

Supported by:



based on a decision of the Parliament
of the Federal Republic of Germany



Issue # 9/2012 (August, 2012)

LEGISLATION REVIEW

Agriculture, Food and Renewable Energy Sector

Content

Agricultural Land

- Initiative to extend the moratorium on farmland sales and purchases
- Initiative to simplify the order for change of the land plot usage

State Support

- The program of compensating for insurance payments in agriculture will function in 2012

Food Safety and Quality

- Suggested amendments to legislation in the phytosanitary field
- Suggestions to simplify procedures for grain post-harvest activities

Miscellaneous

- Forward purchases as a collateral

Agricultural land

Initiative to extend the moratorium on farmland sales and purchases

Draft law of Ukraine # 11106 "On amendments to items 14 and 15 of the chapter X "Transition provisions" as of 27.08.2012

The Draft law suggests extending the moratorium on farmland sales and purchases until 1st of January 2014.

Initiative to simplify the order for the change of land plots usage

Draft law of Ukraine # 11116 "On amendments to some legislation acts of Ukraine on improving the procedure for land plots alienation and change of their usage" as of 28.08.2012

The Draft law foresees simplification of the procedures on transfer of land plots into ownership, usage (including leasing), change in land plot primary usage; it also foresees improving the order for developing, endorsing and approving the land plots' alienation projects.

State support

The program for insurance premium compensation will function in 2012

Decree of the Cabinet of Ministers of Ukraine # 813 "the order and conditions for providing agricultural producers with the state support for insuring agricultural crops by reducing insurance premium costs and the list of agricultural crops and types of risks that are eligible for insurance premiums compensation" as of 5.08.2012

The Draft foresees up to 50% compensation of the insurance premiums. So far this program was not in the list of the financed state support programs for this year (see the Decree of the CMU # 104 as of 13.02.2012)

Food Safety and Quality

Changes to legislation in the phytosanitary field are suggested

Draft law of Ukraine # 11089 "On plants' quarantine" as of 17.08.2012.

The Draft has been developed to comply the corresponding legislation with the changes in the system of the central executive power, in particular in view of the creation of the State Veterinary and Phytosanitary Service of Ukraine. The draft also aims at increasing the efficiency of phytosanitary measures to ensure phytosanitary safety in Ukraine. The Draft law: i) defines the authority of the central body of the executive power in the phytosanitary field; ii) specifies the scope of the rights and obligations of the servants that implement phytosanitary control and surveillance, as well as registration of persons that implement economic activities that are related to production and circulation of objects of regulation; iii) termination of phytosanitary permits on imports and transit of objects of regulation; iv) types of phytosanitary controls; v) introduces the system for earlier warning of quarantine organisms; vi) establishes the conditions for issuing quarantine and phytosanitary certificates, and phytosanitary certificate for re-export; conditions for refusal in issuance, terminating, issuance of a copy and its terms of validity.

These changes, however, do not approximate legislation of Ukraine to the corresponding European legislation in the field phytosanitary and plants protection with respect to the transfer of plants within the community boundaries. In Ukraine one still should have a phytosanitary certificate for the transfer between the quarantine zones.

Simplification of procedures for circulation and storage of grain is suggested

Draft law of Ukraine # 11127 "On Amendments to some of the legislation acts of Ukraine on circulation and storage of grain in Ukraine" as of 31.08.2012.

The draft suggests simplifications in permitting procedures in the field of grain transfers inside the country as well as for exports and for

storage in warehouses. The draft suggests cancellation of grain quality certificates and of warehouses certificates.

Author:

Olexandr Polivodskyy
Law Firm "Sofiya", Kyiv
opolivodskyy@lawfirmsofiya.kiev.ua

Editor and contact person:

Oleg Nivievskiy
German-Ukrainian Agricultural Policy
Dialogue (APD)
Institute for Economic Research and
Policy Consulting

Reyterska 8/5 A, 01034 Kyiv
Tel. (+38044)235-7502, 278-6360
nivievskiy@ier.kiev.u