

## Confiscation of land and agricultural assets

Category: Procedures

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Written by EPN

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**Principle:** The cases of finding marijuana in usufructuary lands will be processed in accordance with the provisions of Decree Law No. 232: "On Confiscation for acts related to drugs, acts of corruption or other illegal behavior", of 21 of January 2003 and its Regulations, Resolution No. 6 of January 24, 2003, all in response to the fact that there are special rules for this matter, and therefore the usufruct will not be extinguished for any of the causes established in the Decree- Law No. 300/2012, when dealing drugs to an owner or usufructuary of land, anywhere in the country, the application of this special rule is appropriate, it does not have to be within the rustic property.

As the lands are indivisible, the occupation of drugs in it implies the total confiscation and not of a quota or proportion.

### Documents to incorporate

- To issue the Confiscatory Resolution by the Provincial Delegate or Director of Agriculture, the following shall be incorporated:
- Land Registry File.
- Inventory and Appraisal of land and agricultural goods.
- Brief based on information from the MININT Specialized Body, or from the corresponding Prosecutor's Office, which proves that the occupation corresponds to drugs.
- Criterion of the Presidents of ANAP at the provincial and national levels.
- Resolution of the Provincial Delegate or Director of Agriculture.
- Notification.

### Review procedure

- Request with \$ 5.00 stamp.
- Investigations carried out.
- Criterion of the Delegate or Provincial Director of Agriculture.
- Criteria of the President of the National Association of Small Farmers.
- Resolution of the Minister of Agriculture.

Notification to violators and to the Company that receives the land and assets  
Dissolution of UBPC

### Disolución de UBPC

- Request of the Provincial and Municipal Delegate or Director of

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Agriculture.

- Resolution or Act of Creation of the Basic Unit of Cooperative Production.
- Letter from the Director of the Company supporting the reasons for the dissolution.
- Criterion of the Municipal Delegate.
- Letter from the National Union of Agricultural and Forestry Workers at its three levels.
- Letter from the Director of Attention to Production Units of the Ministry of Agriculture.
- Resolution of the Minister of Agriculture and notification thereof.
- agricultural, having to update their situation in the Land Registry.

### CPA Dissolution

- Cooperative Creation Document.
- Minutes or Resolution of the Liquidation Commission.
- Minutes of the General Assembly of members.
- Request of the Provincial and Municipal Delegate or Director of Agriculture.
- Criteria of the President of ANAP in its three levels.
- Resolution of the Minister of Agriculture and notification thereof.