

LAW N° 690

THE PRESIDENT OF THE REPUBLIC OF NICARAGUA

Informs The Nicaraguan People:

That,

THE NATIONAL ASSEMBLY

WHEREAS

I

That international law recognizes the sovereign right of States to regulate the legal system of real property which is found within its territory.

II

That the public interest prevails over private interest and it is of public interest that the people of the Republic of Nicaragua enjoy the exercise of freedom of access, use and enjoyment of coastal areas and riverbanks of our seas, lakes and lagoons.

III

The Political Constitution of Nicaragua states that the municipalities have political, administrative and financial autonomy, with further capacity that affects the socio - economic and environmental conservation and natural resources of its circumscribed territory.

IV

That increasingly, in recent decades, grants were granted indiscriminately in the coastal areas of our country, both natural and artificial persons who have obstructed the free access and enjoyment of them to the general public.

V

Convinced of the importance for the economic development of our municipalities, a legal framework will enable them to rationally use of coastal natural resources that are within its circumscribed territory, according to the rights and powers established by the Constitution of the Republic of Nicaragua.

VI

That this law is motivated by the critical situation which presents coastlines against atypical possession of large coastal areas and riverbanks of the seas, rivers, lakes and ponds in much of the territory, where the country's beaches have been closed by fencing or by buildings that border the sea, rivers, lakes, lagoons and as a consequence, Nicaraguans cannot use them and enjoy them when there are existing laws that criminalize and state ownership on coasts and riverbanks as expressed in the Constitution of the Republic of Nicaragua and the Civil Code, granting free access to Nicaraguans and foreigners to the Nicaraguan coasts.

THEREFORE

In exercise of its powers,

Has Issued The Following:

“LAW FOR DEVELOPMENT OF COASTAL AREAS”

CHAPTER I

GENERAL PROVISIONS

Article 1 - Purpose of the Act

This Act seeks to regulate the use and sustainable development and ensure public access to coastal areas of the Pacific Ocean and Caribbean Sea. However this law and their technical parameters is related mainly to the maritime coastal areas, also aims to ensure access and enjoyment of people to the shores of the Great Lakes of Xolotlán and Cocibolca, crater lakes, artificial lakes that have been or are created or acquired by the State and the islands, in the sea and in a lake, having a permanent population.

Likewise, the legal regime for the management, protection, conservation, use, development and sustainable development of coastal areas which are interrelated in various ecosystems, processes and applications present on the mainland and island area, without detriment and impairment of different property regimes that the constitution, the Civil Code and the laws guarantee.

The spirit of the law is not to change the legal rights of ownership and the like that in the strip adjacent to coastal areas are natural or artificial persons, but to promote the sustainable development of coastal areas and utilize its valuable potential for tourism.

Article 2 - Purpose of the Act

This law is designed to:

- a. Determine and delineate the public property domain in coastal areas.
- b. Regulate the use and sustainable development of coastal areas with protection and preservation of their environment, especially its natural resources.

c. Establish and define the competencies for the handling and management of coastal areas and therefore those of the authorities and bodies responsible for implementing the provisions of this Law.

d. Ensuring public access to the coast for recreation or fishing, stimulating and regulating hence public investment, private or mixed, with emphasis on tourism development.

Article 3 -The scope of the Act

This law is applicable throughout the national territory. In its implementation there will be respect of the rights of indigenous peoples and ethnic communities living in the Autonomous Regions of the Atlantic Coast or the Caribbean Sea. As for environmental management, exploitation of natural resources, national system of protected areas, fragile ecosystems, wetlands and mangroves shall be in accordance with the laws of matter.

Article 4 - Character of Law

This law is public. Accordingly, it pertains to the State of Nicaragua to respect and enforce its provisions to protect coastal areas that are part of the heritage of the nation and ensure its conservation, use, development and sustainable development, without detriment or impairment of the rights of the autonomous regions and their communities.

Therefore, to implement this law, consider this:

A. Public Domain Properties

In accordance with the principle “*Uti possidetis juris* of 1821” that attended as duly possessed the legal foundation of the Nicaraguan state constitution and other laws of matter, coasts and coastal areas of all sites listed in Article 1) of this Act and determined by the uses coastal zone are public domain property of the state and therefore are intended for use and enjoyment of all people, without restrictions other than those imposed by the laws, regulations and administrative provisions.

Without detriment that Nicaragua is an independent, free, sovereign, unitary and indivisible State, with the exception of public domain:

1. Different urban centers of the Pacific coast of the Atlantic Coast or the Caribbean Sea and the lakes, which are already established at the entry into force of this law.
2. Legally acquired rights of natural persons and artificial entities, domestic and foreign.
3. The rights engraved in the Constitution of the Republic of Nicaragua, Law No. 28, "Statute of Autonomy of the Atlantic Coast of Nicaragua" and Law No. 445, "System Law of Communal Property of Indigenous Peoples and Communities of the Autonomous Regions of Nicaragua's Atlantic Coast and the Bocay, Coco, Indio and Maíz rivers.

B. Private Domain Properties:

They are those assets owned by natural persons or artificial entities that are not public domain, or the municipalities or autonomous regions, indigenous and ethnic communities, to have legally acquired title of ownership.

C. Access by consensus or decision:

Where there is a historic step to access or access to a particular coast, or not clearly established, nor referred to in public development plans or master plans for individual projects, it will be determined based on the expert opinion of the Committee on Coastal Zone Development in coordination with the Regional and / or Municipal Government, individuals concerned, territorial and communal governments. In cases of public interest be declared for those affected must be compensated fairly as required by law of matter.

Article 5 - General Definitions:

For purposes of this Act, it sets out the following general definitions:

ALVEUS: It is the bed or channel of the river or stream covered by the waters and without going to ground. Riverbed, or land area covered by the waters of a natural stream, where it circulates with greater volume. The soil water alternately employed and unemployed in their periodical rises and falls. For lakes, ponds, wetlands and other waters in reserves, the ground that they occupy the most ordinary height.

ENVIRONMENT: The system of biotic and non-biotic factors, socioeconomic, cultural, and aesthetic elements, interacting with themselves, with individuals and the community they live in, to determine their relationship and survival.

USE: It is the rational and sustainable use or exploitation of the environment.

PROTECTED AREAS: These are the areas of the country in which the objective is to conserve, manage rationally and restore of wildlife and other forms of life, its biodiversity and the biosphere. Included in this category are those areas of the country in which they intend to restore and preserve geomorphologic phenomena and sites of historical, archaeological, cultural, scenic and recreational importance.

AGGREGATES: They are geological materials, gravel and sand, found on the coast and are used to make concrete.

MARINE OFFICERS: The Directorate General of Water Transport Ministry of Transport and Infrastructure and the Naval Forces of the Army of Nicaragua.

BAJAMAR: Minimum water level by a falling tide.

BERMAN EMBANKMENT: It is formed by the accumulation of linear ridges or gravel on a beach by wave action and is the boundary of each high tide.

PUBLIC DOMAIN PROPERTIES: Are those assets of public domain owned by the state intended for the use and service of all people, whose lawful use and enjoyment can be done individually or collectively, in strict accordance with the regulations established in the laws, regulations and administrative provisions. These goods are subject to a special legal regime which corresponds to the State administration. They have the following characteristics: non-transferable, indefeasible and inalienable and not subject to any tax.

BIODIVERSITY: It is the set of all and every living species and their varieties, of land or water, that live in the air, water, or soil. - Includes animals and living things of any kind. It includes diversity of species and ecosystems and genetic diversity.

CANON: Sum of money paid regularly to the owner of a property's natural or artificial person who enjoys usefully as a direct recognized domain that is reserved to the owner.

PORT CAPTAIN: Naval Districts Units are located at each port of the Republic, which will have as its primary function as appropriate to ensure the safety of maritime, lake and river traffic, throughout the national territory and in adjacent waters.

GRANT: Action and effect to grant, give, yield, do mercy and grace of a thing. In this sense is the act of public law, whereby the government gives a person or company, a certain portion of the property in the coastal zone to providing tourist services and / or conservation.

POLLUTION: The presence or introduction into the environment of harmful elements to human life, flora and fauna, which occurs as a direct result of the quality degradation of natural resources.

COAST: This is the floor space between the line of low tide and high tide line or high tide in the ocean, sea, and islands, islets, in the Keys, in banks, archipelagos, estuaries and wetlands. The coast is defined by the interface between the ocean or sea and land.

SUSTAINABLE DEVELOPMENT: the improvement of the quality of human life, without exceeding the capacity of the ecosystem that supports it.

DEMARCATIION: This is the marking of boundaries or delimitation of the boundaries of public properties that make up the coasts and coastal areas regulated by this Law

NAVAL DISTRICT: Naval Operations Centers are in charge is to defend the sovereignty, safety, security and surveillance of the internal maritime waters, territorial sea, contiguous zone and exclusive economic zone of the Republic through the port authorities subordinated to the General Command of the Army of Nicaragua through the Chief of the Naval Forces.

ECOSYSTEM: A basic unit of interaction between biotic and non-biotic organisms, socio-economic, cultural and aesthetic elements with individuals and the community in which they live and their relationship with the environment.

ECOTONE OR AREA OF ECOTONIA: The natural transition zone between two distinct ecosystems. Generally speaking, in every ecotone there are living species native of both ecosystems and are often areas of greatest biological richness and interest. The wetlands are transition areas between ecosystems

and have great environmental interest. In the ecotone interaction – there is sharing of the same space by organisms from several different areas of life, and may also harbor different species of separating homogeneous areas, like the so-called forest of fringe communities, which are in themselves linear ecosystems.

Often the diversity and density of species in the ecotone are higher than in communities that border it. From a systemic point of view is in the ecotone where it produces the largest energy exchange. The ecotone is the zone of maximum interaction between adjacent ecosystems.

WETLANDS: According to the RAMSAR Convention on Wetlands (Iran 1971), approved by Decree A. N. No. 1599 of February 6, 1997, published in La Gaceta, Diario Oficial (Daily News) No. 38 of February 24, 1997, include: "Areas of marsh, fen, peat land or water-covered surfaces, whether natural or artificial, permanent or temporary, static or flowing, fresh, brackish or salty, including areas of marine water depth at low tide does not exceed six meters. You can also include their adjacent riparian and coastal areas and islands or bodies of marine water deeper than six meters at low tide lying within the wetlands ".

TOURISM INFRASTRUCTURE: A group of engineering works that are used for the provision of tourism services.

SEA: It's the salt water which is part of the ocean, which in one way or another is bound by the coasts of continents, islands and elevation of the background (threshold). For purposes of this law means like sea-water lots located off the coast in the Caribbean Region of the Republic.

SWAMPS: Area of lowlands, poorly drained and subject to a process of silting (sedimentation carried by the water) located near the coast, usually around the mouth of a river. Due to its location, is partly flooded by brackish tidal water, which when spread over an estuary joins the fresh water from rivers.

OCEAN: Extent of saltwater that covers much of the land surface. Generically the mass of salt water, continuity in itself, occupies most of the planet's surface. For purposes of this law, understand how the ocean, lots of water located off the Pacific coast of the Republic.

MANAGEMENT: The process of planning and programming aimed at evaluating the legal and rational use of land in the country, according to their potential characteristics, taking into account the environment (natural resources, economic and social activities, population distribution) and the framework of environmental policy in the nation.

HISTORIC PASSAGE: Any way, whether in water, dirt, gravel, or any other material for ten years or more, has traditionally been known and used by all residents to access the beaches.

BEACH: Part of the coast the tide covers and uncovers more frequently. Is the storage area for loose materials such as sand, gravel, pebbles, including scarps, berms and dunes, with and without vegetation, formed by the action of the sea, the sea wind, or any other causes. It includes contact or overlap area between the coast and the coastal area.

PLEAMAR: Maximum level reached by a rising tide.

NATURAL RESOURCES: There are natural elements that can be exploited by man to satisfy their economic, social and cultural needs.

BANK: Margin and border of sea, river, lake, pond, pond and dam. Lateral zone bordering the riverbed or channel. It is a strip of land that stretches along the banks of the seas, rivers, lakes, lagoons, ponds and dams, and comprises to the place where the effect of water is prolonged.

RECLAIMED LOTS: They are the accessions or portions of land by natural or artificial causes are among the historical limit and the new coastline or shore of: oceans, seas, islands, islets, keys, islands, estuaries, wetlands, rivers, lakes, lagoons, reservoirs and ponds.

COASTAL ZONE: coastal zone is defined as the geographical unit of variable width, comprising a strip of land, an adjacent water space and its resources, which are interrelated in various ecosystems, processes and applications present on the continental and insular space.

RIVER COASTAL AREA: The coastal area related to the rivers.

LAKE COASTAL AREA: It is the coastal zone related to lakes, lagoons, dams and ponds.

RESTRICTED AREA: The area that falls within the coast or coastal zone, which by their level of importance or environmental situation, it is not allowed to practice all the activities taking place in the rest of the coast or coastal zone.

FORBIDDEN AREA: This zone is for military installations, where training and military exercises are conducted to defend the sovereignty, independence, territorial integrity and security of the nation.

Article 6 - Of the public Domain property of state

For purposes of this Act public properties of state are:

1. Coastal areas defined in Article 1 of this Law
2. The access or land reclaimed from the sea coast, lakes and lagoons formed by deposition of material or by the withdrawal of territorial waters, lakes and lagoons, whatever the causes.
3. The pieces of land invaded by the ocean and territorial sea, lakes, ponds and other water bodies that become part of their bed for any reason.
4. The cliffs and bluffs that are in contact with the oceans, seas, rivers, lakes, ponds or other bodies of water or public domain spaces from base to his coronation.
5. The islands are formed or formed by natural causes in the territorial sea or internal waters, which extend to the tides, except those that, are privately owned under the provisions of this Act and its Regulations.

6. All assets or rights, natural or mineral resource that lays within the coastal zone for public use and restricted use, even those assets or rights that are added to this area by accession, flood, or similar actions.

All assets listed in this article included in the lands and territories of indigenous and ethnic communities are exempt from the public domain. The statements do not include assets community property becomes part of the patrimony of the Autonomous Regions of the Atlantic Coast or Caribbean Coast of Nicaragua.

Article 7 - Obligations of State and Society

It is the obligation of the State, its institutions and of Nicaraguan society to protect, to conserve and preserve the coast and coastal areas, especially natural resources that are located in them.

CHAPTER II

MANAGEMENT OF THE COASTAL AREA

Article 8 - The Guidelines for the Management of Coastal Areas

The management of coastal areas shall be the responsibility of coastal local governments in coordination with central government institutions responsible for matter, remain committed to achieving a comprehensive development under the following guidelines:

1) **Access to Recreational Areas:** The coastal area managers should ensure that all domestic and foreign access to beaches and other public recreational areas. To fulfill the above arrangement will be created in coordination with the private sector recreational opportunities available to the population according to plans and development programs. This provision shall not apply where there are protected areas, geographic limitations or for reasons of maintenance or restoration of ecological balance. Nor is it applicable in prohibited and restricted areas where there are military installations, training areas and military exercises of the Army of Nicaragua.

2) **Socio-Economic Activities:** All economic and social activities in coastal areas will be implemented within the framework of policies established by this Act.

3) **Protected Areas:** In areas declared as protected areas, ensure compliance with the objectives for these cases have been established, taking into account the ecosystems and the most important elements, its protecting objective.

4) **Urban Development:** It ensures the development of an Urban Development Plan in the coastal zone in accordance with current planning requirements and in coordination with central government institutions that have jurisdiction in the matter.

5) **Environmental Management:** This Act will strengthen the regional governments and / or municipalities, to implement the Environmental Management System in the Coastal Zone.

6) **Infrastructure Services:** coastal managers ensure that existing infrastructure and equipment remain as they are to the enactment of this Act, unless the contradiction so that should be tailored to their regulations.

For new buildings will be strict enforcement of zoning laws in force in adherence to the principle of sustainable development.

7) **Scientific Research:** It will stimulate, guide and promote scientific and technical research directed to the care of the environment with emphasis on natural resources and sustainable development in coasts and coastal areas on the basis of policies established by the Commission Coastal Development.

8) **Protection of Beaches:** natural resources should be protected and the beaches preserved while trying to keep them in their original state to ensure its sustainable utilization and public enjoyment thereof, including areas where there is port infrastructure.

9) **Historical And Archaeological Resources:** to protect, preserve and restore historic or prehistoric resources, natural and archaeological and underwater heritage existing in coastal areas.

10) **Resources Landscapes:** to protect and preserve natural areas and sites of scenic value, promoting the proper management and conservation of the watershed of the coastal landscape.

11) **Socio-Cultural Resources:** In coastal areas, we will protect, preserve and promote socio-cultural expressions, characteristic of the resident population. Special attention will be paid to indigenous or ethnic groups.

12) **Tourism Use:** Harnessing the potential of tourism will be held on the basis of determining the capacity of sustainability of coastal areas, which implies maximum use of physical space or resources for private use, which will be estimated based on the intensity of use that will be determined at the same time depriving adequate infrastructure provision and environmental conservation.

Article 9 – National Commission for Development of Coastal Areas (CDZC in Spanish)

To create the National Commission for the Development of Coastal Areas (CDZC in Spanish) which will be coordinated by the Nicaraguan Institute of Tourism (INTUR) and, by mandate of this Act is the technical inter-agency body to function as an advisory entity, for coordination and assistance and exercise interagency coordination between the different institutions of national, regional and municipal jurisdiction in the matter.

The National Commission for Development in Coastal Areas will consist of national government institutions, regional, municipal authority over the coastal area, private business representatives and representatives of civic organizations interested in the subject, as appropriate.

Article 10 - Interagency Coordination Committee of National Commission for Development of Coastal Areas

Central Government, Regional and Municipal Institutions that have authority over coastal areas, will implement their actions under the principle of coordination.

In this inter-agency coordination involved a representative from each of the following institutions:

1. Nicaraguan Tourism Institute (INTUR)
2. Nicaraguan Institute of Territorial Studies (INETER)
3. Ministry of Transportation and Infrastructure (MTI)
4. Ministry of Environment and Natural Resources (MARENA)
5. Army of Nicaragua (EN)
6. National Police (PN)
7. Superior Council of Private Enterprise (COSEP)
8. Nicaraguan Council of Micro, Small and Medium Business (CONIMIPYME)
9. Council of the North Atlantic Autonomous Region (RAAN)
10. Council of the South Atlantic Autonomous Region (RAAS)
11. Two representatives of the Coastal Municipalities Elected within the Association of Municipalities of Nicaragua (AMUNIC) one for the Pacific coast and another along the lakes
12. Municipality subject to resolution of technical opinion.

Article 11 – Interagency Coordination

It corresponds to INETER through the National Commission on Development of Coastal Areas to establish inter-agency coordination mechanisms at regional, departmental and municipal governments within the framework of their duties.

Article 12 - Functions of the National Commission on Development of Coastal Areas

- a. Formulate public policies for development of coastal areas of the country and propose them to the Environmental Commission, for its establishment in order to achieve comprehensive development of the country.
- b. Issuing expert opinion on the granting of grants.

- c. Advising governments in the development of Plans of Municipal Development Coastal Areas.
- d. Ensure inter-agency coordination.
- e. Issuing non-binding technical advice to the municipal government to establish rights of way.
- f. Promote research and use of appropriate technologies for conservation and environmental health of coastal areas.
- g. Assistance and technology transfer and capacity building to strengthen the secretariats of natural resources (SERENA) to regional governments. Any other measure intended to accomplish the objective of this Law

CHAPTER III

POWERS AND RESPONSIBILITIES FOR IMPLEMENTATION OF THE LAW

Article 13 - Implementation and enforcement

It applies to municipal governments, as administrators, the general and superior monitoring of the implementation and enforcement of this Act as well as everything related to coasts and coastal areas in the country.

Article 14 - Jurisdiction

Within the scope of its powers to the regional councils and / or coastal local governments, to undertake the following functions:

- 1) Approve grants for various uses of coastal areas, technical opinion of the Committee on Coastal Development and the Autonomous Regional Councils endorsed to the community, all in accordance with law.
- 2) To grant right of recreational use in coastal areas for public use.
- 3) To regulate and supervise the provision of licensed services in public coastal areas.
- 4) Authorize or prohibit the construction of permanent works of engineering in coastal areas for public use.
- 5) Establish the rules for using the beaches and other conditions of usage, conclusive technical opinion of the Committee on Development of Coastal Areas.
- 6) Ensure in conjunction with the Ministry of Health of adequate hygiene and sanitation in coastal areas.

7) Establish in conjunction with the Army of Nicaragua, the National Police and the Red Cross, human security conditions and rescues for users of the coastal areas.

8) Develop, propose and implement education campaigns aimed at the protection, rational use and hygiene and health of the coastal areas.

9) Prepare the Development Plan of Coastal Areas circumscribed its territorial, which should incorporate the management plan of the existing protected areas.

For those who do not have protected areas management plans approved, it will be taken into account by the relevant annual operating plans or by default the established provisions of the management objectives and guidelines for the administration of category management for the corresponding protected area.

Permits in Protected Areas by National System of Protected Areas (SINAP), will be conducted in accordance with the provisions of the General Law No. 217, "General Law of Environment and Natural Resources and Executive Decree No. 01-2007, Regulation of Protected Areas of Nicaragua, published in the Official Gazette No. 8 of 11 January 2007.

10) Issue grants for the use of ejido (for public use) land or those located within the restricted area for the purpose of tourist use, recreational or residential use.

11) Authorize tourism service activities in the restricted zone provided in the case of works and installations services detachable or movable. In such a case shall be removable by the following facilities:

a) Infrastructure that to install, requiring only works shoring of foundations and that these do not extend the area of land designated for that purpose.

b) The materials must be using prefabricated structural elements (modules, panels or similar) specifically prohibited in the cast or steel structures that require the use of welds.

c) Infrastructure mountable or removable through sequential processes, that allows lifting and transportation without demolition.

d) Mobile units of: potable water sales, fast food, sanitary and similar services. The granting of this authorization does not denature the public use of the coastal area by making the tourism industry.

e) Areas of reforestation and showers on the public use area.

12. In coordination with the State Civil Defense General Staff of the Army of Nicaragua and other State institutions to develop plans for prevention, care and mitigation of natural disasters.

Article 15 - Development Plan of Coastal Areas

Municipal governments and coastal Autonomous Regional Councils, the Atlantic Coast or Caribbean Coast, promote the preparation of Development Plans Coastal, builds on the foundation's conservation of Ecotone or Ecotonia area in coordination with the Ministry of Environment and Natural Resources Committee on Coastal Development, based on:

- a) National Tourism Development Plan
- b) The priorities of each locality
- c) Plans and Land Development Ordinance
- d) The interest of conserving the coastal zone as national or regional heritage.
- e) National Defense Plans
- f) Environmental Policy and Action Plan.

Article 16 - Tourism Development Projects

The Nicaraguan Institute of Tourism (INTUR) in coordination with coastal local governments and Regional Councils, may make comprehensive Tourism Development Project which includes any part or all of a coastal zone, which shall conform to the provisions of this Law and its Regulation, Act N° 28, “The Statute of Autonomy of the Regions of the Atlantic Coast or Caribbean coast” , Act N° 445, “Law on the Regime of Communal Property of Indigenous Peoples and Ethnic Communities of the Autonomous Regions of the Atlantic Coast of Nicaragua and the Bocay, Coco, Indio and Maíz rivers”.

Article 17 - The Register of Grants

Coastal Municipal governments and / or regional governments take the General Register of grants in the coastal areas. Annually must send a report to National Commission for Development of Coastal Areas (CDZC) of the registration of the grants issued

CHAPTER IV

COASTAL ZONE AND ITS LIMITS

Article 18 - the State Property in the Coastal Zone

The state reserves property rights exclusively in coastal areas, with the exceptions in Article 4 of this Law and shall be administered by municipal governments. Coastal areas will be determined by the survey and demarcation executed by the municipal administration, the Nicaraguan Institute of Territorial Studies and

the Ministry of Environment and Natural Resources within five years, to the accompaniment of the National Committee of Development of Coastal Areas.

In the Autonomous Regions shall follow the Law No. 445, "Law on Communal Property Regime of the Indigenous Peoples and Ethnic Communities of the Autonomous Regions of Nicaragua's Atlantic Coast and the Bocay, Coco, Indio and Maíz rivers.

Article 19 -The categories of use of the Coastal Zone

For purposes of regulating use of coastal areas, the following categories have been established:

1. Seaside Public Use:

They are both ocean as well as lake beaches or of lagoon which is exclusive property right of the State.

The coastal zone of public use is the open area between low tide and high tide, plus fifty yards from the high tide mark to the mainland average. In this area you will respect the rights legally acquired, and the records of land use approvals and environmental impact study, which was granted before the entry into force of this Law

The coastal zone in natural lakes and crater lakes is: to the historical maximum average plus five yards to the mainland.

On the islands of more than two square kilometers with a permanent settlement, the coastal zone is the historical average of the maximum level of water in winter, or possibly, tides, five meters to the mainland.

In the artificial lakes created and / or acquired by the State was established as a public use area as determined by the markers originally established to delineate the state-owned property.

Uses in this area will aim to:

- a. The development of sun and beach tourism.
- b. The recreational sports through sports facilities uncovered and dismantle able.
- c. The conduct of rescue operations.
- d. The passage and implementation of public pedestrian promenades.
- e. The circulation exclusively for surveillance vehicles, rescue, health services.
- f. Temporary Facilities rescue booths Red Cross, MINSA and Fire Department.

Are prohibited in the Coastal Zone Public use (beaches):

- a. Buildings for residence or dwelling;
- b. The construction of roads;

- c. The installation of overhead high voltage power lines;
- d. The permanent installation of commercial advertising through any media and
- e. The traffic or parking motor vehicles on beaches identified by the municipal government as popular resorts, on the advice of the National Commission of Coastal Areas Development, because they endanger the physical integrity of persons.

Exceptionally be permitted in this area works, installations and activities which by their nature, provide the necessary services, complementary or convenient for the main activities that are authorized in the public domain area of the coastal area and the uncovered sports facilities.

For the activities of construction of embankments, clearing or felling of trees shall comply with the regulations established in special laws and regulations, with emphasis, Act No. 217, "General Law of Environment and Natural Resources", Act No. 462, "Law of Conservation, Development and Sustainable Development of Forestry", its regulations, the Executive Decree No. 14-99, Regulation of Protected Areas of Nicaragua, the Nicaraguan Mandatory Technical Standards and this Act. Everything is for the purpose of ensuring protection of the coastal zone, public domain and the environment.

2. Waterfront restricted use:

It is the area that comprises from where the maritime coastal area of public use more than two hundred meters to the mainland, and lakes shall be governed pursuant to Act No. 620, "National Water Act" and Law No. 217, "General Law of Environment and Natural Resources", in which the State has control with the exceptions laid down in Article 4, subparagraphs a and b, whose use is determined by the Development Plan for Coastal, which takes into account geomorphologic conformation of our coastal areas and are regulated under the criterion of conservation.

Uses in this area will aim to:

- a. The construction and operation of tourism services through permanent works.
- b. The construction of berths for marine tourism in areas that are permissible.
- c. The construction of homes for family and recreational use.
- d. Crops and plantations for subsistence and retaining all the environmental protection measures, without prejudice to the transit easement.
- e. Exceptions to this regulation are the legally established protected areas.

3. The coastal community use (public beaches):

They are both maritime and lake shores of the Atlantic Coast or Caribbean Coast of Nicaragua whose definition and delimitation is the same as that provided for the coastal zone for public use.

The terms and conditions of access to the coasts and coastal areas in the Autonomous Regions and their uses will be established by communities in conjunction with the Regional Councils, following consultation with the Ministries of Natural Resources.

Notwithstanding the foregoing, in this area may apply the intended uses of coastal areas for public use.

It is prohibited in coastal areas for community use (public beaches):

They are applicable in the coastal areas of community use the same prohibitions provided for coastal areas for public use. Notwithstanding those established by the Autonomous Regional Councils in coordination with indigenous and ethnic communities.

Article 20 - Prohibition of Alienation or Transmission

Within the limit established in the preceding article shall prohibit the alienation or transfer in any manner, with the exceptional set out in Article 4, paragraph A and B, of this Law. It can only be given grants in accordance with the requirements and procedures established by this Act and its Regulations.

In the Autonomous Regions of the Atlantic or Caribbean coast, what is established in Law No. 28, "Statute of Autonomy of the Atlantic Coast Regions of Nicaragua, and Decree A. N. No. 3584, Act No. 445, "System Law of Communal Property of Indigenous Peoples and Ethnic Communities of the Autonomous Regions of Nicaragua's Atlantic Coast and the Bocay, Coco, Indio and Maíz rivers.

Article 21 - The Demarcation and Registration

The municipalities concerned, together with INETER and MARENA, the demarcation will be made of the coastal areas of its circumscribed territory, for purposes of defining the public domain of the State and proceed to their registration in the respective public register in accordance with the Law of Municipalities and Regulations, within five years.

In the Autonomous Regions of the Atlantic or Caribbean coast, what is established in Law No. 28, Statute of Autonomy of the Atlantic Coast Regions of Nicaragua and Decree A. N. No. 3584, Act No. 445, Law of the Regime of Communal Property of Indigenous Peoples and Ethnic Communities of the Autonomous Regions of Nicaragua's Atlantic Coast and the Bocay, Coco, Indio and Maíz rivers.

Article 22 - Restrictions and Prohibitions on Access to Seaside

The competent authorities may restrict and prohibit access to coastal areas for the following reasons:

- a) For health reasons.
- b) For the conservation of marine and water flora and fauna.
- c) If endangering the security and defense of the nation.

d) For the safety of the public to the imminent danger of natural events

CHAPTER V

THE USE OF THE COASTAL ZONE AND EASEMENTS

Article 23 - the Use Area Public Domain

The use of public domain area of coastal areas will be free, public and free for common uses for vacation, trip, room, bathroom, shipping, quays, beaching, fishing, not-for-trade trapping of seafood and other. This right shall be restricted in protected areas, which are subject to the laws of matter.

At the same time, it is strictly forbidden the use of motor vehicles of any kind in the area of public use, except police authorities and service institutions in the performance of their duties.

Article 24 - Free Access to the Public Domain Areas

By authority of this Act, it provides free access of all persons, foreign or nationals, in the areas of public domain that are part of the coastal zone.

The State through the municipality, as an administrator or by default, the Attorney General of the Republic shall exercise all legal actions for enforcement.

In the Autonomous Regions of the Atlantic Coast or Caribbean Sea, any of the organs of government established in Article 15 of Law No. 28, "Statutes of Autonomy of the Atlantic Coast of Nicaragua", may use legal action to effect compliance.

Article 25 - the Prohibition of Construction Works

Since the enactment of this Act is prohibited in coastal areas of public use of any construction work, fencing, walls or facilities that interrupt and interfere with access to coastal areas and the right of free movement of people because of them.

Exceptions to these prohibitions:

1. Works and infrastructure of ports or existing recreational areas, which are subject to special laws of matter.
2. The tourism and sport Marines, which means as the set of facilities, land or sea, for the protection, shelter and providing services to all types of recreational craft, for tourism and sports, of any flag and regardless of its size, as well as visitors and users of them, domestic or foreign.

Article 26 - The report of the existing works to the Entry into Force of the Law

In the case of existing buildings or works to the entry into force of this Act which are not incorporated into the Land Management Plan, the Municipality shall include, subject to verification and location of the same to the owner.

In the Autonomous Regions, the Ministry of Natural Resources shall, in accordance with its rules to incorporate such construction or work in the Land Management Plan.

These entities are entitled to review the environmental impact of these works, on which the competent organisms will guide corrective actions.

Article 27 - Use of the intensity, dangerous or profitability levels

The uses that have a level of intensity, danger or low profitability, or requiring the execution of works and facilities for tourism within the public domain area, they may only do so under proper grants granted by the municipal governments in coordination with the National Commission for Development of Coastal Areas (CDZC).

For community use areas of the Autonomous Regions, the grant corresponds to the Autonomous Regional Councils and the respective community government, following consultation with the respective Department of Natural Resources and Environment. In any case, it will require the approval of the Environmental Impact Study.

Article 28 - The Works of Public Interest

They are considered works of public interest which are necessary for the protection, defense and conservation of coastal areas of public domain and community use as well as to use in:

1. Creation, regeneration and recovery of beaches;
2. Public access to the sea, lakes and lagoons;
3. Works started at sea and inland waters;
4. Works by lighting of coasts and maritime signaling.

Article 29 - The Usurpation of the Public Domain

The usurpation of public property in coastal areas will not involve under any circumstances the acquisition of rights of possession and control of this area. Whoever does this act will be liable for damages that may cause the works or activities in the public domain area of the state. The evaluation of damage is determined by the respective expertise.

Article 30 - The Prohibition of Alienation or Privatization

Coastal areas of public domain cannot be sold or privatized, except for those set in Article 4 of this Law.

Article 31 - The Right of Easement

Access to coastal areas

Where there is a historic passage for access to the coast, or the access is not clearly established, nor referred to in public development plans or master plans of individual projects it will be determined based on the technical opinion of the National Development Coastal Management in coordination with the Municipal Government and individuals concerned. Such is the case of the Autonomous Regions of the Atlantic and Caribbean Sea, with the competent authorities of regional governments and individuals concerned.

With a minimum width of ten meters and the length needed to ensure access to beaches. In this area the following regulations apply:

1. To ensure public use of coastal public domain or community use for tourism, plans and standards for urban planning and provide access to coastal beaches, construction of sidewalks and public parking outside the zone. Exceptions are those areas designated as special protection and are part of the National System of Protected Areas.
2. In urban and urbanizing areas, vehicular tracks rolling (wheeled traffic) have a separation according to the geomorphologic characteristics of each coast, with minimum and maximum distances between them. The Municipal Governments, in coordination with the National Commission for Development of Coastal Areas (CDZC), promote the construction of access roads marked and open for public use.

Article 32 - The Design of Easement in Tourism Projects

The owners of development of tourist projects in their initial designs should contemplate the easement referred to in the preceding article.

Article 33 - The Declaration of Public Utility for Easement

In the case where there is no area to the easement or the existing area is less than that fixed by the corresponding technical opinion, be declared of public utility and social interest, the area designated for that purpose, in compliance with the provisions of Article 44 of the Constitution of the Republic of Nicaragua for these cases. This provision does not apply to the Autonomous Regions of Nicaragua's Atlantic Coast.

CHAPTER VI

CONCESSION SCHEME

Article 34 - Obtaining the Grant

Any use of coastal areas of public domain and state-owned areas in the restricted zone will be subject to prior concession granted by the municipal councils, requiring for this purpose the technical opinion of the National Commission for Development of Coastal Areas.

In the case of the Autonomous Regions of the Atlantic Coast, this shall be exercised by the Autonomous Regional Councils on the basis of technical opinion of the Ministries of Natural Resources and Environment of the Autonomous Regions of the Atlantic Coast of Nicaragua, after consensus of their respective community governments.

The grants are awarded through municipal or regional resolutions, to be published in La Gaceta, Diario Oficial (Daily News), without which they will have no validity.

The concession period will be for a period of twenty (20) years renewable at the request of the interested party. In special cases for tourism development projects will be for a period of fifty-nine (59) years, when in the opinion of the National Commission for Development of Coastal Areas, it is about a project whose amount of investment, economic impact and potential employment generation; require a longer-term of contractual relationship.

The procedure for issuing grants will be established in the Regulations of this Law. The application of this Article will exempt private property and those exemptions in Article 4 literal A. and B. of this Law

Article 35 - The Canon of Grants

The natural or juridical persons or foreign nationals who obtain grants for the use of coasts and coastal areas must pay an annual fee for concession rights, which will be collected by the municipal governments of the respective district where the grant is issued. The amounts for concession rights will be approved by the Municipal Councils with advice from the National Cadastral Commission, which shall be incorporated into the tax plan of each municipality.

Article 36 - Limitations of Licenses

The grant does not grant more rights than those established by this Act and those covered in the instrument that authorizes them.

Article 37 - Persons who may apply

Only natural or artificial persons, foreign or nationals residing in the country may submit requests for grants.

The natural or artificial persons applying for grants must meet the requirements of this Act and in accordance with the procedure set out below:

1. Grants of Rights of Use, Housing or Recreation:

- a. Submit written application for rights of use and purposes of recreation or housing with municipal government or regional governments in each constituency.
- b. If it is a natural person, attach a photocopy of Certificate of Registration of Single Taxpayer (RUC) and identity documents. If an artificial person, they will submit the requirements of paragraph 2) letter b).
- c. Security or bond Document, the amount specified in the Regulations.

2. for Commercial Use or Tourist Resort:

- a. Submit a written grant application to municipal government or regional governments.
- b. Artificial persons must accompany your application:
 1. Photocopy of Charter of Incorporation and bylaws;
 2. Certificate of registration as business entities;
 3. Proof of legal representative;
 4. The business purpose must be specifically related to the commercial activity requested, and
 5. Photocopy of RUC document.
- c. Security or bond Document, the amount specified in the Regulations.
- d. Specify the activity which seeks to develop, which implies that they must submit the investment plan.
- e. Submit Environmental Impact Study duly approved by the Ministry of Environment and Natural Resources or the Department of Natural Resources and later the Environmental Permit or Environmental Clearance also duly approved by the relevant institutions.
- f. Economic feasibility study of project.

Article 38 - Grants for Use in Housing

The grants are awarded to the top of the right response: "First come, first served". However, it may establish a priority order in which gives preference to the occupier of the land that has held it in good faith, public and peacefully, on a continuous base. It will be required the approval of the Environmental Assessment issued by the Ministry of Environment and Natural Resources.

Article 39 - The Termination of the Grant

Grants are extinguished by any of the following causes:

- a. By the deadline by which it is granted, without any existence of an extension;
- b. Compliance with the purpose for which they were issued or made this impossible;
- c. By the death of the grantee, if its representative did not request it within the prescribed period of six (6) months;
- d. Express waiver by the grantee;
- e. For dissolution and liquidation of artificial persons in grants, or legal bankruptcy of the same;
- f. The loss of an asset object of the grant;
- g. For abandonment by the interested parties for a term of one year;
- h. Transfer of grants to third parties, and
- i. For revocation of the grant for the above mentioned.

In case of death, or declared absence of the grantee, his rights may be awarded to their heirs. If there are none, the grant will be canceled and returned to the municipality with the existing improvements.

Article 40 - The Causes of the Revocation of grants

Causes for revocation of grants:

- a. Sub-license, lease, encumber or any act or contract under which another person enjoys all or part of the grantee's rights or perform any legal act or material that alters the grant;
- b. Practicing in the grant area activity, development or operation other than that it was awarded;
- c. Failure to comply with existing environmental standards;
- d. Do not use the licensed area in a period of ninety calendar days from the date of issue. This regulation is applicable to grants for commercial or particular use;
- e. Leave abandoned or unused for a year the grant area, without just cause to mediate. This regulation is applicable to grants for commercial or particular use;

- f. Perform unauthorized activities or work in the area in which the grant was issued;
- g. Failure in paying the fee established in issuing the grant;
- h. Increase without permission and fee adjustment, built-up area on the approved projects;
- i. Breach of the grantee's obligations set forth in the instrument of grant;
- j. Carry out acts which impede the general use of public domain of the coastal area;
- k. Encourage, permit, consent or perform any act or wrongful acts within the grant area;
- l. Oppose or prevent the State, Municipal Governments, Regional or their representatives, conduct monitoring and follow-up inspections ordered by the authorities.

Article 41 - The Prohibition of Transfer of the grant

It is forbidden to give or compromise or otherwise, transfer or encumber all or part of the grants or rights derived from, without the express permission of the municipality or the respective Autonomous Regional Council and without an appropriate opinion of the National Commission for Development of Coastal Areas and Natural Resources Ministry respectively. Acts or contracts that violate this provision are void and of no value.

Article 42 - Prohibition of Providing Grants to State officials

Municipalities or regional councils, according to their competence, not grant award for: owners or alternate deputies, municipal government officials, regional and other branches of government, of the spouses or partners in a stable union, or relatives of these to the second degree of consanguinity or affinity. This shall not affect the provisions of the Organic Law of the Comptroller General of the Republic, Law No. 438 "Probity Law of Civil Servants" and in accordance with Article 130 of the Constitution of the Republic of Nicaragua. No grants will be affected before the election or appointment of the officer.

Article 43 - Compensation for Cancellation of Grants through No Fault of the Grantee

Outside the grounds established in Article 40 of this Law, a concession may be revoked only by the express causes of social interest or public utility under the Act

When a concession is revoked through no fault of the grantee and is not supported on the grounds established in this Law, it must be acknowledged, upon payment of fair cash compensation for improvements they obtain in the lot covered by the grant.

Article 44 - The Regulations for Areas Designated As Tourist

The areas that the Nicaraguan Institute of Tourism (INTUR) declared as priority areas for tourism development are subject to the following regulations:

- a. The plots of land for building their homes or recreational villas for use of the grantee and their families and do not constitute gainful usage shall be granted under the Land Management Plan and in line with development plans of the coastal zone. These plans seek a distribution and rational use of land in accordance with planning techniques; also, determine the location, size and destination of each plot, avoiding lower authorizations than those established by the health standards.
- b. Plots for resorts facilities, hotel facilities, restaurants and the like, homes or villas for rent, commercial business or other activities outside those indicated may be granted by the maximum area that is technically required under the respective projects, in accordance with the planning of the area, with the approval of the Nicaraguan Institute of Tourism (INTUR).
- c. Grant may be issued up to a quarter of the area for recreation, rest and holidays, trade associations or professional associations, unions, student federations, labor federations or confederations, associations or joint development community or social service organizations or service clubs, non-profit oriented. In these cases the grants are the implied condition that the facilities constructed can not engage in profit or used for political election purposes, all of which are forbidden.
- d. Under no circumstances may be granted land for the establishment of industries other than those related to tourist use.
- e. No person along with his spouse and minor children may have more than one grant.
- f. Grantees must give the State the areas and facilities required for use in state institutions for security and national defense.

CHAPTER VII

DEVELOPMENT PLAN FOR COASTS AND COASTAL AREAS

Article 45 - The Rules of Restraint for the Development Plan of Coastal Areas

The Development Plan of Coastal Areas are subjected to the rules governing socio-economic planning and territorial planning, the effects will be immediately binding on the management and integrating management of coasts and coastal areas. In any case, each revision of the Plan will incorporate the changes arising from the rules that have entered into force during the previous period.

Executive institutions, municipal governments and autonomous governments of the autonomous regions of the North Atlantic and South Atlantic, and individuals must adapt their activities to the existing standards and plans on the coasts and coastal areas, subject to administrative rights acquired by individuals, the effect of acts adopted before entry into force of the rules and their possible plans or reforms.

Article 46 - the Framework for Development Plan of Coastal Areas

The Development Plan of Coastal Areas establishes the framework for the conservation, sustainable use and exploitation. This plan will contain:

- a. The delimitation of coastal areas under the provisions of this Act shall state the specific definition of urban or rural character of each area bounded by location and provisions that have fallen over each area according to plans land management and local urban development already in existence.
- b. The zoning or segmentation of the spaces that make up the coastal areas in view of their socio-economic and environmental conditions, including fishing areas and settlements and craft fishing communities.
- c. Identifying applications to be allocated to different areas of the coastal zone.
- d. The criteria for the location of the activities associated with current and proposed uses.
- e. The identification and prevision of space subject to a system of conservation, protection, sustainable management and environmental remediation.
- f. Agency coordination mechanisms needed to implement the Plan.
- g. The policy of incentives for improving institutional capacity to ensure the integrated management and citizen participation.
- h. Identifying areas at risk by natural causes or human-originated causes, as well as mechanisms to reduce their vulnerability.
- i. Any other measures directed at achieving the target of this law

Article 47 - Development Plan of Coastal Areas

The Development Plan Coastal will be developed through a process of interagency and multidisciplinary coordination, including means for consultation and public participation, which will be regulated.

This process is implemented by the National Commission for Development of Coastal Areas. Once it is developed, it will be subject to the approval of municipal governments, regional councils and indigenous

peoples and ethnic communities of the Atlantic Coast, who will be responsible for its publication in the Official Daily News (La Gaceta).

Article 48 - The Environmental Variables in the Municipal, Departmental and Regional Development Plans

Development plans in the levels of municipality, county and region have incorporated environmental variables and adapted to the management procedures in each one of the coastal areas in a consistent and proportionate way to the aim and objectives set out in Development Plan of Coastal Areas.

CHAPTER VIII

CONSERVATION OF THE COASTS AND COASTAL AREAS

Article 49 - The Restricted Activities in the Coastal Areas

In coastal areas or beaches are restricted the following activities:

- a. Construction of facilities and infrastructure concerning or affecting the scenic value of the area;
- b. Parking and circulation of vehicles, including quads, except in parking areas or traffic areas established for that purpose, and possible exceptions for reasons of maintenance works, provision of travel services, community safety, emergency or others that by law;
- c. Generation of noise emitted by stationary or mobile sources capable of generating nuisance to people on the beaches or spa resorts, except those generated in connection with emergencies, national security and defense. This occurrence will be regulated according to the law of matter;
- d. Extraction of sand and other minerals, as well as the work of dredging and alteration of aquatic resources. This activity will be regulated by the appropriate permits and
- e. Farming and agricultural work.

Article 50 - The Prohibitions in the Coastal Areas

In coastal areas or beaches, prohibits the following activities:

- a. Temporary disposal or debris, waste and scrap of any kind;
- b. Placement of billboards that affect the landscape value;
- c. Occupation of the public domain area within the coastal zone without prior permission granted. These occupations will be considered infringements and no right for the offender.

CHAPTER IX

ADMINISTRATIVE PROCEDURE

Article 51 - Administrative Procedure to Investigate Violations

The administrative procedure to investigate the commission of violations of this Act and its Regulations may be started:

- a. Automatically when the official body responsible, by any means, becomes aware of the alleged commitment of an offense, or be surprised when a person or persons to commit an offense specified in this Law;
- b. On complaint, if any natural or artificial person is addressed to the competent authority, in order to notify that it is aware of the alleged commitment of an offense. The complaint may be made orally or in writing, in which case they shall be recorded in the presence of the complainant along with the appropriate official or through his/her agent with authority to do so. Administrative procedure will be established.

Article 52 - The Classification of Offenses

Violations under this Law shall be classified into Minor and Serious.

1. Minor offenses are:

- a. Causing damage or losses that affect the public domain property in coastal areas or use;
- b. Breaching the conditions laid down regarding easements and other determinations contended in this Act;
- c. Advertising and publicity events or activities prohibited without due administrative title or unobservable conditions;
- d. Falsify information submitted to the competent authorities relating to the protection, conservation and control of the coastal zone;
- e. Interrupt public access to coastal traffic and passage.

2. Serious infractions are:

- a. Committing or causing irreparable damage difficult to repair in the public domain of the coastal zone;

- b. Impeding the exercise of the functions of municipal governments, regional councils, the Nicaraguan Institute of Tourism or other relevant authorities;
- c. Construction without authorization in the area of the restricted area;
- d. Run works, installations, spills, plantation crops or logging in the coastal area without proper authorization;
- e. Circular or parking at any time of year, with motor vehicles (buses, trucks, quads, bikes) in coastal areas and beaches for public use determined by the municipality as popular resorts, as well as the realization of actions or omissions involving a risk to health and safety of human lives, provided they do not constitute a crime;
- f. Assign or engage in any other way, transfer or encumber all or part of grants or rights derived from them, in accordance with Article 43 of this Law;
- g. The repeated commitment of minor infringements.

Article 53 - Responsibility for Violations

Be responsible for the violations noted above natural or artificial persons who commit the Commission thereof or who instigates the same.

They are liable for violations, officials in the exercise of their functions, whose actions harm the public domain or third party:

- a. Officials or employees of municipal governments or other state agencies that favor the granting of a concession, authorization or use of the coastal area outside the framework of this Law.
- b. The authorities or members of individual or collective bodies of state administration, which resolved in favor of granting the issuance of coastal zone and ignoring mandatory reports are unanimous in warning that clearly and expresses the lawful management or lack of qualification for this.

Article 54 – Responsibility for Omissions Liability

Any omission does not constitute an offense under the provisions of this Law but shall be punished in accordance with the procedure for applying administrative penalties in accordance with the provisions in its rules.

Article 55 - The Prescription of Offenses

Infractions will be barred within two years, for serious misconduct, and within a year, for the minor, from the time you became aware of the fact.

Rule 56 - Point of the Period for Prescription

The computation of the period starts from the moment the public became aware of the fact, unless it is public knowledge, in which case they shall run from the fact.

Article 57 - The Administrative Penalties

The Municipality and the Regional Councils as appropriate, order the offender the environmental recovery or restitution of their original state, without prejudice to administrative sanctions in proportion to the severity of damage, which are:

- a. Reprimand.
- b. Fines, which will be determined on tax units.
- c. Suspension or cancellation of grants.
- d. Partial disqualification for a period of two years before applying for grant.
- e. Compensation in the event that you cannot repair the damaged site and leave in the state it was up before the intervention, compensation may be applied by performing remediation work at another site, subject to authorization by the competent authority and in accordance with the technical advice of the National Commission for Development of Coastal Areas.
- f. The compensation for the irreparable damage amount equal to the value of the affected resources.
- g. Demolition or construction work in the public domain area of the state.

Determining the level of severity of administrative sanctions shall be established in the regulations, without prejudice to civil and criminal penalties provided in the respective legislation.

In the case of autonomous regions shall extend to violations of customary law, as acknowledged by the Statute of Autonomy of the Atlantic Coast Regions and the bodies responsible for implementation shall be those recognized by Law No. 260 "Law on the Judiciary of the Republic of Nicaragua."

Article 58 - Deadline for Whole fines

The penalties of fines imposed for violations, once final, will be aware of the City and / or regional government, as appropriate, within a period not exceeding fifteen (15) days from notification.

Article 59 -Distribution of Revenue Generated By the Coastal Zone

By authority of this Act the sums received in payment of grant fees and fines established by this Act and its Regulations shall be distributed as follows:

1. Sixty percent (60%) to the municipal government of the territorial constituency, who is to be used for protection and coastal zone development;
2. Ten percent (10%) for the Ministry of Environment and Natural Resources, in order to develop programs that strengthen the use, conservation, protection and control of the coastal zone and the environment;
3. Ten percent (10%) for the Nicaraguan Institute of Tourism for the functioning of the National Commission for Development of Coastal Areas;
4. Ten percent (10%) for the National Police, for the surveillance and protection of coastal areas and
5. Ten percent (10%) for the Army of Nicaragua, for the surveillance and protection of coastal zones;

This distribution does not affect any other income that arises from the application of specific legal regulations on the part of central government bodies concerned.

In the Autonomous Regions as these revenues are distributed as provided by Article 34 of Law No. 445, "System Law of Communal Property of Indigenous Peoples and Ethnic Communities of the Autonomous Regions of Nicaragua's Atlantic Coast and Bocay, Coco, Indio and Maíz rivers.

Article 60 - The Resources

Against the resolutions adopted by the municipal governments may be used administratively to the remedies in the Law No. 40, "Law of Municipalities. Having exhausted this route, the aggrieved may appeal to the contentious jurisdiction - administrative and / or the Law No. 49 "Protection Act".

CHAPTER X

FINAL PROVISIONS

Article 61 - Budget Allocation

By authority of this Act, assign a heading from the general budget of the Republic intended for the operation of the National Commission for Development of Coastal Areas (CDZC). This item will

administer the Nicaraguan Institute of Tourism (INTUR) in his capacity as Coordinator of the said Commission.

Article 62 - The Repeal of Legal Rules

This law does not affect nor restrict the rights legally acquired ownership and possession before the entry into force of it. It promotes legal certainty in investment holding, use, benefit and enjoyment, as well as transactions and real estate trade guaranteed by national law, based on the constitutional mandate of Article 44.

As for the control and use of coastal areas referred to in this law, especially in the demarcation of the area for public use, this law is to be applied. Any other previous provision that is opposed or contradicted is not effective in its implementation.

Article 63 - Possession of Lease

Any person having possession of a ground lease of the state or municipal property, at the expiration of this option they will be granted preferential treatment. If you had registered estate improvements in the land subject of the lease, the grant will be automatically issued. This does not exempt the fee established for the award.

Article 64 - the Environmental Education Policy

To achieve the objectives of this Act, the State, in cooperation with civil society, develop a policy on environmental education, tourism and culture, with reference to the agreement of standards and standardization procedures provide a framework for environmental quality aimed at the preservation of coastal zones and ecosystems.

Any natural or artificial person shall comply with existing environmental legislation, prior to any activity which may cause damage to the environment in the coastal zone. The lack of scientific information does not remove the obligation, or liability for any damage that eventually generated because of the activities.

Article 65 - Functions of the Organisms of the State in other Areas

The functions of the organisms of State in the territorial sea, internal waters, exclusive economic zone, continental shelf for defense, fisheries, aquaculture, mar culture, rescue, preservation of the environment, heritage protection, research and exploitation of natural resources or other non-regulated in this Law, shall be exercised in conformity with the laws of matter.

Article 66 - Regulations

This Law shall be regulated as provided under the Constitution of the Republic of Nicaragua.

Article 67 - Term

This Law shall enter into force after its publication in the Official Daily News (La Gaceta).

This Act was executed at the Session Hall of the National Assembly in Managua, on the fourth day of June of the year two thousand nine.

Ing. René Núñez Téllez
President of the
National Assembly

Dr. Wilfredo Navarro Moreira
Secretary of the
National Assembly