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***PROPOSALS FOR THE STRUCTURE, CONTENT AND COMPOSITION OF  
THE SECTORAL STANDARD OF INVENTORY OF LANDS OF THE  
GOVERNMENT INSTITUTIONS AND ENTERPRISES OF THE NAAS***

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*Regulatory acts and scientific publications relating to the works on inventory of lands of state institutions and enterprises of the National Academy of Agrarian Sciences of Ukraine (hereinafter – NAAS) have been analyzed. It was revealed that the current legislation and just adopted “Procedure of Inventory of Lands” subject to the Decree of the Cabinet of Ministers of Ukraine No.476 of June 5<sup>th</sup>, 2019 does not include any norms that would consider the specifics of the land use by scientific organizations; their research fields and valuable lands for conducting scientific research should be taken into account when entering the data in the State Land Cadastre, as well as the property rights to them should be registered. The attention is drawn to the problem of legal uncertainty concerning boundaries of lands of state institutions and enterprises of NAAS. The specific functional peculiarities of agricultural land use by state institutions and enterprises of NAAS are considered.*

*In this regard, the structure, content and composition of the main provisions of the industry standard for land inventory of state institutions and enterprises of the NAAS are proposed, which will become a regulatory tool for the preparation of the technical documentation on land management for the implementation of this type of work, and the information obtained will be the basis for the resolution of mature problems concerning the agricultural lands used by these state institutions and enterprises of NAAS.*

**Keywords:** *standardization, industry standard, land inventory, land use for scientific research.*

**Formulation of the problem.** A prerequisite for the introduction of the agricultural land market in Ukraine is the availability of regulative tools that take into account the current trends in the agricultural sector. One of the core tools, requiring a significant revision, is the entering the official, comprehensive information to the cadastre and registration system. In this regard, land inventory should be the basis for solving this problem, as it provides comprehensive information on land.

The Decree of the Cabinet of Ministers of Ukraine No.476 of June 5<sup>th</sup>, 2019 approved a new procedure for the land inventory. It is unfortunate that the lawmakers of the “new order of land inventory” did not consider the specifics of the state institutions and enterprises of the National Academy of Agrarian Sciences of Ukraine (hereinafter - NAAS) [1]. Recently, there has been a particular interest by Ukrainian media and other commercial structures for the NAAS Land Fund because it manages agricultural land, which is composed of a considerable number of particularly valuable lands.

Also, a considerable number of lands possessed by the state institutions and enterprises of the NAAS have no definite legal status, require the analysis of the status of use and the further data entry into the State Land Cadastre. A solution to such land-legal problems lies within the procedure of inventory of land. However, the lands of state institutions and enterprises of NAAS have their “specific” features

in their usage, which should be taken into account while land inventory. This raises the urgent need to develop the structure, content and composition of the industry standard land inventory for NAAS government agencies and enterprises.

**Analysis of the recent researches and publications.** A considerable number of scientific works related to land inventory are in the scientific achievements of the well-known land managing scientists. However, for a long time, scientists have not paid attention to the issue of inventory work for lands with different types of usage: forest lands, water lands, industrial lands, transport lands, defense lands, communications lands, energy lands, recreational lands, health lands and others, differing a lot by their purpose. Each of these types of lands requires consideration of their functional features when conducting a land inventory. One of these types of land use is the lands of state institutions and enterprises of the National Academy of Agrarian Sciences of Ukraine (NAAS). Currently some problematic issues in this area of scientific research are being revealed in the works of domestic scientists.

In particular, Tretyak A.M, Dorosh Y.M, Tretyak V.M, Dumina K.O researched the issues of spatial organization and interactions, the impact of the processes of spatial development of research land use in the system of state institutions and enterprises of NAAS. They justified the allocation of functional zones of land use by state institutions and enterprises of the NAAS, which must be taken into account when zoning and land inventory [2].

In the course of the exploratory research work 46 “Land Management”, the scientists and specialists of the relevant institution of land management industry “The Institute of Land Use of NAAS” Dorosh Y.M, Tarnopolsky A.V and Avramchuk B.O. have proved that current regulations cannot be applied equally to land management works. They proposed methodological approaches to the inventory of lands of state institutions and enterprises of NAAS [3].

With the regard of this, further scientific research should be directed towards the development of an industry standard of the land inventory for governmental

agencies and enterprises of the NAAS, which will become the basis for land management works.

**The purpose of the article is to propose the structure, content and composition of the industry standard of land inventory of state institutions and enterprises of NAAS.**

**Results of the study and discussion.** According to the legislation, standardization refers to activities that draw provisions for common and repeated use in existing or potential tasks and is aimed at achieving the optimum degree of orderliness in a particular area. Standards are developed for both material items, which include products, samples of substances, and rules, norms or requirements specific to particular industries.

Standardization and normalization in the land sector are primarily concerned with the field of land protection and soil fertility reproduction, as evidenced by Article 165 of the Land Code of Ukraine. Standards, developed and approved in a due course, are an important component of land protection and its rational use.

The National Standardization System of Ukraine allocates normative documents on standardization by the scope of the object of standardization, by the composition, by the content, by the sphere of activity and by the purpose of their action. Regulatory documents are divided into the following types: state (DSTU), industry (GST), enterprise standards (STP). A state standard is developed for the general and repeated application of the rules, principles and characteristics of the activity of the research object [4]. However, the state standard and general rules for the land inventory, subject to the Article 35 of the Law of Ukraine “On Land Management” and to the Decree of the Cabinet of Ministers of Ukraine “The Procedure for Land Inventory”, do not take into account the specific features of the activity of each type of land usage, in particular, land of state institutions and enterprises of the NAAS.

NAAS governmental institutions and enterprises are the branch of a set of scientific and production units, enterprises and organizations, that carry out the same or similar types of scientific and industrial activity, characterized by a

common feature of scientific and industrial activity. Therefore, in the absence of a state standard or when it is necessary to establish requirements that exceed or supplement the requirements of the state standard, an industry standard is developed.

Accordingly, in order to increase productivity and to ensure the stability of the land use, the development of a land management documentation for agricultural enterprises is important, as it involves measures aimed at efficient use of land and the introduction of scientific systems of agriculture, as well as of the achievement of scientific and technological progress and the fulfillment of environmental requirements.

It should be noted that in 2018 the State Geocadastre, together with the Center of the State Land Cadastre, prepared methodical recommendations for the development of technical documentation on land management for inventory of regular and agricultural land plots of state ownership (outside settlements). However, these methodological approaches were not implemented as a separate industry standard, but were intended for the internal use in the development of the technical documentation by the authorities.

The Law of Ukraine “On Land Management” stipulates that the content of each land management documentation should include text and graphic materials. In its turn, documentation of land management is prepared in accordance with the task of developing the appropriate type of documentation and may contain mandatory provisions approved by the contracting authority. Article 29 of this law defines the composition, content and rules of registration of each type of land management documentation, which is regulated by the relevant regulatory and technical documentation on land management [5]. Articles 35, 57 of the mentioned Law and the Decree of the Cabinet of Ministers of Ukraine “Procedure for Land Inventory” outline the composition and content of the land inventory works is general; it need to be supplemented with the regard to the sectoral features of the object of study.

Taking into account the existing legal framework for land inventory and existing project documentation on land management, the scientists of the Institute of Land Use of the NAAS in the course of conducting a research work proposed the structure, content and composition of the industry standard for land inventory for the state institutions and enterprises of the NAAS.

The structure of the industry standard for land inventory for state institutions and enterprises of the NAAS should consist of the task of performing land inventory works, text and graphic parts.

*The task* should include: justification of the need for land inventory, the customer and the contractor of the inventory work, deadlines for work completion, the basis for carrying out inventory work, raw data provided by the customer, land inventory requirements, materials, submitted as a result of the work, a list of materials provided to the customer as a result of the works.

*The text* of the land inventory documentation should include: an explanatory note and annexes thereto. The explanatory note is an official (legal) report on the development of land management documentation, which consists of the following sections: introduction, characteristics of the land management object, topographic-geodetic and land-management surveying, proposals for reconciliation of the data obtained as a result of the land inventory with the information contained in the documents and certifying the right to the land plot and in the information of the State Land Cadastre, land cadastral works on the transfer of land boundaries to nature (on the ground), approval and adoption of land management documentation, the procedure for registration of land plots and state registration of rights to land plots, procedure for storing land management documentation.

*The annexes* of the text part include: input data for the development of documentation on land management, materials of geodetic surveys and land planning, lists of land (lands) of state institutions and enterprises of the National Academy of Sciences of Ukraine by category of land and land granted for ownership (use), not given for ownership or use, and also used without documents, list of land plots of NAAS state institutions and enterprises by their functional

use, lists of restrictions on land use by state institutions and enterprises of NAAS, cadastral plan of the land plot, materials for transferring land boundaries to nature (to the terrain), materials of approval of technical documentation, additional materials.

*The graphic documentation of the land management documentation consists of drawings which, in addition to the topographic ones, display a special load. Graphic materials for land inventory include working and summary inventory plans. They are drawn up in accordance with the requirements of the current regulations of Ukraine and are executed on transparent or opaque material by means of computer equipment or in the traditional way using drawing tools in the format, aliquot of the basic A4 format. In some cases, other formats may be used, provided for by national standards of Ukraine and on a scale that provides a clear representation of all elements and inscriptions. The main features of the agricultural land use by state institutions and enterprises of NAAS include: specification of scientific researches and activities of state institutions and enterprises of NAAS, availability of experimental fields, availability of especially valuable soils and lands of the nature reserve fund. The main objects to be considered in the inventory of lands of state institutions and enterprises of the NAAS, in particular agricultural purposes, include: land and land plots, research fields, restrictions on land use, especially valuable soils, lands of nature reserve fund, functional land use, mode-forming objects, real estate and its rights. There is a need to take into account the functional use of lands of the state institutions and enterprises of the NAAS, namely: the area of research fields, area of cultivation of elite seeds and planting material of crops, controlled use area, the area of conservation of valuable for agrarian science agro-soil, nature-conservation and historical-cultural complexes and objects, economic zone. Taking into account the above conditions for the inventory of lands of the state institutions and enterprises of NAAS, the structure of the content of the industry standard is proposed, which will become the basis for the implementation of land management works for the inventory of lands of state institutions and enterprises of NAAS (Table 1).*

Structure, content and composition of the industry standard for land inventory of state institutions and enterprises of NAAS

Structure	Content	Composition
Task		Basis for land inventory work
		Output data provided by the customer
		Requirements for land inventory
		Materials, submitted as a result of the work
		List of materials, issued to the customer of inventory works on the results of its implementation
Text	Explanatory note	Introduction
		Characteristics of the land management object
		Topographic-geodetic and land surveying
		Proposals for reconciling the data obtained as a result of the land inventory with the information contained in the documents certifying the right to the land plot and in the information of the State Land Cadastre
		Land cadastral works on the transfer of land boundaries in nature (on the ground)
		Approval and adoption of land management documentation
		The procedure for registration of land plots and state registration of rights to land plots
		The order of storage of land management documentation
	Annexes	Baseline data for the development of land management documentation
		Materials of geodetic surveys and land planning
		Lists of land plots (lands) of state institutions and enterprises of the National Academy of Sciences of Ukraine by category of land and land granted for ownership (use), not provided for ownership or use, as well as those used without documents
		List of land (lands) of state institutions and enterprises of the NAAS by their functional use: zone of research fields; area of cultivation of elite seeds and planting material of crops; controlled use area; the area of conservation of valuable for agrarian science agro-soil, nature-conservation and historical-cultural complexes and objects; economic zone; mode-forming objects; real estate and its rights.
		Lists of restrictions on the use of land plots (lands) by state institutions and enterprises of NAAS
		Cadastral plan of the land plot
		Materials for transfer of land boundaries to nature (on the ground)
Graph	Working inventory plan of a specialized land use by the state institutions and enterprises of NAAS	
	Consolidated inventory plan for specialized land use by the state institutions and enterprises of NAAS	



**Conclusions and suggestions.** Proposed suggestions on the structure, content and composition of the industry standard for land inventory works of the state institutions and enterprises of the National Academy of Agrarian Sciences of Ukraine will become a tool for making effective management decisions in the field of land relations. In particular, proposals on the structure, content and composition of the industry standard of land inventory of the state institutions and enterprises of the NAAS take into account the list of land plots by their functional use and specialization of scientific research in the land use of state institutions and enterprises of the NAAS. Also, the availability of an industry standard will accelerate the work on the development of documentation on land management, which certifies the right to use the agricultural lands of state institutions and enterprises of the NAAS.

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## **ПРОПОЗИЦІЇ ЩОДО СТРУКТУРИ, ЗМІСТУ ТА СКЛАДУ ГАЛУЗЕВОГО СТАНДАРТУ ІНВЕНТАРИЗАЦІЇ ЗЕМЕЛЬ ДЕРЖАВНИХ УСТАНОВ ТА ПІДПРИЄМСТВ НААН**

*Проаналізовано нормативно-правові акти та наукові публікації стосовно проведення робіт із інвентаризації земель державних установ та підприємств Національної академії аграрних наук України (далі — НААН) та встановлено, що в чинному законодавстві та щойно прийнятому «Порядку проведення інвентаризації земель» згідно Постанови Кабінету Міністрів України № 476 від 5 червня 2019 р. відсутні норми, які б враховували специфіку використання земель науковими організаціями та мають у своєму складі дослідні поля та цінні землі для ведення наукових досліджень, які необхідно враховувати при внесенні даних до Державного земельного кадастру, а також реєстрі речових прав на них. Акцентовано увагу на проблемі правової невизначеності меж земель державних установ та підприємств НААН. Розглянуто специфічні функціональні особливості використання сільськогосподарських земель державних установ та підприємств НААН.*

*У цьому зв'язку запропоновано структуру, зміст та склад основних положень галузевого стандарту із інвентаризації земель державних установ та підприємств НААН, який стане інструментом для виготовлення технічної документації із землеустрою щодо здійснення такого виду робіт, а отримана інформація буде основою для розв'язання назрілих проблем стосовно сільськогосподарських земель, що перебувають у користуванні цих державних установ та підприємств НААН.*

**Ключові слова:** *стандартизація, галузевий стандарт, інвентаризація земель, науково-дослідне землекористування*

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***ПРЕДЛОЖЕНИЯ ПО СТРУКТУРЕ, СОДЕРЖАНИЮ И СОСТАВУ  
ОТРАСЛЕВОГО СТАНДАРТА ИНВЕНТАРИЗАЦИИ ЗЕМЕЛЬ  
ГОСУДАРСТВЕННЫХ УЧРЕЖДЕНИЙ И ПРЕДПРИЯТИЙ НААН***

*Проанализированы нормативно-правовые акты и научные публикации по проведению работ по инвентаризации земель государственных учреждений и предприятий Национальной академии аграрных наук Украины (далее - НААН) и установлено, что в действующем законодательстве и только принятом «Порядка проведения инвентаризации земель» согласно Постановлению Кабинета Министров Украины № 476 от 5 июня 2019 отсутствуют нормы, которые бы учитывали специфику использования земель научными организациями и имеют в своем составе опытные поля и ценные земли для ведения научных исследований, которые необходимо учитывать при внесении данных в Государственный земельный кадастр, а также в реестре прав на них. Акцентируется внимание на проблеме правовой неопределенности границ земель государственных учреждений и предприятий НААН. Рассмотрены специфические функциональные особенности использования сельскохозяйственных земель государственных учреждений и предприятий НААН.*

*В этой связи предложена структура, содержание и состав основных положений отраслевого стандарта по инвентаризации земель государственных учреждений и предприятий НААН, который станет инструментом для изготовления технической документации по землеустройству относительно осуществления такого вида работ, а полученная информация будет основой для решения назревших проблем по сельскохозяйственным землям, находящихся в пользовании этих государственных учреждений и предприятий НААН.*

**Ключевые слова:** стандартизация, отраслевой стандарт, инвентаризация земель, научно-исследовательское землепользования