

THE RULES GOVERNING THE PROTECTION OF AGRICULTURAL LAND IN POLAND

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The primary regulation which extends legal protection over agricultural land in Poland is Act of 3 February 1995 on Protection of Agricultural and Forest Land. According to this Act protection of agricultural land shall consist in:

- limiting its use for non-agricultural and non-silvicultural purposes;
- preventing deterioration and devastation of agricultural land as well as damages to agricultural production caused by non-agricultural operation and the movements of earth masses;
- reclaiming and managing the land intended to be used for agricultural purposes;
- preserving peatmoors and small ponds as natural water reservoirs;
- limiting changes in the natural layout of the surface of earth.

The special protection are covered by the most fertile soil, categorized as class I-III. Allocation for non-agricultural of agricultural land being arable land categorized as class I-III, if its consolidated projected area intended for such purposes exceeds

0.5 ha – shall require a consent of the *Minister of Agriculture and Food Economy*. Such consent is issued to the local spatial management plan. Thus, protection of agricultural land in Poland is closely linked to spatial planning. In the planning processes considering soil quality in order to preserve the most productive soil in agricultural use.

An effective method of limiting exclusion from the production of the most productive soil are payments. The level of the fee is related to soil fertility class. The principle of it is that the higher class the higher a fee. The fee is required from all types of organic soils.

Moreover, the Act implemented the possibility to compensate for soil losses and soil function losses by imposing an obligation to remove the humus layer of the soil from the land categorized as class I, II, IIIa, IIIb, III, IVa and IV as well as from peatmoors, and to use it to increase the land use value.

Despite these restrictive methods of limiting exclusion from the production, the statistics indicate that the significant areas of fertile regions are excluded from the production of agricultural land (tab.)

TAB. Agricultural land designated for non-agricultural purposes according to the existing legal regulations on protection of agricultural land

SPECIFICATION	2000	2002	2005	2007	2008	2009
	<i>in hectares</i>					
	Total					
TOTAL	2176	2860	4048	5514	5397	3276
<i>of which:</i>						
Agricultural land	1501	1767	2782	3918	3441	2060
soil valuation classes:						
I-III	1053	906	1783	2091	1830	982
IV	393	816	858	1608	1486	871
V i VI	55	45	141	219	125	207
Other agricultural land	675	1093	1266	1596	1956	1216

Of which by direction of designation
(excluding agricultural land designated for planting with trees and bushes)

TOTAL	2176	2860	4048	5514	5397	3276
<i>designated for:</i>						
Residential areas	1083	1037	1637	3208	3159	1909
Industrial areas	349	342	759	647	815	400
Roads and communication trails	156	315	210	232	167	83
Minerals	195	296	243	438	264	358
Water reservoirs	12	24	586	59	33	32
Other purposes	381	846	613	930	959	494

Source: *Statistical Yearbook of Agriculture 2010*.

BIBLIOGRAPHY:

Act of 3 February 1995 on Protection of Agricultural and Forest Land;
Statistical Yearbook of Agriculture, 2010: Central Statistical Office, Warsaw.