

LAND PROTECTION



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LAND PROTECTION

- Act N. 334/1992 Coll., on the Agricultural Land Protection
- Act N. 289/1995 Coll., Forest act
- Act N. 156/1998 Coll., Manure Act
- Act N. 326/2004 Coll., Plant Treatment Act
- Act N. 183/2006 Coll., Construction Act
- Act N. 344/1992 Coll., on the Real Estate Register

2 main categories of land:

- agricultural land
- non – agricultural land (other than agricultural)

Agricultural land

- arable land
- hop fields (hop gartens)
- vineyards
- gardens
- orchards
- meadows and pastures (gras areas)

Non – agricultural land

- forest land
- water areas (land covered by surface water bodies)
- developed areas
- other areas

Changes of categories:

a) permit

b) decision imposing the duty to change the category

c) decision of the Land Authority based on approved projects of land arrangements

PROTECTION OF AGRICULTURAL LAND

- a) quantity – against changing into non-agricultural land categories
- b) quality – against pollution and introduction of substances causing serious contamination of the land

Protection of the quantity

- a) Approvals
- b) Economic tools
- c) Duties of persons
- d) Sanctions

Protection of the quality

- a) Registration
- b) Register of preparations
- c) Duties of persons
- d) Sanctions

FOREST PROTECTION

Sources of law: The forest act N. 289/1995 Coll.
Penal Code – section 181 d)

Aim: - preserve forest as an environmental component
- to preserve all its functions (productive and non – productive)
- to support sustainable forest management

Categories of forest:

- protective forests
- special purpose forests
- timber forest

PROTECTION OF THE QUANTITY OF FOREST LAND

Means of legal protection:

- approval with the use of forest land for different purposes
- fees for taking the forest land for other purposes
- fines for unlawful uses

THE RIGHT OF COMMON USE OF FORESTS

- everybody has a right to enter the forest without regard to its ownership
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- the right to pick wild fruits, dry branches – not for the commercial use
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- the owner has to respect this right without any economic compensation
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- prohibitions relate to everybody who enters the forest, some of them relates also to the owner :
- - to start a fire, to litter
 - to enter the forest with motor vehicles
 - horseback riding only on forest paths, tracks and roads and other

FOREST MANAGEMENT

a) Forest plans

- forest management plans – state forests and forests larger than 50 ha
- forest management guidelines – for owners of smaller forest areas

b) Forestry specialist

c) Licence - must be granted to:

- forestry specialist
- those who prepare forest plans
- persons who pick the seeds, store it and plant forest seedlings

FOREST MANAGEMENT

d) Duties of persons:

- to use seeds of a good quality
- to take preventive measures against pests and other detrimental agents
- to use technologies favourable to the environment
- duties related to reconstruction of forest stand
- prohibition to cut trees under 80 years of age

e) State financial support – contributions based on the decision of the MOE

f) Fines

Unlawful cutting of timber is a crime under the Penal Code

STATE ADMINISTRATION

Ministry of Agriculture

Ministry of Environment – supreme state supervision
forests in National parks