

Confiscation of land and agricultural assets

Category: Earth Control

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Written by Equipo de Producción Nacional

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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 on it implies the total confiscation and not a quota or proportion.

Documents to incorporate

- To issue the Confiscatory Resolution by the Municipal Delegate for Agriculture, the following will 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 ANAP Presidents at the municipal and national levels.
 - Resolution of the Municipal Delegate for Agriculture.
 - Notification.

Review procedure

- Request with \$ 5.00 stamp.
- Investigations carried out.
- Criterion of the Municipal Delegate for Agriculture.
- Criteria of the President of the National Association of Small Farmers.
- Resolution of the Minister of Agriculture.
- Notification to the offenders and to the Company that receives the land and agricultural goods, having to update their situation in the Land Registry.

CPA Dissolution

- Document of Creation of the Cooperative.
- Minutes or Resolution of the Liquidation Commission.
- Minutes of the General Assembly of members.
- Request from the Municipal Delegate for Agriculture.
- Criteria of the President of ANAP in its three levels.

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- Resolution of the Minister of Agriculture and notification thereof.

UBPC Dissolution

- Request from the Municipal Delegate for Agriculture.
- Resolution or Act of Creation of the Basic Unit of Cooperative Production.
- Letter from the Company Director stating 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.