

Law of Ukraine
On Environmental Protection

of June 25, 1995, No.1264-XXII, VVR

(Vistnik Verkhovnoi Rady [Herald of the Supreme Rada]), No.41. p.546

with amendments and additions introduced by the Law of Ukraine of May 5, 1993, No.31880XII, VVR 1993, No.26, p.277, of March 6, 1996,

No.81/96-VR, Holos Ukrainy (newspaper Voice of Ukraine) of April 9, 1996)

(Procedure for the Restriction, Temporary Prohibition [Suspension] or Termination of Activity by Enterprises, Institutions, Organizations and Facilities in Case of Them Violating Legislation on Environmental Protection approved by Parliament Resolution No.2751-XII of October 20, 1992).

(In the title and text of the Law the words "Ukrainian SSR," "Crimean ASSR," "Ministry for Environmental Protection of the Ukrainian SSR," "cities of Republic jurisdiction" in all cases have been replaced by the words "Ukraine," "Autonomous Republic of Crimea," "Ministry for Environmental Protection and Nuclear Safety of Ukraine," "cities of countrywide importance" in their respective cases).

(in conformity with Law No.81/96-VR of March 6, 1996) Environmental protection, the rational utilization of natural resources and the maintenance of ecological safety for the vital activities of man are an integral condition for the well-being of the population from the negative effects of environmental pollution, and achieve a harmonious interaction between society and nature, the protection, rational utilization and regeneration of natural resources.

(amended in conformity with Law No.81/96-VR of March 6, 1993) The present Law establishes the legal, economic and social foundations for organizing environmental protection in the interests of the present generation and the generations to come.

Part I General Provisions

Article 1. The Aim of Legislation on Environmental Protection The aim of legislation on environmental protection is to regulate relations in the sphere of protecting nature, utilization and regeneration of natural resources, maintenance of ecological safety, prevention and mitigation of the negative effects of economic and other activity on the environment, conservation of natural resources, the genetic pool of animate nature, landscapes and other natural complexes, unique territories and natural objects related to the historical and cultural heritage.

Article 2. Legislation of Ukraine on Environmental Protection Relations in the field of environmental protection in Ukraine shall be regulated by the present Law as well as by accordingly drafted land, water, and forest legislation, legislation on natural resources, the protection of the atmospheric air, protection and utilization of the plant and animal worlds and other special legislation.

(amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 3. Basic Principles of Environmental Protection The basic principles of environmental protection shall be a) priority of the requirements of ecological safety, strict compliance with ecological standards, quotas and limitations as to the utilization of natural resources in pursuing economic, management and other activity; b) guarantee of ecological safety of the environment for the life and health of people; c) preventive character of measures in environmental protection; d) ecology-oriented material production on the basis of comprehensive solutions of environmental protection issues, utilization and regeneration of recoverable natural resources, wide introduction of the latest technologies; e) preservation of the spacial and species diversity and integrity of natural objects and complexes; f) scientifically substantiated coordination of ecological, economic and social interests of society on the basis of combining interdisciplinary knowledge of ecological, social, natural and technical sciences and forecasting of environmental conditions; g) mandatory examination by experts; h) transparency and democratism in adopting decisions, the implementation of which impacts on the environment, shaping in the population an

ecological awareness; i) scientifically substantiated standardization of the effects of economic and other activity on the environment; j) free general and payable utilization of natural resources for economic activity; k) imposition of fines for the pollution of the environment and deterioration of the quality of natural resources, compensation for damage caused by violation of legislation on environmental protection; l) solution of environmental protection issues and utilization of natural resources with due account of the degree of anthropogenic changes of the territories and the aggregate effect of factors negatively impacting on the environment; m) combination of measures for stimulation and responsibility in environmental protection; n) solution of environmental protection issues on the basis of broad cooperation between states.

Article 4. Right to Ownership of Natural Resources The natural resources of Ukraine shall be the property of the people of Ukraine who have the right to own, utilize and dispose of the natural resources of the Republic. All land in Ukraine, except for the land transferred to collective and private ownership, shall be in state ownership. The sovereignty of the people of Ukraine in the field of environmental protection and utilization of natural resources shall be exercised on the basis of the Constitution of Ukraine both directly by means of holding referendums as well as through Republic bodies of state power in conformity with the legislation of Ukraine.

On behalf of the people of Ukraine the right to disposal of natural resources shall be exercised by the Parliament of Ukraine. (Article 4 supplemented by Section 2 in conformity with Law No.3180 of May 5, 1993)

(Sections 2 and 3 shall be considered as Sections 3 and 4 respectively)

(Article 4 amended in conformity with Law No.81/96-VR of March 6, 1993).

Article 5. Objects of Legal Protection of the Environment Subject to state protection and regulation of utilization on the territory of Ukraine shall be the following: the environment as an aggregate of natural and natural-social conditions and processes, natural resources that are both involved in the economic cycle and not involved in the national economy at a given period (land, mineral resources, water, atmospheric air, forests and other vegetation, animal world), landscapes and other natural complexes. Subject to special state protection shall be the territories and objects of the nature preserves of Ukraine and other territories and objects determined in conformity with the legislation of Ukraine.

The health and life of people shall also be subject to state protection against the negative influence of unfavorable ecological conditions.

(Article 5 amended in conformity with Law No.81/96-VR of March 6, 1996).

Article 6. State Ecological Programs In order to pursue effective and purposeful activity in Ukraine on organizing and coordinating measures on environmental protection, the maintenance of ecological safety, and rational utilization and regeneration of natural resources, long-term state Republic, inter-state, regional, local and other territorial programs shall be drafted and adopted.

The procedure for drafting state ecological programs shall be established by the Cabinet of Ministers of Ukraine. (Article 6 amended in conformity with Law No.81/96 of March 6, 1996).

Article 7. Education and Upbringing in the Field of Environmental Protection The upgrading of society's ecological culture and the professional training of specialists shall be ensured by general compulsory and comprehensive education and upbringing in the field of environmental protection, including in preschool establishments, within the system of general secondary, vocational and higher education, refreshers courses and advanced training. Ecological knowledge shall be an obligatory qualification requirement for all officials whose activity is related to the utilization of natural resources and impacts on the condition of the environment.

Specially appointed higher and vocational educational establishments shall train specialists in the field of environmental protection and utilization of natural resources with due account of the public needs.

Article 8. Scientific Research In Ukraine systematic comprehensive research of the environment and natural resources shall be conducted in order to develop scientific foundations of their protection and rational utilization and maintain ecological safety.

The coordination and generalization of the results of this research shall be effected by the Academy of Sciences of Ukraine and the Ministry for Environmental Protection and Nuclear Safety of Ukraine.

Part II Ecological Rights and Duties of Citizens

Article 9. Ecological Rights of the Citizens of Ukraine Each citizen of Ukraine shall enjoy the right (amended in conformity with Law No.81/96-VR of March 6, 1996) a) to an environment that is safe for his/her life and health; b) to take part in the discussion of draft legislation, material pertaining to the siting, building and reconstructing objects which might negatively affect the condition of the environment, and to submit proposals to state and economic bodies, institutions and organizations on these questions; c) to take part in the development and implementation of measures on environmental protection, rational and comprehensive utilization of natural resources; d) to effect general and special utilization of natural resources; e) to associate in non-governmental environmental organizations; f) to receive by established procedure complete and trustworthy information on the condition of the environment and its effect on the health of the population; g) to take part in conducting public ecological examinations; h) to gain an ecological education; i) to bring action against state bodies, enterprises, institutions, organizations and citizens on compensation for damage caused to the health and property of citizens in consequence of the negative effects of the environment. The legislation of Ukraine may also establish other rights of citizens of the Republic. (Section 2 of Item 9 amended in conformity with Law No.81/96-VR of March 6, 1996). Article 10. Guarantees of Ecological Rights of Citizens The ecological rights of citizens shall be ensured a) by introducing large-scale state measures in support, regeneration and improvement of the environment; b) by making it mandatory on the ministries, agencies, enterprises, institutions and organizations to take technical and other measures for the prevention of the adverse effects of economic and other activity on the environment, comply with ecological requirements during planning, siting of production facilities, building and operation of economic facilities; c) by participation of non-governmental associations and citizens in activities pertaining to environmental protection; d) by exercising state and public control over compliance with the legislation on environmental protection; e) by compensating under established procedure for the damage caused to the health and property of citizens in consequence of violation of legislation on environmental protection; f) by the inevitability of responsibility for violation of legislation on environmental protection. Activity hindering the exercise of the rights of citizens to a safe environment and their other rights shall be subject to suspension by procedure established under the present Law and other legislation of Ukraine.

(Article 11 amended in conformity with Law No.81/96-VR of March 6, 1996).

Article 11. Safeguarding the Rights of Citizens of Ukraine in the Field of Environmental Protection Ukraine shall guarantee its citizens the exercise of their ecological rights granted them by legislation. Councils of People`s Deputies, specially authorized state bodies of administration in the field of environmental protection and utilization of natural resources shall be bound to render all-round assistance to citizens in their pursuance of environmental protection activity, to take into consideration their proposals on improving the condition of the environment and the rational utilization of natural resources, and to involve citizens in solving questions of environmental protection and the utilization of natural resources.

The infringed upon rights of citizens in the field of environmental protection shall be restored, while their protection shall be effected by judicial procedure in conformity with the legislation of Ukraine.

(Article 11 amended in conformity with Law No.81/96-VR of March 3, 1996)

Article 12. Duties of Citizens in the Field of Environmental Protection Citizens of Ukraine shall be bound a) to take care of nature, to protect and rationally utilize its wealth in conformity with the requirements of the legislation on environmental protection; b) to pursue activity with compliance with the requirements of ecological safety, other ecological standards and limitations of utilization of natural resources; c) not to violate ecological rules and the legitimate interests of other subjects; d) to effect payment for special utilization of natural resources and fines for violating ecological legislation; e) to refund losses caused by pollution and other negative effects on the environment. Citizens of Ukraine shall also be bound to fulfill other obligations in the field of environmental protection in conformity with the legislation of Ukraine. (Section 2 of Article 12 amended in conformity with Law No.81/96-VR of March 6, 1996).

Part III Powers of Councils of People`s Deputies in the Field of Environmental Protection

Article 13. Competence of the Parliament of Ukraine in the Field of Environmental Protection Within the exclusive competence of the Parliament of Ukraine in the field of regulating relations in environmental protection in conformity with the Constitution of Ukraine shall be the

following (amended in conformity with Law No.81/96-VR of March 6, 1996) a) determination of the main guidelines of state policy in the field of environmental protection; b) endorsement of state ecological programs; c) establishment of a legal framework for regulating relations in the field of environmental protection, including the adoption of decisions on limiting, suspending (temporarily) or terminating the activity of enterprises and facilities in case of them violating legislation on environmental protection; d) establishment of powers of the Councils of People`s Deputies, the procedure for the organization and operation of administrative bodies in the field of environmental protection, utilization of natural resources and maintenance of ecological safety; e) establishment of a legal framework for zones of extraordinary ecological situation, the status of affected citizen and the declaration of such zones on the territory of the Republic. In conformity with the Constitution of Ukraine the Parliament of Ukraine may accept for its consideration also other questions of environmental protection and utilization of natural resources and the maintenance of ecological safety.

(Section 2 of Article 13 amended in conformity with Law No.81/96-VR of March 6, 1996).

Article 14. Competence of the Parliament of the Autonomous Republic of Crimea

(The title of Article 14 amended in conformity with Law No.81/96-VR of March 6, 1996)

In the field of regulating relations in environmental protection the Parliament of the Autonomous Republic of Crimea shall (amended in conformity with Law No.81/96-VR of March 6, 1996) a) establish the procedure for the organization and activity of administration bodies in the field of environmental protection and utilization of natural resources; b) establish the powers of the Councils of People`s Deputies in the field of environmental protection and rational utilization of natural resources; c) ensure the implementation of the ecological policy of Ukraine and the ecological rights of citizens; (Item "c" of Article 14 amended in conformity with Law No.81/96-VR of March 6, 1996) d) approve ecological programs; e) organize the study of the environment; f) muster and establish the status of extra-budgetary and reserve funds, hard currency funds included, for financing programs and other measures on environmental protection; g) adopt decisions on the organization of territories and objects of nature preserves of local importance and other territories and objects which are subject to special protection, and establish their additional categories; h) suspend (temporarily) the economic activity of enterprises, institutions and organizations under the jurisdiction of the Autonomous Republic of Crimea, as well as restrict or suspend (temporarily) the operation of enterprises, institutions and organizations not

under the jurisdiction of the bodies of power of the Autonomous Republic of Crimea in cases of them violating the legislation on environmental protection; (Item "h" of Article 14 amended in conformity with Law No.81/96-VR of March 6, 1996) i) establish when need be standards of ecological safety that are more stringent than those operative throughout the entire territory of Ukraine.

(Item "i" of Article 14 amended in conformity with Law No.81/96-VR of March 6, 1996)

The Parliament of the Autonomous Republic of Crimea shall also exercise other powers not referred by the legislation of Ukraine to the competence of the Republic bodies of state power of Ukraine. (Section 2 of Article 14 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 15. Powers of Local Councils of People`s Deputies in the Field of Environmental Protection Bearing responsibility for the condition of the environment on their territory and within the scope of their competence, the local Councils of People`s Deputies shall a) ensure the implementation of the ecological policy of Ukraine and the ecological rights of citizens; (Item "a" of Article 15 amended in conformity with Law No.81/96-VR of March 6, 1996) b) give consent to the siting on their territory of enterprises, institutions and organizations; c) with due account of ecological requirements approve projects on planning and developing inhabited localities, their master plans and structural models of enterprises; d) issue and revoke permits for individual utilization of natural resources of local importance; e) approve local ecological programs; f) organize the study of the environment; g) muster and establish the status of extra-budgetary and reserve funds, hard currency funds included, for financing programs and other measures on environmental protection; h) when need be organize necessary ecological examinations by experts; i) ensure that the population is informed about the condition of the environment; j) organize work on dealing with the ecological consequences of accidents and engage for this work enterprises, institutions and organizations, regardless of their jurisdiction and form of ownership, and citizens; k) adopt decisions on organizing territories and objects of nature preserves of local importance and other territories that are subject to special protection; l) exercise control over compliance with legislation on environmental protection; m) terminate the economic activity of enterprises, institutions and organizations of local jurisdiction, as well as limit or suspend (temporarily) the activity of enterprises, institutions and organizations not within the jurisdiction of the Councils of People`s Deputies in case of violation by the former of legislation on environmental protection; n) coordinate the activity of respective authorized state bodies of administration in the field of environmental protection and utilization of natural

resources on the territory of the local Council of People`s Deputies. The local Councils of People`s Deputies may also exercise other powers in conformity with the legislation of Ukraine.

(Section 2 of Article 15 amended in conformity with Law No.81/96-VR of March 6, 1996)

Part IV Powers of the Bodies of Administration in the Field of Environmental Protection

Article 16. Administration in the Field of Environmental Protection Administration in environmental protection shall consist in discharging in the said field the functions of supervision, research, ecological examination by experts, control, forecasting, programming, informing and other executive and directive activity. State administration in the field of environmental protection shall be exercised by the Cabinet of Ministers of Ukraine, the Councils of People`s Deputies and their executive and directive bodies, as well as by specially authorized state bodies on environmental protection and utilization of natural resources and other state bodies in conformity with the legislation of Ukraine.

(Section 2 of Article 16 amended in conformity with Law No.81/96-VR of March 6, 1996)

The specially authorized state administration bodies in the field of environmental protection and utilization of natural resources in the Republic shall be the Ministry for Environmental Protection and Nuclear Safety of Ukraine, its local bodies and other state bodies, within the competence of which shall be referred the discharge of the said functions by the legislation of Ukraine and the Autonomous Republic of Crimea.

(Section 3 of Article 16 amended in conformity with Law No.81/96-VR of March 6, 1996)

Public administration in the field of environmental protection shall be carried out by non-governmental associations and organizations, if such activity is foreseen by their statutes registered in conformity with the legislation of Ukraine.

(Section 4 of Article 16 amended in conformity with Law No.81/96-VR of March 6, 1996)

The aim of administration in the field of environmental protection shall be the implementation of legislation, control over compliance with the requirements of ecological safety, of effective and comprehensive measures of environmental protection, rational utilization of natural resources, achievement of coordinated efforts by state and public bodies in the field of environmental protection.

Article 17. Competence of the Cabinet of Ministers of Ukraine in the Field of Environmental Protection

(The title of Article 17 amended in conformity with Law No.81/96-VR of March 6, 1996)

In the field of environmental protection the Cabinet of Ministers shall a) effect implementation of the ecological policy defined by the Parliament of Ukraine; (Item "a" of Article 17 amended in conformity with Law No.81/96-VR of March 6, 1996) b) ensure the drafting of state Republic, inter-state and regional ecological programs; c) coordinate the activity of ministries, agencies, other institutions and organizations of Ukraine on questions of environmental protection; (Item "c" of Article 17 amended in conformity with Law No.81/96-VR of March 6, 1996) d) establish procedures for mustering and using a Republic extra-budgetary fund of environmental protection and approve the list of environmental measures; (Item "d" of Article 17 amended in conformity with Law No.81/96-VR of March 6, 1996) e) establish procedures for developing and approving ecological standards, limitations on utilization of natural resources, emission and discharge of pollutants into the environment, and siting of wastes; f) establish procedures for determining payment and its maximum amounts for the use of natural resources, for environment pollution, siting of wastes, and other types of harmful influences on the environment; g) adopt decisions on the organization of territories and objects of nature preserves of countrywide importance; (Item "g" of Article 17 amended in conformity with Law No.81/96-VR of March 6, 1996) h) organize ecological education and ecological instruction of citizens; i) adopt decisions on suspension (temporary) or termination of the activity of enterprises, institutions and organizations, regardless of their forms of ownership and jurisdiction, in case of them violating the legislation on environmental protection; j) manage foreign relations of Ukraine in the field of environmental protection.

(Item "j" of Article 17 amended in conformity with Law No.81/96-VR of March 6, 1996)

The Cabinet of Ministers of Ukraine may also exercise other authority in conformity with the legislation of Ukraine (Section 2 of Article 17 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 18. Competence of the Government of the Autonomous Republic of Crimea in the Field of Environmental Protection In the field of environmental protection on its territory the Government of the Autonomous Republic of Crimea shall a) effect implementation of the legislation of Ukraine and the Autonomous Republic of Crimea in the field of environmental protection;

(Item "a" of Article 18 amended in conformity with Law No.81/96-VR of March 6, 1996)

b) organize the drafting of ecological programs; c) coordinate the activity of ministries, agencies, as well as enterprises, institutions and organizations in the Autonomous Republic of Crimea on questions of environmental protection, regardless of their forms of ownership and jurisdiction; (Item "c" of Article 18 amended in conformity with Law No.81/96-VR of March 6, 1996) d) establish procedures for mustering and using an extra-budgetary fund for the protection of the environment of the Autonomous Republic of Crimea.; (Item "d" of Article 18 amended in conformity with Law No.81/96-VR of March 6, 1996) e) coordinate the siting of enterprises, institutions and organizations; f) organize management and control in the field of environmental protection; g) determine by established procedure rates of payment and fines for environmental pollution and siting of wastes; h) establish upon request of the bodies of the Ministry for Environmental Protection of Nuclear Safety of Ukraine limits for enterprises, institutions and organizations on the utilization of natural resources, except for resources of countrywide importance, emission and discharge of pollutants into the environment, except for emission and discharge causing the pollution of natural resources of countrywide importance and the environment beyond the territory of the Autonomous Republic of Crimea, and limits for siting wastes; (Item "h" of Article 18 amended in conformity with Law No.81/96-VR of March 6, 1996) i) organize state ecological examination by experts of facilities that are being set up or operate on the territory of the Autonomous Republic of Crimea; (Item "i" of Article 18 amended in conformity with Law No.81/96-VR of March 6, 1996) j) coordinate current and long-term plans of the operation of enterprises, institutions and organizations on questions of environmental protection and utilization of natural resources; k) organize mitigation of

ecological consequences of accidents and engage for this purpose enterprises, institutions and organizations, regardless of their jurisdiction and forms of ownership, as well as citizens; l) ensure systematic and prompt information of the population, enterprises, institutions and organizations on the condition of the environment; m) organize ecological training and ecological education of citizens; The Government of the Autonomous Republic of Crimea may also exercise other authority that is not within the competence of Republic bodies of state administration of Ukraine.

(Section 2 of Article 18 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 19. Competence of the Executive and Directive Bodies of the Local Councils of People`s Deputies in the Field of Environmental Protection In the field of environmental protection the executive and directive bodies of the local Councils of People`s Deputies shall within the scope of their competence a) effect the implementation of decisions of respective Councils of People`s Deputies; b) on the territory of the local Councils of People`s Deputies coordinate the activity of local bodies of administration, enterprises, institutions and organizations; c) organize the drafting of local ecological programs; d) determine by established procedure rates of payment and fines for environmental pollution and siting of wastes; e) upon request of bodies of the Ministry for Environmental Protection and Nuclear Safety of Ukraine establish for enterprises, institutions and organizations limits for the utilization of natural resources, except for resources of countrywide importance, limits of emission and discharge causing the pollution of natural resources of countrywide importance or the environment beyond the territory of the given Council of People`s Deputies, as well as limits for siting wastes; (Item "e" amended in conformity with Law No.81/96-VR of March 6,

1996) f) organize collection, processing, recovery and burial of industrial, domestic and other wastes on its territory; g) muster and use local extra-budgetary funds of environmental protection; h) coordinate current and long-term plans of operation of enterprises, institutions and organizations on questions of environmental protection and utilization of natural resources; i) ensure systematic and prompt information of the population, enterprises institutions, organizations and citizens about the condition of the environment and the sickness rate of the population; j) organize ecological training and ecological education of citizens; k) adopt decisions on the organization of territories and objects of nature preserves of local importance. The executive and directive bodies of the Councils of People`s Deputies may also exercise other powers in conformity with the legislation of Ukraine.

(Section 2 of Article 19 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 20. Competence of Specially Authorized Bodies of State Administration in the Field of Environmental Protection and Utilization of Natural Resources Within the competence of the Ministry for Environmental Protection and Nuclear Safety of Ukraine and its local bodies shall be the following (amended in conformity with Law No.81/96-VR of March 6, 1996) a) comprehensive administration in the field of environmental protection in the Republic, pursuance of a single scientific and technological policy on questions of environmental protection and utilization of natural resources, coordination of the activity of ministries, agencies, enterprises, institutions and organizations in this field; b) state control over the utilization and protection of land, mineral resources, surface and underground water, atmospheric air, forests and other vegetation, the animal world, sea environment and the natural resources of territorial waters, the continental shelf and the Republic`s special (marine) economic zone, as well as over compliance with ecological safety standards; c) organization of monitoring of the environment, establishment and ensurance of the work of a Republic ecological information system; d) approval of standards, rules, participation in the drafting of standards on regulating the utilization of natural resources and the protection of the environment against pollution and other harmful effects; e) implementation of state ecological examination by experts; f) free receipt from ministries, agencies, enterprises, institutions and organizations of information required for discharging the invested objectives; g) issuance of permits for burial (storage) of industrial, domestic and other wastes, discharge of harmful substances into the environment, and for special utilization of natural resources in conformity with the legislation of Ukraine; (Item "g" of Article 20 amended in conformity with Law No.81/96-VR of March 6, 1996) h) limitation or suspension (temporary) of the activity of enterprises and facilities, regardless of their jurisdiction and forms of ownership, if their operation is carried out in violation of the legislation on environmental protection and the requirements for the utilization of natural resources and exceeds the limits of emission and discharge of pollutants; i) filing claims for damage and losses caused as a result of violation of legislation on environmental protection; j) drawing up statements and consideration of cases on administrative offenses in the field of environmental protection and utilization of natural resources; k) administration of natural preserve affairs and keeping the Red Data Book of Ukraine;

(Item "k" of Article 20 amended in conformity with Law No.81/96-VR of March 6, 1996)

l) coordination of the work of other specially authorized bodies of state administration in the field of environmental protection and utilization of natural resources; m) international cooperation on questions of environmental protection, study, generalization and dissemination of

international experience in this field, organization of the implementation of Ukraine`s commitments in conformity with international agreements on issues of environmental protection.

(Item "m" of Article 20 amended in conformity with Law No.81/96-VR of March 6, 1996)

The Ministry for Environmental Protection and Nuclear Safety of Ukraine shall also perform other functions in conformity with the regulations approved by the Cabinet of Ministers of Ukraine. (Section 2 of Article 20 amended in conformity with Law No.81/96-VR of March 6, 1996)

Within the system of bodies of the Ministry for Environmental Protection and Nuclear Safety of Ukraine can be established special units, the employees of which shall be granted the right to wear a uniform of established standard and bear firearms. (Section 3 of Article 20 amended in conformity with Law No.81/96-VR of March 6, 1996) Officials of special units of the Ministry for Environmental Protection and Nuclear Safety of Ukraine shall be subject to mandatory state insurance at the expense of the state budget in case on their death in the amount of a ten-year salary they received in the last office they held, and in case of injury, contusion, traumata or mutilation, diseases or invalidism in the amount from a six-month to five-year salary they received in the last office they held, depending on the degree of disability. The list of categories of officials of special units of the Ministry for Environmental Protection and Nuclear Safety of Ukraine who are subject to mandatory life insurance as well as the procedure and terms of such insurance shall be established by the Cabinet of Ministers of Ukraine. In case of death of an official of a special unit of the Ministry for Environmental Protection and Nuclear Safety of Ukraine while in the discharge of official duties the family of the deceased or his/her dependents shall be paid at the expense of the state budget a one-time allowance in the amount of a ten-year salary the deceased received in his last office with the subsequent withdrawal of this amount from the guilty.

In case an official of a special unit of the Ministry for Environmental Protection and Nuclear Safety of Ukraine is inflicted corporeal harm while in the discharge of official duties which hinder the further pursuance of his/her professional activity he/she shall be paid at the expense of the state budget a one-time allowance in the amount of a five-year salary he/she received in his/her last office with the subsequent withdrawal of this amount from the guilty and by established procedures shall be granted a disability pension.

In case an official of a special unit of the Ministry for Environmental Protection and Nuclear Safety of Ukraine is inflicted corporeal harm while in the discharge of official duties which do not hinder the further pursuance of his/her professional activity he/she shall be paid at the expense of the state budget a one-time allowance in the amount of a one-year salary with the subsequent withdrawal of this amount from the guilty. The damage caused to the property of an official of a special unit of the Ministry for Environmental Protection and Nuclear Safety of Ukraine or to members of his/her family while he/she was discharging official duties shall be compensated for in full scope at the expense of the state budget with the subsequent withdrawal of this amount from the guilty.

The one-year salary of an official of a special unit of the Ministry for Environmental Protection and Nuclear Safety of Ukraine which is used as a basis for calculating the amount of a one-time allowance shall include all types of cash payments the official received while working with a special unit of the Ministry for Environmental Protection and Nuclear Safety of Ukraine throughout one year preceding the year of death or impairment of health.

(Article 20 supplemented by Sections 4-10 in conformity with Law No. 81/96-VR of March 6, 1996)

(Therefore, Sections 4, 5 and 6 shall be considered as Sections 11, 12 and 13 respectively)

The legislation of Ukraine shall provide for the protection of the honor, dignity, health and life of employees of special units of the Ministry for Environmental Protection and Nuclear Safety and its local bodies.

(Section 11 of Article 20 amended in conformity with Law No.81/96-VR of March 6, 1996)

The decisions of the Ministry for Environmental Protection and Nuclear Safety of Ukraine on questions referred to its competence shall be binding for all enterprises, institutions and organizations and may be appealed by judicial procedure.

(Section 12 of Article 20 amended in conformity with Law No.81/96-VR of March 6, 1996)

The competence of other specially authorized state bodies of administration in the field of environmental protection and rational utilization of natural resources shall be established by the legislation of Ukraine as well as by regulations on these bodies approved by established procedure.

(Section 13 of Article 20 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 21. Powers of Non-Governmental Associations in the Field of Environmental Protection
Non-governmental environmental protection associations shall have the right a) to develop and popularize their programs of environmental protection; b) to set up public funds of environmental protection; by agreement with the local Councils of People`s Deputies perform work on the protection and regeneration of natural resources, protection and improvement of the environment at the expense of their own resources and the voluntary effort of the members of non-governmental associations; c) to take part in the work of specially authorized bodies of environmental protection on checking the fulfillment of nature protection schemes and measures by enterprises, institutions and organizations; d) to conduct public examinations of the environment by experts, make public their results and impart them to bodies authorized to adopt decisions; e) to receive by established procedure information about the condition of the environment, the sources of its pollution, as well as programs and measures on environmental protection; f) to initiate Republic and local referendums on questions related to environmental protection, utilization of natural resources, and maintenance of ecological safety; g) to submit to respective bodies proposals on the organization of territories and objects of nature preserves; h) to appeal to courts of law on compensating for damage caused in consequence of violation of legislation on environmental protection, including the health of citizens and the property of non-governmental associations; i) to take part in the activities of international non-governmental organizations on questions of environmental protection. The activity of non-governmental associations in the field of environmental protection shall be pursued in conformity with the legislation of Ukraine on the basis of their statutes.

(Section 2 of Article 21 amended in conformity with Law No.81/96-VR of March 6, 1996)

Part V Monitoring, Forecasting, Registration and Information in the Field of Environmental Protection

Article 22. Monitoring of the Environment In order to ensure the collection, processing, storage and analysis of information on the condition of the environment, the forecasting of its changes and the development of scientifically substantiated recommendations for adopting effective administrative measures, a system of state monitoring of the environment shall be established in Ukraine. Monitoring of the condition of the environment and the level of its pollution shall be carried out by the Ministry for Environmental Protection and Nuclear Safety of Ukraine, other specially authorized state bodies, as well as by enterprises, institutions and organizations, the activity of which causes or can cause the deterioration of the condition of the environment.

(Section 1 of Article 22 amended in conformity with Law No.81/96-VR of March 6, 1996)

The said enterprises shall be bound to provide the analytical material of their monitoring to respective stage bodies free of charge.

The procedure for carrying out monitoring of the environment shall be established by the Cabinet of Ministers of Ukraine.

(Section 3 of Article 22 amended in conformity with Law No.81/96-VR of March 6, 1996)

Specially authorized state bodies, jointly with respective scientific institutions, shall ensure the organization of short- and long-term forecasting of the changes in the environment which must be taken into consideration in drafting and implementing programs and measures on the economic and social development of the Republic, including environmental protection, utilization and regeneration of natural resources and the maintenance of ecological safety.

Article 23. Cadastres of Natural Resources In order to register quantitative, qualitative and other characteristics of natural resources, the amount, methods and procedures of their utilization, state cadastres shall be kept. State cadastres shall be kept by procedure established by the Cabinet of Ministers of Ukraine.

(Section 2 of Article 23 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 24. State Registration of Facilities Adversely Affecting the Condition of the Environment
Facilities, which adversely affect or can affect the condition of the environment, the types and amounts of harmful substances introduced into the environment, and the types and extent of harmful physical effects on it shall be subject to state registration.

Enterprises, institutions and organizations shall carry out primary registration in the field of environmental protection and provide the respective information to state bodies conducting registration in this field free of charge.

The collection, processing and presentation to respective state bodies of summarized records on the volumes of emission, discharge of pollutants, utilization of natural resources, implementation of environmental protection projects and other information, as well as keeping ecological records shall be carried out by a uniform system in the Republic and by procedure established by the Cabinet of Ministers of Ukraine.

(Section 3 of Article 24 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 25. Information on the Condition of the Environment
The Ministry for Environmental Protection and Nuclear Safety of Ukraine, its local bodies and specially authorized state bodies shall be invested with the duty to prepare and submit every year to the Parliament of Ukraine a National Report on the Condition of the Environment in the Republic as well as provide to interested state and public bodies, enterprises, institutions, organizations and citizens information on the condition of the environment, cases and causes of its extreme pollution, recommendations as to measures on reducing its negative effect on natural objects and the health of the population, on the consequences and results of mitigation of such incidents, ecological forecasts, and legal action taken against the guilty

The procedure for providing information on the condition of the environment shall be established by the Cabinet of Ministers of Ukraine.

(Article 25 amended in conformity with Law No.81/96-VR of March 6, 1996)

Part VI Ecological Examination by Experts

Article 26. The Binding Force of Ecological Examinations In Ukraine state, public and other types of ecological examinations shall be applied.

The conducting of ecological examinations shall be mandatory in the process of legislative, investment, administrative, economic and other activity affecting the condition of the environment. The procedure for conducting ecological examinations by experts shall be established by the legislation of Ukraine.

(Article 26 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 27. Facilities of Ecological Examination The following shall be subject to ecological examination by experts a) projects for patterns of developing and siting production forces, development of economic sectors, master plans of inhabited localities, patterns for regional planning and other documents preceding planning and design; b) feasibility studies and calculations, projects of construction and reconstruction (expansion, technical modernization) of enterprises and other facilities which might negatively affect the environment, regardless of their forms of ownership and jurisdiction, including facilities for military purposes; c) drafts of acts and documents concerning instructions, procedures and technical standards regulating economic activity negatively affecting the environment; d) documents concerning the development of new machines, materials and substances, including the ones purchased abroad; e) materials, substances, products, economic decisions, systems and facilities, the introduction or sale of which might entail violation of standards of ecological safety and negatively affect the environment or endanger the health of people. Subject to ecological examination may also be ecologically unsafe facilities and complexes in operation, including of a military and defense purpose.

Article 28. State Ecological Examination by Experts State ecological examination shall be conducted by units of experts or specially established commissions of the Ministry for Environmental Protection and Nuclear Safety of Ukraine and its local bodies on the basis of the principles of legality, scientific substantiation, comprehensiveness, independence, transparency and long-term forecasting. (Section 1 of Article 28 amended in conformity with Law No.81/96-VR of March 6, 1996) The objectives of state ecological examination shall be a) determination of ecological safety of economic and other activity which at the present time or in future can directly or indirectly produce a negative effect on the environment; b) establishment of conformity with the requirements of legislation on environmental protection for pre-project, pre-planning, design work and other decisions; c) assessment of the completeness and soundness of projected measures on environmental protection and the health of the population which is carried out by the Ministry for Environmental Protection and Nuclear Safety of Ukraine jointly with the Ministry of Public Health of Ukraine. (Item "c" of Article 28 amended in conformity with Law No.81/96-VR of March 6, 1996) The state ecological examination can involve respective bodies of state administration of Ukraine, representatives of scientific research, project, design, and other institutions and organizations, higher educational establishments, the public, and experts of international organizations. (Section 3 of Article 28 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 29. Mandatory Execution of Conclusions of a State Ecological Examination by Experts The conclusions of a state ecological examination by experts after their approval by the Ministry for Environmental Protection and Nuclear Safety of Ukraine shall be mandatory for execution. (Section 1 of Article 29 amended in conformity with Law No.81/96-VR of March 6, 1996)

A positive conclusion of a state ecological examination shall be the ground to launch financing of all programs and projects. The implementation of programs, projects and decisions without a positive conclusion of a state ecological examination shall be prohibited.

Article 30. Public Ecological Examination Public ecological examination shall be conducted by independent groups of specialists on the initiative of non-governmental associations as well as local bodies of power at the expense of their own resources or on a voluntary basis. Public ecological examination shall be conducted independently from state ecological examination. The conclusions of a public ecological examination can be taken into consideration by bodies conducting state ecological examination as well as by bodies which are interested in implementing project decisions or in operating a corresponding facility.

Part VII Standardization and Rating in the Field of Environmental Protection

Article 31. Aims of Standardization and Rating in the Field of Environmental Protection
Ecological standardization and rating shall be carried out in order to establish a body of mandatory standards, rules and requirements on environmental protection, utilization of natural resources and maintenance of ecological safety.

Article 32. Ecological Standards State standards in the field of environmental protection shall be mandatory for application and shall define notions, terms and procedures for the utilization of natural resources, methods and control over the condition of the environment, requirements for preventing the harmful effects of environmental pollution on the health of people and their food, as well as other requirements related to environmental protection and the utilization of natural resources.

Ecological standards shall be developed and introduced into force by procedure established by the legislation of Ukraine.

(Section 2 of Article 32 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 33. Ecological Rates The system of ecological rates shall include a) rates of ecological safety (maximum permissible concentrations of pollutants in the environment, maximum permissible levels of acoustic, electromagnetic, radiation and other harmful effects on the environment, maximum permissible contents of harmful substances in food products); b) maximum permissible emission and discharge of chemical pollutants into the environment, levels of harmful effects of physical and biological factors.

The legislation of Ukraine may establish rates for the utilization of natural resources and other ecological standards.

(Section 2 of Article 33 amended in conformity with Law No.81/96-VR of March 6, 1996)

The ecological rates shall conform with the requirements of environmental protection and the health of people against the negative effects of pollution.

The rates of maximum permissible concentrations of pollutants in the environment and the level of harmful physical effects on it shall be uniform for the entire territory of Ukraine.

(Section 4 of Article 33 amended in conformity with Law No.81/96-VR of March 6, 1996)

When need be more stringent rates of maximum permissible concentrations of pollutants and other harmful effects on the environment may be established for resort, health-building, recreational and other specific regions.

Ecological rates shall be developed and introduced into force by the Ministry for Environmental Protection and Nuclear Safety of Ukraine and other state bodies in conformity with the legislation of Ukraine.

(Section 6 of Article 33 amended in conformity with Law No.81/96-VR of March 6, 1996)

Part VII Control and Supervision in the Field of Environmental Protection

Article 34. Objectives of Control in the Field of Environmental Protection The objectives of control in the field of environmental protection shall consist in ensuring compliance with the rules of legislation on environmental protection by all state bodies, enterprises, institutions and organizations, regardless of their forms of ownership and jurisdiction, as well as by citizens.

Article 35. State Control in the Field of Environmental Protection State control in the field of environmental protection shall be exercised by Councils of People`s Deputies and their executive and directive bodies, by the Ministry for Environmental Protection and Nuclear Safety of Ukraine, its local bodies and by other specially authorized state bodies.

(Section 1 of Article 35 amended in conformity with Law No.81/96-VR of March 6, 1996)

Subject to state control shall be the utilization and protection of land, mineral resources, surface and underground water, atmospheric air, forests and other vegetation, the animal world, the sea environment and natural resources of territorial waters, the continental shelf and its exclusive (marine) economic zone of the Republic, natural territories and objects that are subject to special protection, and the condition of the environment. The procedures for state control over environmental protection and utilization of natural resources shall be established by the present Law and other legislation of Ukraine. (Section 3 of Article 35 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 36. Public Control in the Field of Environmental Protection Public control in the field of environmental protection shall be exercised by public inspectors of environmental protection in conformity with regulations approved by the Ministry for Environmental Protection and Nuclear Safety of Ukraine. (Section 1 of Article 36 amended in conformity with Law No.81/96-VR of March 6, 1996) Public inspectors of environmental protection shall a) jointly with state control officials take part in the inspection and examination of compliance with legislation on environmental protection by enterprises, institutions, organizations and citizens, as well as compliance with standards of ecological safety and utilization of natural resources.; b) conduct examinations and draw up statements on violations of legislation on environmental protection and submit them to state bodies of control in the field of environmental protection and law enforcement bodies to take action against the guilty; c) render assistance to bodies of state control in the field of environmental protection in order to prevent violation of laws on environmental protection.

The bodies of public control in the field of environmental protection may also exercise other functions in conformity with the legislation of Ukraine.

(Section 3 of Article 36 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 37. Supervision of the Procurator`s Office Over Observance of Legislation on Environmental Protection Supervision over the observance of legislation on environmental protection shall be maintained by the Procurator General of Ukraine and the bodies subordinated to the Office of the Procurator General.

In maintaining supervision, the bodies of the procurator`s office shall apply the rights granted them by the legislation of Ukraine, including taking legal action in courts of law or arbitration courts on compensation for damage caused as a result of violation of legislation on environmental protection and on terminating ecologically dangerous activity. When need be specialized ecological units may be established within the Office of the Procurator General of Ukraine. (Article 37 amended in conformity with Law No.81/96-VR of March 6, 1996)

Part IX Regulation of the Utilization of Natural Resources

Article 38. General and Special Utilization of Natural Resources The utilization of natural resources in Ukraine shall be effected by procedure for general and special utilization of natural resources.

The legislation of Ukraine shall guarantee citizens the right to general utilization of natural resources for meeting their vital needs (esthetic, health-improving, recreational, material, etc.) free of charge, without assigning these resources to specific persons and granting corresponding permissions, except for restrictions foreseen under the legislation of Ukraine. By procedure for special utilization of natural resources citizens, enterprises, institutions and organizations shall be granted for ownership, use or lease natural resources on the basis of special permits registered by established procedure for pay for pursuing production and other activity, and on preferential terms in cases foreseen under the legislation of Ukraine. (Article 38 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 39. Natural Resources of Countrywide and Local Importance (Title of Article 39 amended in conformity with Law No.81/96-VR of March 6, 1996) To the natural resources of countrywide importance shall belong the following (Amended in conformity with Law No.81/96-VR of March 6, 1996) a) territorial and internal sea waters; b) natural resources of the continental shelf and the exclusive (marine) economic zone; c) atmospheric air; d) underground water; e) surface water located or used on the territory of more than one region; f) forest resources of state significance; g) natural resources within the territories and objects of nature preserves of countrywide importance; (amended in conformity with Law No.81/96-VR of March 6, 1996) h) wild animals at natural liberty as well as other species of the animal world within the limits of territorial and internal sea waters, bodies of water located on the territory of more than

one region, state hunting grounds, forests of countrywide importance, as well as species of animals and plants entered in the Red Data Book of Ukraine.

(Item "h" of Article 39 amended in conformity with Law No.81/96-VR of March 6, 1996)

i) mineral resources, except for the generally used ones. The legislation of Ukraine may also refer other natural resources to the natural resources of countrywide importance. (amended in conformity with Law No.81/96-VR of March 6, 1996) To the natural resources of local importance shall be referred the natural resources which by the legislation of Ukraine are not referred to the natural resources of countrywide importance. (amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 40. Compliance with Ecological Requirements in the Utilization of Natural Resources

The utilization of natural resources by citizens, enterprises, institutions and organizations shall be carried out in compliance with the following binding ecological requirements; a) rational and economical utilization of natural resources on the basis of broad application of the latest technologies; b) execution of measures on preventing spoilage, pollution and exhaustion of natural resources and the negative effect on the condition of the environment; c) execution of measures on regenerating recoverable natural resources; d) application of biological, chemical and other methods for improving the quality of natural resources in order to protect the environment and the safety of the populations` health; e) conservation of territories and objects of nature preserves as well as other territories that are subject to special protection; f) pursuance of economic and other activity without violating the ecological rights of other persons. In the utilization of natural resources the fulfillment of other requirements established under the present Law and other legislation of Ukraine shall be ensured.

(Section 2 of Article 40 amended in conformity with Law No.81/96-VR of March 6, 1996)

Part X Economic Mechanism for Ensuring Environmental Protection

Article 41. Economic Measures for Ensuring Environmental Protection The economic measures for ensuring environmental protection shall provide for a) interrelation of the entire administrative, scientific, technological and economic activity of enterprises, institutions and

organizations with the rational use of natural resources and efficient measures on environmental protection on the basis of economic factors; b) determination of sources for financing measures on environmental protection; c) establishment of limits for the utilization of natural resources, emission and discharge of pollutants and siting of wastes; d) establishment of rates of payment and amounts of fines for the utilization of natural resources and disposal of wastes and other types of harmful effects; e) granting to enterprises, institutions and organizations as well as to citizens taxation, credit and other benefits for the introduction by them of low-waste, energy- and resource-saving technologies and alternative types of energy, as well as the execution of other efficient measures on environmental protection; e) compensation by established procedure for damage caused by violation of the legislation on environmental protection.

Article 42. Financing of Measures on Environmental Protection In Ukraine the financing of measures for environmental protection shall be effected at the expense of the State Budget of Ukraine, the Republic Budget of the Autonomous Republic of Crimea and the local budgets, of the resources of enterprises, institutions and organizations, extra-budgetary funds of environmental protection, as well as by voluntary contributions and other resources. (Article 42 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 43. Payment for Special Utilization of Natural Resources Payment for special utilization of natural resources shall be established on the basis of rates of payment and limits of their utilization.

Rates of payment for the utilization of natural resources shall be established with due allowance for their distribution, quality, possibility of regeneration, accessibility, comprehensiveness, productivity, location, possibility for processing, recovery and other factors. Rates of payment for the utilization of natural resources as well as the procedure for their imposition shall be established by the Cabinet of Ministers of Ukraine. (Section 3 of Article 43 amended in conformity with Law No.81/96-VR of March 6, 1996) The limits for the utilization of natural resources shall be established by procedure stipulated by the Parliament of the Autonomous Republic of Crimea, by regional, city (cities of countrywide importance) Councils of People`s Deputies, except for cases when the natural resources are of countrywide importance. (Section 4 of Article 43 amended in conformity with Law No.81/96-VR of March 6, 1996) The limits for the utilization of natural resources of countrywide importance shall be established by procedure stipulated by the Cabinet of Ministers of Ukraine. (Section 5 of Article 43 amended in conformity with Law No.81/96-VR of March 6, 1996) Payments for the utilization of natural resources within the established limits shall be referred to the expenditures of production, while for the utilization in excess of the limits and the decrease in their quality the payments shall be

withdrawn from the profits remaining at the disposal of enterprises, institutions, organizations and citizens.

Article 44. Payment for Pollution of the Environment Payment for the pollution of the environment shall be established on the basis of limits of emission and discharge of pollutants and the siting of wastes of industrial, agricultural, construction and other production. For the territory of the Autonomous Republic of Crimea as a whole, for the regions, cities of countrywide importance or for some of their territories the limits for emission and discharge of pollutants, the siting of wastes of industrial, agricultural construction and other production, as well as for other types of harmful effects shall be established a) by the Ministry for Environmental Protection and Nuclear Safety of Ukraine in cases when this leads to the pollution of natural resources of countrywide importance and the territories of other regions; b) in other cases by procedure established by the Parliament of the Autonomous Republic of Crimea, the regional and city (cities of countrywide importance) Councils of People`s Deputies upon request of bodies of the Ministry for Environmental Protection and Nuclear Safety of Ukraine.

(Section 2 of Article 44 amended in conformity with Law No.81/96-VR of March 6, 1996)

The procedure for setting rates of payment and imposition of fines for pollutiing the environment shall be stipulated by the Cabinet of Ministers of Ukraine.

(Section 3 of Article 44 amended in conformity with Law No.81/96-VR of March 6, 1996)

Fines of enterprises, institutions, organizations, as well as citizens for emission and discharge of pollutants into the environment, the siting of wastes and other types of harmful effects within the permissible limits shall be referred to the expenditures of production, while for exceeding the limits the payments shall be withdrawn the profits remaining at the disposal of enterprises, institutions, organizations or citizens. The procedure for establishing limits on the amount of fines for polluting the environment shall be stipulated by the Cabinet of Ministers of Ukraine.

(Section 5 of Article 44 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 45. Fines for Impairing the Quality of Natural Resources Fines for impairing the quality of natural resources (decrease of soil fertility, productivity of forests, fish productivity in bodies of water, etc.) as a result of owning and utilizing shall be established on the basis of rates.

The procedure for setting the rates of fines for impairing the quality of natural resources shall be stipulated by the Cabinet of Ministers of Ukraine.

(Section 2 of Article 45 amended in conformity with Law No.81/96-VR of March 6, 1996)

Fines of enterprises, institutions, organizations as well as citizens for impairing the quality of natural resources and their utilization shall be paid from the profits remaining at their disposal.

Article 45. Distribution of Payments for the Utilization of Natural Resources and the Pollution of the Environment The payments for the utilization of natural resources shall be placed to local budgets, the Republic Budget of the Autonomous Republic of Crimea and the State Budget of Ukraine and be allocated for the performance of work on regenerating and maintaining these resources in a proper condition. The payments for the utilization of natural resources of local importance shall be placed to the Republic Budget of the Autonomous Republic of Crimea and local budgets. The payments for the utilization of natural resources of countrywide importance in the amount of 50 percent shall be placed to the State Budget of Ukraine and 50 percent to the Republic Budget of the Autonomous Republic of Crimea and local budgets. Fines for pollution of the environment shall be placed to the local (Councils of People`s Deputies of the basic level), regional, Crimean and Ukrainian extra-budgetary funds of environmental protection in the proportion of 70 percent, 20 percent and 10 percent respectively.

The distribution of funds for the utilization of natural resources placed to the State Budget of Ukraine shall be carried out by the Parliament of Ukraine.

The distribution of funds for the utilization of natural resources placed to the Republic Budget of the Autonomous Republic of Crimea and to the local budgets shall be carried out by the Parliament of the Autonomous Republic of Crimea and the respective regional and city (cities of countrywide importance) Councils of People`s Deputies upon request of bodies of the Ministry

for Environmental Protection and Nuclear Safety of Ukraine. (Article 46 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 47. Environmental Protection Funds In order to finance the measures of environmental protection Republic and local extra-budgetary funds of environmental protection shall be set up. Local extra-budgetary funds of environmental protection shall be set up within the limits of a single extra-budgetary fund of a corresponding Council of People`s Deputies at the expense of a) fines for the pollution of the environment; b) a part of the fines imposed for violation of standards and rules of environmental protection and damage caused by violations of the legislation on environmental protection as a result of economic and other activity, specifically

50 percent of the amount of fines imposed on officials for violations in the field of environmental protection and utilization of natural resources;

50 percent of the fines imposed on citizens, including foreign citizens, for damage caused to natural resources by violation of environmental legislation;

80 percent of the fines imposed on enterprises, institutions and organizations, regardless of their forms of ownership, for the damage caused to natural resources by violation of environmental legislation;

80 percent of the resources obtained from the sale of illegally gained natural resources or products thereof or their value; (Item "b", Section 2 of Article 47 amended in conformity with Law No.81/96-VR of March 6, 1996) c) target-oriented and other voluntary contributions of enterprises, institutions, organizations and citizens; d) Item "d", Section 2 of Article 47 deleted (in conformity with Law No.81/96-VR of March 6, 1996) The distribution of payments placed to local extra-budgetary funds of environmental protection shall be carried out by the Parliament of the Autonomous Republic of Crimea, by respective regional, city (cities of countrywide importance) Councils of People`s Deputies upon request of bodies of the Ministry for Environmental Protection and Nuclear Safety of Ukraine.

(Section 3 of Article 47 amended in conformity with Law No.81/96-VR of March 6, 1996)

The Republic Extra-Budgetary Fund of Environmental Protection shall be set up at the expense of a) allocations from local extra-budgetary funds of environmental protection, the amount of which shall be stipulated by the Parliament of Ukraine; (Item "a," Section 4 of Article 47 amended in conformity with Law No.81/96-VR of March 6, 1996) b) voluntary contributions of enterprises, institutions, organizations, citizens and other incomings. The distribution of

resources placed to the Republic Extra-Budgetary Fund of Environmental Protection shall be carried out by the Cabinet of Ministers of Ukraine upon request of the Ministry for Environmental Protection and Nuclear Safety of Ukraine.

(Section 5 of Article 47 amended in conformity with Law No.81/96-VR of March 6, 1996)

The resources of the local and Republic extra-budgetary funds of environmental protection can be used only for target-oriented financing of environmental protection measures, including scientific research into these questions, as well as for measures on mitigating the effect of environmental pollution on the populations' health and for stimulating employees of specially authorized state bodies in the field of environmental protection and utilization of natural resources, except for persons who hold the status of state officials, as well as for public inspectors of environmental protection who revealed violations of environmental legislation and took necessary measures to bring the guilty to account and to prevent violations of environmental legislation.

(Section 6 of Article 47 amended in conformity with Law No.81/96-VR of March 6, 1996)

The regulations on the local extra-budgetary funds of environmental protection shall be approved by respective Councils of People's Deputies, while the regulations on the Republic Extra-Budgetary Fund of Environmental Protection shall be approved by the Cabinet of Ministers of Ukraine.

(Section 7 of Article 47 amended in conformity with Law No.81/96-VR of March 6, 1996)

In Ukraine other funds may also be established for stimulating and financing measures on environmental protection, the rational utilization of natural resources and the maintenance of ecological safety.

(Section 8 of Article 47 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 48. Stimulation Within the System of Environmental Protection In Ukraine stimulation of the rational utilization of natural resources and the protection of the environment shall be carried out by means of (amended in conformity with Law No.81/96-VR of March 6, 1996) a) granting preferential terms of taxation to enterprises, institutions, organizations and citizens in case of them implementing measures on the rational utilization of natural resources and the protection of the environment, converting to low-waste, recycling, resource- and energy-saving technologies, organizing the production and introduction of waste treatment equipment for recovery of pollutants and waste processing, devices for monitoring the environment and the sources of emission and discharge of pollutants, as well as for performing other measures directed at improving the protection of the environment. b) granting short- and long-term credits on preferential terms for implementing measures for ensuring the rational utilization of resources and environmental protection; c) setting higher depreciation rates for basic production assets involved in environmental protection; d) exemption from taxation of environmental protection funds; e) transfer of a part of resources to the extra-budgetary environmental protection funds on a contractual basis to enterprises, institutions, organizations and citizens for measures guaranteeing a decrease of emission and discharge of pollutants and for mitigating the harmful physical, chemical and biological effects on the condition of the environment, and for the development of ecologically friendly technologies and production; f) granting of opportunities for receipt of natural resources on security; g) stimulating by procedure established by the Cabinet of Ministers of Ukraine the employees of specially authorized state bodies in the field of environmental protection and utilization of natural resources, except for persons who hold the status of state officials, as well as public inspectors of environmental protection who revealed violations of environmental legislation and took necessary measures to bring the guilty to account and to prevent violations of environmental legislation, as well as developing and strengthening the material and technical basis of specially authorized state bodies in the field of environmental protection at the expense of fines and other incomings related to the violation of environmental legislation that are placed to a respective current account of these bodies, specifically fines imposed on citizens for violations in the field of environmental protection and utilization of natural resources;

50 percent of the amount of fines imposed on officials for violations in the field of environmental protection and utilization of natural resources;

50 percent of the fines imposed on citizens, including foreign citizens, for damage caused to natural resources by violation of environmental legislation;

20 percent of the fines imposed on enterprises, institutions and organizations, regardless of their forms of ownership, for the damage caused to natural resources by violation of environmental legislation;

20 percent of the resources obtained from the sale of illegally gained natural resources or products thereof or their value; resources obtained from the sale of confiscated instruments of illegal acquisition of natural resources.

(Article 48 supplemented by Item "g" in conformity with Law No.81/96-VR of March 6, 1996)

Article 49. Ecological Insurance In Ukraine voluntary and compulsory state insurance and other types of insurance shall be provided to citizens and their property, the property and incomes of enterprises, institutions and organizations in the event of damage caused by environmental pollution and deterioration of the quality of natural resources. The procedure for ecological insurance shall be established by the legislation of Ukraine.

(Article 49 amended in conformity with Law No.81/96-VR of March 6, 1996) Part XI Measures on Ensuring Ecological Safety

Article 50. Ecological Safety

Ecological safety is such a condition of the environment, in which is ensured the prevention of the deterioration of the ecological situation and the emergence of danger for the health of people. Ecological safety shall be guaranteed to citizens of Ukraine by means of implementing a broad range of interrelated political, economic, technical, organizational, state, legal and other measures.

(Section 2 of Article 50 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 51. Ecological Requirements of Siting, Design, Construction, Modernization, Commissioning and Operation of Enterprises, Structures and Other Facilities In the process of designing, constructing, commissioning of new and modernizing operating enterprises, structures

and other facilities, improving the existing and introducing new technologies and equipment, as well as in the process of operating these facilities the ecological safety of people, the rational use of natural resources, the observance of standards on the harmful effects to the environment shall be ensured. In doing so, harmful substances and waste shall be trapped, recovered and rendered harmless or completely liquidated, and other requirements shall be complied with as to the protection of the environment and the health of people.

The enterprises, institutions and organizations, the activity of which is related to a harmful impact on the environment, regardless of when they had been commissioned, shall be equipped with installations, machines and devices for purification and neutralization of emission and discharge and for the mitigation of harmful factors, as well as with devices for controlling the quantity and composition of pollutants and characteristics of harmful factors.

Projects for economic and other activity shall contain information assessing the effect on the environment and people`s health. The assessment shall be carried out with due account of the requirements of legislation on environmental protection, the ecological activity of a given territory, the condition of the environment where facilities are planned to be sited, ecological forecasting, socioeconomic prospects of the region`s development, the capacity and types of the aggregate impact of harmful factors and facilities on the environment.

Enterprises, institutions and organizations, which site, design, build, reconstruct, modernize, and commission enterprises, facilities and other objects, as well as conduct research which they believe might negatively impact on the condition of the environment shall submit to the Ministry for Environmental Protection and Nuclear Safety of Ukraine and its local bodies a special application to this effect.

(Section 5 of Article 51 amended in conformity with Law No.81/96-VR of March 6, 1996)

It shall be prohibited to commission enterprises, structures and other facilities which do not completely meet all the ecological requirements and measures provided for in the projects on construction and reconstruction (expansion and technical modernization).

Article 52. Environmental Protection in Case of Application of Pesticides, Mineral Fertilizers, Toxic Chemicals and Other Agents

Enterprises, institutions, organizations and citizens shall be bound to comply with the rules of transporting, storing and applying pesticides, plant growth stimulants, toxic chemicals and other agents in order to prevent the pollution of the environment and food products by the said substances and their components. When developing new chemicals, substances and other agents that are potentially dangerous to the environment, the permissible levels of their content in the objects of the environment and food products as well as the methods of determining their residual quantity and recovery after utilization shall be developed and approved by procedure established by legislation.

In such agents and also in the raw materials used for their manufacture the content of natural and artificial admixtures, which can negatively affect the environment or the health of people, shall not exceed the permissible levels established in conformity with legislation.

The ecological requirements for the production, storage, transportation, utilization, neutralization and burial of toxic and other substances that are dangerous to the environment and health of people, the reference of chemical substances to the category of toxic and their classification by degrees of danger shall be determined by bylaws on the basis of the conclusions of a state ecological examination by experts and agreed with the Ministry of Public Health of Ukraine and the Ministry for Environmental Protection and Nuclear Safety of Ukraine.

(Section 4 of Article 52 amended in conformity with Law No.81/96-VR of March 6, 1996)

The list of pesticides, plant growth stimulants, mineral fertilizers and other substances and agents, the application of which is permitted in the national economy, as well as the methods and conditions of their application shall be approved by the Ministry of Public Health of Ukraine and the Ministry for Environmental Protection and Nuclear Safety of Ukraine.

(Section 5 of Article 52 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 53. Protection of the Environment Against Uncontrolled and Harmful Biological Effects Enterprises, institutions and organizations shall be bound to ensure ecologically safe production, storage, transportation, utilization, liquidation, neutralization and burial of microorganisms and other biologically active substances and items of biotechnology, as well as the introduction, acclimatization and reacclimatization of animals and plants, and develop and implement measures on the prevention and mitigation of the consequences of harmful effects of biological factors on the environment and the health of people.

The development of new strains of microorganisms and biologically active substances shall be conducted only on the basis of permissions of the Ministry of Public Health of Ukraine and the Ministry for Environmental Protection and Nuclear Safety of Ukraine.

(Section 2 of Article 53 amended in conformity with Law No.81/96-VR of March 6, 1996)

While developing the said organisms and substances, standards of maximum permissible concentrations shall be set up as well as methods of detecting such organisms and substances in the environment and food products.

The production and utilization of new strains of microorganisms and other biologically active substances shall be carried out only after comprehensive research of their effect on the health of people and the environment by permission of the Ministry of Public Health of Ukraine and the Ministry for Environmental Protection and Nuclear Safety of Ukraine.

(Section 4 of Article 53 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 54. Protection of the Environment Against Acoustic, Electro-magnetic, Ionizing and Other Harmful Effects of Physical Factors and Radioactive Contamination Local Councils of People`s Deputies, enterprises, organizations and citizens, while pursuing their activity, shall be bound to take necessary measures to prevent and prohibit the excess of established levels of acoustic, electromagnetic, ionizing and other harmful physical effects on the environment and the health of people in inhabited localities, recreation and preserve areas, as well as in places of mass concentration and reproduction of wild animals.

Enterprises, institutions and organizations pursuing economic activity related to the utilization of radioactive substances in various forms and for any purposes shall be bound to ensure ecological safety of such activity which would exclude the possibility of radioactive contamination of the environment and the negative effect on the health of people in the process of extraction, enrichment, transportation, processing and utilization of radioactive substances.

Article 55. Protection of the Environment Against Pollution by Industrial, Domestic and Other Wastes Enterprises, institutions, organizations and citizens shall take effective measures for reducing the volumes and the neutralization, recycling, safe storage or burial of industrial, domestic and other wastes.

Storage and disposal of wastes shall be allowed only by special permits of local Councils of People`s Deputies in definite areas within the range of established limits with observance of sanitary and ecological standards by means of ensuring the possibility of their subsequent economic utilization and safety to the environment and the health of people. Enterprises, institutions and organizations engaged in the design, production, operation and servicing of cars, aircraft, ships and other vehicles, in installing, manufacturing and supplying fuel for them shall be bound to develop and implement a range of measures on reducing the toxicity and on neutralizing the harmful substances contained in the emissions and discharges of vehicles, convert to the application of less toxic types of energy and fuel, observe the procedures for the operation of vehicles and other measures directed at preventing and reducing emission and discharge of pollutants into the environment and comply with the established levels of physical effects.

It shall be prohibited to manufacture and operate vehicles and installations, in the emission and discharge of which pollutants exceed established standards.

Managers of transportation organizations and owners of vehicles shall bear responsibility for compliance with standards of maximum permissible emission and discharge of pollutants and the maximum permissible levels of physical effects on the environment established for the corresponding vehicles.

Article 57. Compliance with Requirements of Ecological Safety in Scientific Research, Introduction of Discoveries, Inventions, Application of New Machinery, Imported Equipment, Technologies and Systems While conducting fundamental and applied scientific, research, experimental and design work it shall be mandatory to take into consideration the requirements of environmental protection, rational utilization and regeneration of natural resources and maintenance of ecological safety.

It shall be prohibited to introduce discoveries, inventions, apply new machinery, imported equipment, technologies and systems, if they do not accord with the requirements of ecological safety. In case of violation of established requirements, such activity shall be terminated by authorized state bodies, and the guilty shall be called to account.

Article 58. Requirements of Ecological Safety for Military and Defense Facilities and Military Activity The requirements of ecological safety established for siting, design, construction, reconstruction, commissioning and operation of objects on reducing the negative effects on the environment by chemical, physical and biological factors, as well as other requirements foreseen under the present Law and other legislation of Ukraine shall extend in full scope to military and defense facilities as well as to the facilities of the bodies of the ministries of internal affairs and state security.

The requirements of ecological safety must also be observed during the deployment of military units, the conduct of military exercises and maneuvers, movement of troops and military equipment, except for cases of extraordinary situations declared in conformity with the legislation of Ukraine.

State control over compliance with the requirements of ecological safety in relation to military defense facilities and military activity on the territory of Ukraine shall be carried out in conformity with the present Law and other legislation of Ukraine. (Article 58 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 59. Ecological Requirements for Siting and Developing Inhabited Localities The planning, siting, constructing and developing of inhabited localities shall be carried out by decision of local Councils of People`s Deputies with due account of the ecological capacity of

the territories, compliance with the requirements of environmental protection, rational utilization of natural resources and ecological safety.

In drafting master plans for the development and siting of inhabited localities, the village, settlement and city Councils of People`s Deputies shall establish procedures for the utilization of natural resources, environmental protection and ecological safety in suburban and green zones by agreement with the Councils of People`s Deputies, on the territories of which they are located in conformity with the legislation of Ukraine.

(Section 2 of Article 59 amended in conformity with Law No.81/96-VR of March 6, 1996)

Part XII Natural Territories and Objects which are Subject to Special Protection

Article 60. System of Natural Territories and Objects which are Subject to Special Protection
Subject to special protection shall be natural territories and objects of great ecological value as unique and typical natural complexes in order to maintain a favorable ecological situation, as well as to prevent and stabilize negative natural processes and phenomena.

The natural territories and objects, which are subject to special protection, shall form a single territorial system and include territories and objects of nature preserves, resorts, health-building, recreational, water-protective, field-protective and other types of territories and objects established by legislation of Ukraine.

(Section 2 of Article 60 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 61. Nature Preserves of Ukraine The parts of land and water expanses, natural complex and objects of particular ecological, scientific, esthetic and economic value intended for the preservation of natural diversity, the genetic pool of species of animals and plants, the maintenance of a general balance and reference monitoring of the environment shall be excluded completely or partially from economic utilization and declared as territories and objects of the nature preserves of Ukraine.

The nature preserves of Ukraine shall include state preserves, national parks of nature, game preserves, monuments of nature, botanical gardens, dendrological and zoological parks, parks as monuments of gardening and landscape architecture, and forest reserves.

The procedure for the organization, utilization and protection of territories and objects of the state preserves and their additional categories shall be established by the legislation of Ukraine and the Autonomous Republic of Crimea.

(Article 61 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 62. Resorts and Health-Building Zones As resort and health-building zones shall be recognized territories with expressed natural healing factors: mineral springs, climatic and other conditions that are favorable for the treatment and improvement of people`s health.

In order to protect the natural properties and healing factors of resort zones, to prevent their spoilage, pollution and exhaustion, special districts of their sanitary protection shall be established.

Within the boundaries of resort and health-building zones it shall be prohibited to pursue activity which contradicts with their intended purpose or can negatively affect the healing and sanitary condition of the territory that is subject to special protection. The declaration of natural territories as resort and health-building zones shall be done by the Parliament of Ukraine and the Parliament of the Autonomous Republic of Crimea, while their natural protection status shall be established by the Cabinet of Ukraine and the Government of the Autonomous Republic of Crimea in conformity with the legislation of Ukraine.

(Section 4 of Article 62 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 63. Recreation Zones Recreation zones are parts of land and water expanses intended for organized mass rest and tourism of the population. On the territory of recreation zones the following shall be prohibited

a) economic and other activity which negative affects the environment or can hinder the use of the zones for their intended purpose; b) alteration of natural landscapes and performance of other actions contradicting the use of these zones for their direct purpose.

The procedure for using these territories shall be established by the Parliament of the Autonomous Republic of Crimea and local Councils of People`s Deputies in conformity with the legislation of Ukraine and the Autonomous Republic of Crimea.

(Section 3 of Article 63 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 64. Protection of Rare Species of Animals and Plants and Those Threatened with Extinction Rare species of animals and plants and those that are under the threat of extinction in natural conditions on the territory of the Republic shall be subject to special protection and entered in the Red Data Book of Ukraine The regulation on the Red Data Book of Ukraine shall be approved by the Parliament of Ukraine.

In order to protect rare species of animals and plants entered in the Red Data Book of Ukraine, as well as species, the reproduction of which under natural conditions is impossible, the Parliament of the Autonomous Republic of Crimea, the local Councils of People`s Deputies and the specially authorized state bodies of administration in the field of environmental protection and utilization of natural resources shall be bound to take necessary measures for ensuring the protection of the said species of animals and plants, improve their habitat, and create proper conditions for their reproduction or cultivation, breeding and settling.

(Article 64 amended in conformity with Law No.81/96-VR of March 6, 1996)

Part XIII Extraordinary Ecological Situations

Article 65. Zones of Extraordinary Ecological Situations By decision of the Parliament of Ukraine specific territories of the Republic may be declared zones of ecological disaster, zones of high ecological danger or be referred to other categories of zones of extraordinary ecological situations.

(Section 1 of Article 65 amended in conformity with Law No.81/96-VR of March 6, 1996)

As zones of ecological disaster shall be declared the territories where in consequence of the activity of man or the destructive effect of natural calamities there appeared stable or irreversible negative changes in the environment and made the zones unfit for human habitation and the pursuance of economic activity. As zones of high ecological danger shall be declared the territories where in consequence of the activity of man or the destructive effect of natural calamities there appeared environmental change that will prevail for a long time and endanger the health of man and the protection natural objects, and restrict the pursuance of economic activity.

The classification of these zones, their status and legal consequences following from the fact of reference of the territories to the established categories, including in relation to compensations and benefits to citizens inhabiting and being temporarily within their boundaries, shall be established by the legislation of Ukraine.

(Section 4 of Article 65 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 66. Prevention of Accidents and Mitigation of their Harmful Ecological Consequences While designing and operating economic and other facilities, the activity of which can harmfully affect the environment, measures on preventing accidents shall be developed and carried out as well as the mitigation of their harmful ecological effects.

The state bodies of supervision over the safe performance of work in industry and in nuclear power engineering shall, jointly with specially authorized state bodies of administration in the

field of environmental protection and utilization of natural resources, systematically conduct inspections of the condition of ecologically dangerous facilities and the implementation of corresponding measures and requirements of their safe operation. The list of ecologically dangerous facilities shall be determined by the Ministry for Environmental Protection and Nuclear Safety of Ukraine.

(Section 3 of Article 66 amended in conformity with Law No.81/96-VR of March 6, 1996)

In case of an accident causing the pollution of the environment enterprises, institutions and organizations shall be bound to immediately begin mitigating its consequences. At the same time officials or owners of enterprises, managers of institutions and organizations shall be bound to inform about the accident and the measures taken on mitigating its consequences to the executive committee of the local Council of People`s Deputies, the bodies of public health, specially authorized state bodies of administration in the field of environmental protection and utilization of natural resources, as well as to the population. (Section 4 of Article 66 amended in conformity with Law No.81/96-VR of March 6, 1996)

Part XIV Settlement of Disputes in the Field of Environmental Protection

Article 67. Settlement of Disputes in the Field of Environmental Protection Disputes in the field of environmental protection shall be settled by a court of law, arbitration court, the Councils of People`s Deputies or bodies established by them in conformity with their competence and by procedure stipulated by the legislation of Ukraine.

Disputes arising between enterprises, institutions and organizations of Ukraine in the field of environmental protection and the enterprises, institutions and organizations of other states shall be considered by commissions established on a parity basis and consisting of representatives of Ukraine and the interested states, or by an arbitration tribunal. (Article 67 amended in conformity with Law No.81/96-VR of March 6, 1996)

Part XV Responsibility for the Violation of Legislation on Environmental Protection

Article 68. Responsibility for the Violation of Legislation on Environmental Protection Violating of the legislation of Ukraine on environmental protection shall entail disciplinary, administrative, civil and criminal responsibility established under the present Law and other legislation of Ukraine. (Section 1 of Article 68 amended in conformity with Law No.81/96-VR of March 6, 1996) Responsibility for the violation of legislation on environmental protection shall be borne by persons guilty of

a) violation of the rights of citizens to an ecologically safe environment; b) violation of standards of ecological safety; c) violation of requirements of the legislation of Ukraine on conducting ecological examinations by experts, including presentation of knowingly false conclusions of experts; (Item "c" of Article 68 amended in conformity with Law No.81/96-VR of March 6, 1996) d) non-compliance with the requirements of a state ecological examination by experts; e) financing, construction and introduction into production of new technologies and equipment without a positive conclusion of a state ecological examination by experts; f) violation of ecological requirements in the design, siting, construction, reconstruction, commissioning, operation and liquidation of enterprises, installations, vehicles and other objects; g) admission of exceeded standards, accident-inducing and volley emission and discharge of pollutants and other harmful effects on the environment; h) exceeding limits and violation of other requirements of utilization of natural resources; i) unauthorized special utilization of natural resources; j) violation of terms of payment for the utilization of natural resources and pollution of the environment; k) failure to take measures on the prevention and mitigation of ecological consequences of accidents and other harmful effects on the environment; l) non-fulfillment of instructions of bodies exercising state control in the field of environmental protection and offering resistance to their officials; m) violation of environmental protection requirements during storage, transportation, utilization, neutralization and burial of chemical plant protection agents, mineral fertilizers, toxic and radioactive substances, industrial, domestic and other types of wastes; n) non-fulfillment of requirements on the protection of territories and objects of nature preserves and other territories that are subject to special protection, species of animals and plants entered in the Red Data Book of Ukraine; (Item "n", Section 2 of Article 68 amended in conformity with Law No.81/96-VR of March 6, 1996) o) refusal to furnish timely, complete and trustworthy information on the condition of the environment, as well as on the sources of pollution, concealment or falsification of information on the ecological situation or the sickness rate of the population; p) degrading the honor and dignity of officials exercising control in the field of environmental protection, encroachment on their life and health.

Under the legislation of Ukraine responsibility for other violations of legislation on environmental protection may also be established.

(Section 3 of Article 68 amended in conformity with Law No.81/96-VR of March 6, 1996)

Enterprises, institutions, organizations and citizens shall be bound to compensate for their damage caused as a result of violating the legislation on environmental protection by procedure and in amounts established by the legislation of Ukraine. (Section 4 of Article 68 amended in conformity with Law No.81/96-VR of March 6, 1996)

The application of measures of disciplinary, administrative or criminal responsibility shall not relieve the guilty from compensating for the damage caused by pollution of the environment and the deterioration of the quality of natural resources. The illegally gained natural resources and the products thereof shall be subject to removal free of charge, while the tools of the infringement of the law shall be subject to confiscation. The incomes gained from their sale shall be placed to local extra-budgetary funds of environmental protection.

Officials and specialists guilty of violating the requirements of environmental protection, the utilization of natural resources and maintenance of ecologically safety shall, upon recommendation of state bodies of environmental protection in accordance with the decisions of their managerial bodies, be deprived completely or partially of bonuses by the main results of their economic activity.

(Section 7 of Article 68 amended in conformity with Law No.81/96-VR of March 6, 1996)

The procedure for denial of bonuses shall be established by the legislation of Ukraine. (Section 8 of Article 68 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 69. Specific Features of the Application of Civil Responsibility

Damage inflicted as a result of violation of legislation on environmental protection shall, as a rule, be subject to compensation in full scope without the application of reduced rates of the

amount of the fine and irrespective of the fine for polluting the environment and impairing the quality of natural resources.

Persons sustaining such damage shall have the right to compensation for the non-received profits for a period that is necessary for the recovery of their health, the restoration of the quality of the environment and the natural resources to a condition making them fit for being used for their intended purpose.

Persons possessing sources of high ecological danger shall be bound to compensate for the damage caused to citizens and legal entities in case of failure to prove that the damage occurred in consequence of natural calamities or the deliberate actions of the victims. Article 70.

Administrative and Criminal Responsibility for Ecological Offenses and Crimes

The determination of the corpus delicti of ecological offenses and crimes, the procedures for bringing the guilty to administrative account and taking legal action for their commission shall be established by the Code of Administrative Offenses and the Criminal Code of Ukraine.

(Article 70 amended in conformity with Law No.81/96-VR of March 6, 1996)

Part XVI International Relations of Ukraine in the Field of Environmental Protection

(Title of Part XVI amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 71. Ukraine`s Participation in International Cooperation in the Field of Environmental Protection Ukraine shall take part in international cooperation in the field of environmental protection on state and public levels in conformity with the legislation of Ukraine and international law. If by an international agreement concluded by Ukraine other rules have been established than those contained in the legislation of Ukraine on environmental protection, the rules of the international agreement shall be applied.

Ukraine shall effect measures on the development and strengthening of international cooperation in the field of environmental protection with other states, as well as within the framework of the environmental protection activities of the United Nations and its agencies, and with other governmental and non-governmental international organizations. (Article 71 amended in conformity with Law No.81/96-VR of March 6, 1996)

Article 72. Obligations of Foreign Legal Entities and Citizens and Stateless Persons on Compliance with the Legislation of Ukraine on Environmental Protection Foreign legal entities and citizens and stateless persons shall be bound on the territory of Ukraine to comply with the requirements of the present Law and other legislative acts in the field of environmental protection and bear responsibility for their violation in conformity with the legislation of Ukraine.

(Article 72 amended in conformity with Law No.81/96-VR of March 6, 1996) Leonid Kravchuk, Chairman of the Parliament of Ukraine Kiev June 25, 1991 No.1264-XII