

On Protection Of The Environment

Law of the Republic of Belarus

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The protection of the environment is a prerequisite of stable economic and social development of a state. The present Law is aimed at the ensuring the legal principles of protection of the environment, nature management, protection and restoration of biological variety of natural resources and objects, and directed on provision of constitutional rights of citizens to the environment favorable to human life and health.

Section 1. General provisions

Article 1. The Main Terms Used in the Present Law

In present law the following main terms are used:

Anthropogenic object- the object, which was created by a man for satisfaction of his social needs and which doesn't have properties of natural objects.

Favorable environment- the environment, which quality provides the ecological security, established function of the natural ecological systems, other natural and anthropogenic objects.

Unfavorable influence on environment- any direct or indirect influence on environment of the economic and other activities, which results lead to the negative changes of the environment.

State cadastr of natural resources- the systematize summary of the qualitative and quantitative descriptions of natural resources, their economic evaluation and employment.

Natural ecological system- the really existing part of nature which has spatial territorial borders and in which alive and lifeless components interact as an integral whole and which are connected with each other by the substance and energy circulation.

Pollution of the environment- introduction of a substance and energy to the environment, properties, location or quantity of which cause harmful influence to the environment.

Contaminating substance- substance or mixture of substance, the introduction to the environment of which cause its pollution.

Quality of the environment- condition of the environment which is characterized by the physical, chemical, biological and (or) other indicators or their totality.

Components of environment- ground (including soil), bowels of the earth, surface and underground waters, atmospheric air, flora and fauna, and ozone layer, cosmos near-ears space providing favorable conditions for the existence of life on the Earth.

Control in the sphere of protection of environment (ecological control) – system of measures which are directed on exposure and putting a stop to abuses the law in the sphere of the protection of the environment, providing the observing demands in the sphere of the protection of environment by the legal and natural persons who are concerned with economical and other activities.

Monitoring of the environment- system of observing the state of the environment, appreciation and prediction of changes of the state of environment under the influence of the natural and anthropogenic factors.

Standards of permissible anthropogenic burden on the environment- standards which are established in conformity with the quantity of permissible combined influence on environment and (or) each separately component of the environment in the borders of

concrete territories, and observing which established function of the natural ecological systems and biological variety is provided.

Standards of permissible emissions and exhausts of chemical and other substance – standards which are established for legal and natural persons who are concerned with economic and other activities in conformity with indicators of the mass of chemical substance, also the radioactive substance, other substance and microorganisms which are permissible for the emission to the environment from the stationary and mobile sources in established regime and with consideration of the technological standards, and following which the standards of quality of environment are provided.

Standards of permissible physical influence- standards which are established in conformity with the levels of permissible influence of physical factors on the environment, and following which the standards of quality of environment are provided.

Standards of maximal permissible concentrations of chemical and other substance- standards which are established in conformity with the indicators of maximal permissible chemical and other substance content in the environment, non-observance of which can lead to harmful influence on the environment.

Standards of maximal permissible physical influence- standards which are established in conformity with the indicators of maximal permissible influence the environment of the warmth, noise, vibration, ionizing radiation, voltage of electromagnetic fields and other physical influence, non-observance of which can lead to harmful influence on the environment.

Environment--combination of components of the nature, natural and natural anthropogenic objects, and also anthropogenic objects.

Protection of the environment (activity of nature's protection)- activity of state body, public associations and other legal persons, which are directed on saving and rehabilitation of nature, rational use and reproduction of natural resource, prevention of pollution, degradation, damage, run thin, destruction and other harmful influence the environment by the economic and other activity and liquidation of its results.

Evaluation of the effect on the environment--type of activity of discovery, analysis and registration of direct, indirect and others results of economic and other activity on the environment in order to make a decision on possibility or impossibility of realization of the activity.

Natural environment--combination of components of natural environment, natural and natural anthropogenic objects.

Natural anthropogenic object--natural object modified by the economic and other activity and (or) object created by a human with properties of natural objects and with recreating and protecting importance.

Natural resources- components of natural environment, natural and natural anthropogenic objects which are used or can be used for realization of economical or other activity as sources of energy, ware and objects of utility, and which have a consumer value.

Natural complex- natural objects functionally and naturally connected with each other, and joined by geographical and other corresponding characteristics.

Natural object- natural ecological system, natural landscape, and components of natural environment conserved their natural quality.

Nature management- economical and other activity during which the natural resources are used and influence on the environment is caused.

Technological standard- standard of permissible emissions and exhausts of substances and microorganisms that is established for stationary, mobile and other sources, technological processes, equipment, and which determines the permissible mass of emissions and exhausts of substances and microorganisms to the environment considering the output goods.

Requirements in the sphere of protection of the environment (requirements of nature protection, requirements of ecological security)- obligatory conditions to economic and other activity, limitations or their totality, established by the law and other standard acts, standards in the sphere of protection of the environment, state standards and other technical standard acts in the sphere of protection of the environment.

Ecological safety- state of protect-ability of the environment, human life and health from possible harmful influence of economical and other activity, extraordinary situations of natural and man-caused nature.

Ecological audit- independent complex documentary control of maintenance by the legal persons and individual entrepreneur realizing economic and other activity of the requirements including standards and technical standard acts in the sphere of protection of the environment, requirements of international standards, and preparation of recommendations on lowering (prevention) harmful influence of such activity on the environment.

Ecological risk- probability of occurrence which has negative consequence for the environment and which was caused by the harmful influence of economic and other activity, extraordinary situations of natural and man-caused nature.

Article 2. Legislation of the Republic of Belarus on Protection of the Environment

Legislation of the Republic of Belarus on protection of the environment is based on Constitution of the Republic of Belarus and consist of present Law, acts of legislation on specially protected natural territories, state ecological expert, hydro-meteorological activity, protection of the ozone layer, wastes and other legislative acts of the Republic of Belarus, including norms which regulate relations in the sphere of protection of the environment and nature management.

Legal status of natural resources and other components of natural environment regulated by the legislation of the Republic of Belarus on protection of the environment, if otherwise is not provided by the law on land, water law, forestry law of the Republic of Belarus, law on bowels, legislation on flora and fauna and other legislation of the Republic of Belarus.

During the preparation of drafts of the acts of legislation of the Republic of Belarus the inclusion of regulations, the realization of which can entail increase of harmful influence on the environment, shall not be allowed.

Article 3. The Main Goals of Legislation of the Republic of Belarus on Protection of the Environment

The main goals of legislation of the Republic of Belarus on the protection of the environment are:

to provide favorable environment;

to regulate the relations in the sphere of the protection of natural resources, their utilization and reproduction;

to prevent harmful influence on the environment by the economic and other activity;

to improve the human environment;

to provide rational use of natural resources.

Article 4. The Main Principles of Protection of Environment

Economic and other activity of legal and natural persons influencing the environment shall be conducted on the basis of the following principles of:

observance of human right on favorable environment and compensation of injury applied by the violation of this right;

providing favorable conditions for human life and health;

scientifically well-grounded combination of ecological, economic and social concerns of citizens, society and state in the aim of providing favorable environment.
protection, rational utilization and reproduction of natural resources as necessary conditions for providing favorable environment and ecological security;
preventive disposition of measures on protection of the environment and on prevention of harm to the environment;
state regulation of protection of the environment and nature management;
payable special natural management and recovery of damages, caused by the harmful influence on the environment;
independence of control in the sphere of protection of the environment;
obligatory realization of state ecological expertise of projects and other documentations substantiated economic and other activity, which can have harmful influence on the environment, imperil life, health, property of citizens;
taking into account natural and socio-economic features of the territories during planning and realizing the economic and other activity;
priority of saving natural ecological systems, typical and rare natural landscapes and natural complexes;
permissibility of influence of economic and other activity the environment with taking into account requirements in the sphere of protection of the environment;
obligatory participation in the activity on protection of the environment of state bodies, public associations, other legal and natural persons;
protection of biological variety;
provision of integrated and individual methods to the establishment of requirements in the sphere of protection of the environment for the legal and natural persons, which carry out economic and other activity;
presumption of ecological danger of planed economic and other activity;
decreasing harmful influence of economic and other activity to the environment on the basis of use of technologies provided implementation of requirements in the sphere of protection of the environment with consideration of economic and social factors;
prohibition of economic and other activity which can lead to degradation of natural ecological systems, changes or destruction of genetic fund of objects of flora and fauna, exhaustion of natural resources, and other negative changes of the environment;
publicity in the activity of state bodies, public associations on problem of protection of the environment, and providing citizens with complete authentic opportune information about the state of the environment;
non-admission of holding functions of state regulation, administration and control in the sphere of protection of the environment with function of nature management;
responsibility for violation of legislation of the Republic of Belarus of protection of the environment;
organization and development of the system of education, upbringing in the sphere of protection of the environment and forming ecological culture;
international cooperation in the sphere of protection of the environment.

Article 5. Objects of Relations in the Sphere of Protection of Environment

Objects of relations in the sphere of protection of the environment are earth including soils, bowels, surface and underground waters, atmospheric air, ozone layer, cosmos near-earth space, forests, flora and fauna, separately protected natural territories, typical and rare natural landscapes, climate, natural ecological systems, other natural objects, and also right of nature management.

Article 6. Subjects of Relations in the Sphere of Protection of Environment

Subjects of relations in the sphere of protection of the environment are citizens of the Republic of Belarus (hereinafter—citizens), legal persons of the Republic of Belarus (hereinafter—legal persons), administrative-territorial units of the Republic of Belarus (hereinafter--administrative-territorial units).

The rules established by this Law are applied to the relations with participation of foreign citizens, persons without citizenship, foreign and international legal persons (organizations that are not legal persons), foreign states, if otherwise is not provided by the Constitution of the Republic of Belarus and international agreements of the Republic of Belarus.

Article 7. The Main Directions of the State Policy of the Republic of Belarus in the Sphere of Protection of Environment

The main directions of state policy of the Republic of Belarus in the sphere of protection of the environment are:

- provision of rights of citizens on favorable environment and compensation of harm caused by the violation of these rights;
- improvement of state management in the sphere of protection of the environment;
- scientific provision of protection of the environment;
- creation of legal and economic mechanisms stimulating rational use of natural resources;
- rational use of natural resources;
- improvement of system of protection of the environment and nature management;
- creation of system especially protected natural territories;
- provision of protection of biological and landscape variety;
- provision of permanent functioning of the National system of monitoring of the environment of the Republic of Belarus;
- realization of state ecological expertise;
- informing the citizens about the state of environment and measures for its protection;
- organization and development of educational system, system of upbringing in the sphere of protection of the environment and forming ecological culture, and also training and retraining of specialists for activity in the sphere of protection of the environment;
- rendering assistance to public associations, realizing their activity in the sphere of protection of the environment;
- engaging citizens, public associations to protection of the environment and control over its state;
- international cooperation in the sphere of protection of the environment.

Section 2. State Management In The Sphere Of The Protection Of The Environment

Article 8. The Bodies Carrying Out the State Management in the Sphere of Protection of Environment

The state management in the sphere of the protection of the environment is carried out by the President of the Republic of Belarus, by the Council of Ministers of the Republic of Belarus, Ministry of natural resources and protection of the environment of the Republic of Belarus and its territorial bodies, by other specially authorized republican bodies of state management and their territorial bodies, by local Councils of Deputies, executive and administrative bodies in the limits of their competence.

The specially authorized republican bodies of state management are the Ministry of natural resources and protection of environment of the Republic of Belarus, Ministry of Health of the Republic of Belarus, Ministry of Emergency Situations of the Republic of Belarus, Committee of Forestry at the Council of Ministers of the Republic of Belarus, Committee of

land resources, geodesy and cartography at the Council of Ministers of the Republic of Belarus and other republican bodies of state managements in accordance with the legislation of the Republic of Belarus.

Article 9. The Competence of the Council of Ministers of the Republic of Belarus in the Sphere of Protection of Environment

The Council of Ministers of the Republic of Belarus in the sphere of environmental protection:

determines the unified state policy of the Republic of Belarus in the sphere of the environmental protection;

adopts the normative legal acts in the sphere of environmental protection;

provides the drafting and execution of the state programs of rational usage of natural resources and environmental protection;

establishes the order of working out of territorial complete schemes of environmental protection and their financing;

determines the measures on protection of the environment, on scientifically grounded usage of natural resources and improvement of the quality of the environment;

establishes the order of usage of natural resources;

determines the kinds of harmful influence on the environment;

establishes according to the legislation of the Republic of Belarus the norms of payment and (or) tax rates for usage of natural resources, for the exhausts of contaminating substances to free air, exhausts of sewage or contaminating substances to environment, placing the wastes, other harmful influence on environment;

determines according to law on budget for the next financial (budget) year the directions of the usage of assets of republican and local special purpose funds of environmental protection;

considers the proposals on establishing the privileges on taxes to the legal persons and individual entrepreneurs at introduction of low-waste, energy and resources sparing technologies, special equipment, reducing the harmful influence on environment, at usage of wastes as the secondary raw material and at carrying out other nature protection activity in order established by the legislation of the Republic of Belarus;

established the order of conducting the state cadastrs of natural resources and also the order of state registration in the sphere of environmental protection;

approves the Resolution on the Red Book of the Republic of Belarus;

determines the content, order of conduction and usage of state data base on state of environment and harmful influences on it;

makes decisions on declaring the territories as specially protected natural territories of the republican importance, on their transformation or discontinue of their functioning;

declares, if necessary, the certain parts of territory of the Republic of Belarus as the zones of ecological risk and zones of ecological crisis;

establishes the order of conducting the National system of monitoring of environment in the Republic of Belarus;

determines the order of conducting and usage of data on monitoring of environment;

establishes the order of carrying out the state control in the sphere of protection of environment and determines the list of officials of the Ministry of natural resources and protection of environment of the Republic of Belarus and its territorial bodies having the right to carry out the state control in the sphere of protection of environment;

establishes the order of financial incentive of the officials of the Ministry of natural resources and protection of environment and their territorial bodies that revealed the offences in the sphere of protection of environment;

establishes the order of informing the state bodies and citizens on the state of the environment and on measure of its protection;
provides the organization and development of system of education, up-bringing in the sphere of protection of environment and forming the ecological culture and also training and retraining of specialists for the activities in the sphere of protection of environment;
carries out the international cooperation in the sphere of environmental protection;
carries out other powers entrusted by the laws of the Republic of Belarus and by the acts of the President of the Republic of Belarus.

Article 10. The Competence of the Ministry of Natural Resources and Protection of Environment of the Republic of Belarus in the Sphere of Protection of Environment
The Ministry of natural resources and protection of environment of the Republic of Belarus carries out the entrusted powers directly and through its territorial bodies.
The Ministry of natural resources and protection of environment of the Republic of Belarus in the sphere of protection of environment:
conducts the unified state policy of the Republic of Belarus in the sphere of environmental protection;
drafts and adopts the normative legal acts and technical normative legal acts in the sphere of environmental protection;
carries out the state management in the sphere of protection of environment;
organizes the working out of territorial complete schemes of protection of environment and rational usage of natural resources and provides the scientific methodic guidance of this activity;
approves the limits on withdrawal of objects of flora and fauna;
provides in the established order the rationing and standardization in the sphere of protection of the environment and usage of the natural resources;
carries out the state regulation of the activity in the sphere of ecological certification;
carries out the state metrological inspection over the state of metrological supplying in the sphere of environmental protection;
carries out the licensing in the sphere of usage of natural resources and influence on the environment according to the legislation of the Republic of Belarus;
coordinates the activity of the republican bodies of state managements in the sphere of protection of environment and usage of natural resources;
conducts the state ecological expertise;
adopts the lists of kinds and objects of economic and other activity for which the estimation of influence of the environment of the planned economic and other activity is conducted in obligatory order;
is in charge of state special purpose budget funds on the environmental protection;
establishes the order of accreditation and registration of analytical laboratories carrying out the measurements in the sphere of environmental protection;
carries out the state control for the usage and protection of lands (including soil), widely spread treasures of soil and peat, surface and underground waters, free air, ozone layer, forests, flora and fauna, particularly protected natural territories, typical and rare natural landscapes, conducting hunting and fishing and wastes management in order established by the legislation of the Republic of Belarus;
determines the order of carrying out the control by the public inspectors of environmental protection and their powers;
makes decisions on limiting or suspension works of certain manufactures, workshops and other objects if their exploitation is carried out with the infringements of the requirements in the sphere of protection of environment till the discovered infringements are liquidated;

submits claims on compensation of harm caused by the legal persons and citizens as the result of harmful influence on the environment;

asks and receives without charge information necessary to carry out the tasks entrusted from the republican bodies of state management, local executive and administrative bodies, legal persons and individual entrepreneurs;

organizes the registration and estimation of natural resources;

conducts together with the relevant republican bodies of state management the following state cadastrs of natural resources: of bowels, water, air, flora, fauna, peat fund, and also of wastes and other cadastrs and coordinates the activity of these bodies on their conduction;

organizes the conduction of National system of monitoring of environment in the Republic of Belarus in established order;

forms the state data base of the state of environments and harmful influences on it;

conducts the Red Book of the Republic of Belarus, organizes the registration and control over the state of rare and those under the threat of disappearance kinds of wild plants and wild animals in the territory of the Republic of Belarus;

organizes the ecological passportization of objects;

establishes the order of conduction of ecological passports of enterprises;

determines the list of data concerning the ecological information;

informs the bodies of state management, legal persons and citizens on the state of the environment and measures of its protection;

cooperates with the public associations carrying out their activity in the sphere of protection of environment, organizes the net of public inspectors of protection of natural protection;

participates in development of the system of education, up-brining in the sphere of environmental protection and forming the ecological culture, organizes the propaganda of knowledge in the sphere of environmental protection;

carries out the international cooperation in the sphere of environmental protection;

studies, generalizes and spreads the experience of foreign countries in the sphere of environmental protection and rational usage of natural resources;

coordinates the implementation of international treaties of the Republic of Belarus in the sphere of environmental protection;

carries out other powers according to the legislation of the Republic of Belarus.

The Ministry of natural resources and protection of environment of the Republic of Belarus works out and introduces in order established by the legislation of the Republic of Belarus the following to the Council of Ministers of the Republic of Belarus:

drafts of acts of legislation of the Republic of Belarus in the sphere of protection of the environment;

drafts of state programs of rational usage of natural resources and environmental protection;

proposals on questions of environmental protection and rational usage of natural resources for their introduction into the drafts of prognoses and programs of social and economic development of the Republic of Belarus;

proposals on fixing the limits on usage of natural resources and placement of wastes, and also the rates of payments and (or) the tax rates for usage of natural resources, exhausts of contaminating substances in the air, exhausts of contaminating substances in the environment and other kinds of harmful influence on environment;

presentations on declaring, transforming and withdrawal of functioning of particularly protected natural territories of the republican importance;

proposals on declaring the certain parts of territory of the Republic of Belarus as zones of ecological risk and zones of ecological crisis;

proposals on forming and usage of state special purpose budget funds of environmental protection;

proposals on establishing the privileges on taxation to the legal persons and individual entrepreneurs at introduction of low-waste, energy and resources spare technologies, special equipments reducing the harmful influence on environment, at using the wastes as the secondary raw materials and carrying out other nature protection activity.

Article 11. The Competence of Local Councils of Deputies and Executing and Administrative Bodies in the Sphere of Protection of Environment

The local Councils of Deputies in the sphere of protection of environment:

approve the territorial programs and activities on rational usage of natural resources and protection of environment;

are in charge of the bowels, waters, hunting and fishing areas, other natural resources on the territory within their jurisdiction and under their authority, and also carry out the control over their usage;

abolish the decisions of local executive and administrative bodies on withdrawal and granting the pieces of land in usage, under rent, life-long heritable possession, on their transmission to ownership, that are not in compliance with the legislation of the Republic of Belarus on land in force;

establish the privileges on taxation to legal persons and individual entrepreneurs at introduction of low-wastes, energy- and resources sparing technologies, special equipment, reducing the harmful influence on environment, at usage of wastes as the secondary raw materials and carrying out other nature protection activity according to the legislation of the Republic of Belarus;

carry out other powers according to the legislation of the Republic of Belarus.

Local executive and administrative bodies in the sphere of protection of environment:

elaborate and present to the local Councils of Deputies the territorial programs and activities on rational usage of natural resources and protection of environment and take measures on their execution;

take measure on protection of rights and legal interests of citizens of the Republic of Belarus in the sphere of environmental protection;

carry out on the territory within their jurisdiction the state control over protection of lands (including soil), bowels, waters, air, forests, flora and fauna in order established by the legislation of the Republic of Belarus;

determine the sites of wastes placement;

organize the collection, transportation, storage and neutralization of communal wastes, that appear on their territory;

establish the limits of placing the industrial wastes under the agreement with the Ministry of natural resources and environmental protection of the Republic of Belarus or its territorial bodies;

makes decisions on limiting or suspension of works of certain manufactures, workshops and other objects if their exploitation is carried out with infringement of the legislation of the Republic of Belarus on the environmental protection;

organize the development of system of education, up-bringing in the sphere of environmental protection and forming ecological culture;

consider the proposals of legal persons also of public associations and citizens on the questions of protection of the environment and rational usage of natural resources;

carry out other powers according to the legislation of the Republic of Belarus.

Section 3. Rights And Duties Of The Citizens And Public Associations In The Sphere Of Protection Of Environment

Article 12. Rights and Duties of the Citizens in the Sphere of Protection of Environment

Every citizen has the right to favorable environment and to compensation of harm caused by the infringement of this right and also to receive, store and distribution of full and trustworthy and timely information of the state of the environment.

The citizens have the right to:

create according to legislation the public associations carrying out their activity in the sphere of environmental protection and also public funds of the protection of nature;
turn to bodies of state management and other organizations, to the officials for the reception of full, trustworthy and timely information of the state of the environment and on measures on its protection in order established by the legislation of the Republic of Belarus;
take part in preparation and discussion of materials on estimation of influence of the planned economic and other activity on the environment;
introduce the proposals on conduction of public ecological expertise and participate in its conduction in order established by the legislation of the Republic of Belarus;
assist the state bodies in the decision of questions of environmental protection;
carry out the public control in the sphere of protection of environment;
turn to the state bodies with complaints, applications and proposals on questions concerning the environmental protection, harmful influence on environment and to receive timely and grounded answers;
submit to court the claims on compensation of harm caused to their lives, health, property as the result of harmful influence on environment.

The citizens are obliged to:

observe the legislation of the Republic of Belarus on protection of environment;
increase the ecological culture, aid the up-bringing in this sphere of the up-growing generation;
preserve and protect the natural environment and rationally use natural resources;
carry out the requirements in the sphere of waste management;
carry out the requirements of the fire security;
observe the rules of hunting and fishing;
carry out the requirements established for the purposes of fighting the everyday noise in the buildings, on streets, yards, on the territory of gardening partnership (cooperative society), in places of rests and other public places;
carry out the instructions of bodies and officials executing the state control in the sphere of environmental protection;
compensate in order established by the legislation of the Republic of Belarus the harm to environment caused by their activities.

The legislation of the Republic of Belarus can set forth other rights and duties of the citizens in the sphere of environmental protection.

Article 13. Provision of the Citizens' Right to Favorable Environment

The right of citizens to favorable environment is provided:

by planning and rationing of the quality of the environment, measures on prevention of harmful influence on the environment and its improvement, prevention and liquidation of the consequences of accidents, catastrophes and natural disasters;

by compensating in the established order the harm caused to life, health and property of citizens in the result of harmful influence on environment;

by presenting full, trustworthy and timely information on the state of the environment and on

measures of its protection;
by appealing the decisions and actions (inactions) of the state bodies, organizations and officials;
by judicial protection, self-protection and reception of qualified legal aid;
by control in the sphere of environmental protection;
by taking measures provided in the present Law and other acts of legislation of the Republic of Belarus.

Article 14. Protection of the Right to Favorable Environment

The right to favorable environment belongs to every citizen since birth and is subject to protection as a personal non-property right that is not connected with property in order established by the legislation of Republic of Belarus.

The moral harm caused to the citizen by the infringement of his right to favorable environment is subject to compensation in accordance with the legislation of the Republic of Belarus.

Article 15. Rights and Duties of the Public Associations That Carry Out the Activity in the Sphere of Protection of Environment

Public associations that carry out the activity in the sphere of environmental protection have the right to:

elaborate, propagandize and realize programs of rational usage of natural resources and protection of environment, protect the right and legal interests of citizens in the sphere on environmental protection, attract voluntary the citizens to carry out the activity in the sphere of environmental protection in established order;
take part in elaboration of projects of state (republican, departmental, local and other) programs and measures on rational usage of natural resources and protection of environment and assist their execution;
carry out at the expense of own and attracted assessments the measures on restoration of natural resources and provision of ecological security;
introduce in the state bodies and direct to the officials the proposals on question of environmental protection and rational usage of natural resources;
take part in preparation and discussion of materials on estimation of influence on environment of the planned economic and other activity in particular by conducting the public hearings;
organize and conduct in established order the public ecological expertise;
create according to the legislation of the Republic of Belarus the public funds of the environmental protection and sped the assessments on conducting the measures on protection of environment;
assist the state bodies in decision of question of protection of environment;
carry out the public control in the sphere of environmental protection;
turn to bodies of state management and other organizations and to officials for the reception of full, trustworthy and timely information on the state of environment and on measures on its protection in order established by the legislation of the Republic of Belarus;
turn to the state bodies and other organizations with the complaints, applications and proposals on question concerning protection of environment, harmful influence on the environment and receive timely and grounded answers;
submit to court the claims on compensation of harm caused to life, health, property of their members (participants) as the result of harmful influence on environment;
to speak up in mass media on the questions of environmental protection.

The legislation of the Republic of Belarus can determine other rights of the public

associations that carry out their activity in the sphere of environmental protection. The public associations that carry out the activity in the sphere of environmental protection carry out the work on propaganda and cultivation of solicitous attitude to nature, raising ecological culture of citizens, inform the territorial bodies of the Ministry of natural resources and protection of environment, local executive and administrative bodies on established cases of irrational usage of natural resources, infringements of the legislation of the Republic of Belarus on the protection of environment and also on accidents and other emergency situations, infringements of technological processes, as the result of which the contamination of the environment or other harmful influence on environment has taken place of can take place.

Public associations at carrying out the activity in the sphere of environmental protection are obliged to observe the requirements in the sphere of environmental protection.

Section 4. Nature Management

Article 16. The Right to Nature Management

Natural resources can be granted for usage in order established by the legislation of the Republic of Belarus.

The citizens are guaranteed the right of general use of natural resources for the satisfaction of their needs without a charge without securing other rights for them and without reception of relevant permissions, excluding cases provided by the legislation of the Republic of Belarus (right of general nature management).

Carrying out the management of nature at the process of economic activity (special nature management) is allowed to the legal persons and individual entrepreneurs with a charge, if other is not established by the legislative acts of the Republic of Belarus, on the basis of decisions of state bodies competent to make those decisions, special permission (license), on lease contract, concession contract and on other bases provided by the legislation of the Republic of Belarus.

Article 17. Licensing in the Sphere of Usage of Natural Resources and Influence on Environment

Licensing in the sphere of usage of natural resources and influence on environment is conducted for the purposes of maximal reduction of harmful influence of economic and other activity on the environment, provision of rational usage of natural resources.

Licensing in the sphere of usage of natural resources and influence on environment is carried out by the Ministry of natural resources and protection of environment of the Republic of Belarus and other specially authorized republican bodies of state management.

Licensed kinds of activities, grounds, conditions and order of issue, change, re-registration, limitation, suspension, determination (including the recall and annulment), renewal of special permission (license) to the right to carry out the licensed kind of activity in the sphere of usage of natural resources and influence on environment are established by the legislation of the Republic of Belarus.

Section 5. Rationing, Metrological Maintenance, Standardization In The Sphere Of Protection Of Environment, Ecological Certification

Article 18. Rationing in the Sphere of Protection of Environment

Rationing in the sphere of protection of environment is carried out for the purposes of state regulation of influence of economic and other activity on the environment guaranteeing the preservation of favorable environment and provision of ecological security.

Rationing in the sphere of environmental protection consists in establishing the norms of quality of the environment, norms of permissible influence on environment, limits on nature management and also other norms in the sphere of environmental protection. Norms of quality of environment, norms of permissible influence on environment and also other norms in the sphere of protection of environment are elaborated, fixed and introduced on the basis of modern achievements of science and technology with consideration of international rules and standards in the sphere of protection of environment. Norms of quality of environment and norms of permission influence on environment and also other norms in the sphere of protection of environment are established by the Ministry of natural resources and protection of environment of the Republic of Belarus, Ministry of Health of the Republic of Belarus and other specially authorized republican bodies of state managements according to their competence.

Article 19. Main Requirements to Elaboration of the Norms in the Sphere of Protection of Environment

The main requirements to elaboration of norms in the sphere of protection of environment are the following:

- establishing the grounds of their elaboration;
- conducting the scientific research works on their grounding;
- estimation and prediction of ecological, social, economic consequences of their application;
- other requirements established by the legislation of the Republic of Belarus.

Article 20. Norms of Quality of the Environment

Norms of quality of the environment are established on the level providing the ecological security and are applied for the estimation of the state of the environment and rationing the permissible influence on it.

The following are included into the norms of quality of environment:

- norms of limit permissible concentration of chemical and other substances;
- norms of limit permissible physical influences;
- norms of limit permissible concentration of micro-organisms;
- other norms of the quality of the environment.

Norms of quality of the environment are approved and brought into effect by the Ministry of Health of the Republic of Belarus under agreement with the Ministry of natural resources and protection of environment of the Republic of Belarus, other state bodies according to the legislation of the Republic of Belarus.

For the purposes of preservation of particularly protected natural territories, resort and recreation zones, and also typical and rare natural landscapes having the special nature protection significance for these objects more strict norms of quality of environment than those that are in effect for other territories can be established.

Article 21. Norms of Permissible Influence on Environment

For purpose of prevention of harmful influence on environment of economic and other activity for the legal persons and individual entrepreneurs (nature-users) the following kinds of norms of permissible influence on environment are established:

- norms of permissible exhausts and effluents of chemical and other substances;
- norms of creation of industrial wastes;
- norms of permissible physical influences (amount of heat, levels of noise, vibration, ionizing radiation, electro-magnetic field strength and of other physical influences);
- norms of permissible extraction of natural resources;
- norms of permissible anthropogenic burden on environment;

norms of other permissible influence on environment at carrying out economic and other activity established by the legislation of the Republic of Belarus.

Norms of permissible influence on environment shall provide the observance of norms of quality of environment with consideration of peculiarities of territories.

Article 22. Norms of Permissible Exhausts and Effluents of Chemical and Other Substances
Norms of permissible exhausts and effluents of chemical and other substances are established for stationary and movable sources of influences on environment based on norms of permissible anthropogenic burden on environment, norms of quality of environment and also technological norms.

Technological norms are established for stationary and movable sources on the bases of technologies providing the fulfillment of the requirements in the sphere of environment with the consideration of economic and social factors.

At impossibility of observance of norms of permissible exhausts and effluents of chemical and other substances the temporary norms on such exhausts and effluents can be established on the basis of permissions issued by the Ministry of natural resources and protection of environment of the Republic of Belarus and its territorial bodies and being in effect only in condition of simultaneous conducting of measures on protection of environments, introduction of technologies providing the fulfillment of requirements in the sphere of protection of environment and (or) realization of other nature protection measures with consideration of step-by-step achievement of the fixed norms of permissible exhausts and effluents of chemical and other substances.

Article 23. Norms of Creation of Industrial Wastes

Norms of creation of industrial wastes are established for the purposes of prevention of their harmful influence on environment in accordance with the legislation of the Republic of Belarus.

Article 24. Norms of Permissible Physical Influence

Norms of permissible physical influence (amount of heat, levels of noise, vibration, ionizing radiation, electro-magnetic field strength and other physical influences) are established for every source of such influence on the basis of the norms of quality of environment and with consideration of influence of other sources of physical influences.

Article 25. Norms of Permissible Extraction of Natural Resources

Norms of permissible extraction of natural resources are the norms established in accordance with the limits of volume of their extraction for the purposes of preservation of natural and nature-anthropogenic objects, provision of stable functioning of natural ecological systems and prevention of their degradation.

Norms of permissible extraction of natural resources and order of their establishment are determined by the legislation of the Republic of Belarus on protection of environment and on rational usage of natural resources.

Article 26. Norms of Permissible Anthropologic Burden on Environment

Norms of permissible anthropogenic burden on environment are established for the legal persons and individual entrepreneurs carrying out economic and other activity for the purposes of regulation of total influence of all stationary and movable sources of influence on environment placed within the concrete territory.

Norms of permissible anthropogenic burden on environment are established on every kind of influence of economic and other activity on environment and total influence of all sources

situated on these territories.

At establishing the limits of permissible anthropogenic burden on environment the natural peculiarities of concrete territories are considered.

Article 27. The Limits of Nature Management

The limits of nature management are established by the nature-user volumes of limit usage (extraction, mining) of natural resources, exhausts and effluents of contaminating substances, placing the wastes and other kinds of harmful influence on the environment for the certain period of time.

The limits of nature management are established according to the legislation of the Republic of Belarus.

Article 28. Other Norms in the Sphere of Protection of Environment

For the purposes of state regulation of influence of economic and other activity on the environment, estimation of quality of environment in compliance with the present Law and other normative legal acts of the Republic of Belarus other norms in the sphere of protection of environment can be established.

Article 29. Metrological Maintenance in the Sphere of Protection of the Environment

The system of metrological maintenance in the sphere of protection of the environment is created for the provision of unity of measurements at reception of information on state of environment for the purposes of estimation of influence of economic and other activity on its state, rightfulness of the establishment of norms of permissible influence on environment and also provision of trustworthy of results of analytical control and objective estimation of nature protection activity.

Activities on metrological maintenance in the sphere of protection of environment are conducted in compliance with the present Law and other acts of legislation of the Republic of Belarus in the sphere of metrology and standardization.

Carrying out the measurements in the sphere of protection of environment is carried out by the attested methods with the help of means of measurement having passed the state tests and metrological attestation and also the check in the bodies of state metrological service.

Analytical laboratories that carry out the measurements in the sphere of protection of environment are subject to accreditation and registration by the Ministry of natural resources and protection of environment of the Republic of Belarus in order established by it.

State metrological control over the state of metrological maintenance in the sphere of protection of environment is carried out the Ministry of natural resources and protection of environment of the Republic of Belarus.

State metrological control for the provision of unity of measurements is carried out by the Committee on standardization, metrology and certification at the Council of Ministers of the Republic of Belarus.

Article 30. State Standards and Other Technical Normative Legal Acts in the Sphere of Protection of Environment

State standards and other technical normative legal acts in the sphere of protection of environment establish the requirements (norms, rules) in the sphere of protection of environment to the goods (works, services), technological processes and relevant methods of control.

State standards and other technical normative legal acts in the sphere of protection of environment are elaborated with consideration of scientific technical achievements and requirements of international rules and standards.

In the state standards and other technical normative legal acts on new machines, technology, materials, substances and other production, technological protection, storage, transportation, usage of these productions in particular after their transmission to the category of wastes, the requirements, norms and rules in the sphere of protection of environment are considered.

Article 31. Ecological Certification

Ecological certification is the activity of specially accredited in the established by the Republic of Belarus order on confirmation of compliance of determined by the Ministry of natural resources and protection of environment and other indexes established by the legislation of the Republic of Belarus.

Ecological certification is conducted for the purposes of provision of ecological secure conducting of economic and other activity on the territory of the Republic of Belarus.

State regulation of the activity in the sphere of ecological certification is carried out by the Ministry of natural resources and protection of environment.

Section 6. The Requirements In The Sphere Of Protection Of Environment

Article 32. General Requirements in the Sphere of Protection of Environment at Placing, Projecting, Building, Reconstruction, Introduction into Exploitation, Exploitation, Conservation and Liquidation of Buildings, Constructions and Other Objects

At placing, projecting, building, reconstruction, introduction into exploitation, exploitation, conservation and liquidation of buildings, constructions and other objects the legal persons and individual entrepreneurs are obliged to provide the favorable state of the environment and to provide:

preservation, renewal and (or) improvement of the environment;

reduction (prevention) of harmful influence on environment;

implementation of low-waste, energy and resources spare technologies;

rational use of natural resources;

prevention of accidents and other emergency situation;

material, financial and other assessments on compensation of possible harm to the environment;

financial guarantees of carrying out of planned measures on protection of environment.

Article 33. The Requirements in the Sphere of Protection of Environment at Placing Buildings, Constructions and Other Objects

At placing buildings, constructions and other objects the fulfillment of requirements in the sphere of protection of environment with consideration of closest and further ecological, economic, demographic and other consequences of exploitation of the mentioned objects and observance of priority of preservation of favorable environment, biological diversity, rational usage and restoration of natural resources shall be provided.

The choice of sites of placing of buildings, constructions and other objects is carried out with the observance of requirements of legislation of the Republic of Belarus.

Article 34. The Requirements in the Sphere of Protection of the Environment at Elaboration of Projects of Building, Reconstruction, Conservation and Liquidation of Buildings, Constructions and Other Objects

At elaboration of projects of building, reconstruction, conservation and liquidation of buildings, constructions and other objects the norms of permissible anthropogenic burden on environment shall be considered, the measures on prevention and liquidation of contamination of environment and also methods of waists management shall be provided,

resources-economy, low-wastes and wasteless technologies contributing to environmental protection, to restoration of natural environment, rational usage and restoration of natural resources shall be used.

The reduction of cost or exclusion from the project works and from the approved project of the planned measures on protection of environment at projecting the building, reconstruction, conservation and liquidation of buildings, constructions and other objects is prohibited. The project of building, reconstruction, conservation or liquidation of buildings, constructions and other objects subject to state ecological expertise and having not received the positive resolution is not subject to approval and works on its realization are not financed.

Article 35. The Requirements in the Sphere of Protection of Environment at Building and Reconstruction of Buildings, Constructions and Other Objects

Building and reconstruction of buildings, constructions and other objects shall be fulfilled under the approved project at presence of positive resolution of state ecological expertise, and also of sanitary, anti-fire, building and other requirements of legislation of the Republic of Belarus.

Building and reconstruction of building, construction and other objects before the approval of project and before the allocation of the land in kind, and also changing the approved project to the detriment to requirements in the sphere of environmental protection is prohibited.

At fulfillment of building and reconstruction of buildings, constructions and other objects all the measures on protection of environment, improvements of territory, protection of memorials of history and culture, collection and other management of wastes and other measures on prevention of harmful influence of environment provided in project are taken. In the course of building and reconstruction of building, constructions and other objects is carried out by the state, departmental and industrial control in the sphere of protection of environment in order established by the legislation of the Republic of Belarus.

Article 36. The Requirements in the Sphere of Protection of the Environment at Introduction of Buildings, Constructions and Other Objects into Exploitation

Introduction into exploitation of buildings, construction and other objects is carried out in condition of fulfillment of all works on protection of environment, improvement of territories provided in the project in compliance with the legislation of the Republic of Belarus.

Introduction into exploitation of buildings, constructions and other objects not equipped with the devices of registration and control, with technical means on purifying, neutralizing of exhausts and effluents of contaminating substances, usage or neutralizing the wastes providing the fulfillment of requirements established in the sphere of environmental protection is prohibited.

The chiefs and members of the commissions on acceptance of buildings, constructions and other objects to exploitation bear responsibility for the acceptance of buildings, constructions and other objects not meeting the requirements in the sphere of protection of environment according to the legislation of the Republic of Belarus.

Article 37. The Requirements in the Sphere of Protection of Environment at Exploitation of Buildings, Constructions and Other Objects

Legal persons and citizens that carry out the exploitation of buildings, constructions and other objects are obliged to observe the technological norms and other requirements in the sphere of protection of the environment.

Legal persons and citizens that carry out the exploitation of buildings, constructions and other objects shall provide the observance of norms of quality of the environment on the

basis of implementation of technological means and technologies of neutralization and usage of wastes of manufacturing, neutralization of exhausts and effluents of contaminating substances and also other technologies providing the fulfillment of requirements in the sphere of protection of environment.

At exploitation of buildings, constructions and other objects the legal persons and individual entrepreneurs are obliged to conduct the ecological passport of enterprise. Ecological passport of enterprise is considered to be a document including the data on usage of resources (natural and derivative) by the legal person or individual entrepreneurs that carry out the economic and other activity, and estimation of influence of the manufacturing on the environment. The order of conduction of ecological passport of enterprise is established by the Ministry of natural resources and protection of environment.

Article 38. The Requirements in the Sphere of Protection of Environment at Liquidation of Legal Person or Termination of Activity of the Individual entrepreneurs and also at Their Bankruptcy

At liquidation or bankruptcy of legal person that carry out the activity connected with harmful influence on environment the ecological audit and estimation of harm caused to the environment as the result of its activity are conducted, the measures on compensation of harm caused to the environment are taken, and measures on restoration of environment according to the legislation of the Republic of Belarus are elaborated and taken.

The effect of the present article is expanded on cases of bankruptcy or termination of activity of individual entrepreneur connected with harmful influence on environment.

Article 39. The Requirements in the Sphere of Protection of Environment at Placing, Projecting, Building, Reconstruction, Introducing into Exploitation and Exploitation of Objects of Power Engineering

At projecting and building of heat power plants their equipment with the means of purifying of exhausts and effluents of contaminating substances providing the fulfillment of requirements in the sphere of environmental protection, usage of ecological safe kinds of fuel and safe placement of wastes of industry and also measures on reduction of creation and ejection of gases influencing the climate into the environment shall be provided.

At placing, projecting, building, reconstruction, introduction into exploitation and exploitation of hydropower plants the peculiarities of relief shall be considered, the measures on maximal perseverance of water objects, water collectors, land (including soils), forests, inhabited localities, biological diversity shall be taken, the stable functioning of natural ecological systems, the preservation of typical and rare natural landscapes, particularly protected natural territories shall be provided, and also measures on timely stoking-up and export of timber, taking down the fertile layer of soil at cleaning and sinking the bed of water storages and other necessary measures on non-admission of harmful changes of environment, saving the water regime providing more favorable conditions for restoration of water biological resources shall be taken.

At placing, projecting, building, reconstruction, introduction into exploitation and exploitation of nuclear plants the protection of environment from the radiation influence of this plant shall be provided, the established order and technological norms, requirements of specially authorized republican bodies of state management that carry out the state inspection and control in the sphere of provision of radiation security shall be observed, and also the measures on provision of full radiation security of the environment and population according to the legislation of the Republic of Belarus and generally accepted principles and norms of international law shall be taken, the training and improving the qualification of workers' of nuclear plants shall be provided.

Placing the nuclear plants is carried out at presence of positive resolutions of state ecological expertise and other state expertise provided under the legislation of the Republic of Belarus and confirming the ecological and radiation safety of nuclear plants for the projects and other grounding materials.

Projects of placing and building of nuclear plants shall contain the decisions providing the safe withdrawal from exploitation and safe management with the radioactive wastes.

Article 40. The Requirements in the Sphere of Protection of Environment at Placing, Projecting, Building, Reconstruction, Introduction into Exploitation, Exploitation, Conservation and Liquidation of Military and Defense Objects, Armament and Military Machines

The requirements in the sphere of protection of environment at placing, projecting, building, reconstruction, introduction into exploitation, exploitation, conservation and liquidation of buildings, constructions and other objects are fully expanded to military and defense objects, armament and military machines excluding the emergency situations obstructing the observance of requirements in the sphere of environmental protection.

The list of emergency situations obstructing the observance of requirements in the sphere of environmental protection at placing, projecting, building, reconstruction, introduction into exploitation, exploitation. Conservation or liquidation of military and defense objects, armament and military machines is established by the legislation of the Republic of Belarus.

Article 41. The Requirements in the Sphere of Protection of Environment at Exploitation of Objects of Agriculture

Legal persons and citizens that carry out the exploitation of objects of agriculture are obliged to carry out the measures on protection of lands (including soils), bowels, surface and underground waters, free air, forests, objects of flora and fauna, particularly protected natural territories, typical and rare natural landscapes.

Legal persons and individual entrepreneurs that carry out the production, stoking-up and processing of agricultural products and also the service and repair of agricultural machines, storage of combustive-lubricating materials, organic and mineral fertilizers, means of plants' protection, stimulators growth and other preparations shall have sanitary protective zones around the industrial objects and purifying constructions providing the fulfillment of requirements in the sphere of protection of environment.

Article 42. The Requirements in the Sphere of Protection of Environment at Melioration of Lands, Placing, Projecting, Building, Reconstruction, Introduction into Exploitation and Exploitation of Melioration Systems and Hydro-Technical Constructions Located Separately
At carrying out the melioration of lands, placing, projecting, building, reconstruction, introduction into exploitation and exploitation of melioration systems and hydro-technical constructions located separately the legal persons and individual entrepreneurs shall take measures on providing the hydro-economic balance and economical usage of waters, protection of lands (including soils), forests, objects of flora and fauna, and also prevention of other harmful influence on environment at carrying out the melioration measures.
Melioration of lands shall not lead to worsening the state of environment, breach of stable functioning of natural ecological systems.

Article 43. The Requirements in the Sphere of Protection of Environment at Placing, Projecting, Building and Reconstruction of Inhabited Localities

At placing, projecting, building and reconstruction of inhabited localities the requirements in the sphere of protection of environment providing the favorable environment for life and

health of citizens shall be observed.

Objects of economic and other activity shall be placed with the consideration of requirements in the sphere of protection of environment and also sanitary, anti-fire, building and other requirements of the legislation of the Republic of Belarus.

At planning and building of inhabited localities the measures on preservation and restoration of environment shall be provided, the requirements in the sphere of protection of environment shall be observed, measures on purifying of sewages, sanitary cleaning, collection, transportation, usage and (or) neutralization of wastes, observance of norms of permissible exhausts and effluents of chemical and other substances and also on re-cultivation of lands, improvement of territories and other measures providing the ecological safety shall be taken.

Around the inhabited localities the green zones are created, the legal regime of which is established by the legislation of the Republic of Belarus. The sizes of green zones are determined at elaboration of schemes and projects of regional planning of administrative-territorial units, general plans, projects of detailed planning and building, projects of improvements of inhabited localities and other projects with consideration of number of citizens and natural-climate conditions.

Organization of inhabited localities and territories shall be carried out according to the architectural and town-planning projects where the measures on greening and other management with the objects of fauna providing the favorable environment for live and health of citizens shall be carried out.

The management with the objects of flora located on lands of inhabited localities is carried out in compliance with the legislation of the Republic of Belarus on flora, housing and communal services, on architectural and town-planning activity.

Liquidation (removal) including felling without relevant permission and (or) damaging the objects of flora in the inhabited localities, green zones around the inhabited localities, town woods and sanitary-protective zones is prohibited.

Article 44. The Requirements in the Sphere of Protection of Environment to the Movable Sources

Legal persons and citizens at projecting, production, exploitation, repair and technical service of movable sources are obliged to elaborate and carry out measures on reduction of toxicity, smoggy of processed gases, purifying or neutralization of exhausts and effluents of contaminating substances into the environment, transition to less toxic kinds of fuels and other measures directed to prevention and reduction of harmful influence on environment. The production and (or) exploitation of movable sources, where the content of the contaminating substances in the exhausts and levels of other harmful physical influences on environment exceed the fixed norms are prohibited.

Article 45. The Requirements in the Sphere of Protection of Environment at Placing, Projecting, Building, Reconstruction, Introduction into Exploitation, Exploitation and Liquidation of Objects of Oil and Gas Industry, Objects of Processing, Transportation, Storage and Realization of Oil, Gas and Products of Their Processing

Placing, projecting, building, reconstruction, introduction into exploitation, exploitation and liquidation of objects of oil and gas industry, objects of processing, transportation, storage and realization of oil, gas and products of their processing shall be carried out in compliance with the requirements in the sphere of protection of environment, sanitary, anti-fire and other requirements of legislation of the Republic of Belarus.

At placing, projecting, building, reconstruction, introduction into exploitation, exploitation and liquidation of oil and gas industry, objects of processing, transportation, storage and

realization of oil, gas and products of their processing the measures on purifying and neutralization of wastes of industry and collection of oil (accompanying) gas and accompanying waters, re-cultivation of lands, decreasing the harmful influence on environment and also on compensating the harm to the environment caused in the process of building and (or) exploitation of mentioned objects in the result of infringement of legislation of the Republic of Belarus on protection of the environment are provided.

Building and exploitation of objects of oil and gas industry, objects of processing, transportation, storage and realization of oil, gas, and products of their processing are allowed at presence of projects of restoration of contaminated lands, positive resolutions of state ecological expertise and financial guarantees of realization of these projects.

Exploitation of objects of oil and gas industry, objects of processing, transportation and storage of oil and gas, located in the surface water objects is allowed at presence of positive resolutions of state ecological expertise and other state expertise established by the legislation of the Republic of Belarus.

Article 46. The Requirements in the Sphere of Protection at the Production of Dangerous Chemical Substances, Their Management and Their Neutralization

Production of dangerous chemical substances and their management is allowed on the territory of the Republic of Belarus after conducting the necessary toxic-hygienic and toxicological research of these substances, establishment of order of their management with observance of requirements in the sphere of protection of environment and state registration of these substances in order established by the legislation of the Republic of Belarus.

Neutralization of dangerous chemical substances is carried out at presence of project and technological documentation, agreed in order established by the legislation of the Republic of Belarus.

Article 47. The Requirements in the Sphere of Protection of Environment at Usage of Radioactive Substances

Legal persons and individual entrepreneurs are obliged to observe the rules of production, storage, transportation, usage, burial of radioactive substances (sources of ionizing radiation), not to allow the exceeding of norms of limit permissible level of radiation influence and in case of their exceeding to inform the specially authorized republican bodies of state managements, local executive and administrative bodies on exceeding level of radiation dangerous to the environment and health of citizens without delay, take measures on liquidation of center of radiation contamination.

Legal persons and individual entrepreneurs that do not provide the observance of rules of management with the radioactive substances and also with radioactive wastes bear responsibility in compliance with the legislation of the Republic of Belarus.

Import of the sources of ionizing radiation on the territory of the Republic of Belarus from other states for the purposes of their storage, utilization or burial is prohibited. Transit or import of sources of ionizing radiation for other purposes is carried out in order established by the legislation of the Republic of Belarus.

Burial of sources of ionizing radiation on surface of land and in bowels without taking measures on exclusion of possibility of accidental ingress of sources of ionizing radiation or their separate components into the environment is prohibited.

Burial of sources of ionizing radiation in water objects on the territory of reservations, national parks and reserves, natural memorials is prohibited.

Article 48. The Requirements in the Sphere of Protection of Environment at Usage of Chemical Substances in Agriculture and Forestry

Legal persons and citizens are obliged to carry out the rules of production, storage, transportation and usage of chemical substances used in agriculture and forestry, and also the requirements in the sphere of protection of environment and take measures on prevention of harmful influence of economic and other activity and liquidation of its negative consequences for provision of quality of environment, stable functioning of natural ecological systems and preservation of typical and rare natural landscapes. The usage of toxic chemical substances not exposed to the decay is prohibited.

Article 49. The Requirements in the Sphere of Protection of Environment to the Activity That Has or May Have Harmful Biological Influence on Environment

Introduction, acclimatization, growing, cultivation of plants, animals not peculiar to the ecological systems and also created in artificial way without elaboration of measures on prevention of their harmful influence on natural ecological systems, reception of positive resolutions of relevant expertise and (or) permissions in compliance with the legislation of the Republic of Belarus.

At placing, projecting, building, reconstruction, introduction in exploitation, exploitation and liquidation of dangerous industrial objects, application of technologies connected to harmful influence of micro-organisms on environment the requirements and norms in the sphere of protection of environment including the norms of limit permissible concentrations of micro-organisms, state standards and other technical normative legal acts in the sphere of protection of environment shall be observed.

Legal persons and individual entrepreneurs that carry out activity connected with possibility of harmful influence of micro-organisms on environment are obliged to provide ecologically safe production, transportation, usage, storage, placing and neutralization of micro-organisms, elaborate and carry out measures on prevention of accidents and catastrophes, prevention and liquidation of consequences of harmful influence of micro-organisms on environment.

Requirements in the sphere of management with the genetic changeable organisms are established by the legislation of Republic of Belarus in the sphere of biological safety and genetic engineering activity.

Article 50. The Requirements in the Sphere of Protection of Environment at Management of Wastes

The wastes shall be collected, separation on kinds, usage and (or) neutralization.

Legal persons and citizens, economic and other activity of which is connected with wastes management, are obliged to observe the requirements in the sphere of protection of environment and also sanitary, anti-fire and other requirements established by the legislation of the Republic of Belarus.

The burial of wastes on the territory of preserves, national parks, reserves, memorials of nature, on swamps, water objects and water protection zones used for the economic drinking water supply and at causing or appearance of threat of causing of harm to the environment, life and health of citizens as the result of harmful influence on environment—on lands of sanitary, recreational and historic and cultural purpose, territories of inhabited localities and green zones of these localities is prohibited.

Import of dangerous and other wastes on the territory of the Republic of Belarus for the purposes of storage and (or) neutralization is prohibited.

The relations appearing in the process of wastes management are regulated by the legislation of the Republic of Belarus.

Article 51. The Requirements in the Sphere of Protection of Environment to the Sources

Having Harmful Physical Influence

Legal persons and citizens, activity of which is connected with usage of sources of physical influences and also local executive and administrative bodies are obliged to take necessary measures on prevention and liquidation of harmful influence of noise, vibration, electric, electro-magnet, magnet fields and other harmful physical influences on environment, including in industrial, public and dwelling buildings, on the streets, in the yards, on the squares of towns and other inhabited localities, in zones of recreation and other public places, in sites of habitation of wild animals, including in the sites of their reproduction, on natural ecological systems and typical and rare natural landscapes.

For these purposes the following shall be carried out:

improvement of constructions of automobile, railroad, air, sea and river transportation means, agricultural, road and building machines and other movable means and plants equipped with the rotary-piston engines and means of their exploitation and also the quality of maintenance of railroads and tramways, automobile roads and street network of the inhabited localities;

placing the airdromes, airports and other objects, exploitation of equipment that are the sources of noise, on the distance providing ecological safety of the inhabited localities; special noise protection measures.

Exploitation of buildings, constructions, and other objects having the sources of physical influence that exceed the norms of permissible physical influences is prohibited.

Article 52. The Requirements in the Sphere of Protection of Environment at Conducting of Scientific Research, Experimental Constructional and Technological Works

At conducting fundamental and applied scientific research, experimental constructional and technological works the requirements in the sphere of protection of environment shall be considered.

Usage of inventions and usage of machines, equipment, material and technologies leading to the infringement of the requirements in the sphere of protection of environment is prohibited.

Article 53. The Requirements in the Sphere of Protection of Environment at Establishing the Safety and Protection Zones

For the purposes of provision of stable functioning of natural ecological systems, protection of natural complexes, natural landscapes and particularly protected natural territories from the contamination and other harmful influence of economic and other activity the safety and protection zones are established.

The order of establishment, creation of safety and protection zones, their legal regime is determined by the legislation of the Republic of Belarus.

Article 54. The Requirements in the Sphere of Protection of Environment at Privatization of the Enterprises

At privatization of enterprises having the harmful influence on environment the conduction of measures on protection of environment and compensation of harm caused as the result of harmful influence on the environment is provided.

At privatization of enterprises the plants and equipment designed for the protection of environment are considered indivisible with the object of privatization.

Section 7. Protection Of The Ozone Layer. Regulation Of Influence On Climate

Article 55. Provision of Protection of the Ozone Layer

The protection of the ozone layer from the ecologically dangerous change of its state is

provided:

by organization of observance, registration and control of change of the state of the ozone layer under the influence of the economic and other activity;

by limiting or full stoppage of usage of substances destroying the ozone layer;

by application of the economic mechanism of protection of ozone layer;

by application of measure of responsibility for the infringement of the legislation of the Republic of Belarus on the protection of the ozone layer.

The protection of the ozone layer is carried out in compliance with the legislation of the Republic of Belarus.

Article 56. The Responsibility of Legal Persons and Individual entrepreneurs that Carry Out the Economic and Other Activity Connected with Exhausts of Greenhouse Gases into the Free Air

Legal persons and individual entrepreneurs carrying out the economic and other activity connected with the exhausts of greenhouse gases in free air are obliged to reduce the number of exhausts of these gases and (or) other substances contributing to their creation, accumulation of which in the atmosphere can lead to the change of the climate.

Article 57. Regulation of the Influence on Climate

Any economic and other activity, the consequences of which lead or can lead to the change of climate, shall be carried out with the observance of the legislation of the Republic of Belarus on protection of environment.

The fulfillment of measures on regulation of influence on the climate shall not lead to the harmful influence on environment.

Section 8. Estimation Of Influence On Environment. Ecological Expertise

Article 58. The Estimation of Influence on Environment of the Planned Economic and Other Activity

The estimation of influence on the environment is conducted in relation to the planned economic and other activity that can have harmful influence on environment.

The list of kinds and objects of economic and other activity, for which the estimation of influence on environment of planned economic and other activity is conducted in obligatory order, is approved by the Ministry of natural resources and protection of environment of the Republic of Belarus.

The order of conducting the estimation of influence on environment of planned economic and other activity, the requirements to the materials and content of the report on the results of conducting such estimation are established by the legislation of the Republic of Belarus on state ecological expertise.

Article 59. Ecological Expertise

Ecological expertise is conducted for the purposes of determination of compliance of the planned economic and other activity with the requirements in the sphere of protection of the environment.

In the Republic of Belarus the state ecological expertise and public ecological expertise are conducted.

Article 60. State Ecological Expertise

State ecological expertise is organized and conducted by the Ministry of natural resources and protection of environment of the Republic of Belarus or by its territorial bodies.

The order of conducting the state ecological expertise is established by the legislation of the Republic of Belarus on state ecological expertise.

Article 61. Public Ecological Expertise

Public ecological expertise is organized and conducted on the initiative of public associations and citizens by the independent specialists, who in order established by the legislation of the Republic of Belarus have the right to receive from the customer (initiator of the planned economic and other activity) documentation subject to public ecological expertise including the material on estimation of influence on environment of the planned economic and other activity and also other materials necessary for conducting of the public ecological expertise. The resolution of the public ecological expertise can be send to bodies that conduct the state ecological expertise, local executive and administrative bodies and also to other interested persons and has the recommendation character.

The financing of the public ecological expertise is accomplished at the expense of its initiators—public associations and (or) citizens.

Section 9. Natural Objects Subject To Particular Or Special Protection

Article 62. Particularly Protected Natural Territories

Natural objects having the particular nature protective, scientific, historic and cultural, esthetic, recreational, sanitary and other significant importance are subject to particular protection. For the protection of such natural objects the particular legal regime is established and they are declared to be the particularly protected natural territories.

Preserves, national parks, reserves and memorials of nature are considered to be particularly protected natural territories.

Declaring, reorganization or liquidation of functioning of the particularly protected natural territories and establishing the regime of their protection and usage are carried out in order established by the legislation of the Republic of Belarus on particularly protected natural territories.

Article 63. Natural Territories Subject to Special Protection

For the purposes of preservation of the useful qualities of the environment in the Republic of Belarus the territories subject to special protection are distinguished.

The resort zones, zones of rest, water protection zones, bank regions of rivers and reservoirs, zones of sanitary protection of deposits of medicinal mineral waters and medicinal silts, zones of sanitary protection of water objects used for the economic and drinking water supply, zones of sanitary protection in the places of water scoop, water protective forests (prohibited regions of forests and forests within the borders of water protective zones at the banks of rivers, lakes, water reservoirs and other water objects), protective forests (anti-erosion forests, protective regions of forests along the railroads and automobile roads of the public usage), sanitary hygienic and sanitary forests (city forests, forests of green zones around the towns, other inhabited localities and industrial objects including the forests of forest park parts of the green zones, forests of first and second regions of zones of sanitary protection of the sources of water supply and forests of regions of sanitary protection of resorts (resort forests)), city parks, protected typical and rare natural landscapes and other territories for which the special regime of protection and usage is established.

The legal regime of specially protected territories mentioned in the part two of the present article is established by the legislation of the Republic of Belarus.

Article 64. Protection of Rare and Being Under the Threat of Disappearance Kinds of Wild

Growing Plants and Wild Animals

Rare and being under the threat of disappearance on the territory of the Republic of Belarus kinds of wild growing plants and wild animal are included into the Red Book of the Republic of Belarus.

The resolution on the Red Book of the Republic of Belarus is approved by the Council of Ministers of the Republic of Belarus under the submission of the Ministry of the natural resources and protection of environment of the Republic of Belarus.

Conducting the Red book of the Republic of Belarus, organization of registration and control of the state of the rare and being under the threat of disappearance on the territory of the Republic of Belarus kinds of wild growing plants and wild animals are carried out by the Ministry of natural resources and protection of environment of the Republic of Belarus.

Actions that can lead to elimination, reduction of spreading or number, violation of the environment of growing of the wild growing plants and habitation of wild animals relating to the kinds included into the Red Book of the Republic of Belarus is not allowed.

Import to the Republic of Belarus and export from the Republic of Belarus and also the circulation of rare and being under the threat of disappearance kinds of wild growing plants and wild animals, of their parts and derivatives including those being under the effect of the international treaties of the Republic of Belarus with consideration of general principles and norms of international law.

For the purposes of protection of rare and being under the threat of disappearance kinds of wild growing plants and wild animals the Ministry of natural resources and protection of environment of the Republic of Belarus can establish the rules containing the bans, requirements on reception of permission or other special conditions regarding the protection, extraction, content, storage, exposition or trade of plants, animals and other organisms related to the rare and being under the threat of disappearance kinds, the preservation, protection and restoration of the environment of the habitation (growth) and also the fulfillment of economic activity, at the process of which they are used as the raw material, for other purposes of usage or realization.

Section 10. Ecologically Unfavorable Territories

Article 65. Zones of Ecological Risk

Certain parts of territory of the Republic of Belarus, where as the result of economic and other activity there is unfavorable ecological situation, the stable negative changes of environment began to occur that threaten the safety of life and health of citizens, to components of natural environment and ecological systems are declared by the Council of Ministers of the Republic of Belarus to be the zones of ecological risk.

In the zones of ecological risk the measures on prevention of harmful influence on environment and on its restoration are conducted.

Financing the measures on improvement of zones of ecological risk is conducted first of all at the expense of legal persons and individual entrepreneurs as the result of which economic and other activity the unfavorable ecological situation appeared, and stable negative changes of the environment began to occur and also at the expense of the republican and local budgets and other sources according to the legislation of the Republic of Belarus.

Article 66. Zones of Ecological Crisis

Certain parts of territory of the Republic of Belarus, where as the result of economic or other activity, accidents, catastrophe, natural disaster or other emergency or unpredictable at these conditions circumstances the stable negative changes of environment threatening the safety of life and health of citizens, the components of natural environment and natural ecological

systems have occurred, are declared by the Council of Ministers of the Republic of Belarus to be the zones of ecological crisis.

In the zones of ecological crisis for the period established by the Council of Ministers of the Republic of Belarus:

economic and other activity of the legal persons and individual entrepreneurs causing the harmful influence on environment can be suspended;

the usage of certain kinds of natural resources can be limited;

reconstruction or re-profiling of industrial and other objects causing the harmful influence on environment can take place;

measures on restoration of the environment can be conducted.

The financing of the measures on improvement of zones of ecological crisis is conducted in order established by the part three article 65 of the present Law.

Article 67. Zones of Ecological Disaster

Certain parts of the territory of the Republic of Belarus, where as the result of economic and other activity the irreversible changes of the environment threatening the safety of life and health of citizens and leading to violation of natural balance, destruction of natural ecological systems, degradation of components of natural environment have occurred, are declared by the President of the Republic of Belarus to be the zones of ecological disaster.

In the zones of ecological disaster:

work of the industrial and other objects (excluding objects connected with the service of citizens living on this territory) is suspended on the period established by the President of the Republic of Belarus;

building, reconstruction and introduction into exploitation of new buildings, constructions and other objects for the exception of those that are necessary for liquidation of consequences of ecological disaster are prohibited;

nature management is limited;

operational measures on restoration of environment are taken.

The financing of measures on improvement of zones of ecological disaster is conducted in order established by part three of the article 65 of the present Law.

Section 11. Observation Of State Of The Environment

Article 68. National System of Monitoring of Environment

For the purposes of providing the cooperation of systems of observation over the state of the environment, estimation and prediction of changes of state of environment under the influence of natural and anthropogenic factors, reception and provision of full, trustworthy and timely information on state of environment and influence on it the National system of monitoring of environment in the Republic of Belarus.

Conducting the National system of monitoring of environment in the Republic of Belarus is carried out in order established by the legislation of Republic of Belarus.

Coordination of conducting the National system of monitoring of environment in the Republic of Belarus is carried out by the Ministry of natural resources and protection of environment of the Republic of Belarus.

Article 69. Monitoring of Environment

Monitoring of environment is carried out for the purposes of observation over the state of environment (including over state of environment in the regions of location of sources of harmful influence and influence of these sources on environment), providing the state bodies, legal persons and citizens with the full, trustworthy and timely information necessary for

management and control in the sphere of protection of environment and nature management. Monitoring of environment is a part of National system of monitoring of the environment of the Republic of Belarus.

Monitoring of environment is conducted by the Ministry of natural resources and protection of environment of the Republic of Belarus, other bodies of state management in order established by the legislation of Republic of Belarus. Conducting the monitoring of environment by other bodies of state management is conducted under the agreement with the Ministry of natural resources and protection of environment.

Bodies of state management and legal persons in order established by the legislation of Republic of Belarus give free of charge to the Ministry of natural resources and protection of environment of the Republic of Belarus and its territorial bodies the materials on observation over the state of environment.

State bodies, legal persons and citizens in order established by the legislation of Republic of Belarus have the right to ask and receive free of charge from the Ministry of natural resources and protection of environment of Republic of Belarus and its territorial bodies the information on state of environment and influence on it, received in the result of monitoring of environment.

Republican bodies of state management, local executive and administrative bodies, legal persons at elaboration of prediction of social and economic development and taking the appropriate decisions, elaboration of programs and measures on rational usage of natural resources and protection of environment, placing the industrial and other objects shall consider the data of monitoring of environment and also use it for informing the citizens on the state of environment and measures on its protection.

The order of conducting and usage of data of monitoring of environment is established by the Council of Ministers of the Republic of Belarus.

Section 12. Registration In The Sphere Of Protection Of Environment. State data base on the state of environment. Ecological information

Article 70. State Registration in the Sphere of Protection of Environment

Objects that have or may have harmful influence on environment, kinds and quantity of exhausts and effluents of contaminating substances into the environment, kinds and value of harmful physical and other influences on environment are subject to state registration conducted by the territorial bodies of the Ministry of natural resources and protection of environment of the Republic of Belarus and also other specially authorized republican bodies of state management in order established by the legislation of the Republic of Belarus. State registration in the sphere of protection of environment is carried out for the purposes of state regulation of nature protection activity and also current and perspective planning of measures on reduction of harmful influence of the economic and other activity on environment.

Article 71. Registration of Used Natural Resources and Harmful Influences on Environment

Legal persons and individual entrepreneurs at carrying out the economic and other activity are obliged to conduct the registration of used natural resources, exhausts and effluents of contaminating substances into the environment, wastes management, and also registration of other kinds of harmful influence on environment in order established by the Ministry of Natural resources and protection of environment of the Republic of Belarus and other specially authorized republican bodies of state managements in compliance with their powers.

Data on usage of natural resources, exhausts and effluents of contaminating substances into

the environment, wastes management, and also on other kinds of harmful influence on environment are subject to registration in the ecological passport of the enterprise and to state statistics registration in order established by the legislation of the Republic of Belarus.

Article 72. State Cadastrs of Natural Resources

State cadastrs of natural resources are conducted for the registration of quantity, quality and other characteristics of natural resources, and also for registration of volume, character and regime of their usage.

In the Republic of Belarus the following state cadastrs of natural resources are conducted: land, bowels, water, free air, forests, flora, fauna, climate, peat fund, and wastes.

The acts of legislation of the Republic of Belarus can provide also the conducting of other state cadastrs of natural resources.

Conducting the state cadastrs of natural resources is carried out by the Ministry of natural resources and protection of environment of the Republic of Belarus and other specially authorized republican bodies of state management in compliance with their competence. Coordination of conducting of state cadastrs of natural resources is carried out by the Ministry of natural resources and protection of environment of the Republic of Belarus.

Article 73. State Data Base on State of the Environment and Harmful Influences on It
State database on state of the environment and harmful influences on it includes information on state on the environment accumulated in the Ministry of natural resources and protection of environment of the Republic of Belarus and other specially authorized republican bodies of state management.

The content, order of conducting and usage of State data base on state of the environment and harmful influences on it is established by the Council of Ministers of the Republic of Belarus.

Article 74. Ecological Information

Citizens and legal persons have the right to receive in established order full, trustworthy and timely information on state of the environment, its contamination, measures on its protection and other ecological information.

The list of data referred as ecological information is determined by the Ministry of natural resources and protection of environment of the Republic of Belarus.

The legal regime of ecological information is established by the legislation of the Republic of Belarus.

Section 13. Education, Enlightenment And Scientific Research In The Sphere Of Protection Of Environment

Article 75. Education in the Sphere of Protection of Environment

For the purposes of forming of ecological culture of citizens and preparation of specialists in the sphere of protection of environment the system of education in the sphere of protection of environment that includes pre-school, basic general, general secondary, professional technical, secondary special, high and postgraduate education and also improving the qualification and re-training of staff is established.

Mastering the minimum of ecological knowledge necessary for forming the ecological culture of citizens is provided in all establishments of education by means of obligatory teaching the basis of knowledge in the sphere of protection of environment and nature management.

In the establishments providing the reception of special secondary and high education the

teaching of special courses in the sphere of protection of environment and nature management is introduced.

The training of specialists for the activity in the sphere of protection of environment and nature management is carried out in the establishments of education providing the reception of high education.

The improvement of qualification and retraining of the specialists of the economy branches in the sphere of protection of environment and natural resources is carried out in the establishments (their departments) providing the improvement of qualification and retraining of staff.

Article 76. The Requirements to the Employees, Whose Activity is Connected with Usage of Natural Resources and Influence on Environment

Employees, whose activity is connected with the usage of natural resources and influence of environment shall have the necessary knowledge in the sphere of protection of environment, nature management and regularly improve them. At appointing the officials and specialists, their attestation and re-attestation the presence of necessary knowledge in the sphere of protection of environment is considered.

Article 77. The Enlightenment in the Sphere of Protection of Environment

For the purposes of forming the ecological culture of citizens, up-bringing the solicitous attitude toward nature the enlightenment in the sphere of environmental protection by means of spreading the knowledge on ecological security including the information on state of environment and on rational usage of natural resources is carried out.

The enlightenment in the sphere of protection of environment including informing the citizens about legislation of the Republic of Belarus on protection of environment is carried out by the Ministry of natural resources and protection of environment of the Republic of Belarus and its territorial bodies, republican bodies of state management, bodies of local government and self-governance, public associations, mass media and also by the establishments of education, healthcare, museums, libraries and other establishments of culture, nature protection establishments, organizations of sport and tourism, other legal persons.

Article 78. Scientific Research in the Sphere of Protection of Environment

Scientific research in the sphere of protection of environment is conducted for the purposes of:

improving the legislation of the Republic of Belarus on protection of environment;
elaboration of concepts, scientific prognosis, programs and measures on rational usage of natural resources and protection of environment;
elaboration of programs of rehabilitation of territories of ecological risk, zones of ecological crisis, zones of ecological disasters, improvement of means and methods of restoration of ecologically unfavorable territories;
elaboration and improvement of indexes of complete estimation of influence on environment, means and methods of their determination;
elaboration of technologies in the sphere of protection of environment and rational usage of natural resources;
elaboration of requirements in the sphere of protection of environment;
and other purposes in the sphere of protection of environment.

Scientific research in the sphere of protection of environment is conducted in order established by the legislation of the Republic of Belarus on scientific activity.

Section 14. Economic Mechanism Of Protection of Environment And Nature

Management

Article 79. Elements of Economic Mechanism of Protection of Environment and Nature Management

Economic mechanism of protection of environment and nature management includes the following elements:

- elaboration of state prognosis and programs of socially economic development of the Republic of Belarus in the part of rational usage of natural resources and protection of environment;
- financing the programs and measures on rational usage of natural resources and protection of environment;
- creation of funds of protection of nature;
- fixing the payments for nature management;
- conducting economic estimation of natural objects;
- conducting economic estimation of influence of economic and other activity on environment;
- taking measures of economic stimulating in the sphere of protection of environment;
- compensating in established order the harm caused in the result of harmful influence on environment;
- ecological insurance;
- other measures directed on protection of environment;

Article 80. Territorial Complex Schemes, Programs and Measures on Rational Usage of Natural Resources and Protection of Environment

For the purposes of elaboration of long-term prognosis in the sphere of protection of environment the territorial complex schemes of rational usage of natural resources and protection of environment that define the complex of measures on restoration, preservation and improvement of quality of environment, rational usage of natural resources and preservation of biological diversity.

Territorial complex schemes of rational usage of natural resources and protection of environment are elaborated for the concrete territories with consideration of general scheme of settling, schemes of developments of industrial powers and social sphere.

The order of elaboration and approve of territorial complex schemes of rational usage of natural resources and protection of environment, their financing is established by the Council of Ministries of the Republic of Belarus.

Elaboration of programs of rational usage of natural resources and protection of environment is carried out in the whole republic within the borders of administrative territorial units and also by the branches of economy for the purposes of provision of favorable environment on the basis of scientifically grounded combination of ecological, economic and social interests, choosing the means of nature management providing the minimal probable level of harmful influence on environment, prevention and reducing the harmful influence on environment of economic and other activity and also preservation and restoration of natural resources.

Elaboration of branch programs of rational usage of natural resources and protection of environment is carried out by the relevant republican bodies of state management and associations (establishments) accountable of Council of Ministries of the Republic of Belarus upon the agreement with the Ministry of natural resources and protection of environment of the Republic of Belarus.

Elaboration of measures on rational usage of natural resources and protection of environment is carried out on the basis of approved state programs of social economic development of the Republic of Belarus, state and branch programs of rational usage of natural resources and protection of environment, republican, oblast and other complex schemes of protection of environment. The mentioned programs and schemes are agreed with the Ministry of natural

resources and protection of environment of the Republic of Belarus or its territorial bodies. Elaboration of programs and measures on rational usage of natural resources and protection of environment within the borders of administrative territorial units is carried out by the relevant local Councils of Deputies, executive and administrative bodies upon the agreement with the territorial bodies of the Ministry of natural resources and protection of environment. Legal persons and individual entrepreneurs carrying out the economic and other activity causing harmful influence on the environment are obliged to plan, elaborate and carry out the measures on protection of environment in order established by the legislation of the Republic of Belarus.

Article 81. Financing the Programs and Measures on Rational Usage of Natural Resources and Protection of Environment

Financing the programs and measures on rational usage of natural resources and protection of environment is conducted at the expense of:

- assets of republican and local budgets;
- assets of state special budget funds of protection of environment;
- assets of legal persons and individual entrepreneurs;
- assets of citizens including foreign;
- bank credits;
- foreign investments;
- other non-budget sources not prohibited by the legislation of the Republic of Belarus and attracted for fulfillment of these programs and measures.

Article 82. Economic Stimulation of Protection of Environment

Economic stimulation of protection of environment is carried out on the basis of:

- establishing privileges on taxation of legal persons and individual entrepreneurs at introduction of low-wastes, energy and resource spare technologies, special equipment reducing the harmful influence on environment, at usage of wastes as secondary raw-materials and carrying out other nature protection activity according to legislation of Republic of Belarus;
- establishing the privileges on crediting the measures on protection of environment at the expenses of republican and local budgets;
- accelerated amortization of equipment and other objects designed for the protection and improvement of the environment.

Legislation of the Republic of Belarus can also establish other kinds of economic stimulation in the sphere of protection of environment.

Article 83. Payment for the Nature Management

General nature management is free of charge. Special nature management is carried out on the paid basis, if other is not established by the legislative acts of the Republic of Belarus. Payments for the nature management include payments for usage of natural resources and payments for the harmful influence on environment.

Payments for the harmful influence on environment are taken for:

- exhausts of contaminating substances into the free air;
- effluents of sewage or contaminating substances into the environment;
- placement of the wastes;
- import to the territory of the Republic of Belarus of ozone destructive substances and (or) production containing ozone destructive substances;
- other kinds of harmful influence of environment, the list of which is established by the Council of Ministers of the Republic of Belarus.

At conducting the nature management the limits are established and payment is taken for usage of certain kinds of natural resources, exhausts of contaminating substances into free air, effluents of sewage or contaminating substances into the environment, placement of wastes and other kinds of harmful influence on environment within the established limits and above them. For the nature management above the established limits the payment is taken in multiple amount established by the legislation of the Republic of Belarus. The size of payment, order and conditions of its collection are determined by the legislation of the Republic of Belarus.

Depositing the payment for usage of natural resources, exhausts of contaminating substances into free air, effluents of sewage or contaminating substances into the environment, placing the wastes and other kinds of harmful influence on environment does not free the user of nature from the carrying out the measures on protection of environment and compensation of harm caused in the result of harmful influence on environment.

Article 84. Funds of Protection of Nature

For financing the state, branch and other program and measures on rational usage of natural resources and protection of environment and other purposes in the sphere of protection of environment in the Republic of Belarus the republican, oblast, Minsk city, regional and town funds of protection of nature, which are the state special purpose budget funds, are created. The sources of forming the state special purpose budget funds of protection of nature can be: payments for the harmful influence on environment, provided by the article 83 of the present Law;

assets received as compensation of harm caused in the result of harmful influence on environment;

finances for contamination of environment, irrational usage of natural resources and other infringements of legislation of the Republic of Belarus on protection of environment;

assets from the realization of confiscated tools of hunting and fishing and other water animals prey or those inverted to the state profit by other means, and also assets from sale of production illegally received with the help of other means;

voluntary fees of legal persons and individual entrepreneurs including the foreign;

other assets in compliance with the legislation of the Republic of Belarus.

The order of forming the state special purpose budget funds of protection of nature is determined by the law on budget for the regular financial (budget) year. The directions of usage of assets of state special budget funds of protection of nature is determined by the council of Ministers of the Republic of Belarus in compliance with the law on budget for the regular financial (budget) year.

At the expense of voluntary fees of legal persons, citizens and other sources not contrary to the legislation of the Republic of Belarus in order established by the legislation of the Republic of Belarus the public funds of protection of environment that are spent on conducting the measures on protection of environment and forming the ecological culture of citizens can be created.

Article 85. Ecological Insurance

Ecological insurance is an insurance of civil responsibility of legal persons and individual entrepreneurs for the harm caused to the environment, health, life of citizens, to their property, property of legal persons in the result of contamination or other harmful influence on environment.

Ecological insurance is carried out in order established by the legislation of the Republic of Belarus on insurance.

Section 12. Control In The Sphere Of Protection Of Environment

Article 86. Main Purposes of Control in the Sphere of Protection of Environment

The control in the sphere of protection of environment for the purposes of provision of republican bodies of state management, local executive and administrative bodies, legal persons and citizens of implementation of legislation of the Republic of Belarus in the sphere of protection of environment, observance of requirements in the sphere of protection of environment and also provision of ecological safety.

Control in the sphere of protection of environment can be state, departmental, industrial and public.

Article 87. State Control in the Sphere of Protection of Environment

State control in the sphere of protection of environment includes control over usage and protection of lands (including soils), bowels, surface and underground waters, free air, ozone layers, forests, objects of flora and fauna, particularly protected natural territories, typical and rare natural landscapes, climate and also over waste management.

State control in the sphere of protection of environment is carried out by the Ministry of natural resources and protection of environment of the Republic of Belarus, other specially authorized republican bodies of state management, their territorial bodies, local Councils of Deputies and executive and administrative bodies within the limits of their competence.

The list of officials of the Ministry of natural resources and protection of environment of the Republic of Belarus and its territorial bodies having the right to carry out the state control in the sphere of protection of environment established by the Council of Ministers of Republic of Belarus.

The rights and duties of official of specially authorized republican bodies of state management and their territorial bodies, local executive and administrative bodies, carrying out state control in the sphere of protection of environment are established by the legislation of the Republic of Belarus.

The order of carrying out of state control in the sphere of protection of environment is established by the Council of Ministers of the Republic of Belarus.

Article 88. Rights of the Officials of the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus and Its Territorial Bodies Carrying Out the State Control in the Sphere of Protection of Environment

Officials of the Ministry of natural resources and protection of environment of the Republic of Belarus and its territorial bodies carrying out the state control in the sphere of protection of environment within their competence have the right:

to introduce to the relevant state bodies the suggestions on the questions of improvement of legislation of the Republic of Belarus on protection of environment, and also on drafts of prognosis of social and economic development of the territories, complex programs of rational usage of natural resources and protection of environment;

to draw the acts on the results of checks, to issue within their rights the instructions on elimination of the discovered deficiencies that are obligatory for execution;

in compliance with the legislation of the Republic of Belarus to make-up the protocols on administrative offences, to receive the explanations from the persons called to administrative responsibility because of the infringement of legislation of the Republic of Belarus on protection of environment, to consider cases on administrative offences and to impose administrative penalty for the infringement of legislation of the Republic of Belarus on protection of environment;

to introduce to consideration of state bodies and organizations the suggestions on the questions of protection of environment and rational usage of natural resources and to present the resolutions on them;

to introduce in order established by the legislation of the Republic of Belarus the suggestions on suspension of projecting or building of industrial objects and also on limiting or suspension of economic activity of legal persons and individual entrepreneurs in case of non-fulfillment of the requirements in the sphere of protection of environment and (or) instructions of the officials that carry out the state control in the sphere of protection of environment;

to limit or suspend the work of certain productions, workshops and other objects if their exploitation is carried out with the infringement of the requirements in the sphere of protection of environment till the discovered infringements are eliminated;

to introduce in order established by the legislation of the Republic of Belarus the suggestions of suspension or annulment of the special permission (licenses) on carrying out certain kinds of economic and other activity to the bodies that issued it if this activity is carried out with the infringement of the requirements in the sphere of protection of environment;

to receive without any charge the data and documents necessary for the execution of state control in the sphere of protection of environment from the legal persons and individual entrepreneurs;

to visit without any obstacles at any time and without preliminary notice (at presence of office identity card) the enterprises and other objects of the legal persons and individual entrepreneurs and also military and other special objects in order established by the legislation of the Republic of Belarus in order to carry out the state control in the sphere of protection of the environment;

to summon the citizens for the consideration of materials on facts of infringement of legislation of the Republic of Belarus on protection of environment;

to conduct in cases and order provided by the legislative acts of the Republic of Belarus the search of the stuff;

to seize the illegally received objects of fauna and flora and its products also the tools used at their reception;

to pass the material on conducted checks and other material to the relevant state bodies for the decision of the question calling the persons, who broke the legislation of the Republic of Belarus on protection of the environment, to the account in the established order;

to introduce the suggestions on taking measures of disciplinary penalty to the employees guilty of infringement of the legislation of the Republic of Belarus on protection of environment to the employers;

in order, established by the legislation of the Republic of Belarus to deliver the persons perpetrated the offence in the sphere of protection of environment to the law enforcement bodies.

For the prevention, disclosure and suppression of the offences in the sphere of protection of the environment the officials of the Ministry of natural resources and protection of the environment of the Republic of Belarus and its territorial bodies have the right to material incentive pay in order established by the Council of Ministers of the Republic of Belarus. Legislation of the Republic of Belarus can determine other rights of the officials that carry out the state control in the sphere of protection of environment.

Article 89. Duties of the Officials of the Ministry of Natural Resources and Protection of Environment of the Republic of Belarus and Its Territorial Bodies that Carry Out the State Control in the Sphere of Protection of Environment

The officials of the Ministry of natural resources and protection of environment and its territorial bodies that carry out the state control in the sphere of protection of the environment are obliged to:
timely and fully use the given authority on prevention, disclosure and suppression of

infringement of legislation of the Republic of Belarus on protection of environment;
keep the state, commercial and other secret protected by law;
to assist the increase of ecological culture of citizens;
to clear out to the citizens the requirements of the legislation of the Republic of Belarus on protection of environment;
to carry out other duties provided by the legislation of the Republic of Belarus.

Article 90. Responsibility of the Officials of the Ministry of Natural Resources and Protection of Environment of the Republic of Belarus and Its Territorial Bodies that Carry Out the State Control in the Sphere of Protection of Environment

The officials of the Ministry of natural resources and protection of environment of the Republic of Belarus and its territorial bodies that carry out the state control in the sphere of protection of environment bear responsibility in order established by the legislation of the Republic of Belarus for the improper fulfillment of their duties.

Article 91. Appeal of the Actions (Inactions) of the Official of the Ministry of Natural Resources and Protection of Environment of the Republic of Belarus and Its Territorial Bodies

Actions (inactions) of the officials of the ministry of natural resources and protection of environment of the Republic of Belarus and its territorial bodies can be appealed in higher body (higher official) and (or) to the court.

Article 92. Main Guarantees of the Officials of the Ministry of the Natural Resources and Protection of Environment of the Republic of Belarus and Its Territorial Bodies that Carry Out the State Control in the Sphere of Protection of Environment

The officials of the ministry of natural resources and protection of environment of the Republic of Belarus and its territorial bodies that carry out the state control in the sphere of protection of the environment at fulfillments of their official duties are the representatives of the state power and are under the protection of the state.

Any influence in any form on the officials of the Ministry of natural resources and protection of environment of the Republic of Belarus and its territorial bodies that carry out the state control in the sphere of protection of environment that impede the fulfillment of their official duties, or the interference into their activity are prohibited.

The state protection of the officials of the Ministry of natural resources and protection of environment of the Republic of Belarus and its territorial bodies is carried out in compliance with the legislation of the Republic of Belarus on state protection of judges, officials of the law enforcement and controlling bodies and other acts of legislation of the Republic of Belarus.

Article 93. Provision of Uniform and Special Weapon of the Officials of the Ministry of the Natural Resources and Protection of Environment of the Republic of Belarus and Its Territorial Bodies that Carry Out the State Control in the Sphere of Protection of the Environment

The officials of the Ministry of natural resources and protection of environment and its territorial bodies that carry out the state control in the sphere of protection of the environment have the right to wear the uniform with the badges of rank, have and use the special weapon at time of fulfillment of the official duties.

The order of giving out the uniform and special weapon and also the order of carrying, use and storage of special weapon is established by the legislation of the Republic of Belarus.

Article 94. Departmental and Industrial Control in the Sphere of Protection of Environment
Departmental control in the sphere of protection of environment is carried out by the bodies of state management or by the organizations for the purposes of checking the observance of the legislation of the Republic of Belarus on protection of environment by the legal persons accountable to them, the carrying out the branch programs and measures of rational usage of natural resources and protection of environment and fulfillment of instruction of the Ministry of natural resources and protection of environment and other specially authorized republican bodies of state management.

The order of conducting the departmental control in the sphere of protection of environment is established by the bodies of state management or by organizations that carry out the control in the organizations accountable to them according to the requirements of the present Law and other acts of legislation of the Republic of Belarus on the protection of the environment.

Legal persons and individual entrepreneurs at carrying of economic and other activity having the harmful influence on the environment are obliged to provide conducting the industrial control in the sphere of protection of environment according to the requirements established by the legislation of the Republic of Belarus on protection of environment.

The head of the legal person, whose economic or other activity has the harmful influence on environment, shall appoint the official responsible for conducting the industrial control in the sphere of protection of environment and at necessity—to create the subdivision that carry out the industrial control in the sphere of protection of environment.

The order of conducting the industrial control in the sphere of protection of environment is established by the instruction elaborated, agreed and approved by the legal person or individual entrepreneur in order established by the Ministry of natural resources and protection of environment.

Article 95. The Public Control in the Sphere of Protection of Environment

The public control in the sphere of protection of environment is carried out for the purposes of realization of the right of every citizen to favorable environment and prevention of infringement of legislation of the Republic of Belarus on protection of environment.

Public control in the sphere of protection of environment is carried out by the public inspectors of nature protection, public associations that carry out the activity in the sphere of protection of environment and also by citizens in compliance with the legislation of the Republic of Belarus.

The order of conducting the control by public inspectors of nature protection and their powers are determined by the Ministry of natural resources and protection of environment of the Republic of Belarus.

Article 96. Analytic (Laboratory) Control in the Sphere of Protection of Environment

Analytic (laboratory) control in the sphere of protection of the environment (hereinafter—analytic control) is a part of state departmental, industrial and public control.

Analytic control is conducted for the purposes of estimation of quality and quantity characteristics of exhausts into the free air and effluents into the surface and underground waters of contaminating substances and also determination of contamination of lands (including soils) and content of wastes.

Analytic control that is conducted at carrying out the state control in the sphere of protection of environment is the state analytic control. Analytic control that is conducted at carrying out departmental or industrial control in the sphere of protection of environment is accordingly the departmental or industrial analytic control.

State analytic control is carried out by the Ministry of natural resources and protection of

environment of the Republic of Belarus and its territorial bodies. Certain functions of the state analytic control can be carried out by other bodies of state management in compliance with the legislation of the Republic of Belarus.

Departmental analytic control is carried out by the ministries, other bodies of state management, associations (establishments), accountable to the Council of Ministers of the Republic of Belarus at the expenses of their own assets and other sources of financing.

Industrial analytic control is carried out by the legal persons and individual entrepreneurs independently at the expense of their own assets and other sources of financing.

The order of conducting the analytic control is established by the legislation of the Republic of Belarus.

Article 97. Ecological Audit

Ecological audit is conducted for the purposes of the provision of ecological safety, determining the ways and means of reduction of risk of harmful influence on the environment of the economic and other activity on compliance with the requirements in the sphere of protection of environment and other indexes established by the legislation of the Republic of Belarus.

Ecological audit is conducted by legal person and individual entrepreneurs having the special permission (license) to carry out this kind of activity in order established by the legislation of the Republic of Belarus. Persons conducting the ecological audit can render services in elaboration of solutions on increasing the ecological safety of the production process on the checked objects.

Ecological audit of the economic and other activity of the legal persons and individual entrepreneurs can be conducted in voluntary or obligatory order at the expense of the own assets of this legal persons or individual entrepreneurs.

At privatization of the enterprises and also at bankruptcy or liquidation of the legal persons, bankruptcy or stoppage of the activity of individual entrepreneur causing the harmful influence on the environment and also in other cases established by the legislative acts of the Republic of Belarus ecological audit is conducted in obligatory order at the expenses of the own assets of this legal person and individual entrepreneur.

The order of conducting the ecological audit is established by the legislation of the Republic of Belarus.

Section 16. Liability For The Infringement Of The Legislation Of The Republic Of Belarus On Protection Of Environment

Article 98. Offences in the Sphere of Protection of the Environment

Offences in the sphere of protection of the environment are the following:

infringement of the normative legal acts in the sphere of protection of environment;

infringement of the requirements of the ecological safety;

infringement of the order of realization of the project solutions of the planned economic and other activity subject state ecological expertise;

infringement of the rules of the safety at managing with the dangerous chemical and other substances and wastes;

infringement of the legislation of the Republic of Belarus on wastes;

infringement of the regime of the protection and usage of the particularly protected natural territories;

infringement of the order of usage of lands and requirement on its protection;

infringement of the requirements on usage of bowels and hydro-mineral resources;

non-fulfillment of the requirements on provision of safety of the preserves or liquidated

mountain excavations and bore-holes;
infringement of the rules of the protection of bowels;
infringement of the rules of forest management, forests cultivation, restoration and increase of productivity and quality of forests;
infringement of the order of usage of wood-cutting fund;
illegal destruction or damaging the wood-bush or other flora;
infringement of the rules of storage, picking or purchase of mushrooms, other wild plants or their parts;
unauthorized picking or elimination of the wild plants referring to the kinds included to the Red Book of the Republic of Belarus and their parts or taking other actions that can lead to their destruction, reducing their quantity or infringement of the environment of the growing;
unauthorized picking, elimination or damaging of the forest ground layer or live surface covering;
infringement of the requirements of the fire safety in the forests and on the peat-bog;
burning the dry flora, herbs at the root, and also the stubble and reaping leftovers on the fields or not taking measures on liquidation of the fires;
making fires in the prohibited sites;
contamination of forest and other wood-bush flora;
infringement of the requirements on protection of the rare and being under the threat of disappearance kinds of animals, plants and places of their habitation and growing;
infringement of the legislation of the Republic of Belarus on protection of the wild animals and the environment of their habitation;
illegal export from the Republic of Belarus and import to it the wild animals and wild plants;
destruction of the rare and being under the threat of disappearance kinds of animals or taking other actions that can lead to their death, reduction of their quantity and violation of the environment of their habitation;
infringement of the rules of fishing and protection of fish resources and water animals;
illegal production, purchase, storage or sale of the tools of fishing and prey of other water animals;
infringement of the rules of hunting;
contamination of the atmosphere, infringement of the rules of exploitation and also not usage of the equipments for purifying and control of exhausts of contaminating substances into the free air;
production, introduction into exploitation and exploitation of the moving sources exceeding the norms of allowable exhausts of the chemical substances;
infringement of the legislation of the Republic of Belarus on protection of the ozone layer;
infringement of the order of usage of the protected zones of stations, towers and other hydro-meteorological objects of the state net of observation over the state of the environment and its contamination;
contamination or clogging up of waters, infringement of rules of water usage;
infringement of rules of exploitation of water industry constructions and appliances, damaging the water industrial constructions and appliances or unauthorized switching to them;
non-fulfillment of the requirements on exploitation of the melioration systems and hydro-technical constructions;
concealment, premeditated distortion and (or) not timely submission of the data on state and contamination of the environment, sources of its contamination, state of the natural resources, their usage and protection.
Legislative acts of the Republic of Belarus can provide other offences in the sphere of protection of environment.

Article 99. Liability for the Infringement of the Legislation of the Republic of Belarus on Protection of Environment

Infringement of the legislation of the Republic of Belarus on protection of environment entails the disciplinary, administrative and criminal liability in compliance with the legislation of the Republic of Belarus.

Calling the persons to the account for the infringement of the legislation of the Republic of Belarus on protection of environment does not free them from the compensating harm caused in the result of harmful influence on environment, and carrying out the measures on its protection.

Article 100. Measures Taken at Infringement of Requirements in the Sphere of Protection of Environment

At infringement requirements in the sphere of protection of the environment provided in articles 32-42 of the present Law the work of the certain productions, workshops and other objects can be limited or suspended under the decision of the Ministry of natural resources and protection of environment of the Republic of Belarus or its territorial bodies, local executive and administrative bodies and other specially authorized republican bodies of state management or under the decision of court in order established by the legislation of the Republic of Belarus.

Article 101. Compensation of Harm Caused to the Environment

Harm caused to the environment by means of its contamination, exhaustion, damaging, destruction, degradation, destruction of components of the natural environment, natural and natural-anthropogenic objects, and also other harmful influence on environment is subject to compensation by the person, who caused it, voluntary or under the court decision in order established by the legislation of the Republic of Belarus.

The amount of compensation of harm caused to the environment is estimated according to the tariff and methods, established by the legislation of the Republic of Belarus at their absence—under the fact costs on the restoration of the broken state of the environment with the consideration of the lost profit.

Article 102. Compensation of Harm Caused to the Person and Property of Citizen in the Result of Harmful Influence on the Environment

Harm caused to the person and property of citizen in the result of harmful influence on environment is subject to compensation in full amount.

The size and order of the compensation of harm caused to the person and property of the citizen in the result of harmful influence on environment is determined in compliance with the legislation of the Republic of Belarus.

Article 103. Resolving the Disputes in the Sphere of Protection of the Environment

Disputes in the sphere of protection of the environment are resolved by the Ministry of natural resources and protection of environment of the Republic of Belarus or its territorial bodies and (or) by court in order established by the legislation of the Republic of Belarus.

Section 17. International Cooperation In The Sphere Of Protection Of The Environment

Article 104. International Cooperation in the Sphere of Protection of Environment

Republic of Belarus carry out international cooperation in the sphere of protection of the

environment in compliance with the general principles and norms of the international law and international treaties of the Republic of Belarus in the sphere of protection of the environment.

Republic of Belarus takes part in international cooperation in the sphere of protection of the environment in compliance with the legislation of the Republic of Belarus.

Article 105. International Treaties

If the international treaties of the Republic of Belarus in force establish other norms of the protection of the environment than those provided in the present Law, the norms of international treaty are implemented.

President of the Republic of Belarus