

## LAND PROTECTION

*JUDr. Ilona Jančářová, Ph.D.*

---

---

---

---

---

---

---

---

## 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 cathegories:**

- a) permit
  
- b) decision imposing the duty to change the cathegory
  
- 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 - fees
- c) Duties of persons
- d) Sanctions

---

---

---

---

---

---

---

---

## Protection of the quality

- a) Registration of chemical preparations
- b) Register of preparations
- c) Duties of persons
- d) Agrochemical testing of the land
- e) Sanctions

---

---

---

---

---

---

---

---

## FOREST PROTECTION

Sources of law: The forest act N. 289/1995 Coll.  
Penal Code N.40/2009 Coll. (295)

- 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 to the use of forest land for different purposes
- fees for using the forest land for other purposes
- fines for unlawful usages

---

---

---

---

---

---

---

---

## THE RIGHT OF COMMON USE OF FORESTS

- everybody has a right to enter the forest without regard to its ownership
- the right to pick wild fruits, dry branches – not for the commercial use
- the owner has to respect this right without any economic compensation
- 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

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

- 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
- State financial support – contributions based on the decision of the MOE
- 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

---

---

---

---

---

---

---

---