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Rreview article

PECULIARITIES OF FORENSIC EXAMINATION OF LAND PROJECTS FOR ALLOCATING LAND PLOTS WITH THE CHANGE OF THEIR PURPOSE

The issues of conducting forensic examinations on land management issues in the study of land management projects regarding the allocation of land plots with changes in their intended use are considered. The following regulatory acts regulating the issue of land plots with the change of their intended purpose and at present indicates the lack of the reference literature, methodology, methodological recommendations that would regulate the issues of conducting forensic expertise on land management projects regarding the allocation of land with a change in their purpose appointment.

It specifies the main tasks and necessary materials related to the possibility of conducting surveys of land management projects in relation to the allocation of land with a change in their intended use.

The list of issues and their sequence are indicated, which are necessary for carrying out the full study of the relevant documentation on land management. The questions concerning composition, content and rules of registration of the corresponding normative and technical documentation on questions of implementation in land management are set. The main issues concerning the assignment (transfer) of land to one or another category of land, as an example, are disclosed in the classification (transfer) of the category of land – agricultural land to the category land of industry. The procedure for granting land plots with change of their intended purpose, coordination of documentation with the land management by the relevant services, competent for the approval of the land management project and land plots provision. The attention is drawn to the presence of a conclusion of the state examination of land management documentation on the produced documentation of land management and its obligation in accordance with the norms of legislation.

This method and approach will enable full conduct of forensic examinations on land management issues in the study of land management projects for allotment of land plots with a change in their intended purpose, which is the basis for the formation of conclusions of judicial examinations.

Keywords: intended use of land plot, land management, relevant documentation on land management, land management projects regarding the allocation of land, land category.

Formulation of Research Problem. Carrying out a survey of land management expertise in connection with the change of purpose of land plots and development of land management projects is connected, including with the rational use and protection of land. In this regard, the study of this type of land management documentation depends on many factors, including changes to the legislation and unresolved issues, etc.

Disclosure of issues related to land survey expertise in connection with changing the purpose of land plots is the basis for improving the quality of judicial expertise and the validity of the research conducted.

Analysis of recent researches and publications. Actual absence of any reference literature, methodologies, methodological recommendations, etc. that would regulate the issue of forensic examination on land management projects for land allotment with the change of their intended purpose.

Research Purpose. Analysis of the submitted documentation on land management (text and graphic materials) for conducting forensic examination on land management, with further comparison of the results of the analysis with the requirements of regulations in the field of land management. As the provision of land with a change of purpose and development of land management projects is associated with an increase in the number of violations of the requirements of land legislation and other normative documents on land management and land use, today there is an urgent need to determine the range of issues that are addressed in the examination of expertise on issues land management in connection with the change of purpose of land.

Main content presentation. Chapter 7 of Section II of the Scientific and Methodological Recommendations on the Preparation and Assignment of Forensic Expertise and Expert Research, on the main tasks of land management expertise, is to determine the appropriateness of changing the purpose of land plots and approving it with the requirements of land legislation and other normative documents on land management and land use.

To solve the issues of expertise in land management, the expert must be provided with original or certified high-quality copies of the relevant legal documents and documentation of land management on land.

Land management is a set of socio-economic and environmental measures aimed at regulating land relations and rational organization of the territory of administrative-territorial units, economic entities, which are carried out under the influence of social and industrial relations and the development of productive forces. Land management is carried out based on:

- a) decisions of the executive authorities and local self-government bodies on the implementation of land management;
- b) concluded agreements between legal or natural persons (landowners and land users) and developers of land management documentation;

c) court decisions.

Land management documentation is the text and graphic materials regulating the use and protection of state, communal and private lands, as well as survey and exploration materials, project supervision, etc. approved in the established order.

Land management documentation is developed in the form of a scheme, a project, working project or technical documentation.

The authorities of the government, the Council of Ministers of the Autonomous Republic of Crimea, local self-government bodies, landowners and land users can be the owners of land management documentation.

Developers of land management documentation are:

- legal entities possessing the necessary technical and technological support and comprising at least two certified land surveyors who are responsible for the quality of land management;

- natural persons: entrepreneurs who possess the necessary technical and technological support and are certified engineers-land managers, responsible for the quality of land management works.

Land management documentation includes textual and graphic materials and contains the mandatory provisions established by the task of developing the appropriate type of documentation.

Land management documentation is developed based on the task of developing the appropriate type of documentation approved by the customer¹. It is known that land in Ukraine is divided into categories by main purpose (Article 19 of the Land Code of Ukraine).

Land plots of each category of land not owned or leased use by citizens or legal entities may be in stock². Each category has a specific legal regime.

It should be noted that the same plot can belong to several categories of land at the same time. In this case, the legal regime of the land of several categories should be observed, and in case of collisions, the legal regime that most provides environmental security.

However, each conflict should be resolved individually, considering all the circumstances of the situation. Each category of land distinguishes the types of purpose of land (types of land use). Purpose of the land plot is the use of the land plot for the purpose determined based

¹ Pro zemleustrii [About land management] : Zakon Ukrainy vid 22.05.2003 №858–iV. Vidomosti Verkhovnoi Rady Ukrainy. 2003. №36. St. 282 (zi zminamy ta dopov.). URL:<https://zakon.rada.gov.ua/Laws/show/858-15> (data zvernennia 24.06.2019) [in Ukrainian].

² Zemelnyi kodeks Ukrainy [Land Code of Ukraine]: Zakon Ukrainy vid 25.10.2001 №2768–iii. Vidomosti Verkhovnoi Rady Ukrainy. 2002. №3–4. St. 27 (zi zminamy ta dopov.). URL:<https://zakon.rada.gov.ua/Laws/show/2768-14> (data zvernennia 24.06.2019) [in Ukrainian].

on documentation on land management in accordance with the procedure established by law.

Main normative legal acts currently defining the procedure for changing the purpose of land use are the Land Code of Ukraine, the Law of Ukraine: *On Land Management* and the Law of Ukraine: *On the State Land Cadaster*.

It should be noted that at present, there is virtually no reference literature, methods, methodological recommendations, etc. that would regulate the issue of judicial expertise on land management projects for land allotment with the change of their intended purpose.

These issues are related to the rational use and protection of land, their intended purpose, restrictions on use and restrictions (burdens) on the rights of others (land easements), preservation and increase of soil fertility.

A change of destination can happen with a change of category and without a change of category.

If there is a change of purpose with a change in the category of land, such change should occur with the development of a project of land management regarding the allotment of land.

Land management project – a set of economic, project and technical documents on the justification of land use and protection measures to be implemented under such a project. According to Art. 50 of the Law of Ukraine: *On Land Management* the project of land management concerning the allotment of the land plot is made in case of change of the purpose of land plots or formation of new land plots¹.

Development of the Land Management Project, including the change of purpose, can be conditionally divided into five stages: obtaining permission for the development of the Project; development, approval and implementation of state land survey (if necessary) of the Project; state registration of the land plot; approval of the Project; registration of the right to the land plot. Land management projects for land allotment include:

- task of developing a land management project;
- explanatory note;
- copy of the application (application) for granting permission for the development of a land development project for the allotment of the land plot (in case of formation and / or change of purpose of the land plot at the expense of state or communal property lands);
- decision of the Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, the relevant executive authority or local self-government body to grant

¹ Pro zemleustrii [About land management] : Zakon Ukrainy vid 22.05.2003 №858-iv. Vidomosti Verkhovnoi Rady Ukrainy. 2003. №36. St. 282 (zi zminamy ta dopov.). URL:<https://zakon.rada.gov.ua/Laws/show/858-15> (data zvernennia 24.06.2019) [in Ukrainian].

permission for the development of a land development project for land allotment (in cases provided for by law);

- written consent of the landowner (land user), notarized (in case of redemption (withdrawal) of the land plot in accordance with the procedure established by law), or court decision;

- certificate from the state statistical report on the availability of land and their distribution by land owners, land users, lands;

- materials of geodetic surveys and land planning (in the case of land plot formation);

- information on the calculation of the area of land (in case of formation of land);

- copies of the title deeds for real estate objects for construction objects, which by the class of consequences (responsibility) belong to objects with medium and significant consequences, which are located on the land plot;

- calculation of losses of agricultural and forestry production (in cases provided by law);

- calculation of the amount of losses of land owners and land users (in cases provided by law);

- act of acceptance-transfer of boundary marks for storage (in case of formation of a land plot);

- the act of transferring to nature (on the terrain) the boundaries of the protection zones, zones of sanitary protection, sanitary protection zones and zones of special mode of land use in their presence (in case of formation of a land plot);

- list of restrictions on land use;

- copying from the cadastral map (plan) or other graphic materials, which indicate the desired location of the land plot (in case of land plot formation);

- cadastral plan of the land plot;

- materials for transferring the boundaries of the land plot to nature (to the terrain) (in case of land plot formation);

- materials for the approval of the land management project ¹.

These materials must be contained in the land development project for the allotment of the land plot with the change of its purpose except with the written consent of the landowner (land user), certified by a notary in case there is no purchase (withdrawal) of the land plot, and the land plot is provided at the expense of the land;

copies of the title deeds for real estate objects for construction objects that belong to medium and significant consequences located on the land plot (due to absence) by class of consequences (liability); the act of transferring to nature (to the terrain) the boundaries of protection zones,

¹ Pro zemleustrii [About land management]: Zakon Ukrainy vid 22.05.2003 №858-iv [in Ukrainian].

zones of sanitary protection, sanitary protection zones and zones of special mode of land use (in connection with absence).

The calculation of the amount of losses of agricultural and forestry production and the calculation of the amount of losses of land owners and land users should be included only in cases provided by law.

According to Art. 29 of the Law of Ukraine: *On Land Management* compliance of the documentation with the land management requirements of the legislation is its composition, content and rules of registration of regulatory and technical documentation on the implementation of land management.

At the same time, in accordance with Article 23 of the said Law, normative acts on the issues of land management establish the order of organization, compliance with state standards, norms and rules of performance of works on land management, their composition and content¹.

Thus, when conducting studies of compliance of documentation with land management requirements of land legislation and other normative documents on land management and land use, the range of issues to be resolved and their priority are determined, namely:

1) determining the validity of the legislation in time to be applied in the research;

2) grounds and purpose of development of documentation on land management;

3) analysis of the legal framework of Ukraine in land allocation and drafting of land management;

4) analysis of the regulatory framework in the field of change of purpose and the procedure for its implementation;

5) establishing the powers of state and local self-government bodies to change the purpose of land plots;

6) study and analysis of the state of use of the allotted land;

7) research on documentation on land management regarding its composition, content and design rules with change of purpose and compliance of the content of documentation with the requirements of the task for its development and the requirements of the pre-project documentation;

8) consideration of the issue of calculating the amount of losses (in cases stipulated by law) and calculating the amount of losses of land owners and land users (in cases provided by law);

9) determination of compliance of the documentation with the land management and its approval (in cases provided by the legislation) to the requirements of the legislation in force at the date of approval of this documentation.

In this regard, land management expertise (including change of purpose) is carried out by the method of analysis of the submitted

¹ Pro zemleustrii [On Land Management]: Zakon Ukrainy vid 22.05.2003 №858-iv [in Ukrainian].

documentation on land management (text and graphic materials) with further comparison of the results of the analysis with the requirements of regulations in the field of land management, effective at the date of approval of this documentation.

For example, when using agricultural land (pastures – reserve lands located outside the settlement), for the location and operation of the main, ancillary and auxiliary buildings and structures associated with the use of subsoil KBIПЗ code: 11.01, (placement and maintenance tailings of the mining and processing plant) formed specific features and complexities in the registration of land use rights. Such conditions are caused by the different legal status of the subjects of land relations and the absence of special legislative acts that would regulate the legal regime and mechanisms of use of certain categories of land, namely industrial lands.

Therefore, during the development of the project of change of purpose (change of lands from land category – agricultural land to land category – industrial land) it is necessary to additionally be guided by the Code of Ukraine on subsoil; Mining Law of Ukraine;

The Law of Ukraine: *On State Registration of Real Property Rights and their Encumbrances*

Instruction on the establishment (restoration) of land boundaries in kind (on the ground) and their fixing with boundary signs; ДБН 360–92 : 2012 Tailings and sludges¹;

ДБН 360-92 Planning and development of urban and rural settlements² etc.

That is, depending on the classification of land in one or another category, the relevant normative legal acts are applied, which relate to the legal status of each land plot.

State standards, rules and regulations in the field of land management establish a set of qualitative and quantitative indicators, parameters that regulate the development and implementation of documentation on land management, considering environmental, economic, social, natural and climatic and other conditions.

The decision of the Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, executive authorities or local self-government bodies to grant permission for the development of documentation on land management is

¹ ДБН V.2.4–5:2012 Khvostoskhovyshcha i shlamonakopychuvachi. URL: <https://dbn.co.ua/load/normativy/abn/1–1–0–1022> (data zvernennia 25.06.2019) [in Ukrainian].

² Mistobuduvannia. Planuvannia i zabudova miskykh i silskykh poselen DBN 360–92**, nakaz Derzhavnoho komitetu Ukrainy u spravakh mistobuduvannia i arkhitektury, zatverdzhenyi nakazom Derzhkommistobuduvannia vid 17 kvitnia 1992 r. №44 URL: <https://zakon.rada.gov.ua/rada/Show/v0044481–92> (data zvernennia 25.06.2019) [in Ukrainian].

made only within the time limits and only in cases provided for by land legislation.

In the case of research on documentation on land management, it is necessary to establish the powers of local self-government and executive authorities to grant permission for the development of documentation on land management, granting (transfer) of land plots, including with a change of their intended purpose considering Art. 20, 122, 151 of the Land Code of Ukraine.

It should be noted that the relevant executive body reviews the application within one month and gives permission for the development of a land development project with the purpose of redeveloping the land plot or giving a reasoned refusal to grant it.

The grounds for refusal to grant such a permit can be only a mismatch of the location of the land plot to the requirements of laws adopted in accordance with them regulatory acts, as well as general plans of settlements, other town planning documents, land management schemes and technical and economic justifications for the use and protection of land administratively, territorial units, land management projects for the settlement of the territory of settlements approved in the manner prescribed by law.

It is forbidden to refuse permission for development of a project of land management for the allocation of land plots, the location of objects on which was agreed by the relevant executive authority or local self-government body in accordance with Art. 151 of the Land Code of Ukraine.

When examining a land management project for the allocation of a land plot with a change of its intended purpose (for the placement and operation of the main, ancillary and auxiliary buildings and structures related to the use of subsoil), which, as an example, the expert should be aware of the existence of a zoning plan or a detailed plan of the territory approved by the respective district state administration. Requirements for the mandatory availability of a zoning plan or a detailed site plan are laid down in Art. 24 of the Law of Ukraine: *On Regulation of Urban Planning Activity*¹.

Land development projects regarding land allotment, including with the change of their purpose, are approved and approved in accordance with the procedure established by the Land Code of Ukraine².

¹ Pro rehulivannia mistobudivnoi diialnosti [On regulation of town-planning activity]: Zakon Ukrainy vid 17.02.2011r. №3038–Vi Vidomosti Verkhovnoi Rady Ukrainy, 2011 r. №34. St. 343. URL: <https://zakon.rada.gov.ua/Laws/show/3038-17> (data zvernennia 26.06.2019) [in Ukrainian].

² Pro zemleustrii [About land management] : Zakon Ukrainy vid 22.05.2003 №858–iV [in Ukrainian].

Art. 186-1 summarizes the powers of the executive authorities in terms of approval of land development projects for land allotment.

Thus, the project of land management for the removal of land plots of all categories and forms of ownership (except for the land plots of the exclusion zone and the zone of unconditional (obligatory) resettlement of the territory that has been contaminated because of the Chornobyl disaster) is subject to mandatory agreement with the territorial executive body that implements state policy in the field of land relations.

Land development project for allotment of land within the settlement or land outside the settlement where the construction object is located or the location of such object is planned (except for the land development project for the allocation of the land plot of the exclusion zone or the unconditional (mandatory) zone resettlement of the territory that has been the subject of radioactive contamination as a result of the Chornobyl disaster) is also submitted for approval to the structural units of the rayon, Kyiv and Sevastopol city states, urban and architectural administrations, and if the city is not within the territory of a district, the executive body of the city council in the field of urban planning and architecture, and if such body is not formed, the executive authority of the Autonomous Republic of Crimea on issues town planning and architecture or structural subdivision of regional state administration on urban planning and architecture¹.

In addition, the land management project for land allotment, including change of purpose depending on the category of land, is subject to agreement with the executive authorities in the field of the environment, if the land plot is located on the territory or within the object of nature reserve fund or within the coastal protection strip; with bodies of executive power in the field of cultural heritage protection if the land plot is located on the territory of cultural heritage monuments of national importance, their protected zones and protected archeological territories, on the territories of lands of historical and cultural purpose, monuments of cultural heritage of local importance, their protected zones, in the historical habitats of settlements and other lands of historical and cultural purpose; with the executive bodies of forestry if the land plot belongs to the forestry purpose; with the executive bodies on water management if the land belongs to the land of the water fund.

It should be noted that if the location of the object, the size and boundaries of the land being offered for foreclosure (redemption) and the conditions for foreclosure (redemption) of the land are agreed in accordance with the requirements of Art. 151 of the Land Code of Ukraine, which did not change during the development of the land development plan, is not subject to approval.

¹ *Zemelnyi kodeks Ukrainy [Land Code of Ukraine]; Zakon Ukrainy vid 25.10.2001 №2768–iii [in Ukrainian].*

The approval of the materials of the location of the object to be placed on the land plot, especially of valuable state or communal property lands with the change of its purpose, is carried out in agreement with the Verkhovna Rada of Ukraine.

The change of purpose of land plots of nature conservation and other nature preservation, historical, cultural, forestry purpose, which are in state or communal ownership, is carried out in agreement with the Cabinet of Ministers of Ukraine¹.

In addition, it should be borne in mind that when designing a land management project for the allocation of land with a change of their intended purpose, there may be a question about compensation for losses caused by seizure (redemption) and temporary occupation of land, establishing restrictions on their use, deterioration of soil quality and other beneficial properties of land or making them unusable and not generating income due to temporary non-use of land.

This issue is regulated by the Resolution of the Cabinet of Ministers of Ukraine *On the Procedure for Determining and Compensating Damages to Landowners and Land Users* dated on April 28, 1993 № 284².

When allocating agricultural and forestry land, and when changing the purpose of land, it is necessary to consider the compensation of losses of agricultural and forestry production.

This issue is regulated by Art. 207–208 of the Land Code of Ukraine and Resolution of the Cabinet of Ministers of Ukraine «On Amounts and Procedure for Determining the Losses of Agricultural and Forestry Production to be Compensated» dated November 17, 1997. № 1279³.

A very important issue in the study of land management documentation is the availability of the opinion of the state examination of land management documentation, if this type of land management documentation was subject to mandatory state expertise in accordance with Article 9 of the Law of Ukraine: *On State Expertise of land*

¹ Zemelnyi kodeks Ukrainy [Land Code of Ukraine]: Zakon Ukrainy vid 25.10.2001 №2768–iii [in Ukrainian].

² Pro Poriadok vyznachennia ta vidshkoduвання zbytkiv vlasnykam zemli ta zemlekorystuvacham [About the Order of determination and compensation of damages to land owners and land users]: postanova Kabinetu Ministriv Ukrainy vid 19 kvitnia 1993 r. №284. URL: <https://zakon.rada.gov.ua/Laws/show/284–93–p>. (data zvernennia 26.06.2019) [in Ukrainian].

³ Pro rozmyry ta poriadok vyznachennia vtrat silskohospodarskoho i lisohospodarskoho vyrobnytstva, yaki pidliahaiut vidshkoduвання [On the Amounts and Procedure of Determining Agricultural and Forest Production Losses that Are Subject to Compensation]: postanova Kabinetu Ministriv Ukrainy vid 17 lystopada 1997 r. №1279. Ofitsiyni visnyk Ukrainy, 1997. №47. St. 40. URL: <https://zakon.rada.gov.ua/Laws/show/1279–97–p>. (data zvernennia 26.06.2019) [in Ukrainian].

management documentation and 4.2.1 of points 4.1 and 4.2 of Chapter 4 of the Methodology of conducting state examination of land management documentation, approved by the Order of the State Land Committee № 391 of 03.12.2004, registered with the Ministry of Justice of Ukraine 21 December 2004 under № 1618/10217 (as amended)¹.

The necessity of conclusion of state examination of land management documentation is required if the documentation of land management is not subject to the obligatory state expertise of land management documentation, but this is set by the task of developing the appropriate type of documentation.

It should be noted that the project of land management for the allocation of land with a change of its intended purpose (for the placement and operation of the main, ancillary and auxiliary buildings and structures related to the use of subsoil) when transferring land from the category of land – agricultural land (pastures) into the category of land – land of industry) is not subject to the obligatory state examination of land management documentation in accordance with the current norms of the legislation. In accordance with part 4 of Article 122 of the Land Code of Ukraine, the central executive body for land resources in the field of land relations and its territorial bodies shall transfer land for agricultural purposes of state ownership, except in cases specified by the legislation.

Part 10 of Article 123 of the Land Code of Ukraine provides that the decision to grant a land plot for use under the land management project for its allotment shall be made by:

- approval of the project of land management regarding the allotment of the land plot;
- withdrawal of land plots from land users with approval of conditions for land withdrawal (if necessary);
- granting the land to the person for use with the definition of the conditions of its use and approval of the conditions of granting, including (if necessary) requirements for compensation of losses of agricultural and forestry production².

In this regard, when designing a land management project with a change of purpose of agricultural lands (pastures), which are assigned to the reserve lands for the intended purpose for the placement and operation of the main, auxiliary and auxiliary buildings (industrial lands), the

¹ Pro zatverdzhennia Metodyky provedennia derzhavnoi ekspertyzy zemlevporiadnoi dokumentatsii [On approval of the Methodology for conducting state examination of land management documentation]: nakaz Derzhkomzemu Ukrainy vid 03.12.2004 №391, zareiestrovanyi v Ministerstvi yustytzii Ukrainy 21.12.2004 r. za №1618/10217. Ofitsiyni visnyk Ukrainy, 2004, № 51. St. 3406. URL: <https://zakon.rada.gov.ua/Laws/show/z1618-04> (data zvernennia 26.06.2019) [in Ukrainian].

² Zemelnyi kodeks Ukrainy [Land Code of Ukraine]: Zakon Ukrainy vid 25.10.2001 №2768–iii [in Ukrainian].

competence to approve the land management project on the allotment of land with a change of purpose and provision of land belongs to the central body of executive power on land resources in the field of land their relations and its territorial bodies.

The united territorial community may dispose of these lands in case of transfer of land from state ownership to communal property by the act of acceptance-transfer of such land plot and state registration of ownership of territorial community in accordance with the decree of the Cabinet of Ministers of Ukraine of January 31, 2018. №60 – p «Issue of Transfer of Land Plots of Agricultural Purpose of State Property into Communal Property of United Territorial Communities» and Law of Ukraine of September 6, 2012 № 5245 – VI «On Amendments to Some Legislative Acts of Ukraine on Delimitation of State and Communal Property Lands»¹.

Conclusions. Summarizing the above, when conducting the study, the specified type of documentation on land management, the expert must take into account all the rules of law related to determining the compliance of the developed documentation with land management with a change of purpose of land plots, since the ownership of the land plot, land category, type of land, values Soil competence depends on the approval, approval of documentation of land management and the provision (transfer) of land.

At the same time, generalization and evaluation of the research results, which are the basis for drawing conclusions of land management projects for the allocation of land plots with a change of their purpose, depend on all circumstances, violations, shortcomings, etc., which are established during the study and which affect the results of the measures provided by this land management documentation on land use and protection and the like.

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¹ Pro vnesennia zmin do deiakykh Zakonodavchykh aktiv Ukrainy shchodo rozmezhuvannia zemel derzhavnoi ta komunalnoi vlasnosti [On Amendments to Some Legislative Acts of Ukraine Concerning the Separation of State and Communal Property Lands] : Zakon Ukrainy vid 06.09.2012 r. №5245–Vi. Vidomosti Verkhovnoi Rady Ukrainy, 2013r., №36, stor. 1958. St. 472. URL : <https://zakon.rada.gov.ua/Laws/show/5245-17> [in Ukrainian].

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Оглядова стаття

ОСОБЛИВОСТІ ПРОВЕДЕННЯ СУДОВИХ ЕКСПЕРТИЗ ПРОЕКТІВ ЗЕМЛЕУСТРОЮ ЩОДО ВІДВЕДЕННЯ ЗЕМЕЛЬНИХ ДІЛЯНОК ЗІ ЗМІНОЮ ЇХ ЦІЛЬОВОГО ПРИЗНАЧЕННЯ

Розглянуто питання проведення судових експертиз з питань землеустрою при дослідженні проектів землеустрою щодо відведення земельних ділянок зі зміною їх цільового призначення.

Визначено коло питань, які пов'язані з аналізом наданої на дослідження документації із землеустрою та зіставленням її вимогам земельного законодавства та іншим нормативним документам з питань землеустрою та землекористування.

Наведено нормативно-правові акти, які регулюють питання надання земельних ділянок зі зміною їх цільового призначення. Викладено порядок складу, змісту і правил оформлення відповідної нормативно-технічної документації з питань здійснення землеустрою.

Проведено узагальнення та оцінку результатів досліджень, які є підставою для формування висновків судових експертиз з питань землеустрою.

Ключові слова: цільове призначення земельної ділянки; землеустрій; документація із землеустрою; проект землеустрою щодо відведення земельної ділянки; категорія земель.

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