use rights by physical persons.</i></p> <p><i>3. Charging a payment for staying on territory of beach zone of the sea is prohibited.</i></p> <p><i>4. Restriction of the pedestrian access to the beach zone of the sea, and also the movement and parking of the transport vehicles is prohibited, except for the cases of providing for the public environmental safety, sanitary epidemic well being of population, defensive purposes and other cases, set forth by law.”</i></p>	<p>Article 60-2. Beach zone of the sea.</p> <p>1. Beach zone of the sea – is a part of the coastal zone, suitable for swimming and marine recreation that is distinguished both within the limits of health resorts and out of them and includes the part of upland territory, the width of which is determined according to the coastal zone development plan taking into account the local relief (lay of land), but not less than 6 meters and also the part of marine waters of 500 meters width, from the water edge. The beach zone of the sea does not include territories of marine transport lands.</p> <p>2. The beach zone of the sea is intended for exercising general land and water use rights by physical persons</p> <p>3. Charging a payment for staying on territory of beach zone of the sea is prohibited.</p> <p>4. Restriction of the pedestrian access to the beach zone of the sea, and also the movement and parking of the transport vehicles is prohibited, except for the cases of providing for the public environmental safety, sanitary epidemic wellbeing of population, defensive purposes and other cases, set forth by law.”</p>

<p>Article 62. Limitations regarding the use of plots of land in the coastal zone along the seas, the sea bays, estuaries and on the islands of internal marine waters</p> <p>1. In the coastal zone along the seas, the sea bays, estuaries and on the islands of internal marine waters it is prohibited as follows:</p> <p>a) Arrangement the landfill of domestic and industrial waste and sewage collectors;</p> <p>б) Arrangement the pools for accumulation of domestic and industrial waste waters with capacity of 1 cubic meter per day;</p> <p>в) Arrangement the filtration fields and other construction for buildings is for discharge and disinfection of liquid waste;</p> <p>г) Use of persistent and strong pesticides.</p> <p>2. Regime of economic activity on plots of land in the coastal zone, along the seas, the sea bays, estuaries and on the islands of internal marine waters is set forth by the Law</p>	<p>e) to read part two of Article 62 as follows: <i>“2. The regime of economic activity on land plots located in the coastal zone is set forth in accordance with part one of this Article, if not set forth by the coastal zone development plan.”</i></p>	<p>2. The regime of economic activity on land plots located in the coastal zone is set forth in accordance with part one of this Article, if not set forth otherwise by the coastal zone development plan.</p>
<p>2) T exclude Article 4 and Chapter 18 in Water Code of Ukraine (The news of Verkhovna Rada , 1995, N 24, p.189);</p>		
<p>Article 4. The water fund lands include the lands occupied with</p> <p>Seas, rivers, lakes, storage pools, other water bodies, wetlands and islands;</p> <p>Coastal zone along the seas, rivers and around water bodies;</p> <p>Hydraulic engineering and other water</p>	<p>To be excluded¹.</p>	

¹ Regulated by part 1 Article 58 of the Land Code of Ukraine.
EU funded Project “Environmental Collaboration for the Black Sea”

<p>industry structures and channels, and also lands allocated for them; The coastline of water ways.</p>		
<p>Chapter IV. PROTECTION OF WATER Section 18. USE OF WATER FUND LANDS, WATER PROTECTIVE AREA AND SANITARY PROTECTIVE AREAS</p> <p>Article 85. Use of Water Fund Land The order of granting the water fund lands into the use and terminating the right for their use is set forth by the land legislation. The permanent use the water fund lands can be granted to specialized water industry organizations, other enterprises, establishments and organizations at which the specialized services are created to supervise the water bodies, coastal zone, allotment zones, the coastline of water ways, the hydro technical structures to</p>	<p>To be excluded².</p> <p>To be excluded³</p>	

² Regulated by the Land Code of Ukraine; as to the sanitary protection it is settled by the Law of Ukraine “About resort areas” and the Law of Ukraine “About the potable water and the potable water supply”.

³ The order of granting the water fund lands into the permanent use is expounded with clarifications in an Article 59 of the Land Code of Ukraine. According to new land legislation the water fund land, as well as other categories of land can be passed to the temporary use on the conditions of the lease (part 4 Article 59 of the Land Code of Ukraine); thus Article 85 of the Water Code of Ukraine in this became outdated and not only duplicates but also contradicts the current land legislation.

⁴ The issue is regulated by part 2 Article 58 of the Land Code of Ukraine, however the draft law suggests modifications of this part (suggested article 59-1).

⁵ This Article duplicates and partially contradicts later land legislation (Article 60 of the Land Code of Ukraine)

⁶ The issue is regulated by article 61 of the Land Code of Ukraine

⁷ Duplicates Article 62 of the land Code of Ukraine

⁸ Duplicates Article 63 of the Land Code of Ukraine

⁹ Duplicates Article 64 of the Land Code of Ukraine

¹⁰ The issue is regulated in more details by later legislation (Article 113 of the Land code of Ukraine, Article 13 Articles 27-34) of the Law of Ukraine “About resort areas”, by Chapter 7 (Articles 33-38 of the Law of Ukraine “About the potable water and the potable water supply”).

maintain them in the proper state.

The plots of land in coastal zone, allotment zones, the coastline of water ways can be granted on a rental basis by agreement with users to enterprises, establishments, organizations, citizens' associations, religious organizations, citizens of Ukraine, foreign legal entities and physical persons for haymaking, fish industry needs, the culture recreation, sport and tourism purposes and also for conducting the scientific and research work.

The use of these plots of land is exercised taking into account the requirements related to the protection of the rivers and water bodies from contamination, littering and silting, and also with observation of architectural rules for planning of suburban areas and sanitary requirements as envisaged by the Cabinet of Ministers of Ukraine.

Article 86. Use of the plots of land in the bottom of the rivers, lakes, storage pools, seas and other water bodies

Plots of land in the bottom of the rivers, lakes, storage pools, seas and other water bodies

The works can be carried out related to construction of hydro technical facilities, dredging the sea bottom for a navigation, mining (except for the excavation of sand, pebble and hoggin in the river-beds of the small and mountain rivers), laying out cables, pipelines, other communications, and also drilling works of

<p>geological surveys.</p> <p>The locations and order of conducting of the mentioned works are determined the in accordance with the projects, which are coordinated with the state environmental protection, water economy and geology authorities.</p> <p>Article 87. Water protective areas For creation of the favorable regime of waters bodies, prevention of their contamination, obstruction and exhausting, destruction of the near water plants and animals, and also diminishing the vibrations of the flow along the rivers, seas and around the lakes, storage pools and other water bodies the water protective areas are established.</p> <p>The water protective area is nature protection territory of the regulated economic activity.</p> <p>At the territory of water protective areas are prohibited the following activities:</p> <ol style="list-style-type: none"> 1) Use of persistent and strong pesticides; 2) Arrangements of cemeteries, burial ground for animal refuse, dumps, disposal fields; 3) Discharge of sewage, using the landscape of the territory (gullies, estuaries, open casts, etc.) as well as into streams. <p>In some cases it might be allowed to perform sand and gravel extraction outside the lands of water fund on the dry part of flood plain in stream riverbed (canal) in agreement with state environmental, water management and geology authorities.</p>	<p>To be excluded⁴</p>	
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Outside limits of water protective areas are determined according to specifically developed projects.

The order of determining size and limits of water protective areas and regime of conducting the economic activity in them is established the Cabinet of Ministers of Ukraine.

Executive committees of the local Councils have to inform the population, all interested organizations about the decisions regarding limits of water protective areas and coastal protective zones as well as about water protective regime acting on these territories.

Control over the creation of water protective areas and coastal protective zones, and also over the compliance with the regime of the use of their territories is exercised by the executive committees of local Councils state environmental protection bodies.

Article 88. Coastal protective zones

For the purpose of protection of the surface water bodies from contamination and littering and preserving their water content the plots of lands should be allocated within the water protection area to establish the coastal protective zone along the rivers, seas and around storage pools and other water bodies.

Coastal protection zones are established along the banks of the rivers and around the water body (in delimitation period) of the following width:

To be excluded⁵

<p>For the small rivers, flows and streams, and also ponds of the area less as 3 hectares - 25 meters;</p> <p>For the middle size rivers, storage pools on them, water bodies, and also ponds of the area over 3 hectares - 50 meters;</p> <p>For the large rivers, storage pools on them and lakes - 100 meters.</p> <p>At the steepness of slopes more than three degrees the minimum width of coastal protective zone is doubled.</p> <p>Within the limits of the existing populated centers the coastal protective zone is determined taking into account concrete conditions.</p> <p>Along the seas and around the sea bays and estuaries the coastal protective zone is determined of width not less than two kilometers from the water edge.</p> <p>Article 89. Limitation of economic activity is in coastal zones along the rivers, round the water bodies and on islands</p> <p>The coastal zones are nature protection territory with the regime of the limited economic activity.</p> <p>Within the limits of existing coastal zones along the rivers, round the water bodies and on islands it is prohibited as follows:</p> <ol style="list-style-type: none"> 1) Ploughing up land (other than getting the soil ready for alkalization and foresting) as well as gardening and farming; 2) Using and storing the pesticides and fertilizers; 	<p style="text-align: center;">To be excluded⁶</p>	
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- 3) Arrangement of the summer camps for livestock;
- 4) Construction of any facilities (other than hydro technical, hydrometric and linear) including the rest houses, summer houses, garages and parkings;
- 5) Washing and maintenance of the transport means and equipment;
- 6) Arrangements of the garbage landfills, cattle waste storage, disposal of the liquids and solid industrial waste, cemeteries, animal burial ground, filtration fields etc.

The facilities situated within the coastal zones can be operated provided the regime of operation is not violated. The structures not suitable for operation and also those which do not conform to the established regime of the economic activity should be removed from the coastal protective zone.

Article 90. Limitations regarding the economic activities in the coastal zone along the seas, the sea bays, estuaries and on the islands of internal marine waters

The coastal zone along the seas, the sea bays, estuaries is included in the area of sanitary protection of the sea and can be used only for the construction of sanatoria and other health recreation establishments, with the obligatory equipment with centralized water-supply and sewage system.

In the coastal zone along the seas, the sea

To be excluded⁷

<p>bays, estuaries and on the islands of internal marine waters it is prohibited as follows:</p> <ol style="list-style-type: none"> 1) Use of persistent and strong pesticides 2) Arrangement the landfill of domestic and industrial waste and sewage collectors; 3) Arrangement the pools for accumulation of domestic and industrial waste waters with the capacity of 1 cubic meter per day; 4) arrangement the filtration fields and other facilities for discharge and disinfection of liquid waste; <p>Article 91. Allotment zones</p> <p>For the purpose of operation and protection from contamination, damage and destruction of the main, intersectoral and other channels on the irrigating, drainage systems at hydro technical and hydrometric constructions and also water bodies and river dams the allotment zones with specific utilization regime are established.</p> <p>The size of the allotment zones and their utilization regime are determined by the project which is developed and approved by water users under the agreement with the state nature protective and water economy authorities.</p> <p>The plots of land within the limits of allotment zones can be given to the water industry authorities and other organizations for the special needs and can be used by them for creation of water protective forestations, bank fortification and anti-erosive hydro technical structures, for construction of ferriages, service premises.</p>	<p>To be excluded⁸</p>	
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<p>Article 92. Coastlines of the water ways On the navigable water ways outside the city settlements the coastlines are established to conduct the works, related to the navigation. The size of the coastlines of water ways and economic activity on them are determined by Article 91 of this Code. The order of establishment of the coastlines of water ways and their use are determined by the Cabinet of Ministers of Ukraine.</p> <p>Article 93. Sanitary protection areas For the purpose of protecting the water bodies in the area of water intake for the centralized water-supply of population, for treatment and recreation needs the sanitary protection areas are established which areas are divided into the special regime zones. Limits of the sanitary protection areas of the water bodies are determined by the local Councils on their territory under the agreement with the authorities of sanitary supervision, environmental nature protection, water industry and geology. The regime of the sanitary protection areas of the water bodies is determined by the Cabinet of Ministers of Ukraine.</p>	<p>To be excluded⁹</p> <p>To be excluded¹⁰</p>	
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3) In the law of Ukraine “On Land Management” (the news of Verkhovna Rada of Ukraine, 2003, N 36, p.282):		
<p>Article 25. Land management documentation</p> <p>The Land management documentation is developed in the form of programs, charts, projects, special thematic maps, atlases and technical documents.</p> <p>Types of Land management documentation are as follows:</p> <p>a) National and oblast (republican) programs of the use and protection of land;</p> <p>b) Land management charts and feasibility studies for the use and protection of the land at administrative and territorial formations;</p> <p>c) Land management projects related to establishment and change of the limits of administrative and territorial formations;</p> <p>d) Land management projects related to organization and setting the limits for the territories of the nature protection fund, the territories for their nature conservation purpose, health, recreation cultural purpose;</p> <p>e) Land management projects related to formation of the municipal property lands owned by territory communities and the projects of delimitation of the state property lands and populated centers’ communal property lands;</p> <p>f) Land management projects related to allotment of the plots of land;</p>	<p>a) to add part two Article 25 with paragraph “n” of the following content: “n) <i>coastal zone development projects</i>”;</p>	<p>Article 25. Land planning documentation</p> <p>The Land planning documentation is developed in the form of programs, charts, schemes, special thematic maps, atlases and technical documents.</p> <p>The categories of Land planning documentation are as follows:</p> <p>a) National and oblast (republican) programs of the use and protection of land;</p> <p>b) Land planning charts and feasibility studies for the uses and protection of the land at administrative and territorial formations;</p> <p>c) Land planning schemes related to the establishment and modification of the limits of administrative and territorial units;</p> <p>d) Land planning schemes related to the organisation and setting of the limits for territories under the nature protection fund, territories set for nature conservation, health, recreation or cultural purpose;</p> <p>e) Land planning schemes related to the formation of the municipal property lands owned by territory communities and schemes of delimitation of the state property lands and populated centers’ communal property lands;</p> <p>f) Land planning schemes related to allotment of the plots of land;</p>

g) Land management projects related to establishment of the new and adjustment of existing land ownerships and land tenures;

h) Land management projects which provide environmental and economic feasibility for the crops alternation and arrangement of the of lands of economic significance;

i) Land management projects in relation to assure orderliness of the territory of populated centers;

j) Working Land management drafts related to recultivation of the damaged lands, adding soil to low productive lands, protecting of the lands from erosion, inundation, swamping, repeated salting, draining, land slides, compression, alkalization, contamination with industrial and other wastes, by radio-active and chemical substances, the improvement of agricultural lands, increase of soils fertility (further referred to as working drafts of the Land management);

k) Technical documents on Land management in relation to setting the limits of the plot of land in nature (on locality);

l) Technical documents on Land management in relation to drafting the documents which certify right to the plot of land;

m) Special thematic maps and atlases of the land condition and land use.

Other types of documents on Land management can be determined by the laws of Ukraine and other normative and legal acts.

The composition, content and the rules of drafting every type of document on Land

g) Land planning schemes related to establishment of the new and adjustment of existing land ownerships and land tenures;

h) Land planning schemes which provide environmental and economic feasibility for the crops alternation and arrangement of lands of economic significance;

i) Land planning schemes in relation to management of populated centers territory;

j) Working Land planning scheme drafts related to recultivation of damaged lands, adding soil to low productive lands, protecting lands from erosion, inundation, swamping, repeated salting, draining, land slides, compression, alkalization, contamination with industrial and other wastes, by radio-active and chemical substances, the improvement of agricultural lands, increase of soils fertility (further referred to as working drafts of the Land planning schemes);

k) Technical documents on Land planning in relation to the setting of land plots limits on-site;

l) Technical documents on Land planning in relation to drafting the documents which certify right to land plots;

m) Special thematic maps and atlases of the land condition and land use.

n) coastal zone development plans ”

Other categories of Land planning documents can be determined by the laws of Ukraine and other normative and legal acts.

The composition, content and the rules for

<p>management are regulated by the respective normative and technical documents on the issues of Land management.</p> <p>The Land management documentation is formed and saved according to the order set forth by Cabinet of Ministers of Ukraine.</p>	<p>б) to add the Law with Article 46-1 of the following content: <i>“Article 46-1. Coastal zone development projects The features of the composition, development, approval and implementation of Coastal zone development projects are determined by the Law of Ukraine “On Coastal zone”.”</i></p>	<p>drafting every categories of Land planning documents are regulated by the respective normative and technical documents on the issues of Land planning.</p> <p>The Land planning documentation is formed and saved according to the procedure set forth by the Cabinet of Ministers of Ukraine.</p> <p>Article 46-1. Coastal zone development plans The features of the composition, development, approval and implementation of Coastal zone development plans are determined by the Law of Ukraine “ On Coastal zone”.</p>
<p>4) To add Article 9 of the law of Ukraine “On state examination of land planning documentation” (News of Verkhovna Rada of Ukraine, 2004, N 38, p. 471) with abstract of the following content:</p>		
<p>Article 9. Obligatory state examination The following documents are subject to obligatory state examination: National and oblast (republican) programs of the land use and land protection; Land management charts and feasibility studies for the use and protection of the land at administrative and territorial formations; Land management projects related to establishment and change of the limits of administrative and territorial formations; Land management projects related to organization and setting the limits for the territories of the nature protection fund, the</p>	<p><i>“ Coastal zone development projects.”</i></p>	<p>Article 9. Obligatory state examination The following documents are subject to obligatory state examination: National and oblast (republican) programs of the land use and land protection; Land planning charts and feasibility studies for the use and protection of the land at administrative and territorial formations; Land planning schemes related to the establishment and modification of the limits of administrative and territorial units; Land planning schemes related to the organisation and setting of the limits of territories under the nature protection fund, the</p>

territories for their nature conservation purpose, health, recreation cultural purpose;

Land management projects related to formation of the municipal property lands owned by territory communities and the projects of delimitation of the state property lands and populated centers' communal property lands;

Land management projects regarding grant of pieces of land of particularly valuable land, forestry land as well as water fund land, nature protected, health resort, recreation and historic and cultural lands;

Land management projects which provide environmental and economic feasibility for the crops alternation and arrangement of the of lands of economic significance;

Land management projects in relation to assure orderliness of the territory of populated centers;

Land management projects related to establishment of the new and adjustment of existing land ownerships and land tenures;

Technical documents on appraisal of soils, economic evaluation of lands, normative estimation of plots of land in monetary form, and also reports on expert normative monetary estimation of plots of land of state ownership or communal property in case of their sale.

territories set for nature conservation, health, recreation or cultural purpose;

Land planning schemes related to the formation of the municipal property lands owned by territory communities and the plans of delimitation of the state property lands and populated centers' communal property lands;

Land planning schemes regarding allocation of land plots of particularly valuable land, forestry land as well as water fund land, nature protection, health resort, recreation and historic and cultural lands;

Land planning schemes which provide environmental and economic feasibility for the crops alternation and arrangement of the of lands of economic significance;

Land planning schemes in relation to management of populated centers territory;;

Land planning schemes related to the establishment of new and adjustment of existing land ownerships and land tenures;

Technical documents on appraisal of soils, economic evaluation of lands, normative estimation of plots of land in monetary form, and also reports on expert normative monetary estimation of plots of land of state ownership or communal property in case of their sale.

Coastal zone development plans

5) In Code of Ukraine on administrative offence (News of Verhovna Rada of Ukraine, 1984, addition to N 51, p.1122)

	a) add the Code with Article 59-2 of the following content: <i>“Article 59-2. Violation of the requirements</i>	Article 59-2. Violation of the requirements related to the protection of the coastal zone.
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	<p><i>related to the protection of the coastal zone.</i></p> <p><i>Violation of the requirements set forth by the legislation of Ukraine and coastal zone development plan related to construction works and other limitations of economic activity in the coastal marine waters, beach zone, the water protective area and coastal protective zone-</i></p> <p><i>leads to imposing on citizen a fine from 15 up to 50 minimums of citizen's untaxed income; and also imposing on office employees a fine from 30 up to 70 untaxed minimums of citizens' income;</i></p> <p><i>Construction of the bank fortifications (the wave breaking walls, embankments, artificial appearances above the surface of sea etc.)-</i></p> <p><i>Leads to imposing on office employees the fine from 40 up to 70 untaxed minimums of citizens' income</i></p> <p><i>Operation of the health resort, recreation, tourist, sport objects and other recreation and treatment establishments not equipped with central water supply system and sewerage system or those that do not correspond to the criteria of environmental quality and protection of nature territory and landscape features -</i></p> <p><i>Leads to imposing on office employees the fine from 20 up to 40 untaxed minimums of citizens' income</i></p>	<p>Violation of the requirements set forth by the legislation of Ukraine and coastal zone development plan related to construction works and other limitations of economic activity in the coastal marine waters, beach zone, the water protective area and coastal protective zone-</p> <p>leads to imposing on citizen a fine from 15 up to 50 minimums of citizen's untaxed income; and also imposing on office employees a fine from 30 up to 70 untaxed minimums of citizens' income;</p> <p>Construction of the bank fortifications (the wave breaking walls, embankments, artificial appearances above the surface of sea etc.)-</p> <p>Leads to imposing on office employees the fine from 40 up to 70 untaxed minimums of citizens' income</p> <p>Operation of the health resort, recreation, tourist, sports objects and other recreation and treatment establishments not equipped with central water supply system and sewerage system or those that do not correspond to the criteria of environmental quality and protection of nature territory and landscape features -</p> <p>Leads to imposing on office employees the fine from 20 up to 40 untaxed minimums of citizens' income</p> <p>Placement of discos and other noise</p>
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	<p><i>Placement of discos and other noise generating objects in the coastal zone within the limits of populated centers and in the distance up to 500 meters from the rest apartments of health or recreation establishments, if they are not equipped with noise absorbing systems as determined by respective norms, -</i></p> <p><i>Leads to imposing on office employees the fine from 50 up to 70 untaxed minimums of citizens' income</i></p> <p><i>Coastal zone development project planning by economic management entity which does not have license for land management activities or offences other conditions envisaged by this Law, -</i></p> <p><i>Leads to the fine up to 50 minimums of citizens' untaxed income.</i></p> <p><i>Actions directed to restriction of the pedestrian access to the beach zone of the coastal zone with the purpose to exercise the general nature use and also charging the payment for the stay in the beach zone of the sea-</i></p> <p><i>Leads to the fine up to 20 minimums of citizens' untaxed income.</i></p>	<p>generating objects in the coastal zone within the limits of populated centers and in the distance up to 500 meters from the rest apartments of health or recreation establishments, if they are not equipped with noise absorbing systems as determined by respective norms, -</p> <p>Leads to imposing on office employees the fine from 50 up to 70 untaxed minimums of citizens' income</p> <p>Coastal zone development project planning by economic management entity which does not have license for land management activities or offences other conditions envisaged by this Law, -</p> <p>Leads to the fine up to 50 minimums of citizens' untaxed income.</p> <p>Actions directed to restriction of the pedestrian access to the beach zone of the coastal zone with the purpose to exercise the general nature use and also charging the payment for the stay in the beach zone of the sea-</p> <p>Leads to the fine up to 20 minimums of citizens' untaxed income.</p>
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To add the Criminal Code of Ukraine (News of Verhovna Rada of Ukraine, 2001, N 25-26, p.131) with Article 243-1 of the following content:

	<p><i>«Article 243-1. Violation of the coastal zone regime</i></p> <p><i>Undertaking in the coastal zone of new construction at in the distance to two kilometers from the edge of water prior to establishment of the coastal zone development project -</i></p>	
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	<p><i>is punished by fine from one hundred to two hundred untaxed minimums of citizens' income</i></p> <p><i>Placement in the coastal zone of new industrial objects prohibited by legislation, –</i></p> <p><i>is punished by fine from one hundred to two hundred untaxed minimums of citizens' income or by restriction of freedom up to three years' period</i></p> <p><i>Actions envisaged by parts one or two of this Article, if they entailed destruction of seashore, distribution of negative geological processes, degradation of coastal zone lands, ecological contamination of considerable territories or other heavy consequences –</i></p> <p><i>Are punished by the restriction of freedom up to five years or imprisonment up to five years with deprivation of right to hold certain positions or carry out certain activity for up to three years' period.”</i></p>	
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3. The Cabinet of Ministers of Ukraine within six months period from the entry into force of this law shall:

Bring the normative and legal acts to conformity with this Law;

Provide within its competence the adoption of the normative and legal acts necessary to implement this Law;

Provide for reviewing and cancellation by Ministries and other executive authorities of normative and legal acts that contradict this law.

4. To state that facilities and types of activities which were legitimate (were exercised) at the moment of taking effect by this Law on the territories, where under this Law the limitations as to their economic use were set forth, can be exercised under the terms and conditions envisaged by the legislation in force at the moment of taking effect by this Law.