

Ukrainian State University of Railway Transport

Approved
by the decision of the academic council of
the faculty
Information and control systems and
technologies
prot. № ____ from ____ 20__

Recommended
at a meeting of the department
economic theory and law
prot. № ____ from ____ . ____ . 2020.

SYLLABUS FROM THE DISCIPLINE
LAND LAW

3rd semester of the 2020-2021 academic year

educational level first (bachelor)

field of knowledge 19 Architecture and construction

specialty 193 Geodesy and land management

educational program (specialization):

- geodesy, land management and cadaster.

Time and audience of classes: According to the schedule - <http://rasp.kart.edu.ua/>

1. Team of teachers:

Lecturer:

Lysiak Oleksandr Ivanovych (Candidate of Law, Associate Professor),

Contacts: +38 (057) 730-10-28, e-mail: a.lysyak@ukr.net

Hours of reception and consultation: every Thursday from 13.00-14.00

Location of the department: Kharkiv, Feuerbach Square, 7, 3rd building, 3rd floor, 305 auditorium.

Course web page: <http://do.kart.edu.ua/>

Additional information materials: <http://metod.kart.edu.ua>

LAND LAW

3rd semester 2nd year syllabus

6-II GZ

Lectures: Thursday (every week), 08:00 - 09:30

Audience: ZOOM

Practices:

6-II GZ

Thursday (every odd week), 09:30 - 10:50

Audience: ZOOM

Team of teachers:

Lecturer Lysiak Oleksandr Ivanovych
--

Contacts: a_lysyak@ukr.net

Hours of reception and consultations: 13.00-14.00 Thursday

The need to study land law is due to the reform processes taking place in both the legal and economic spheres of life of the state. The study of the discipline "Land Law" at the Faculty of Law is aimed at mastering the basic principles of legal regulation of land relations in a market economy, achieving a comprehensive deep understanding of the nature and essence of land relations.

The course aims to form and develop the following student competencies:

1. Integral competence (ability to solve complex specialized problems and practical problems in the field of professional legal activity or in the learning process, which involves the application of legal doctrines, principles and legal institutions and is characterized by complexity and uncertainty of conditions);

2. General competences for ability:

- apply knowledge in practical situations.
- knowledge and understanding of the subject area and understanding of professional activity.
- learn and master modern knowledge.
- work in a team.
- to realize their rights and responsibilities as a member of society, to realize the values of civil (free democratic) society and the need for its sustainable development, the rule of law, human and civil rights and freedoms in Ukraine.
- the desire to preserve the environment.

3. Special (professional, subject) competencies:

- ability to analyze legal problems, form and substantiate legal positions.
- ability to critically and systematically analyze legal phenomena and apply the acquired knowledge in professional activities.
- ability to advise on legal issues, in particular, possible ways to protect the rights and interests of clients, in accordance with the requirements of professional ethics, proper compliance with the rules on non-disclosure of personal data and confidential information.
- ability to independently prepare draft law enforcement acts.
- ability to logical, critical and systematic analysis of documents, understanding of their legal nature and meaning.

4. Information competence (development of student's skills for independent search, analysis, structuring and selection of the necessary information in the field of law with the help of modern information technologies)

5. Communicative competence (development of student skills in teamwork through the implementation of group projects, the ability to competently lead a discussion in the research area);

6. Competence of personal self-improvement (elements of physical, spiritual and intellectual self-development, emotional self-regulation and self-support; support of constant thirst for self-improvement and self-knowledge).

Why should you choose this course?

We live in a state governed by the rule of law. This means that life in our country is subject to the norms and principles of law, the rule of law. Therefore, everyone should be legally literate and educated, understand their rights, duties and responsibilities.

For example, in whatever field a specialist works, he must know the basics of labor law in order to properly organize and carry out the labor process; have an idea of the legal mechanism governing the economic relations of enterprises and organizations; know the rights and responsibilities of citizens and legal entities, their legal guarantees; in order to combat crime and prevent crime, he needs to have an idea of criminal law, and so on.

So, if you want to learn how to defend your rights in the field of land relations, then you should definitely take this course!

Acquaintance with the specified course will help students to acquire the corresponding theoretical knowledge and skills, to be guided in the current legislation, to work with normative-legal acts, to apply correctly legal norms to concrete practical situations.

Organization of training

This course gives students a deep understanding of the systematization of legal norms and recommendations for their application in practice.

Number of ECTS credits - 3.

Lectures - 30 hours.

Practice - 15 hours.

The course consists of one lecture per week and one practical session every two weeks. It is accompanied by text material and group tasks. Students will have the opportunity to apply the acquired knowledge and solve practical problems during discussions in the classroom.

Course topics

Land law in the legal system of Ukraine
Land relations
Sources of land law
Land ownership
Legal forms of land privatization
Land use right
Legal regulation of land turnover
Restrictions and encumbrances on land rights
Legal guarantees of land rights
Public and legal principles of management in the field of land relations

Economic and legal mechanism in the field of land use, protection and reproduction
Legal protection of lands
Liability for violation of land legislation
Legal regulation of agricultural land use
Legal regime of lands within settlements
Legal regulation of the use of specially protected lands: nature reserves and other nature protection, health, recreational and historical and cultural purposes
Legal regulation of water fund land use
Legal regulation of the use of forestry lands
Legal regulation of land use in industry, transport, communications, energy, defense and other purposes

Land law / course scheme

Think	Lectures		Do it
	Reference material		
	Presentations		
	Discussion in the audience		
	Group tasks		
	Individual consultations		
	Test		

Practical classes of the course provide group solution of practical problems.

Course resources

Information about the course is posted on the University website (<http://kart.edu.ua>), including the curriculum, lecture materials, tasks and rules of course evaluation).

Additional material and links to electronic resources are available on the University's website in the section "distance learning" along with the issues to consider during the preparation for discussion in the audience. The necessary preparation must be completed before the next lecture. You have to be prepared for discussions and brainstorming - we want to know what you think!

Lectures and practical classes

The list of the main lectures of the course is given below. Watch for changes in the schedule.

Week	Number of hours	Lecture topic	Number of hours	The topic of practical classes
		1. Land law in the legal system of Ukraine		Land law in the legal system of Ukraine
		2. Land relations		Land relations
		3. Sources of land law		Sources of land law

		4. Land ownership		Land ownership
		5. Legal forms of land privatization		Legal forms of land privatization
		6. The right of land use		The right of land use
		7. Legal regulation of land turnover		Legal regulation of land turnover
		8. Restriction and encumbrance of land rights		Restriction and encumbrance of land rights
		9. Legal guarantees of land rights		Legal guarantees of land rights
		10. Public-law principles of management in the field of land relations		Public-law principles of management in the field of land relations
		11. Economic and legal mechanism in the field of land use, protection and reproduction		Economic and legal mechanism in the field of land use, protection and reproduction
		12. Legal protection of lands		Legal protection of lands
		13. Liability for violation of land legislation		Liability for violation of land legislation
Modular knowledge control				
		14. Legal regulation of agricultural land use		Legal regulation of agricultural land use
		15. Legal regime of lands within settlements		Legal regime of lands within settlements
		16. Legal regulation of the use of specially protected lands: nature reserves and other nature protection, health, recreational and historical and cultural purposes		Legal regulation of the use of specially protected lands: nature reserves and other nature protection, health, recreational and historical and cultural purposes
		17. Legal regulation of water fund land use		Legal regulation of water fund land use
		18. Legal regulation of the use of forestry lands		Legal regulation of the use of forestry lands
		19. Legal regulation of land use in industry, transport, communications, energy, defense and other purposes		Legal regulation of land use in industry, transport, communications, energy, defense and other purposes
Modular knowledge control				
Credit from the discipline				

Evaluation rules

When filling in the student's test report and test book (individual curriculum), the grade set on a 100-point scale must be transferred to the national scale (5, 4, 3,) and the ECTS scale (A, B, C, D, E)

Determination of the name on a state scale (assessment)	Determining the name on the ECTS scale	On a 100-point scale	ECTS rating
EXCELLENT - 5	Excellent - excellent performance	90-100	A

	with only a small number of errors		
GOOD - 4	Very good - above average with a few errors	82-89	B
	Well - in general correct work with a certain number of gross errors	75-81	C
SATISFACTORY - 3	Satisfactory - not bad, but with many shortcomings	69-74	D
	Enough - the performance meets the minimum criteria	60-68	E
UNSATISFACTORY - 2	Unsatisfactory - you need to work before you get credit (without re-studying the module)	35-59	FX
	Unsatisfactory - serious further work required (re-study of the module)	<35	F

Tasks for independent work:

Students are asked to choose one of 20 topic options for writing a report during the semester. For timely and correct performance of the task 20 points are accrued to the current modular control. For timely and partially correct performance - from 15 to 25 points. Points are not awarded for a failed task. The required amount of the task is 50% for the first modular control and 100% for the second modular control. The course of the current task and questions for discussion are sent to the teacher's e-mail or checked by him personally.

Students must review one student's or group's work during the semester in person and express their critical remarks.

№	Topics of reports
s/n	Name topics
1	Land law in the legal system of Ukraine
2	Land relations
3	Sources of land law
4	Land ownership
5	Legal forms of land privatization
6	Land use right
7	Legal regulation of land turnover
8	Restrictions and encumbrances on land rights
9	Legal guarantees of land rights
10	Public and legal principles of management in the field of land relations
11	Economic and legal mechanism in the field of land use, protection and reproduction
12	Legal protection of lands
13	Liability for violation of land legislation
14	Legal regulation of agricultural land use
15	Legal regime of lands within settlements
16	Legal regulation of the use of specially protected lands: nature reserves and other nature protection, health, recreational and historical and cultural purposes
17	Legal regulation of water fund land use
18	Legal regulation of the use of forestry lands
19	Legal regulation of land use in industry, transport, communications, energy, defense and other

Attending lectures:

Points for this component are accrued in general, if the student did not attend more than 50% of lectures in the module without good reason. 1 point is awarded for attending each lecture. The maximum amount is 15 points.

Degree of involvement:

The purpose of the course is to engage you in a discussion, expand your learning opportunities for yourself and your peers, and give you another way to test your knowledge of law. Participation will be evaluated based on the number and accuracy of your answers. Issues, although encouraged, are not evaluated in this block. We strive to provide all students with equal and fair opportunities to increase their own involvement. The maximum amount is 10 points.

Practical training:

Evaluated by visits (up to 3 points), the degree of involvement (up to 7 points) and a brief presentation of the task (up to 5 points). The degree of involvement is determined by participation in the discussion club on jurisprudence. The maximum amount is 15 points.

Modular testing:

Evaluated by the correct answers to the test modular questions (20 questions in the test, each correct answer is evaluated in 2 points). The maximum number is 40 points per module.

Test:

The student receives a credit for the results of the modular 1st and 2nd control by accumulating points. The maximum number of points that a student can receive is 100 (up to 60 points of current control and up to 40 points of testing). The arithmetic mean of the sum of modular grades is the credit score. If the student does not agree with the proposed scores, he can increase them on the test, answering the questions of the teacher (Appendix 1).

Teacher`s team:

Lysiak Oleksandr Ivanovych (<http://kart.edu.ua/kafedra-etip-ua/istoriya-stvorenniya-kafedri-etip-ua>) - lecturer on jurisprudence at UkrDUZT. He received the degree of Ph.D. in the specialty 12.00.05 - "Labor law; the right to social security "at the National University of Internal Affairs of the Ministry of Internal Affairs of Ukraine in 2005. Areas of research: labor law; social security law; agrarian law; water law; land law; environmental law; environmental ethics.

Code of Academic Integrity

Violation of the Code of Academic Integrity of the Ukrainian State University of Railway Transport is a serious violation, even if it is unintentional. The code is available at:

<http://kart.edu.ua/documentu-zvo-ua>

In particular, compliance with the Code of Academic Integrity of UkrDUZT means that all work on exams and tests must be performed individually. When working independently, students can consult with teachers and other students, but must solve problems on their own, guided by their own knowledge, skills and abilities. References to all resources and sources (for example, in reports, independent papers or presentations) should be clearly identified and properly

designed. In the case of working with other students on individual tasks, you should indicate the degree of their involvement in the work.

Integration of students with disabilities

Higher education is a leading factor in raising social status, achieving spiritual, material independence and socialization of young people with disabilities and reflects the state of development of democratic processes and humanization of society.

To integrate students with disabilities into the educational process of the Ukrainian State University of Railway Transport, a system of distance learning based on modern pedagogical, information, telecommunication technologies has been created.

Access to distance learning materials from this course can be found at:
<http://do.kart.edu.ua/>

Appendix 1

QUESTIONS FOR CREDIT IN THE DISCIPLINE OF LAND LAW

1. Land as an object of legal regulation.
2. Historical conditions of origin and development of land law of Ukraine.
3. The concept and subject of land law.
4. Principles of land law.
5. The place and role of land law in the system of national law of Ukraine.
6. Legal regulation of land reform in Ukraine.
7. The main directions of implementation and content of land reform.
8. Privatization of land under current legislation.
9. The concept and classification of sources of land legislation.
10. Land Code of Ukraine: structure and content.
11. Laws as the main sources of land legislation.
12. Bylaws as sources of land legislation.
13. Normative acts of local executive bodies and local self-government bodies as sources of land legislation.
14. General characteristics of land management.
15. Powers of local councils in the field of land relations.
16. Powers of local state administrations in the field of land relations.
17. Powers of executive bodies on land resources in the field of land relations.
18. Land monitoring.
19. State Land Cadastre.
20. General characteristics of land management.
21. The structure of land relations.
22. Classification of land relations.
23. Land as an object of property rights.
24. The concept of land ownership.
25. The main features of land ownership.
26. Subjects of land ownership.
27. The right of private ownership of land.
28. The right of communal ownership of land.
29. The right of state ownership of land.
30. Demarcation of communal and state lands.
31. Ownership of foreign citizens, foreign legal entities and foreign states on land.
32. The right of joint ownership of land.

33. The content of land ownership.
34. Rights of land owners.
35. Responsibilities of landowners.
36. The concept of land use rights.
37. Principles of land use law.
38. The concept and content of the right of permanent land use.
39. Objects of the right of permanent land use.
40. Subjects of the right of permanent land use.
41. The concept of the right of lease land use.
42. Subjects of the right of lease land use.
43. Contents of the land lease agreement.
44. Rights and obligations of landlords and land tenants.
45. The concept and content of sublease.
46. The concept of the right of concession land use.
47. Subjects of the right of concession land use.
48. The content of the right of concession land use.
49. Rights of land users.
50. Responsibilities of land users.
51. The concept of land easement.
52. The content of the land easement.
53. Termination of land easement.
54. The concept and content of good neighborliness in land relations.
55. The concept and types of restrictions on land rights.
56. Legal regime of zones subject to special protection.
57. Grounds and conditions for acquiring land rights by citizens.
58. Grounds and conditions for acquiring land rights by legal entities.
59. Peculiarities of land acquisition by territorial communities.
60. Features of the acquisition of land rights by the state.
61. The procedure for acquisition and transfer of land to citizens.
62. Conditions and procedure for providing land plots to legal entities for permanent use.
63. Origin and certification of land rights.
64. Payment for land as a means of legal incentives for the development of land relations.
65. Grounds, subjects and objects of payment for land.
66. Land tax and its legal nature.
67. Types of land tax.
68. The procedure for calculating the land tax.
69. Payment for land lease.
70. Fee for the use of land easement.
71. Payment for agricultural land.
72. Legal forms of payment for non-agricultural land.
73. Liability for violation of land payment legislation.
74. General grounds for termination of land ownership and land use rights.
75. Conditions and methods of termination of land ownership.
76. Conditions and methods of termination of the right to use the land plot.
77. Procedure for termination of land ownership.
78. Features of the application of special grounds for termination of land ownership.
79. Procedure for termination of the right of permanent land use.
80. The procedure for terminating the right to lease land.
81. The procedure for approving the seizure and redemption of land.
82. The concept and composition of agricultural land.
83. The concept and composition of land for housing and public buildings.
84. The concept and composition of lands of nature reserves and other environmental purposes.

85. The concept and composition of health lands.
86. The concept and composition of recreational lands.
87. The concept and composition of lands of historical and cultural significance.
88. The concept and general characteristics of the legal regime of forest lands.
89. The concept, composition and general characteristics of water fund lands.
90. General characteristics of the legal regime of land for industry, transport, communications, defense and other purposes.
91. The concept and content of legal protection with.