

THE LAW OF THE REPUBLIC OF UZBEKISTAN

30th August 2001 No. 269-II

ON PRESERVATION AND UTILIZATION OF OBJECTS OF CULTURAL HERITAGE

I. General provisions

The article 1. The purpose of the present Law

Purpose of the present Law is regulation of attitudes in field of preservation and usage of objects of a cultural heritage, being national property of the people of Uzbekistan.

The article 2. The local law on preservation and usage of objects of a cultural heritage

The local law on preservation and usage of objects cultural heritages consists of the present Law and diverse acts of the local law.

Attitudes in the field of preservation and usage of objects cultural heritages in the Republic of Karakalpakstan are regulated also by the local law of the Republic of Karakalpakstan.

If by the international treaty of the Republic of Uzbekistan are established diverse rules, than those, which are stipulated by the local law of the Republic of Uzbekistan about preservation and usage of objects cultural heritages, are applied rules of the international treaty.

The article 3. The main concepts

In the present Law the following basic concepts are applied:

Objects of a cultural heritage - monuments, ensembles and remarkable representing historical, scientific, art or diverse cultural value;

Monuments - separate construction, building and facility with connected with them by products of painting, sculpture, and decorative-applied arts and with historically adding up territories the indicated constructions, buildings and facilities, memorial houses, flat, necropolis, mausoleum and separate dumping, product of monumental art, objects of science and engineering (including military), materials of anthropology, ethnography, folklore, numismatics, epigraphic, cartography, photo, movies, аудио-, video and record on other launchers, literary work and art, archive, the handwritten and graphic documents, book - scroll, incunabula, antiquarian and infrequent issuings, note, relics and subjects memorial nature, immovable statue, rock drawings, and also monuments archaeology, representing historical, scientific, art and diverse cultural value;

Ensembles - legibly localized on historically adding up territories of group of insulated or integrated monuments, constitutions and facilities protective, religious, palace, habitation, public, administrative, trade, manufacturing, scientific, educational and other assigning with bound with them by products of painting, sculpture, decorative - applied art, the architectures, unity or connection with a landscape introduce which historical, archeological, architectural, aesthetic or welfare value, and also pieces historical designs and buildings of settlements, product of the landscape architecture and gardens-park art (gardens, parks, squares, parkways);

Sight - joint creations of the person and nature, and also territories representing historical, archeological, town-planning, aesthetic, ethnologic or anthropological value, including place social of national fields, centers historical settlements or town-planning design and building, memorable places, natural landscapes, bound with historical (in that number by military) events, monuments, life outstanding historical persons, and also cultural layers, oddments of constructions of ancient cities, site of ancient settlement, settlements, parking, place of undertaking of rites.

The article 4. Categories of sites of a cultural heritage

The sites of a cultural heritage are subdivided on following categories:

Sites of a cultural heritage of republican value, presenting historical, scientific, architectural, art and memorial value having the special value for a history and culture of all country;

Sites of a cultural heritage of local value presenting historical, scientific, architectural, art and memorial value having the special value for a history and culture of area, region and city.

II. Governmental management in the field of preservation and usage of sites of a cultural heritage

The article 5. Organs executing governmental management in the field of preservation and usage of sites of cultural heritages

Governmental management in the field of preservation and usage of sites of a cultural heritage are implemented by the Cabinet of Ministers of the Republics of Uzbekistan, Ministry of Culture of the Republic of Uzbekistan, Main archive department of the Cabinet of Ministers of the Republic of Uzbekistan and organs of state power on places.

The article 6. Authorities of the Cabinet of Ministers of the Republic of Uzbekistan in the field of preservation and usage of sites of a cultural heritage

Cabinet of Ministers of Republic of Uzbekistan:

- Will realize reference directions of a state policy in the field of preservation and usage of sites of a cultural heritage;
- Approves the state programs of guard, preservation, popularization and usage of sites of a cultural heritage;
- Determines the order of management of a State cadastre of sites cultural heritages;
- Establishes the procedure of the state control of guards, preservation and usage of sites cultural heritages;
- Approves modes of usage of territories and zones of guards of sites of a cultural heritage of republican value, including in a List of a world-wide cultural heritage;
- Determines the order of creation and regime of the contents historic-cultural reserves, museums - reserves and historical settlements;
- Establishes the order of conducting of historic-cultural expertise of sites of a cultural heritage;
- Executes diverse authorities pursuant to the local law.

The article 7. Authorities of the Ministry of Culture of the Republic of Uzbekistan in the field of guards and usage of sites of a cultural heritage

The Ministry of Culture of the Republic of Uzbekistan:

- Executes the state control of holding legal and physical persons of the local law about guards and usage of sites of a cultural heritage;
- Participates in draw up the state programs of guards, preservations, popularization and usage of sites cultural heritages;
- Will realize the state programs on research, conservation, restoration and adaptation for modern usage of sites of a cultural heritage;
- Provides detection, registration, guards, popularization and usage of sites of a cultural heritage;
- Executes coordination of activity of organs governmental management on guards and usage of sites cultural heritages;
- Conducts a State cadastre of sites of a cultural heritage;
- Organizes and executes historic-cultural expertise of sites of a cultural heritage;
- Executes diverse authorities pursuant to the local law.

The article 8. Authorities of Main archive department at the Cabinet of Ministers of the Republic of Uzbekistan in the field of guards and usage of sites of cultural heritages

Main archive department at the Cabinet of Ministers of the Republic of Uzbekistan within the limits of the submitted authorities executes the registration, guards and usage of documentary sites of a cultural heritage, located in National archive fund of the Republic of Uzbekistan.

The article 9. Authorities of bodies of state power on places in the field of guards and usage of sites of cultural heritages

Bodies of state power on places in limits of the submitted authorities determine and execute the registration, guards, preservation and usage of objects of a cultural heritage located in their territory, provide fulfillment of the local law about guards and usage of sites of a cultural heritage, attract organs of home rules of the citizens and public associations to conducting measures on their guards, preservation, popularization and usage.

III. State guards of sites of a cultural heritage

The article 10. Maintenance of state guards of sites of cultural heritages

State guards of sites of a cultural heritage introduces a system legal, organizational, financial, information, material and diverse measures received by bodies executing governmental management in the field of guards and usage of sites of a cultural heritage.

State guards of sites of a cultural heritage is provided:

- by the state registration of sites presenting historic- cultural value, and management of a State cadastre of objects of cultural heritages;
- by realization of historic-cultural expertise;

- by drawing up of the projects of zones of guards of sites of a cultural heritage;
- by issue of the sanctions on realization earthen, building, irrigation, economic and diverse activities in the locations sites of a cultural heritage, activities on preservation of objects cultural heritages, and also on realization of researches on sites cultural heritages;
- by delineation of sites of town-planning activity, being a subject to the special regulation and connected with guards of sites cultural heritages;
- by the installation of security signs;
- by currying out of monitoring of a condition of sites cultural heritages;
- by diverse measures pursuant to the local law.

The article 11. A state cadastre of sites cultural heritages

The state cadastre of sites of a cultural heritage is the constituent of a Unified system of state cadastre and represents system of the updated items of information and documents about geographic location, legal status, quantitative, qualitative behaviors and estimation of sites of a cultural heritage.

Management of a State cadastre of objects of a cultural heritage includes:

- State registration of the property right and other rights on sites of a cultural heritage;
- The registration of the quantitative and quality characteristics of sites cultural heritages;
- Quality and cost estimation of sites of a cultural heritage;
- Systematization, storage and updating of the cadastral information;
- Compiling of the reports about a condition of sites of a cultural heritage;
- Granting of the applicable information for actuation in unified system of state cadastre;
- Maintenance of the users by the cadastral information in the order, established by the local law.

The order of management of a State cadastre of sites of cultural heritages is determined by the Cabinet of Ministers of the Republic of Uzbekistan.

The article 12. Including the site of a cultural heritage in the State cadastre of sites cultural heritages

Including the sites presenting historic-cultural value, in the State cadastre of sites of a cultural heritage implements Ministry of Culture of the Republic of Uzbekistan on the basis of the proposals of bodies of state power on places, and also legal and physical persons.

The sites presenting a historic-cultural value, concern to the detected sites of a cultural heritage from the date of obtaining the concluding historic-cultural expertise about expediency of actuation of the data sites in a State cadastre of sites of a cultural heritage.

The monument archaeology concern to the detected sites of cultural heritages from the moment of their detection.

Again detected sites presenting historical, scientific, art or diverse cultural value, pending a decision of the issue about including them in the State cadastre of sites of a cultural heritage are subject to guards in accordance with the requirements of the present Law.

The Ministry of Culture of the Republic of Uzbekistan is obliged to inform owner of the detected site of a cultural heritage about including of the indicated site in a State cadastre of sites cultural heritages within thirty days from the moment of acceptance the decision.

The article 13. The certificate of site of a cultural heritage

The site of a cultural heritage, included in to State cadastre of sites of a cultural heritage, is given the certificate of site the cultural heritages, are introduced to which is included the data component a subject guards of the site of a cultural heritage, and its basic items of information.

The article 14. Exception of site of a cultural heritage from a State cadastre of sites cultural heritages

Exception of site of a cultural heritage from State cadastre of sites of a cultural heritage implements Ministry of Culture of the Republic of Uzbekistan on the basis of the concluding historic- cultural expertise, if the site is completely lost physically or has lost the value as site of a cultural heritage. Solution about exception of site of a cultural heritage from State cadastre of sites of a cultural heritage is published in mass media.

The article 15. Historic-cultural expertise

Historic-cultural expertise is conducted with the purposes of:

- Substantiation of depositing of site of a cultural heritage in State cadastre of sites of a cultural heritage;
- Definitions of a category of site of a cultural heritage;
- The substantiation of change of a category of site of a cultural heritage;
- Exceptions of site of a cultural heritage from State Cadastre of sites of a cultural heritage;
- Definitions of conformity of the projects of the conservation zones of sites cultural heritages of the town-planning and design documentation, and also planned land use work, construction, irrigation, economic and diverse activities to the requirements of preservation of sites cultural heritages.

The historic-cultural expertise is organized and implements by the Ministry of Culture of the Republic of Uzbekistan.

The article 16. Sites of historic-cultural expertise

Sites of historic-cultural expertise are:

- Land lots, which are being a subject to economic development, if on them there are sites of a cultural heritage;
- Materials justifying including of sites cultural heritages in a State cadastre of sites of a cultural heritage;
- Materials justifying exception of sites cultural heritages from a State cadastre of sites of a cultural heritage;
- Materials justifying change of a category of site cultural heritages;
- The town-planning and design documentation in cases, established by the present Law;

- The documentation justifying land use work, earthen, construction, irrigation, economic and diverse activities, which are capable to render direct or indirect effect on sites cultural heritages.

The article 17. Zones of guards of sites of a cultural heritage

With the purposes of preservation of features of site of a cultural heritage, not being a subject to change, and its historical environment on conjugate with its territory is established the conservation zones, zone of regulation of construction and economic activities, zone of a guarded natural landscape.

Boundaries of the conservation zones, zones of regulation of construction and economic activities and zones of a guarded natural landscape and regime of their contents are determined by the Cabinet of Ministers of the Republic of Uzbekistan.

The article 18. The control of condition of the sites cultural heritages

The Ministry of Culture of the Republic of Uzbekistan, the bodies of state authority on places are obliged to control a condition sites of a cultural heritage, included in a State cadastre sites of a cultural heritage, and once per five years to conduct examination of a condition and fixation of sites of a cultural heritage with the purposes of drawing up the current and perspective programs on preservation of the data sites of a cultural heritage.

The article 19. Including sites of a cultural heritage in a List of a world-wide cultural heritage sites of a cultural heritages presenting outstanding universal value from the point of view of a history, art, science, esthetics, ethnology or anthropology, can be referred to the sites world-wide cultural heritage in the order established by the Convention about guards of world-wide cultural and natural heritage, by including in List of a world-wide cultural heritage.

On the basis of historic-cultural expertise the proposals on submitting of documentations on objects of cultural heritage to the World Heritage List of the World Heritage Committee of the United Nations Educational, Scientific and Cultural Organization (UNESCO), are carried out through the National Commission of the Republic of Uzbekistan for UNESCO.

IV. Preservation of sites of a cultural heritage

The article 20. A preservation measures of sites of a cultural heritage

Preservation measures of sites of a cultural heritage actuate in itself conservation, repair, restoration, adaptation for modern usage, and also bound with them scientific - prospecting, design and manufacturing activities.

Conservation of site of a cultural heritage – complex exploratory, design and manufacturing activities spent in the purposes of preservation of site of a cultural heritage in a present view and preventing of an aggravation of symptoms of object.

Repair of site of a cultural heritage – complex exploratory, design and manufacturing activities spent in the purposes of maintenance in an operational condition of site cultural heritages without change of its features component a subject of guards.

Restoration of site of a cultural heritage – complex exploratory, design and manufacturing activities spent in the purposes of detection both preservation aesthetic and historical value site of a cultural heritage and maintenance of its safety.

Adaptation of site of a cultural heritage for modern usage - complex exploratory, design and manufacturing activities spent with the purposes of conditioning for modern usage of site of a cultural heritage without change it historic-art value and safety, on the basis restorations of its elements presenting a historic-cultural value.

Activities on preservation of site of a cultural heritage implement on the basis of the sanction giving by the Ministry of Culture of the Republic of Uzbekistan.

The article 21. Reconstruction of the lost site cultural heritages

Reconstruction of the lost site of a cultural heritage implements restoration methods in exceptional cases at special historical, scientific, art, town-planning or diverse public value of the lost site of a cultural heritage.

The decision on reconstruction of the lost site of a cultural heritage at the expense of means of the state budget receives a Cabinet of Ministers of the Republics of Uzbekistan on presentation of the Ministry of Culture of the Republics of Uzbekistan on the basis of the concluding historic-cultural expertise with take into account opinion of the interested bodies and organizations.

The article 22. Management of researches of monuments archeology

Management of researches (excavation and reconnaissance) monuments archeology is enabled only at presence of the sanctions giving by the Ministry of Culture of the Republic of Uzbekistan on submission Academies of sciences of the Republic of Uzbekistan.

People executing researches of monuments archeology, are obliged to supply their primary conservation and safety.

Upon termination of management of excavation and reconnaissance, but not later the expirations of period of validity of the sanctions of a people executing researches monuments archeology, are obliged to submit the report to the Ministry of Culture of the Republic of Uzbekistan and to transmit in due order to the state subjects detected as a result of excavation and reconnaissance and presenting historical, scientific, cultural or diverse value.

V. Possession, use and disposal by objects of a cultural heritage

The article 23. Features of possession, use and disposal by objects of a cultural heritage

The owner of site of a cultural heritage bears burden of the contents inhering to it of site of a cultural heritage with the registration irretrievability of the forfeit of site of a cultural heritage and its historical, scientific and cultural value.

The holders (owners) of the land lots, on which the sites of a cultural heritage are arranged, can be charged condition to save data sites, and also diverse obligations in conformity with the local law.

The rent of site of a cultural heritage implements on the basis the rent contracts, which should contain the requirements on preservation site of a cultural heritage.

Sites of a cultural heritages located in state the properties, privatization and privatization are not subject.

The article 24. Usage of sites of a cultural heritage

Legal and physical persons being the owners sites of a cultural heritage, are obliged to supply their safety with by mandatory meeting the requirements:

- Preservations of external and internal appearance of site cultural heritage pursuant to data, live as subject of guards in the certificate of object of a cultural heritage;
- Obtaining of the sanction of the Ministry of Culture of the Republic of Uzbekistan on realization earthen, land use work, construction, irrigation, economic and diverse activities in boundaries of territory of site cultural heritages;
- Maintenance of a mode of the contents it is apart guarded historic- cultural territories;
- Availability of site of a cultural heritage on conditions, established by the owner of site of a cultural heritage.

The article 25. Limitation of the rights of use by site cultural heritages

The condition of use by site of a cultural heritage can be is limited to the Ministry of Culture of the Republic of Uzbekistan in that to measure, in what it is necessary for maintenance of guards, preservation, popularization and usage of the given site of a cultural heritage, environment, ambient it, observance of the rights and legitimate interests physical and legal faces, and also state.

The right of use by site of a cultural heritage located in private property, in cases, the foreseen law, can be is limited under the decree.

In case of removal of circumstances or conditions called necessity of the introducing of limitation at use by site cultural heritages, the right of use to the data by site is restored in full volume.

The article 26. The discontinuance of the property right on site cultural heritages

The property right to sites of a cultural heritage can be expired according to the local law.

Site of a cultural heritages located in private properties, in cases and order, foreseen local law, can be excepted for the owner under the decree.

Sites of a cultural heritages located in general properties, and land lots being their integral part, to section are not subject.

The article 27. Granting of site of a cultural heritage, located in a state ownership, in gratuitous use

Site of a cultural heritages located in state properties, under terms of the contract of gratuitous use can be granted:

- To public associations, the purpose which is the activity on preservation of objects of a cultural heritage;
- To children's public associations;
- To public associations of the invalids;
- To religious organizations.

The agreement of gratuitous use by site cultural heritages is encompassed by the order, established by the local law, and owes to contain the requirements on preservation of site of a cultural heritage.

The article 28. The discontinuance of the right of use by site cultural heritages

Right of use site of a cultural heritage ceases in the order established by the local law, in cases:

- Voluntary refusal of the user from right of use on expiration of the agreement of gratuitous use or rent of site cultural heritages;
- Morsing of the user - physical person;
- Liquidations of the user - legal face;
- Deliberate deposition by the user of injury to object cultural heritages;
- Exceptions for state and social needs land site, on which the site of a cultural heritage is arranged.

The right of use by sites of a cultural heritage can be expired and in diverse cases pursuant to the local law.

VI. Apart guarded historic-cultural territories

The article 29. Creation it is apart guarded historic-cultural territories

In territory of sites of a cultural heritage presenting special historical, scientific, art or diverse cultural value, brought in the State cadastre of objects cultural heritages, can be created apart guarded historic-cultural territories.

Apart guarded historic-cultural territory form in view of historic-cultural reserves, museums - reserves, historical settlements and other kinds pursuant to the local law.

The order of creation and mode of the contents it is apart guarded historic-cultural territories are determined by the Cabinet of Ministers of the Republic of Uzbekistan.

The article 30. Historic-cultural reserves

Historic-cultural reserve is the territory or part territories of remarkable with arranged in its limits the monuments and ensembles, on which one establish the special mode, ensuring safety of sites of a cultural heritage in unity with historical environment, ambient them, territorial integrity historic-cultural reserve, and also regulation building and economic activities in boundaries of the given territory.

In case of creation of museums on sites of a cultural heritage, included in a structure of historic-cultural reserve, and bound with them natural landscape, and also if necessary of recovery occurring on territory of historic-cultural reserve conventional economic and diverse activity this historic-cultural reserve is museum as entailed estate.

The article 31. Boundary of historic-cultural reserve and museum as entailed estate

Boundary of historic-cultural entailed estate and museum - entailed estate is determined Ministry of Culture of the Republic of Uzbekistan on the basis of the historic-cultural schedule and (or) diverse

materials, justifying tendered boundary of historic-cultural entailed estate and museum - entailed estate.

Boundary of historic-cultural entailed estate and museum - entailed estate can not coincide boundary of remarkable.

The article 32. Historical settlement

Historical settlement is the settlement, in limits the territories which are arranged sites of a cultural heritage, created in past, presenting historical, aesthetic, welfare, archeological, architectural or town-planning value and having the relevant value for preservation originality of the people, its contribution to a world civilization.

In historical settlement to guards are subject all historically valuable town forming sites: a design, construction, composition, natural landscape, archeological layer, ratio between different urban by the spaces (free, built up, planting of greenery), volumetric space structure, fragmentary and ruined town-planning heritage, form both exterior of buildings and facilities, characterized by a scale, volume, structure, style, materials, by colour and dingbats.

In historical settlement should be saved a ratio environment, natural and created by the man, different functions historical settlement acquired by him during development, and also other valuable members.

The article 33. Peculiar properties of regulation town-planning, economic and diverse activity in historical settlement

Town-planning, economic and diverse activity in limit territory of historical settlement should implement under condition of preservations of sites of a cultural heritage and diverse valuable characteristics this settlement.

For purpose of preservation of sites of a cultural heritage, and also diverse sites presenting historic-cultural or natural value, in historical settlements the special order of regulation is established town-planning activity pursuant to the local law.

Special order of regulation of town-planning activity in historical settlements represents a system series and interdependent measures on guards of sites of a cultural heritage, spent under the control of the applicable organ executing governmental management in the field of guards and usage of sites cultural heritages and governmental management bodies in the field of regulations of architectural - town-planning activity. Special order includes compiling on the basis of historic-architectural, historic-town-planning, archive and archeological researches historic-cultural reference schedule in boundaries of territory historical settlements with the substantiation of all town-planning members and facilities, arranged on the land lots presenting historic-cultural value, both kept, and lost, describing stages of development of the historical settlement, development of the town-planning rules tangent sizes and proportions of buildings and facilities, prohibition or limitation of accommodation parking places, advertising both signboards and other limitations indispensable for preservations of sites of a cultural heritage.

VII. The final provisions

The article 34. Financing of guards and usage of sites cultural heritages

Source of financing of activity on state guards of sites of a cultural heritage are the means state budget and extra-budgetary means.

Financing of guards and usage of sites cultural heritages being the property legal and the physical persons, implements at the expense of means of the owners and users.

Means received from granting of sites cultural heritages in use, from rendering of services, voluntary granting and donations legal and physical persons, are sent on guards, preservation and popularization of sites of a cultural heritage and material urging of the workers held on guards and usage of sites cultural heritages, pursuant to the local law.

The article 35. The resolution of disputes

Disputes arising on guards and usage of sites of cultural heritages, are resolved in the order established the local law.

The article 36. Liability for disturbance of the local law about guards and usage of sites of cultural heritages

Persons, offending local laws on guards and usage of sites of a cultural heritage, bear responsibility in the established order.

REGULATION ON HISTORIC-CULTURAL EXPERTISE OF OBJECTS OF A CULTURAL HERITAGE (adopted in 2002)

I. GENERAL REGULATION

1. According to the article 6 of the Law of the Republic of Uzbekistan “ON PRESERVATION AND UTILIZATION OF OBJECTS OF A CULTURAL HERITAGE”, the present regulation determines the order of carrying out of historic-cultural expertise of sites of a cultural heritage.

In order to carry out the historic-cultural expertise of sites of a cultural heritage under the Law of the Republic of Uzbekistan “ON PRESERVATION AND UTILIZATION OF OBJECTS OF A CULTURAL HERITAGE” the **Scientific-Methodical Council** from the representatives of state and public organizations, scientific institutes and entities, famous scientists and specialists in the field of analysis, preservation and modern usage of sites of a cultural heritage has been organized within Principal Research and Production Department on Preservation and Utilization of Sites of a Cultural Heritage of the Ministry of Culture of the Republic of Uzbekistan (further GlavNPU of sites of a cultural heritage).

2. Scientific - methodical council of historic-cultural expertise of sites of a cultural heritage (further Council) executes the activity on the basis of the Law of the Republic of Uzbekistan “ON PRESERVATION AND UTILIZATION OF OBJECTS OF A CULTURAL HERITAGE” and other acts of the local law, present Regulation, conducts work according to the schedule approved by the Ministry of Culture of the Republic of Uzbekistan.

3. Council is a republican scientific - methodical Body in the field of preservation and usage of sites of a cultural heritage and executes the activity at the account of special means of GlavNPU of sites of a cultural heritage.

4. The meetings of Council are conducted as per necessity, but not less often than once per one quarter, and are made out by the minutes. Council summarizes of the activity annually.

5. At inspections on preservation of sites of a cultural heritage of the Republic of Karakalpakstan, regions and Tashkent can be established local councils of historic-cultural expertise of sites of a cultural heritage in frame of the present Regulation. Thus, their Regulation is approved as agreed with Council.

6. The sections on directions can be established in a structure of Council.

7. As required the constant or temporary committees for develop and consideration of special issues can be created at Council, and also the independent experts on special issues are attracted from among the highly qualified specialists on the contractual basis.

8. In case of necessity the historic-cultural expertise of site of a cultural heritage is carried out on a place of its presence.

9. On separate issues the Council conducts scientific meeting, conferences, seminars etc.

10. Conducting of historic-cultural expertise of sites of a cultural heritage does not exclude a possibility of conducting out-departmental state expertise of these sites.

11. The personal structure of Council is approved by the Ministry of culture of the Republic of Uzbekistan.

The Chairperson and his deputy from a structure of Council is assigned for an operational management on reference directions.

The Chairperson of Council heads scientific - methodical and operating activity and bears responsibility for a general direction of his work, executing it on the basis of this Regulation without special on that of the letter of attorney.

12. The organizational activity is implemented by the executive secretary from among the permanent members of staff of GlavNPU of sites of a cultural heritage.

13. Council periodically informs of its activity a top management of the Ministry of Culture of the Republic of Uzbekistan.

II. THE PURPOSES OF HISTORIC-CULTURAL EXPERTISE OF SITES OF CULTURAL HERITAGES

14. Historic-cultural expertise is carried out with the purposes of:

Substantiation of depositing of sites of a cultural heritage in a State cadastre of sites of a cultural heritage;

Definition of a category of sites of a cultural heritage;

The substantiation of change of a category of sites of a cultural heritage;

Exception of site of a cultural heritage of a State cadastre of sites of a cultural heritage;

Definition of conformity of the projects of the conservation zones of sites of a cultural heritage of the town-planning and scientific - design documentation, connected with production of activities on preservation of objects of a cultural heritage (conservation, repair, restoration, adaptation for modern usage, and also connected with them scientific - prospecting and design activities), and also planned land use work, constructing, irrigation, economic and diverse activities to the requirements of preservation of sites of a cultural heritage.

III. SITES OF HISTORIC-CULTURAL EXPERTISE

15. Sites of historic-cultural expertise are:

The land lots which are being a subject to economic development, if on them are sites of a cultural heritage;

Materials justifying including of sites of a cultural heritage in a State cadastre of sites of a cultural heritage;

Materials justifying exception of sites of a cultural heritage from a State cadastre of sites of a cultural heritage;

Materials justifying change of a category of site of a cultural heritage;

Town-planning and scientific - design documentation, connected with production of activities on preservation of sites of a cultural heritage (conservation, repair, restoration, adaptation for modern usage, and also connected with them scientific - prospecting and design activities), in cases established by the local law;

The documentation justifying land use work, earthen, constriction, irrigation, economic and diverse activities, which are capable to render direct or indirect effect on sites of a cultural heritage.

IV. THE ORDER OF CARRYING OUT OF HISTORIC-CULTURAL EXPERTISE OF OBJECTS OF A CULTURAL HERITAGE

16. In order to obtaining the conclusion of historic-cultural expertise the inspections on preservation of sites of a cultural heritage of the Republic of Karakalpakstan, regions and Tashkent, the physical and legal persons would submit to Council the written application for consideration of materials to be concerned to sites of historic-cultural expertise.

17. The application and the materials for obtaining the conclusion of historic-cultural expertise are received by the executive secretary of Council and are transmitted as agreed with the Chairperson of Council for detail consideration to one or several members of Council, depending on a directivity, complexity and volume of a material.

18. The materials justifying including of sites of a cultural heritage in a State cadastre of sites of a cultural heritage of local value, are prepared by inspections on preservation of sites of a cultural heritage of the Republic of Karakalpakstan, regions and Tashkent on the basis of Lists again of detected sites and registration documents of each site.

19. The materials are introduced with including of all sites, located in the applicable territory of this kind, irrespective of, whether some of them will be brought in subsequent to a State cadastre of sites of a cultural heritage.

20. The materials justifying including of sites of a cultural heritage in a State cadastre of sites of a cultural heritage of republican value, are prepared by GlavNPU sites of a cultural heritage on the basis of Lists again of detected sites, from which are taken most considerable in view sites with take into account the recommendations of inspections on preservation of sites of a cultural heritage of the Republic of Karakalpakstan, regions and Tashkent, scientific entities, public organizations, specialists.

21. In the special cases, when the site of a cultural heritage is lost physically or has lost, by virtue of definite reasons, cultural value, materials justifying exception of sites of a cultural heritage as republican, and local value from a State cadastre of sites of a cultural heritage, are prepared by GlavNPU of sites of a cultural heritage in take into account the recommendations and introduced materials justifying this exception, inspections on preservation of sites of a cultural heritage of the Republic of Karakalpakstan, regions and Tashkent.

22. The exception of the lost site of a cultural heritage of a state cadastre of sites of a cultural heritage is enabled in the special cases:

At perfect impossibility of its reconstruction as site of a cultural heritage;

At destruction as a result of natural disaster or diverse natural factors;

At the forfeit of historical, scientific, art, architectural value as a result of unwarranted modifications and alterations which were resulting in disturbance of its appearance, as site of a cultural heritage;

At completion of archeological research of a monument, as a result of which it is completely lost.

23. The submission in historic-cultural expertise about exception of site of a State cadastre of sites of a cultural heritage for monuments of republican value is made by GlavNPU of sites of a cultural heritage, for site of local value by inspections on preservation of sites of a cultural heritage of the Republic of Karakalpakstan, regions and Tashkent, on the basis of materials, which includes:

Passport of site of a cultural heritage;

Security document of site with the act of its technical status by the moment of consideration of an issue about exception it from a State cadastre of sites of a cultural heritage drawn up by the specialists - experts in the field of preservation and restoration inspecting under orders of a state organ of preservation of objects a cultural heritages broken down site, or specialists making researches of a monument археологии;

Graphic measuring material, if is present;

Photoillustrative material of the site to the moment of consideration;

If there are, other materials concerning this site.

24. The materials presented on consideration of historic-cultural expertise for including again of detected site of a cultural heritage in a state cadastre of sites of a cultural heritage, includes:

Record card inclusive the items of information on an occurrence, dating, nature of modern usage, degree of safety again of detected site, presence of the scientific documentation, place of its storage, brief description and illustrative material;

Act of technical status;

Concluding preliminary expertise spent on places, by results of familiarization with site in a nature, analysis of the previously detected historic-archive and bibliographic information, polling items of information etc.;

Schematic measuring graphic material on the again detected site of a cultural heritage;

Photoillustrative material;

And, if there are, other materials concerning again detected site of a cultural heritage.

25. The sites of a cultural heritages presenting outstanding universal value in the point of view of a history, art, science, aesthetics, ethnology or anthropology, can be referred to sites of a world-wide cultural heritage in the order established by the Convention on preservation of world-wide cultural and natural heritage, by actuation in a List of world-wide heritage.

On the basis of historic-cultural expertise the proposals on submitting of documentations on objects of cultural heritage to the World Heritage List of the World Heritage Committee of the United Nations Educational, Scientific and Cultural Organization (UNESCO), are carried out through the National Commission of the Republic of Uzbekistan for UNESCO.

26. The issues solicited of Council, and the members of Council according to the schedule of activity prepare projects of its solutions.

27. The Chairperson of Council, in connection of readiness of issues, assembles proceedings, draw-up their agenda, organizes finishing it up to the members not later than four days up to day of conduction of proceeding.

28. The opinion of the expert or experts who have considered introduced materials on each issue in detail is heard on proceeding of Council. A decision is made after discussion.

29. The decisions of Council are received by simple majority of voices under condition of presence on proceeding of two thirds from number of the members of Council.

30. The decision of Council has recommendatory nature and is taken into account at acceptance of the final decision. The minutes of Council are signed by the Chairperson on proceeding and executive secretary.

31. On the basis of the decision of Council the command of GlavNPU sites of a cultural heritage concerning to history-cultural expertise of sites of a cultural heritage is issued.

32. Term of conduction of historic-cultural expertise should not exceed 30 days depending on a directivity, complexity and volume of a material.

33. The special duty is paid for conducting of historic-cultural expertise of sites of a cultural heritage. The means proceeding from the special duties are accumulated on the settlement account of GlavNPU sites of a cultural heritage and will be used in the order, established by the local law.

The Ministry of Culture of the Republic of Uzbekistan establishes the size and order of payment of the special duty for conducting of historic-cultural expertise of objects of a cultural heritage.

V. THE RIGHTS OF THE COUNCIL

34. Council has the right:

To receive the full scientific information on sites of a cultural heritage from entities and organizations, the activity of which is connected with them, for conducting of historic-cultural expertise within the limits of the authorities, submitted the local law;

To give the concluding about outcomes of the conducted historic-cultural expertise concerning to considered site;

To carry out the proposals and recommendations to relevant organs on issues of preservation and usage of sites of a cultural heritage;

To execute the control of fulfillment both observance of the issued recommendations and concluding on the sites, reviewed by him, and issues.