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Strengthening the responsibility for illegal seizure of land

Following the results of the fourth plenary session of the Senate of the Oliy Majlis of the Republic of Uzbekistan, the Law “On amendments and additions to some legislative acts of the Republic of Uzbekistan in connection with the increased liability for illegal seizure of land” (the “Law”) was approved. This Law introduces amendments and additions to the Criminal Code, the Code of Criminal Procedure and the Code on Administrative Responsibility.

One of amendments and the additions is the addition of Article 61-3 to the Code on Administrative Responsibility, which provides for the imposition of a fine on officials in the amount of 100 to 150 Basic Calculation Values^[1] (the “BCV”) for illegal seizure of land.

In addition, if as a result of this offense, buildings, other structures, plantings or part of them have been demolished, little damage has been caused, and there has been no preliminary and full compensation for losses at the market value of the said property, a fine of 150 to 200 BCV is imposed on officials.

The Criminal Code was also supplemented by article 173-1 regulating the illegal seizure of land. According to this article, a repeated offense entails a fine in the amount of 200 to 250 BCV, or compulsory community service from 300 to 360 hours, or correctional labor up to two years.

In case of repeated illegal seizure of the land, which led to the demolition of buildings, other structures, plantings or part of them, without preliminary and full compensation for losses at the market value of the property, which caused significant damage, the liability of officials is strengthened. The punishments include a fine from 250 to 300 BCV or compulsory community service from 360 to 480 hours or correctional labor from 2 to 3 years or restriction of freedom from 1 year to 3 years or imprisonment up to 3 years with the deprivation of a certain right.

Moreover, the article provides for punishment by a fine of 300 to 500 BCV or by restraint of liberty from 3 to 5 years or imprisonment from 3 to 5 years with the deprivation of a certain right, for the same actions that caused major damage. Especially large damage, or the same actions committed in a generally dangerous way, is punishable by imprisonment from 5 to 8 years with the deprivation of a certain right.

The Law also provides for amendments to the Code of Criminal Procedure, transferring responsibility for preliminary investigation in cases of crimes provided for in Article 173-1 to investigators of prosecution authorities.

^[1] One Basic Calculation Value is UZS 223,000 (approximately USD 22).

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