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Water Code of the Russian Federation

RF Act No. 167-FZ. Adopted by the State Duma on 18 October 1995

Waters are a key component of the natural environment, a renewable, limited and vulnerable natural resource, are used and protected in the Russian Federation as the basis of life and activity of the peoples inhabiting its territory, ensure the economic, social and ecological well-being of the population and the existence of the animal and vegetable kingdom.

Relations involving waters shall be regulated by the present Code through the establishment of a legal foundation for the use and protection of bodies of water.

General Part

Section I. General Provisions

Chapter 1. Basic Provisions

Article 1. Basic Concepts

The following basic concepts are used in the present Code:

- water -- a chemical compound of hydrogen and oxygen existing in the liquid, solid and gaseous states;
- waters -- all the water within bodies of water;
- surface waters -- waters constantly or temporarily within surface bodies of water;
- subsurface waters -- waters, including mineral waters, within underground bodies of water;
- water resources -- reserves of surface and subsurface waters within bodies of water which are or which may be used;
- body of water -- concentration of waters on the surface of dry land in the forms of its relief or in the underground, having boundaries, volume, and water-regime features;
- water regime -- change of levels, expenditures and volumes of water in bodies of water;
- water stock -- aggregation of bodies of water within territory of the Russian Federation included or to be included in the state water cadastre;
- surface watercourse (stream) -- surface body of water with continuous movement of waters;
- surface reservoir -- surface body of water as a concentration of waters with a slowed-down water exchange in natural or artificial depressions;
- detached body of water (enclosed reservoir) -- an artificial non-drainage reservoir, small in area, without hydraulic connections with other surface bodies of water;
- watershed (catchment) area -- a territory drainage from which goes to form a body of water;
- basin of surface body of water (hereinafter "basin of body of water") -- a territory including the watershed (catchment) areas of hydraulically connected reservoirs and watercourses the chief of which flows into a lake or sea;
- water surface (territory of water) -- a surface of water limited by natural, artificial or standard-unit boundaries;
- drainage waters -- water collected by drainage installations and discharged into bodies of water;
- sewage (waste) waters -- water dumped, in the established manner, into bodies of water after the utilization thereof or water coming from polluted territory;

- utilization of bodies of water -- deriving benefit in various ways from bodies of water for satisfaction of the material and other requirements of citizens and legal persons;
- use of bodies of water (water use) -- juridically determined activity by citizens and legal persons involving the utilization of bodies of water;
- protection of bodies of water -- activity aimed to preserve and restore bodies of water;
- pollution of bodies of water -- dumping or entry in other ways into bodies of water, and also formation therein of noxious substances worsening the quality of surface and subsurface waters, limiting the utilization of or having a negative effect on the state of the bottom and shores of bodies of water;
- clogging of bodies of water -- dumping or entry in other ways into bodies of water of objects or suspended particles worsening the state and hampering the utilization of bodies of water;
- depletion of waters -- steady reduction of reserves and worsening of the quality of surface and subsurface waters;
- harmful effect of waters -- flooding, underflooding, and other harmful effects of surface and subsurface waters on certain territories and facilities;
- user of water -- a citizen or legal person granted the right to use bodies of water;
- consumer of water -- a citizen or legal person receiving water, in the established manner, from user of water for his own requirements;
- water-management facility (water-distribution system) -- a structure connected with the utilization, restoration and protection of bodies of water and of their water resources;
- water intake -- complex of structures and devices for the intake of water from bodies of water;
- water-management activity (water-distribution activity) -activity of citizens and legal persons involving utilization, restoration and protection of bodies of water;
- water-use license -- a special permit for the use of bodies of water or parts thereof on certain conditions;
- administrative license -- a special permit for the disposal, in the established manner, of the rights in using bodies of water.

Article 2. Water Legislation of the Russian Federation

In conformity with the Constitution of the Russian Federation, the water legislation of the Russian Federation shall be in the joint jurisdiction of the Russian Federation and RF subjects.

Water legislation of the Russian Federation shall consist of the present Code and of Federal laws of the Russian Federation and other normative legal enactments adopted in conformity therewith, and also of laws and other normative legal enactments of RF subjects.

Laws and other normative legal enactments of RF subjects regulating water relations may not contradict the present Code or Federal laws adopted in conformity therewith.

In the event of a contradiction between a Federal law regulating water relations and another enactment adopted in the Russian Federation, the Federal law shall have effect.

The norms of water law contained in other laws must be in conformity with water legislation of the Russian Federation.

Article 3. Objectives of Water Legislation of the Russian Federation

Water legislation of the Russian Federation shall regulate relations in the utilization and protection of bodies of water with the object of ensuring the rights of citizens to

pure water and a favorable water environment; maintaining optimal conditions for the use of water, and the quality of surface and subsurface waters in a state meeting sanitary and ecological requirements; protecting bodies of water from pollution, clogging and depletion; preventing or liquidating harmful effect of waters, and maintaining the biological diversity of water ecosystems.

The objectives of water legislation of the Russian Federation shall be implemented on the principle of stable development (balanced development of the economy and improvement of the state of the natural environment).

Article 4. Water Legislation of the Russian Federation and Norms of International Law

The generally accepted principles and norms of international law and the international treaties of the Russian Federation on the utilization and protection of bodies of water shall be a component part of the legal system of the Russian Federation.

International treaties of the Russian Federation shall be applied directly to water relations, except where it follows from an international treaty of the Russian Federation that its application requires the adoption of an internal act of state.

Where an RF international treaty establishes rules other than those provided for by the present Code, the rules of the international treaty shall apply.

Article 5. Relations Regulated by Water Legislation of the Russian Federation

Water legislation of the Russian Federation shall regulate relations in the utilization and protection of bodies of water (water relations).

Relations concerning water present in the environment and not concentrated in bodies of water shall not be a part of the subject-matter regulated by water legislation of the Russian Federation.

Relations involving utilization of water withdrawn from bodies of water shall be regulated by civil legislation of the Russian Federation, sanitary and other legislation.

Relations concerning lands, forests, subsoil and minerals, the vegetable and animal kingdoms, or the atmospheric air arising in the utilization and protection of bodies of water shall be regulated by water legislation of the Russian Federation to the extent to which this is required for the rational use and protection of bodies of water.

Relations arising in the geological study, exploration and protection of subsurface waters shall be regulated by RF legislation on the subsoil and minerals and by water legislation of the Russian Federation.

Relations concerning detached bodies of water (enclosed reservoirs) shall be regulated by water legislation of the Russian Federation to the extent to which these relations are not regulated by civil legislation of the Russian Federation or land legislation.

Property relations arising in the use and protection of bodies of water shall be regulated by civil legislation of the Russian Federation, unless the present Code provides otherwise.

Financial relations, including fiscal relations, and also other administrative relations arising in the utilization and protection of bodies of water shall be regulated by water legislation of the Russian Federation in conformity with the general provisions of RF financial and administrative legislation.

Article 6. Effect in Time of Water Legislation of the Russian Federation

Acts of water legislation of the Russian Federation shall have no retroactive effect and shall apply to relations arising after the entry thereof into force.

The effect of water legislation acts of the Russian Federation shall apply to relations arising prior to the entry thereof into force only in the cases expressly provided for by the law.

With respect to relations arising prior to the entry into force of water legislation acts of the Russian Federation, these shall be applied to the rights and duties arising after the entry thereof into force.

Chapter 2. Objects of Water Relations

Article 7. Body of Water

A body of water or part thereof shall be an object of water relations.

Surface waters and lands covered thereby and conjugated therewith (bottom and shores of body of water) shall be regarded as a single body of water.

Subsurface waters and rocks containing these shall also be regarded as a single body of water.

Article 8. Types of Bodies of Water

Depending on physical, geographic, hydro-regime and other features, bodies of water shall be classified as follows:

- surface bodies of water;
- internal sea waters;
- territorial sea of the Russian Federation;
- subsurface bodies of water.

Article 9. Surface Bodies of Water

Surface bodies of water shall be permanent or temporary concentrations of waters on the surface of dry land in the forms of its relief, having boundaries, volume, and water-regime features.

Surface bodies of water shall consist of surface waters, a bottom and shores.

Surface bodies of water shall be of multifunctional importance, and may be made available for use for one of more purposes simultaneously.

Surface bodies of water shall be divided as follows:

surface watercourses (streams) and storage reservoirs thereon;
surface reservoirs;
glaciers and snowbanks.

Article 10. Surface Watercourses (Streams)

Surface watercourses (streams) shall be surface bodies of water whose waters are in a state of continuous movement.

Surface watercourses shall include rivers and storage reservoirs thereon, brooks, and canals of inter-basin redistribution and complex utilization of water resources.

Article 11. Surface Reservoirs

Surface reservoirs shall be surface bodies of water whose waters are in a state of slowed-down water exchange.

Surface reservoirs shall include lakes, storage reservoirs, swamps and ponds.

Detached bodies of water shall be classified as immovable property and shall be a component part of the land parcel. The provisions of water legislation of the Russian

Federation shall apply to detached bodies of water to the extent to which this does not contradict civil legislation.

Article 12. Specific Rights of Owners, Holders and Users of Land Parcels Adjacent to Surface Bodies of Water

Owners, holders and users of land parcels adjacent to surface bodies of water may use the bodies of water only for their own needs to the extent to which this does not violate the rights and legitimate interests of other persons.

Owners, holders and users of land parcels adjacent to surface bodies of water must not obstruct the utilization of the bodies of water or the shores thereof to organize shipping or to meet other requirements, except in the cases provided for by legislation of the Russian Federation.

Article 13. Glaciers and Snowbanks

Glaciers shall be moving natural accretions of ice of atmospheric origin on the land surface.

Snowbanks shall be immovable natural accretions of snow and ice remaining on the land surface throughout the warm period of the year or part thereof.

The manner of utilization and protection of glaciers and snowbanks shall be determined by water legislation of the Russian Federation.

Article 14. Internal Sea Waters

Internal sea waters shall include sea waters lying in the direction of the shore from the demarcation lines taken as the starting points for the width of territorial sea of the Russian Federation.

The manner of utilization and protection of internal sea waters shall be established by the present Code and by other Federal laws.

Article 15. Territorial Sea of the Russian Federation

The RF territorial sea shall include coastal sea waters 12 nautical miles wide measured in accordance with the norms of international law and legislation of the Russian Federation.

The manner of utilization and protection of the RF territorial sea shall be established by the present Code and by other Federal laws.

Article 16. Shoreline and Coastal Strip of RF Internal Sea Waters and Territorial Sea

The shoreline of RF internal sea waters and territorial sea shall be determined by the constant level of water and, in the event of periodic change of water level, by the line of maximum ebb tide.

The coastal strip shall be the territory adjacent to RF internal sea waters and territorial sea.

The manner of establishing the limits of the coastal strip and the regime of utilization thereof shall be determined by the Government of the Russian Federation.

Article 17. Subsurface Bodies of Water

Subsurface bodies of water shall be concentrations within rocks of waters in a state of hydraulic connection, having boundaries, volume, and water-regime features.

Subsurface bodies of water shall include:

- aquifer -- waters concentrated in cracks and hollows of rocks and in a state of hydraulic connection;
- basin of subsurface waters -- an aggregation of aquifers lying underground;
- deposit of subsurface waters -- part of an aquifer within whose limits favorable conditions exist for the extraction of subsurface waters;
- natural outflow of subsurface waters -- an outflow of subsurface waters on dry land or under water.

Article 18. Internal Waters

All bodies of water in territory of the Russian Federation, except the RF territorial sea, shall be internal waters.

Article 19. Transborder (Frontier) Bodies of Water

Surface and subsurface bodies of water which mark or cross the border between two or more foreign states or along which runs the State Border of the Russian Federation shall be transborder (frontier) bodies of water.

The manner of utilization and protection of transborder (frontier) bodies of water shall be established by the present Code, by RF legislation on the State Border of the Russian Federation, and by RF international treaties.

Article 20. Bodies of Water in Public Use

Bodies of water in public use shall be bodies of water in generally accessible, open use.

On bodies of water in public use, public use of water shall be effected in the manner established by the present Code.

Restrictions in the utilization of bodies of water in public use shall be allowed, where this is directly provided for by legislation of the Russian Federation.

Bodies of water in state ownership, and also detached bodies of water in municipal ownership shall be bodies of water in public use, unless legislation of the Russian Federation provides otherwise in the interests of water protection and in ecological or other interests.

Detached bodies of water in the ownership of citizens or legal persons may be used, in the established manner, as bodies of water in public use only upon registration of the given restriction of the right of ownership to detached bodies of water in the single state register and upon payment of compensation to the owner.

Bodies of water which, in conformity with the present Code, may be used by a limited circle of persons shall be deemed bodies of water not in public use.

The strip of dry land along the shores of bodies of water in public use (bechevnik) shall be designated for public use. Every person shall be entitled (without the use of transport) to make use of the bechevnik for movement and stay by the body of water in public use, including fishing and berthing of boats. The width of the bechevnik may not exceed 20 meters.

Article 21. Bodies of Water in Special Use

Bodies of water used by a limited circle of persons shall be bodies of water in special use.

Bodies of water shall be allotted for special use in the manner established by the present Code.

The allotment of bodies of water for special use shall exclude these from the bodies of water in public use. Bechevniks and public use of water may be established on

bodies of water in special use on the conditions provided for, respectively, by Articles 20 and 88 of the present Code.

Article 22. Turnover of Bodies of Water

The turnover of bodies of water shall be effected in conformity with the requirements of the present Code.

Sale, mortgage and performance of other transactions which entail or which may entail the alienation of bodies of water shall not be permitted.

Detached bodies of water may pass from one person to another in the manner provided for by civil legislation and land legislation of the Russian Federation.

The rights of use of bodies of water may pass from one person to another only on the basis of an administrative license issued by the expressly authorized state organ of administration in the utilization and protection of the water stock.

Chapter 3. Subjects of Water Relations

Article 23. Participants in Water Relations

The Russian Federation, subjects of the Russian Federation, municipal entities and users of water shall be participants in water relations.

Participation of the Russian Federation, of subjects of the Russian Federation, municipal entities and users of water in property and administrative relations arising in the use and protection of bodies of water shall be determined by civil legislation and administrative legislation of the Russian Federation to the extent to which the aforesaid relations are not regulated by the present Code.

Article 24. The Russian Federation and Subjects of the Russian Federation as Participants in Water Relations

In the name of the Russian Federation and subjects of the Russian Federation, organs of state power of the Russian Federation and the organs of state power of subjects of the Russian Federation shall, respectively, take part in water relations within the framework of their competence, as established by acts determining the status of these organs.

Article 25. Municipal Entities as Participants in Water Relations

In the name of urban and rural settlements and of other municipal entities, the organs of local self-government shall take part in water relations within the framework of their competence, as established by acts determining the status of these organs.

Article 26. Users of Water as Participants in Water Relations

Citizens and legal persons to whom bodies of water are made available for use may be users of water.

Article 27. Citizen as User of Water

A citizen as a user of water may use bodies of water for his own needs or for effecting entrepreneurial activity.

For his own needs, the citizen as a user of water shall be entitled freely to use bodies of water, unless the present Code provides otherwise.

The citizen as a user of water shall be entitled to use bodies of water for effecting entrepreneurial activity only upon receipt of a licence for water use, unless the present Code provides otherwise.

Article 28. Legal Person as User of Water

A legal person as a user of water shall be entitled to use bodies of water only upon receipt of a license for water use, unless the present Code provides otherwise.

Article 29. User of Water Utilizing Bodies of Water to Meet Requirements of Consumers of Water

A user of water utilizing bodies of water to meet the requirements of consumers of water shall have the duty to conduct the respective activity in conformity with the license for water use and contracts for the use of the body of water.

Article 30. Legal Capacity and Legal Ability of Users of Water

The legal capacity and legal ability of users of water shall be determined by civil legislation and the present Code.

Citizens as users of water, including minors, shall be entitled freely to use bodies of water, unless legislation of the Russian Federation provides otherwise.

The right to obtain a water-use license shall arise for a citizen upon attainment of the age of majority, that is, upon attainment by the person of 18 years, and for a legal person, from the time of its state registration.

Section II. Right of Ownership and Other Rights to Bodies of Water

Chapter 4. Basic Provisions

Article 31. Content of Right of Ownership to Bodies of Water

The content of the right of ownership to bodies of water shall be determined by civil legislation and the present Code.

The concept of possession shall not be applicable to the full extent to bodies of water, since the water concentrated therein is in a state of continuous movement and exchange.

Article 32. Subject-Matter of Right of Ownership to Bodies of Water

The body of water as a whole shall be the subject-matter of the right of ownership to bodies of water.

The general rules of civil legislation on the objects of civil rights shall apply to bodies of water and to the rights of use thereof, unless the present code provides otherwise.

Article 33. Subjects of Right of Ownership to Bodies of Water

Bodies of water may be in the ownership of the Russian Federation and subjects of the Russian Federation.

A body of water may not be simultaneously in the ownership of several subjects of the right of state ownership.

Article 34. Forms of Ownership of Bodies of Water

State ownership of bodies of water shall be established in the Russian Federation.

Municipal and private ownership shall be allowed only of detached bodies of water.

Detached bodies of water may belong by right of ownership to municipal entities, citizens and legal persons, in conformity with civil legislation.

A change in the channel of a river or other change of location of a body of water shall not entail any change in the form or type of ownership of the body of water, unless other conclusions follow from the present Code.

Article 35. Right of State Ownership to Bodies of Water

All bodies of water, and also detached bodies of water (enclosed reservoirs) not in municipal ownership or in the ownership of citizens or legal persons shall be in state ownership.

Bodies of water belonging by right of ownership to the Russian Federation (Federal ownership) and bodies of water belonging by right of ownership to subjects of the Russian Federation (ownership of RF subjects) shall be in state ownership.

In the name of the Russian Federation and subjects of the Russian Federation, the rights of owner shall be exercised by the organs of state power, as specified in Article 24 of the present Code.

Bodies of water in state ownership shall not be subject to transfer into the ownership of municipal entities, citizens or legal persons.

Article 36. Federal Ownership in Bodies of Water

The following shall be in the ownership of the Russian Federation (in Federal ownership):

- surface bodies of water, whose water surfaces and basins are located in the territories of two of more subjects of the Russian Federation;
- subsurface bodies of water located in the territories of two or more subjects of the Russian Federation;
- bodies of water located in the territory of one RF subject, but necessary to ensure the requirements of defence, security, Federal energy systems, Federal transport, and other state requirements whose implementation is referred to the powers of the Russian Federation;
- bodies of water which are the life environment of anadromous and catadromous species of fish;
- transborder (frontier) bodies of water;
- internal sea waters;
- territorial sea of the Russian Federation;
- bodies of water which are expressly protected natural territories of Federal importance or a part thereof;
- bodies of water which are a part of the territory of health resorts or medical-and-health-improvement localities of Federal importance;
- other expressly protected bodies of water of Federal importance.

Bodies of water shall be declared in Federal ownership by the Government of the Russian Federation, in agreement with the organs of executive power of the respective

subjects of the Russian Federation.

Administration of Federal ownership in bodies of water shall be effected by the Government of the Russian Federation. In conformity with the Constitution of the Russian Federation and the present Code, the Government of the Russian Federation may transfer part of the powers in the administration of Federal ownership in bodies of water to the respective Federal organs of executive power and organs of executive power of subjects of the Russian Federation.

Article 37. Ownership of Subjects of the Russian Federation

In the ownership of subjects of the Russian Federation may be bodies of water whose water surfaces and basins are located entirely within the limits of the territory of the respective RF subject and are not referred to Federal ownership.

Bodies of water shall be declared in the ownership of subjects of the Russian Federation by the organs of executive power of subjects of the Russian Federation, in agreement with the respective Federal organs of executive power.

Administration of the ownership of subjects of the Russian Federation shall be effected by the organs of executive power of subjects of the Russian Federation. In conformity with the Constitution of the Russian Federation and the present Code, the organs of executive power of subjects of the Russian Federation may transfer part of the powers in the administration of the aforesaid ownership in bodies of water to the respective Federal organs of executive power.

Article 38. Matters of Possession, Use and Disposal of Bodies of Water in State Ownership

Matters of possession, use and disposal of bodies of water in state ownership shall be referred to the joint competence of the Russian Federation and subjects of the Russian Federation.

Matters of possession, use and disposal of bodies of water, in conformity with the Constitution of the Russian Federation and the present Code, shall be regulated by water legislation of the Russian Federation.

Article 39. Right of Municipal Ownership to Detached Bodies of Water

Detached bodies of water belonging by right of ownership to urban and rural settlements, and also to other municipal entities, shall be in municipal ownership.

Detached bodies of water designated for municipal requirements shall be in municipal ownership.

In the name of municipal entities, the rights of owner shall be exercised by the respective organs of local self-government.

Article 40. Right of Ownership of Citizens and Legal Persons to Detached Bodies of Water

In the ownership of citizens and legal person may be held detached bodies of water (enclosed reservoirs) -- small in area and non-drainage artificial reservoirs without hydraulic connections with other surface bodies of water.

The maximum size of detached bodies of water shall be determined by land legislation of the Russian Federation.

Article 41. Rights to Bodies of Water of Persons Who Are Not Owners of Bodies of Water

Persons who are not owners of bodies of water may have the following rights to bodies of water:

- right of long-term use;
- right of short-term use;
- right of limited use (water easement).

Users of water shall effect the possession and use of bodies of water on the conditions and within the limits established by the present Code.

Users of water may have disposal of the rights to use bodies of water in the cases provided for by the present Code.

Lease of bodies of water shall be established by the Federal law on lease of bodies of water, in conformity with the present Code.

Alteration of river course or other change of location of a body of water shall not entail any changes or terminate the rights of use thereof, unless other conclusions follow from the substance of legal relations and the present Code.

Article 42. Right of Long-Term and Short-Term Use of Bodies of Water

Bodies of water in state ownership shall be made available to citizens and legal persons for long-term and short-term use, depending on the purposes of use, the resource potential, and the ecological state of the bodies of water.

The right of short-term use of a body of water shall be established for a period of up to three years, and the right of long-term use, for a period of 3 to 25 years.

The right of use of a body of water may be prolonged on the initiative of the user of water, in the established manner.

Article 43. Right of Limited Use of Body of Water (Water Easement)

The right of limited use of a body of water shall assume the forms of public and private water easements.

Everyone may use bodies of water in public use and other bodies of water, unless legislation of the Russian Federation provides otherwise (public water easement).

In virtue of a contract, the right of persons to whom bodies of water are made available for long-term or short-term use may be limited in favor of other interested persons (private water easement). Private water easements may also be established on the basis of judicial decision.

The general provisions on easements and servitudes, as laid down by civil legislation, shall be applied to water easements to the extent to which this does not contradict the requirements of the present Code.

Article 44. Types of Water Easements

Public and private water easements may be established for the following purposes:

- intake of water without the use of structures, technical facilities or devices;
- watering and drive-through of cattle;
- use of bodies of water as waterways for ferries, boats and other small-size water craft.

Other water easements may be established by water legislation of the Russian Federation in addition to the water easements provided for by the present Article.

No water-use license shall be required for effecting water easements.

Article 45. Rights to Detached Bodies of Water

The rights to detached bodies of water shall be determined by civil legislation of the Russian Federation, RF land legislation, and the present Code.

Chapter 5. Acquisition and Termination of Rights to Use Bodies of Water

Article 46. Grounds for Acquisition of Rights to Use Bodies of Water

The rights to use bodies of water shall be acquired on the basis of a water-use license and under a contract for the use of the body of water concluded in conformity therewith.

The rights to use bodies of water at establishment of special use shall be acquired on the basis of a decision by the Government of the Russian Federation or organs of executive power of subjects of the Russian Federation, a water-use license, and a contract for the use of the body of water concluded in conformity therewith.

In the event of the death of a citizen acting as user of water or of the reorganization of a legal person acting as user of water, the rights belonging to them in the use of the body of water shall pass by way of succession.

An administrative license shall be the ground for acquisition of the right to use a body of water at its passage from one person to another, in the cases provided for by the present Code.

Water easements shall be established by water legislation of the Russian Federation or by contract.

The rights to detached bodies of water shall be acquired in the manner provided for by civil legislation of the Russian Federation, RF land legislation, and the present Code.

The right to use bodies of water, with the exception of public water easements, shall arise from the time of state registration of the contract for the use of the body of water.

Article 47. Passage of Rights to Use Bodies of Water

The rights to use bodies of water may pass from one person to another only in the cases where the aforesaid persons effect water use for their own requirements, and where no change occurs at the passage of the aforesaid rights in the purposes for which the bodies of water are utilized.

Article 48. Water-Use License

A license for use of water shall be an act of the expressly authorized state organ of administration in the utilization and protection of the water stock which, in conformity with the present Code, is declared to be one of the grounds for origination of the right to use bodies of water.

In effecting licensing in the utilization and protection of bodies of water, account must be taken of the availability of water resources, requirements therein of consumers of water, and the state of the bodies of water.

A water-use license may be issued simultaneously for attainment of several objectives in the utilization of bodies of water.

Article 49. Content of Water-Use License

A water-use license, depending on the ways and objectives of utilization of a body of water, must contain the following:

- information on the body of water;
- information on the user of water;
- information on the consumers of water;
- a statement of the ways and objectives of utilization of the body of water;
- an indication of the spatial limits (coordinates) of the body of water or part thereof made available for use, and, whenever necessary, the places of intake (drainage) of water;
- information on the limits of water use;
- information on the obligations of the user of water with respect to the consumers of water;
- the period of license validity;
- the requirements in the rational utilization and protection of bodies of water and the environment.

Article 50. Rules for Issue, Processing and Registration of Water-Use License and Administrative License

The issue, processing and registration of a water-use license and an administrative license shall be effected by the expressly authorized state organ of administration in the utilization and protection of the water stock, in conformity with the rules established by water legislation of the Russian Federation.

The license shall take effect only upon the registration thereof.

Article 51. Amendments to Water-Use License

Amendments to a water-use license shall be made by the state organ which issued the water-use license, in the event of a change in the conditions of water use and the state of the body of water, on the water user's initiative, and also in the event of the death of the citizen acting as user of water, reorganization of the legal person acting as user of water, or transfer of the right to use the body of water from one person to another under an administrative license.

The water-use license, upon the entry of amendments therein, shall be subject to registration in the established manner.

Entry of amendments to a water-use license shall be the ground for effecting corresponding amendments in the contract for the use of the body of water.

Article 52. Administrative License

An administrative license shall be an act of the expressly authorized state organ of administration in the utilization and protection of the water stock on the basis of which the passage of rights to the use of bodies of water from one person to another is effected.

An administrative license shall be issued by the expressly authorized state organ of administration in the utilization and protection of the water stock to a user of water, upon his effecting measures helping to improve the state of the bodies of water (fortification of shores, purification of waters, reproduction of water bioresources, and the like).

Denial of issue of an administrative license shall not be permitted, where this does not contradict legislation of the Russian Federation, does not damage the natural environment, and does not infringe the rights and legitimate interests of citizens.

Article 53. Cancellation of Water-Use License and Administrative License

A water-use license and an administrative license may be cancelled prior to the expiration of the period of their validity, by decision of the expressly authorized state organ of administration in the utilization and protection of the water stock, on grounds of termination of the right to use a body of water provided for by the present Code.

Cancellation of a water-use license shall be the ground for rescission of the contract for the use of a body of water concluded in conformity therewith.

Cancellation of an administrative license shall terminate the transfer of the right to use a body of water to another citizen or to a legal person.

Cancellation of an administrative license shall be the ground for cancellation of the water-use license issued in conformity therewith and for rescission of the respective contract for the use of a body of water.

Article 54. Contract for Use of Body of Water

An agreement between the organ of executive power of a subject of the Russian Federation and a user of water on the rules for the utilization and protection of a body of water or part thereof shall be a contract for the use of the body of water.

In exercising the right to use a body of water located in the territory of several RF subjects, a contract for the use of the body of water shall be concluded with all the organs of executive power of the respective RF subjects or, with their consent, with one of these organs.

The provisions of civil legislation on transactions, contracts and lease shall be applied to contracts for the use of bodies of water, unless the present Code provides otherwise.

Article 55. Types of Contracts for Use of Bodies of Water

A contract for the use of a body of water may be concluded in the following forms:

- contract for the long-term use of a body of water;
- contract for the short-term use of a body of water;
- contract instituting a private water easement.

The organ of executive power of an RF subject shall conclude with the user of water a contract for the long-term use of a body of water or a contract for the short-term use of a body of water on the basis of a water-use license.

A contract instituting a private water easement shall be concluded by the user of water with the person in whose favor the right of use of the body of water is limited.

A contract for the use of a body of water shall be deemed concluded upon its registration by the expressly authorized state organ of administration in the utilization and protection of the water stock.

A contract for the use of a body of water not conforming with the requirements of the present Code shall be deemed invalid.

Article 56. Coordination of Conditions of Water-Use License and Contract for Use of Body of Water

The expressly authorized state organ of administration in the utilization and protection of the water stock and organs of executive power of subjects of the Russian Federation, in the processing of a water-use license and conclusion of a contract for the use of a body of water must coordinate their conditions with each other and other interested organs of executive power.

The organs of executive power with which are agreed the conditions of a water-use license and a contract for the use of a body of water shall be determined by water legislation of the Russian Federation.

A contract for the use of a body of water must be concluded in conformity with the water-use license. In the event of any contradiction between the contract for the use of a body of water and the conditions of the water-use license, the aforesaid contract shall be deemed invalid.

Article 57. Obligatory (Essential) Conditions of Contract for Use of Body of Water

In a contract for the use of a body of water, irrespective of the purpose for which the body of water is used, obligatory statement must be made of the following:

- conditions provided for in the water-use license;
- conditions determining the rules for prolongation or termination before the due date of the right to use the body of water;
- conditions establishing the size and rules of entry of payments arising from the use of the body of water;
- conditions specifying the liability of the parties for nonfulfillment of the requirements of the concluded contract.

Article 58. Obligatory Conclusion of Contract for Use of Body of Water

Upon the issue to a citizen or a legal person of a water-use license, conclusion of a contract for the use of the body of water shall be obligatory.

Article 59. State Registration of Contracts for Use of Bodies of Water

State registration of contracts for the use of bodies of water shall be effected in the state register of contracts which is kept by the expressly authorized state organ of administration in the utilization and protection of the water stock, in the manner established by the Government of the Russian Federation.

The state register of contracts must correspond to the data of the state water cadastre, and also to the state registration of water-use licenses and administrative licenses.

Denial of registration of a contract for the use of a body of water shall be permitted only in the cases of its discrepancy with the water-use license, administrative license, or other requirements of the present Code.

The expressly authorized state organ of administration in the utilization and protection of the water stock shall have the duty to provide information on the state registration of contracts for the use of bodies of water, in the manner established by water legislation of the Russian Federation.

Article 60. Termination of Rights to Use Bodies of Water

The rights to use bodies of water shall be terminated in the following cases:

- abandonment of use of bodies of water by user of water;
- expiration of the period for which bodies of water are made available for use;
- death of a citizen acting as user of water;
- termination of the activity of a legal person acting as user of water;
- termination of special use of bodies of water;
- natural or artificial disappearance of bodies of water;
- passage of the rights to use bodies of water in the manner provided for by water legislation of the Russian Federation.

Enforced termination of the rights to use bodies of water shall be permitted only in the following cases:

- non-use of bodies of water for three years;
- non-use for one year of bodies of water intended for water supply in the presence of limited water resources;
- utilization of bodies of water for purposes other than those specified;
- origination of the need to utilize bodies of water for state or municipal requirements;
- non-compliance by the user of water with the conditions and requirements stated in the water-use license and the contract for the use of a body of water; - prohibition to use bodies of water.

Article 61. Rules for Termination of Rights to Use Bodies of Water

The rights to use bodies of water shall be terminated through the cancellation of the water-use license by the expressly authorized state organ of administration in the utilization and protection of the water stock.

In the event of enforced termination of the rights to use bodies of water, the water-use license shall be cancelled after a warning served on the user of water concerning any committed breaches of water legislation of the Russian Federation and nonremoval thereof in the established time period.

Cancellation of a water-use license shall be the ground for rescission of the contract for the use of a body of water. The contract shall be deemed rescinded from the time of notification of the parties concluding it on the cancellation of the water-use license.

Termination of the rights to use bodies of water may be effected through rescission of the contract for the use of the body of water, in conformity with the present Code.

Rescission of a contract for the use of body of water shall be the ground for consideration of the matter of cancellation of a water-management license.

Termination of the rights to use bodies of water made available for special use shall be effected on the basis of a decision by the Government of the Russian Federation or by an organ of executive power of an RF subject. the decision of the Government of the Russian Federation or of the organ of executive power of subject of the Russian Federation on termination of the special use of a body of water shall be the ground for cancellation of the water-use license and rescission of the contract for the use of the body of water.

Chapter 6. Exercise and Protection of Rights to Use Bodies of Water

Article 62. Exercise of Right to Use Bodies of Water

Users of water shall exercise, at their own discretion, their right to use a body of water.

Acts by users of water effected in breach of the rights and legitimate interests of other persons or inflicting damage on the state of bodies of water shall be prohibited.

Interference on the part of organs of executive power in the activity of users of water involving the use of bodies of water shall be prohibited, except in the cases specified in the present Code and in other Federal laws.

Article 63. Restriction of Rights to Use Bodies of Water

The rights to use bodies of water may be restricted in the cases specified by the present Code and by other Federal laws, to the extent to which this is necessary for protection of the fundamentals of the constitutional system, maintenance of the defence of the country and the security of the state, protection of public health, of the natural environment, of the historical and cultural heritage, and of the rights and legitimate interests of other persons.

Article 64. Judicial Protection of Rights to Use Bodies of Water

Protection of violated or contested rights to the use of bodies of water shall be effected by court of law, arbitration court or court of mediation, according to their competence in cases, as established by procedural legislation of the Russian Federation.

Section III. State Administration in Utilization and Protection of Bodies of Water

Chapter 7. Principles of State Administration in Utilization and Protection of Bodies of Water

Article 65. The Powers of the Russian Federation in Utilization and Protection of Bodies of Water

The powers of the Russian Federation in the utilization and protection of bodies of water shall include:

- formulation of state policy in the utilization and protection of bodies of water;
- possession, use and disposal of bodies of water referred to Federal ownership, and administration of the water stock;
- drafting and adoption of Federal laws and other normative legal enactments of the Russian Federation, and control of compliance therewith;
- conduct of a single investment policy in the utilization and protection of bodies of water;
- drafting, confirmation and implementation of Federal state programs in the utilization, restoration and protection of bodies of water, and also of Federal state programs for the prevention and liquidation of the consequences of the harmful effect of waters;
- drafting, coordination, state expert examination, confirmation and implementation of Federal, including basin, schemes for complex utilization and protection of water resources;

- conduct of a single scientific and technical policy, working out and confirmation of a single basic set of normative methods, organization and financing of fundamental and applied scientific research in the utilization and protection of bodies of water;
- establishment of the rules for the conduct and the conduct of state monitoring of bodies of water and of the state water cadastre, and also of the rules for the keeping and the keeping of state records of surface and subsurface waters;
- establishment of the rules for the utilization of bodies of water;
- establishment of the rules for the issue, processing and registration, and the issue of water-use licenses and administrative licenses;
- establishment of the rules for the institution of water-protection zones, coastal protective strips on bodies of water, and the regime of utilization of the territories thereof;
- determination of the principles of economic regulation in the utilization, restoration and protection of bodies of water, the rules for the establishment and collection of charges arising from the use of bodies of water, and also the establishment of the maximum amounts thereof;
- establishment of limits in the use of water (consumption and diversion of water) for subjects of the Russian Federation on bodies of water referred to Federal ownership;
- redistribution of water resources of bodies of water in Federal ownership;
- establishment of regimes of special releases, fill-up and drawdown of reservoirs, and also of passage of floods in bodies of water in Federal ownership;
- coordination of the activity of the organs of executive power of subjects of the Russian Federation in the utilization and protection of bodies of water;
- formation of an expressly authorized state organ of administration in the utilization and protection of the water stock;
- establishment of the rules for organizing and exercising state control in the utilization and protection of bodies of water;
- determination of the regime for expressly protected bodies of water in Federal ownership, including sources of drinking-water supply, their zones and areas of sanitary protection;
- conclusion and implementation of RF international treaties in the utilization and protection of bodies of water;
- preparation and implementation of anti-flood measures, prevention and liquidation of the consequences of the harmful effect of waters;
- reservation of sources of supply of drinking water in Federal ownership;
- preparation, conclusion and implementation of basin agreements on the restoration and protection of bodies of water;
- conduct of state expert examination of pre-design and design documentation in the construction and reconstruction of economic and other facilities having an effect on the state of bodies of water;
- protection of the age-old habitat and traditional way of life of numerically small ethnic entities in the utilization of bodies of water;
- declaration of bodies of water or parts thereof as zones in a state of ecological emergency and ecological disaster.

Article 66. Powers of Subjects of the Russian Federation in Utilization and Protection of Bodies of Water

The powers of subjects of the Russian Federation in the utilization and protection of bodies of water shall include:

- possession, use, disposal and administration of bodies of water in the ownership of subjects of the Russian Federation;

- drafting and adoption of laws and other normative legal enactments regulating water relations within the boundaries of the territory of a subject of the Russian Federation;
- participation in the development, coordination, state expert examination and implementation of schemes for the complex utilization and protection of water resources in the territory of a subject of the Russian Federation;
- drafting, confirmation and implementation of territorial state programs in the use, restoration and protection of bodies of water;
- exercise of state control in the utilization and protection of bodies of water;
- establishment of limits in the use of water (consumption and diversion of water) for citizens and legal persons within the limits established for RF subjects on bodies of water in Federal ownership, and establishment of limits in the use of water (consumption and diversion of water) on bodies of water in the ownership of a subject of the Russian Federation;
- conduct of state expert examination of pre-design and design documentation in the construction and reconstruction of economic and other facilities having an effect on the state of bodies of water in the territory of a subject of the Russian Federation;
- establishments of regimes of fill-up and drawdown of reservoirs, passage of floods in bodies of water in the ownership of subjects of the Russian Federation;
- establishment of differentiated amounts of charges arising from the use of bodies of water;
- restriction, suspension and prohibition of the utilization of bodies of water in the ownership of subjects of the Russian Federation;
- reservation of sources of drinking-water supply in the ownership of subjects of the Russian Federation;
- permission, in exceptional cases, of utilization of bodies of water containing natural medicinal resources for drinking-water supply and for other purposes;
- confirmation of rules for the use of bodies of water for sailing small-size water craft;
- confirmation of rules for the protection of human life on water;
- prohibition of startup, and also restriction, suspension and prohibition of operation of economic and other facilities having an effect on bodies of water in the ownership of a subject of the Russian Federation;
- establishment of a regime for the utilization of detached bodies of water not in state ownership, in emergency situations;
- participation in the drafting and implementation of Federal state, including basin, programs for the utilization, restoration and protection of bodies of water, and also of Federal state programs for the prevention and liquidation of the consequences of the harmful effect of waters;
- participation in the working out of schemes for the complex utilization and protection of water resources;
- preparation and implementation of anti-flood measures, prevention and liquidation of the consequences of the harmful effect of waters in the territory of a subject of the Russian Federation;
- participation in the drafting, conclusion and implementation of basin agreements on the restoration and protection of bodies of water in Federal ownership;
- protection of the age-old habitat and traditional way of life of numerically small ethnic entities in the utilization of bodies of water;
- establishment of water-protection zones and coastal protective strips on bodies of water;
- determination of the regime for expressly protected bodies of water in the ownership of a subject of the Russian Federation, including sources of drinking-water supply, their zones and areas of sanitary protection;
- declaration of bodies of water or parts thereof located in the territory of a subject of the Russian Federation as zones in a state of ecological emergency and ecological disaster;
- other powers in the utilization and protection of bodies of water not referred to the powers of the Russian Federation.

Article 67. Demarcation of Powers Between Organs of State Power of the Russian Federation and Organs of State Power of Subjects of the Russian Federation in Utilization and Protection of Bodies of Water

The demarcation of powers between organs of state power of the Russian Federation and the organs of state power of subjects of the Russian Federation in the utilization and protection of bodies of water shall be determined by the present Code and, as the need arises, by contracts concluded in conformity therewith on the demarcation of objects of competence and powers between organs of state power of the and organs of state power of subjects of the Russian Federation.

Article 68. Powers of Organs of Local Self-Government in the Utilization and Protection of Bodies of Water

Certain state powers in the utilization and protection of bodies of water, and the material and financial resources required for the exercise of the aforesaid powers may be transferred to the organs of local self-government, in conformity with legislation of the Russian Federation. The exercise of transferred powers shall be under the control of the state.

Article 69. Basic Principles of State Administration in Utilization and Protection of Bodies of Water

State administration in the utilization and protection of bodies of water shall be based on the following principles:

- steady development (balanced development of the economy and improvement of the state of the natural environment);
- combination of rational use and protection of the entire basin of a body of water and part thereof within the boundaries of territories of individual RF subjects (combination of basin and territorial-administration principles);
- demarcation of the functions of administration in the utilization and protection of bodies of water, and of the functions of their utilization for economic purposes.

Chapter 8. System of Organs of Executive Power of the Russian Federation in Utilization and Protection of Bodies of Water

Article 70. Organs of Executive Power Effecting State Administration in Utilization and Protection of Bodies of Water

Federal organs of executive power and organs of executive power of subjects of the Russian Federation, effecting state administration in the utilization and protection of bodies of water, shall constitute a single system of organs of executive power in the Russian Federation ensuring implementation of state policy in the utilization and protection of bodies of water.

The system of organs of executive power of RF subjects, effecting state administration in the utilization and protection of bodies of water shall be established by RF subjects, in conformity with the fundamentals of the constitutional system of the Russian Federation, the general principles of organization of executive organs of state power, and the present Code.

Article 71. Federal Organs of Executive Power in Utilization and Protection of Bodies of Water

State administration in the utilization and protection of bodies of water shall be effected by the Government of the Russian Federation and by the expressly authorized state organ of administration in the utilization and protection of the water stock.

Article 72. Organs of Executive Power of Subjects of the Russian Federation in Utilization and Protection of Bodies of Water

State administration in the utilization and protection of bodies of water in the territory of subjects of the Russian Federation shall be effected by the organs of executive power of the republics, territories, regions, cities of Federal importance, and autonomous areas.

Article 73. Expressly Authorized State Organ of Administration in Utilization and Protection of Water Stock

The expressly authorized state organ of administration in the utilization and protection of the water stock shall ensure the rational utilization, restoration and protection of bodies of water in the interests of the Russian Federation and of subjects of the Russian Federation.

The expressly authorized state organ of administration in the utilization and protection of the water stock shall exercise the powers vested in it directly or through its territorial agencies. The territorial agencies shall include basin agencies effecting state administration in the utilization and protection of bodies of water within the limits of the basin of a body of water, and organs of administration effecting state administration in the utilization and protection of bodies of water in the territory of the respective RF subject.

A statute of the expressly authorized state organ of administration in the utilization and protection of the water stock shall be confirmed by the Government of the Russian Federation.

Article 74. Basic Functions of Expressly Authorized State Organ of Administration in Utilization and Protection of Water Stock

The expressly authorized state organ of administration in the utilization and protection of the water stock shall have the following main functions:

- planning of the rational utilization of bodies of water, including establishment of limits in the use of water (consumption and diversion of water);
- state monitoring of bodies of water and conduct of the state water cadastre, and keeping of state records of surface and subsurface waters;
- state expert examination of pre-design and design documentation for the construction and reconstruction of economic and other facilities having an effect on the state of bodies of water;
- state control of the utilization and protection of bodies of water and compliance with the regime of utilization of the territories of their water-protection zones;
- licensing in the utilization and protection of bodies of water;
- drafting, conclusion and implementation of basin agreements on the restoration and protection of bodies of water;
- exercise of other functions aimed at the rational utilization, restoration and protection of bodies of water.

Chapter 9. Spheres of State Administration in Utilization and Protection of Bodies of Water

Article 75. Water-Management Budgets

Water-management budgets shall consist of estimates and calculations comparing the requirement in water with the water resources available in the given territory.

Water-management budgets shall be designed for assessment of the availability and extent of utilization of water resources for the basins of bodies of water and the respective territories of RF subjects, and shall be used for planning and adoption of decisions in matters of utilization and protection of bodies of water.

Water-management budgets shall be drafted by the expressly authorized state organ of administration in the utilization and protection of the water stock.

Article 76. Schemes for Complex Utilization and Protection of Water Resources

Schemes for the complex utilization and protection of water resources shall contain systematized materials in the exploration and design projection of the state of water resources and of the utilization and protection of bodies of water in the future.

Schemes for the complex utilization and protection of water resources shall be worked out with the object of determining the water-management and other measures for the satisfaction of the society's long-term requirements in water resources, for ensuring the rational utilization and protection of bodies of water, and also for prevention and liquidation of the harmful effect of waters. Elaboration of schemes for the complex utilization and protection of water resources shall be effected by the expressly authorized state organ of administration in the utilization and protection of the water stock.

The rules for the elaboration, coordination, state expert examination, confirmation and implementation of schemes for the complex utilization and protection of water resources shall be established by the Government of the Russian Federation.

Article 77. State Programs for Utilization, Restoration and Protection of Bodies of Water

Federal state, including basin, and territorial state programs shall be worked out for planning and effecting the rational utilization, restoration and protection of bodies of water, on the basis of water-management budgets, schemes for the complex utilization and protection of water resources, and data of the state water cadastre.

Federal state programs for the utilization, restoration and protection of bodies of water shall be worked out and implemented by the expressly authorized state organ of administration in the utilization and protection of the water stock, with the participation of organs of executive power of RF subjects, with due account of proposals of expressly authorized state organs in the protection of the environment, other state organs of administration in the utilization and protection of natural resources, and public associations, in the manner established by legislation of the Russian Federation.

Territorial state programs for the utilization, restoration and protection of bodies of water shall be worked out and confirmed by the organs of state power of RF subjects.

Financing of state programs for the utilization, restoration and protection of bodies of water shall be effected in conformity with legislation of the Russian Federation.

Article 78. State Monitoring of Bodies of Water

State monitoring of bodies of water shall be a system of regular observations of the hydrological or hydrogeological and hydrogeochemical indicators of the state thereof, ensuring the collection, transmission and processing of obtained information with the aim of bringing out in due time any negative processes, forecasting the development thereof, preventing harmful consequences, and determining the state of effectiveness of ongoing water-protection measures.

State monitoring of bodies of water shall be a component part of the system of state monitoring of the natural environment.

State monitoring of bodies of water shall be carried on by the expressly authorized state organ of administration in the utilization and protection of the water stock, together with expressly authorized state organs in the protection of the natural environment, with the state organ of administration in hydrometeorology and monitoring of the environment (for surface bodies of water) and the state organ of administration in the utilization and protection of the subsoil (for subsurface bodies of water).

The rules for conducting state monitoring of bodies of water shall be established by the Government of the Russian Federation.

Article 79. State Records of Surface and Subsurface Waters and State Water Cadastre

State records of surface and subsurface waters shall be a systematic assessment and fixation, in the established manner, of the quantity and quality of water resources available in a given territory.

State records of surface and subsurface waters shall be kept with the aim of ensuring current and long-term planning of the rational utilization of bodies of water, and restoration and protection thereof. The state records data on surface and subsurface waters shall characterize the state of surface and subsurface bodies of water in qualitative and quantitative terms, and the extent of the study and utilization thereof. State records of surface and subsurface waters shall be effected in the Russian Federation under a single system and shall be based on the records data on the use of surface and subsurface waters supplied by users of water and by state monitoring of bodies of water.

The state water cadastre shall be a code of data on bodies of water, on their water resources, on the utilization of bodies of water, and on users of water. The state water cadastre shall be kept in the Russian Federation under a single system and shall be based on data of the state water records.

Submission by users of water to the expressly authorized state organ of administration in the utilization and protection of the water stock of data subject to inclusion in the state water cadastre shall be obligatory.

Data of the state water cadastre shall be the basis for the adoption of decisions in effecting state administration in the utilization and protection of bodies of water, and must be submitted in the manner established by legislation of the Russian Federation.

State records of surface and subsurface waters and the keeping of the state water cadastre shall be effected by the expressly authorized state organ of administration in the utilization and protection of the water stock, with the participation of the state organ of administration in hydrometeorology and monitoring of the environment (for surface bodies of water) and the state organ of administration in the utilization and protection of the subsoil (for subsurface bodies of water).

The rules for keeping state records of surface and subsurface waters shall be established by the Government of the Russian Federation.

The rules for keeping the state water cadastre shall be determined by water legislation of the Russian Federation.

The expressly authorized state organ of administration in the utilization and protection of the water stock shall have the duty to ensure access to information contained in the state water cadastre, in the manner established by water legislation of the Russian Federation.

Article 80. State Expert Examination of Pre-Design and Design Documentation for Construction and Reconstruction of Economic and Other Facilities Having Effect on State of Bodies of Water

State expert examination of pre-design and design documentation for the construction and reconstruction of economic and other facilities having an effect on the state of bodies of water shall mean verification of the conformity thereof with the initial data, technical conditions and requirements of normative documentation in design and construction.

State expert examination of pre-design and design documentation for the construction and reconstruction of economic and other facilities having an effect on the state of bodies of water shall be effected by the expressly authorized state organ of administration in the utilization and protection of the water stock.

The procedure in conducting the aforesaid state expert examination shall be regulated by legislation of the Russian Federation.

State ecological expert examination shall be conducted in conformity with legislation of the Russian Federation on protection of the natural environment.

Article 81. State Control of Utilization and Protection of Bodies of Water

State control of the utilization and protection of bodies of water shall be designed to ensure compliance with the following:

- the rules of utilization and protection of bodies of water;
- the limits of use of water (consumption and diversion of water);
- the standards, norms and rules in the utilization and protection of bodies of water;
- the procedure for utilization of territories of water-protection zones;
- the requirements of water legislation of the Russian Federation.

State control of the utilization and protection of bodies of water shall be effected by state organs of executive power of RF subjects, by the expressly authorized state organ of administration in the utilization and protection of the water stock, by expressly authorized state organs in the protection of the natural environment, and by other organs of executive power, within the limits of their competence.

The rules for effecting state control of the utilization and protection of bodies of water shall be determined by the Government of the Russian Federation.

Article 82. Setting of Standards in Utilization and Protection of Bodies of Water

Setting of standards in the utilization and protection of bodies of water shall consist of the following:

- establishment of limits in use of water (consumption and diversion of water);
- elaboration and adoption of standards, norms and rules in the utilization and protection of bodies of water.

Article 83. Licensing in Utilization and Protection of Bodies of Water

Licensing in the utilization and protection of surface bodies of water shall be effected by the expressly authorized state organ of administration in the utilization and protection of the water stock, by agreements with expressly authorized state organs in the protection of the natural environment.

Licensing in the utilization and protection of subsurface bodies of water shall be effected by the expressly authorized state organ of administration in the utilization and protection of the water stock, together with the state organ of administration in the utilization and protection of the subsoil.

A license for the use of surface bodies of water shall be issued by the expressly authorized state organ of administration in the utilization and protection of the water stock, and a license for the use of subsurface bodies of water shall be issued jointly with the state organ of administration in the utilization and protection of the subsoil.

The issue, processing and registration of water-use licenses shall be effected by the expressly authorized state organ of administration in the utilization and protection of the water stock.

Licenses for the use of transborder (frontier) bodies of water shall be issued by the expressly authorized state organ of administration in the utilization and protection of the water stock, with the permission of the Frontier Troops of the Russian Federation.

The rules of licensing in the utilization and protection of bodies of water shall be determined by water legislation of the Russian Federation.

Article 84. State Regulation of Water-Management Activity

State regulation of water-management activity shall be effected by the expressly authorized state organ of administration in the utilization and protection of the water stock. In effecting water-management activity, transfer shall be allowed of water-management units into the economic management or operative management of state unitary enterprises, in the manner established by legislation of the Russian Federation.

The formation, reorganization and liquidation of the aforesaid state unitary enterprises shall be effected in conformity with civil legislation.

Section IV. Utilization and Protection of Bodies of Water

Chapter 19. Utilization of Bodies of Water

Article 85. Purposes and Ways of Utilization of Bodies of Water Bodies of water may be utilized for the following purposes:

- drinking, everyday and household water supply;
- public health care;
- power and other industries;
- agriculture;
- forestry;
- hydropower industry;
- recreation;
- transport;
- construction;

- fire safety;
- fishing industry;
- hunting industry;
- hunting industry;
- timber rafting;
- extraction of minerals, peat and sapropel;
- other purposes.

Utilization of bodies of water may be effected with the withdrawal of water resources (intake of water) or without withdrawal of water resources (drainage, utilization as waterways, and the like).

Bodies of water or part thereof may be made available for use to satisfy one or more purposes, to one or more users of water.

The specific ways of utilization of bodies of water for certain purposes shall be determined by Federal laws, in conformity with water legislation of the Russian Federation.

Article 86. General and Special Use of Water

Utilization of bodies of water without the application of structures, technical facilities or devices (general water use) may be effected by citizens and legal persons without obtaining a water-use license.

General water use may be effected both on bodies of water in public use and on bodies of water not in public use, in the manner provided for by the present Code.

Utilization of bodies of water with the application of structures, technical facilities and devices (special water use) shall be effected by citizens and legal persons only under a water-use license, with the exception of cases of utilization of bodies of water for sailing small-size water craft and for one-off landings (take-offs) of aircraft.

The types of special water use shall be determined in a schedule confirmed by the expressly authorized state organ of administration in the utilization and protection of the water stock.

Article 87. Special Use of Bodies of Water

In order to meet the requirements of defence, of Federal energy systems, and of Federal transport, and also for other state and municipal requirements, bodies of water in Federal ownership may be made available for special use by decision of the Government of the Russian Federation.

For state and municipal requirements, bodies of water in the ownership of RF subjects may be made available for special use by decision of the organs of executive power of RF subjects.

Decisions to make available bodies of water for special use shall state the purpose and the main conditions for the utilization of bodies of water.

The rules for making available bodies of water for special use shall be established by the Government of the Russian Federation.

Article 88. Rules for Effecting General Water Use

General water use shall be effected in conformity with the rules for the protection of human life on bodies of water, and also by the conditions established by the organs of executive power of RF subjects, in coordination with the expressly authorized state organ of administration in the utilization and protection of the water stock, expressly authorized state organs in the protection of the natural environment, the state organ of sanitary and epidemiological supervision, and other state organs of administration in the utilization and protection of natural resources, within the limits of their competence.

The organs of local self-government shall designate the places where the intake of water is prohibited for drinking, everyday and household supply, bathing, sailing small-size water craft, and watering of cattle, and shall also determine the other conditions of general water use on bodies of water located in the territories of urban and rural settlements, and other municipal entities.

The population shall be notified through the mass media, by means of special information notices, and in other ways on the prohibition of bathing and other similar conditions in effecting general water use.

On bodies of water made available for special use, general water use shall be permitted on the conditions established by the user of water, by agreement with the expressly authorized state organ of administration in the utilization and protection of the water stock, and, as the need arises, may be prohibited by the user of water.

The user of water shall have the duty to announce the conditions of general water use or the prohibition thereof on the body of water made available to him for special use.

General water use on detached bodies of water in municipal ownership shall be permitted on the conditions established by the respective organs of local self-government, by agreement with the expressly authorized state organ of administration in the utilization and protection of the water stock. The organ of local self-government shall have the duty to announce, in the established manner, the conditions of general water use or the prohibition thereof on the body of water in municipal ownership.

General water use on detached bodies of water in the ownership of citizens or legal persons shall be permitted on the conditions established by the owner, by agreement with the expressly authorized organ of administration in the utilization and protection of the water stock, in conformity with legislation of the Russian Federation. The owner of a detached body of water shall have the duty to announce the conditions of general water use or the prohibition thereof.

Where the conditions of general water use or the prohibition thereof are not announced, general water use shall be effected in conformity with water legislation of the Russian Federation.

The rules for announcement of the conditions of general water use and prohibition thereof shall be established by the organs of executive power of RF subjects.

Article 89. Restriction, Suspension or Prohibition of Utilization of Bodies of Water

Utilization of certain bodies of water or parts thereof may be restricted, suspended or prohibited in order to provide protection for the fundamentals of the constitutional system, defence of the country and security of the state, protection of public health, of the natural environment, of the historical and cultural heritage, and the rights and legitimate interests of other persons, in conformity with RF legislation.

Restriction, suspension or prohibition of the utilization of bodies of water shall be established by the Government of the Russian Federation or by the organs of executive power of RF subjects, on the motion of the expressly authorized state organ of administration in the utilization and protection of the water stock, as agreed with the state organ of administration in the utilization and protection of the subsoil, expressly authorized state organs in the protection of the natural environment, the state organ of sanitary and epidemiological supervision, and the organ of administration in the utilization and protection of fish resources.

Article 90. Limits of Water Use (Consumption and Diversion of Water)

The limits of water use (consumption and diversion of water) shall be the maximum acceptable volumes of withdrawal of water resources or dumping of standard-quality sewage waters, which shall be established for the user of water over a definite period.

The limits of water use (consumption and diversion of water) for RF subjects on the basis of water-management budgets and their declared requirements in water resources shall be established, for surface bodies of water, by the expressly authorized state organ of administration in the utilization and protection of the water stock, in agreement with expressly authorized state organs in the protection of the environment, and for subsurface bodies of water, and also in agreement with the state organ of administration in the utilization and protection of the subsoil. For bodies of water in the ownership of RF subjects, the limits of water use (consumption and diversion of water) shall be established by the organs of executive power of RF subjects, on the motion of the expressly authorized state organ of administration in the utilization and protection of the water stock exercising its powers in the territory of the respective RF subject.

The limits of water use (consumption and diversion of water) may be reviewed in connection with changes in the state of bodies of water. Alteration of limits shall require the entry, in the established manner, of the changes in the water-use license.

The rules for a review of the limits of water use (consumption and diversion of water) shall be established by the Government of the Russian Federation.

Article 91. Rules for Providing Bodies of Water for Use

Bodies of water shall be provided for use on the following basis:

- a water-use license and a contract for the use of a body of water concluded in conformity therewith;
- a decision of the Government of the Russian Federation or organs of executive power of RF subjects on providing a body of water for special use, a water-use license issued on the basis thereof, and a contract for the use of the body of water concluded in conformity therewith.

Bodies of water shall be provided for use by apportionment of sectors of the water surface, places of intake and drainage of water, and also in other ways determined by water legislation of the Russian Federation.

Provision for use of transborder (frontier) bodies of water shall be effected in conformity with international treaties of the Russian Federation and RF legislation.

Provision for use of internal sea waters and the RF territorial sea shall be effected in conformity with RF water legislation and other Federal laws.

Provision for use of bodies of water located in the territory of two or more RF subjects shall be effected with due account of basin agreements.

Provision for use of subsurface bodies of water shall be effected in conformity with RF water legislation and RF legislation on the subsoil.

Article 92. Rights and Duties of Users of Water in Utilization of Bodies of Water

In the utilization of bodies of water, users of water shall have the following rights:

- to effect water use in conformity with RF water legislation;
- to obtain, in the established manner, information on the state of bodies of water required for effecting their activity;
- to exercise other rights, as provided for by RF water legislation.

Users of water shall have the duty:

- to make rational use of bodies of water, to comply with the conditions and requirements established in the water-use license and the contract for the use of a body of water;
- to prevent violation of the rights of other users of water, and also infliction of harm on human health or damage on the natural environment;
- to prevent a worsening in the quality of surface and subsurface waters, the habitat of denizens of the animal and vegetable kingdom, and also infliction of damage on economic and other facilities;
- to maintain in a state of repair purification, hydrotechnical and other water-management structures and technical devices;
- to inform, in the established manner, the respective organs of state power of accidents and other states of emergency having an influence on the condition of bodies of water;
- to effect measures in due time on the prevention and removal of accidents and other states of emergency having an effect on the condition of bodies of water;
- to abide by the rules of protection of human life on bodies of water;
- to keep, in the established manner, records of waters taken in, utilized and drained, of the quantity of polluting substances therein, and also to conduct systematic observations of bodies of water and their water-protection zones, and to make available the aforesaid information free of charge and within the established periods to the expressly authorized state organ of administration in the utilization and protection of the water stock and, for subsurface bodies of water, also to the state organ of administration in the utilization and protection of the subsoil;
- to make payments arising from the use of bodies of water in due time;
- to comply with the established regime in the utilization of water-protection zones;
- to effect other measures in the protection of bodies of water;
- to fulfill other duties, as provided for by RF water legislation.

Article 93. Antimonopoly Requirements in Utilization of Bodies of Water

Action by users of water for the purposes of monopolization and unfair competition, as a result of which the rights and legitimate interests of other users of water, and also of other citizens and legal persons are infringed or may be infringed, shall be prohibited.

Organs of state power shall be prohibited from taking decisions and/or taking action promoting monopolization of water use and creating conditions discriminatory or favorable for the activity of some users of water, where such actions have or may have as their result a violation of the rights and legitimate interests of other users of water.

Water-use licenses and contracts for the use of a body of water shall be, in the established manner, cancelled or declared invalid, where these may result in the monopolization of water use entailing a substantial violation of the rights and legitimate interests of other users of water.

Chapter 11. Protection of Bodies of Water

Article 94. General Requirements in Protection of Bodies of Water Organs of state power of the Russian Federation and organs of state power of subjects of the Russian Federation shall take, in conformity with RF legislation, measures compatible with the principle of stable development to preserve bodies of water, prevent the pollution, clogging and depletion thereof, and to liquidate the effects of the aforesaid phenomena.

In utilizing bodies of water, citizens and legal persons shall have the duty to effect production, technological, land-improvement, agrotechnical, hydrotechnical, sanitary and other measures ensuring the protection of bodies of water.

Utilization of bodies of water must be effected with the minimum possible negative effects for the bodies of water.

Article 95. Protection of Bodies of Water Against Pollution

In order to prevent and remove the pollution of bodies of water, the sources of the pollution thereof shall be identified.

Facilities effecting dumping or other entry into bodies of water of noxious substances which worsen the quality of surface and subsurface water and limit the utilization thereof, and also having a negative effect on the state of the bottom and shores of bodies of water shall be deemed sources of pollution.

Protection of bodies of water against pollution shall be effected by means of regulation of the activity both of stationary and of other sources of pollution.

Federal organs of executive power and organs of executive power of RF subjects shall effect protection of bodies of water against every type of pollution, including diffusion pollution (pollution through the surface of dry land and air).

Article 96. Protection of Bodies of Water Against Clogging

Dumping into bodies of water and burial therein of production, household and other waste shall be prohibited.

Entry of suspended particles into a body of water shall be permitted only in conformity with the requirements of RF water legislation.

Article 97. Emergency Pollution of Bodies of Water

Emergency pollution of bodies of water shall be deemed to arise in the volley dumping of noxious substances into surface or subsurface bodies of water which inflicts harm or creates a threat of inflicting harm on public health, on the normal pursuit of economic and other activity, on the state of the natural environment, and also on biological diversity.

Measures of prevention and liquidation of emergency pollution of bodies of water shall be determined by RF water legislation and RF legislation on the subsoil.

Article 98. Protection of Bodies of Water Against Pollution and Clogging from Sources of Pollution Located on Dry Land

Sources of pollution located on dry land must not cause pollution or clogging of bodies of water over and above the established standards of effect on bodies of water.

Compliance with the requirements of part one of the present Article shall be ensured by the priority application of technologies not exerting a negative effect on the natural environment, restriction of the use of toxic substances and heavy metals, introduction of scientifically grounded methods of metering and estimation of the dumping of sewage into bodies of water and discharges into the atmosphere.

Article 99. Protection of Bodies of Water Against Pollution and Clogging Caused by Activity on Bottom of Bodies of Water

Extraction of minerals, peat and sapropel from the bottom of bodies of water or erection of structures with support on the bottom must be effected in such ways as not to exert a harmful effect on surface waters, on the bottom and the shores of bodies of water, and on water bioresources.

At performance on the bottom of bodies of water of works which are aimed to make use of the subsoil but are not connected with the extraction of minerals, subsoil users shall have the duty to prevent the pollution, clogging and depletion of bodies of water.

Article 100. Protection of Bodies of Water Against Pollution and Clogging from Ships and Other Facilities and Structures Used on Surface of Bodies of Water

Operation of self-propelled and non-self-propelled ships, and also of other facilities on the surface of bodies of water without devices for the collection of sewage waters, waste and dumpings developing on these ships and facilities shall be prohibited.

Article 101. Protection of Ice Cover of Bodies of Water, Glaciers and Snowbanks Against Pollution and Clogging

Pollution of the ice cover of bodies of water, of glaciers and snowbanks by production, household and other types of waste, and also pollution thereof by oil products, toxic chemicals and other noxious substances shall be prohibited.

The intake of ice must not have an effect on the state of bodies of water or lead to a depletion of the reserves of surface and subsurface waters.

Article 102. Protection of Catchment Areas of Bodies of Water

The catchment areas of bodies of water shall be subject to protection against pollution and clogging, in the manner determined by the Government of the Russian Federation.

Article 103. Protection of Bodies of Water Against Pollution by Pesticides and Other Chemicals

Application of pesticides and other chemicals shall be allowed only where this does not have an effect on the state of bodies of water and water bioresources.

Article 104. Protection of Bodies of Water Against Pollution by Radioactive and Toxic Substances (Materials)

The content of radioactive and toxic substances (materials) in bodies of water must be maintained on a level which does not lead to the infliction of harm on public health or damage on the natural environment.

Burial and dumping of radioactive and toxic substances (materials) into bodies of water shall be prohibited.

Drainage of sewage (waste) waters containing toxic substances (materials) into bodies of water shall be allowed only after the purification thereof in the established manner.

Performance on bodies of water of blasting works which involve the use of nuclear and other types of technologies entailing excretion of radioactive and toxic substances shall be prohibited.

State control of the level of pollution of bodies of water by radioactive and toxic substances (materials) shall be effected by RF state organs expressly authorized therefor.

Article 105. Siting, Design, Construction, Reconstruction and Startup of Economic and Other Facilities Having Effect on State of Bodies of Water

At the siting, design, construction, reconstruction and startup of economic and other facilities, and also at the introduction of new technological processes, account must be taken of their effect on the state of bodies of water and on the natural environment.

Places for the construction (siting) of economic and other facilities having an effect on the state of bodies of water shall be determined by agreement with the expressly authorized organ of administration in the utilization and protection of the water stock, with expressly authorized state organs in the protection of the natural environment,

other state organs of administration in the utilization and protection of natural resources, and the state organ of sanitary and epidemiological supervision, in conformity with RF legislation.

At the design and construction of newly created and reconstructed economic and other facilities, and also at the introduction of new technological processes having an effect on the state of bodies of water, provision must be made for the creation of closed systems of technical water supply.

Design and construction of direct-flow systems of technical water supply shall not, as a rule, be permitted. Design and construction of such systems shall be permitted in exceptional cases, given positive findings of state expert examination of pre-design and design documentation and of state ecological expert examination.

Startup of the following shall be prohibited:

- economic and other facilities, including filter accumulators, waste-burial places, urban and other waste dumps not equipped with devices or purification structures preventing the pollution, clogging or depletion of bodies of water and harmful effect of waters;
- water-intake and drainage structures without fish-protection devices or devices ensuring measurement of the waters taken in and drained;
- animal-breeding farms and other production complexes without purification structures or sanitary-protection zones;
- watering, flooding and drying systems, reservoirs, dams, canals and other hydrotechnical structures prior to effecting measures to prevent harmful effect of waters;
- hydrotechnical structures without fish-protection devices or devices for the passage of flood waters and fish;
- water-intake structures involving utilization of subsurface waters without the installation therein of water-regulation devices and water-metering instruments;
- water-intake and other hydrotechnical structures without the establishment of sanitary-protection zones or the creation of stations for observing the indicators of the state of bodies of water;
- structures and devices for the transportation and storage of oil, chemical and other products without the installation of equipment therein for preventing the pollution of bodies of water and of control and metering instruments for discovery of leakage of the aforesaid products.

Startup of areas of irrigation by means of sewage (waste) waters without the creation of stations for observing the indicators of the state of bodies of water shall not be permitted.

Prior to the startup of reservoirs, work shall be carried out to prepare their bed for flooding.

The decision to prohibit startup of economic and other facilities having an effect on the state of bodies of water shall be taken by the Government of the Russian Federation and the organs of executive power of RF subjects, in the manner established by RF legislation.

Article 106. Operation of Economic and Other Facilities Having Effect on State of Bodies of Water

Citizens and legal persons shall have the duty, in operating economic and other facilities having an effect on the state of bodies of water, to take measures to prevent the pollution, clogging and depletion of bodies of water and harmful effect of waters.

In the operation of economic and other facilities, the following shall be prohibited:

- dumping into bodies of water of sewage (waste) waters not purified and not decontaminated in accordance with the established norms;
- intake of water from bodies of water which has a substantial effect on the state thereof;
- dumping of sewage (waste) waters containing substances for which maximum allowed concentrations have not been established or containing pathogens of infectious diseases.

Breach of requirements in the protection and rational utilization of bodies of water shall entail restriction, suspension or prohibition of the operation of economic and other facilities having an effect on the state of bodies of water.

Restriction, suspension or prohibition of the operation of economic and other facilities having an effect on the state of bodies of water shall be ordered by the Government of the Russian and/or by the organs of executive power of RF subjects, on the motion of the expressly authorized state organ of administration in the utilization and protection of the water stock, expressly authorized state organs in the protection of the natural environment, and the state organ of sanitary and epidemiological supervision.

Article 107. Specific Protection of Subsurface Bodies of Water

Citizens and legal persons whose activity has or may have a damaging effect on the state of subsurface bodies of water shall have the duty to take measures to prevent the pollution, clogging and depletion of bodies of water and harmful effect of waters.

Location of waste-burial places, waste dumps, cemeteries, cattle-burial grounds, and other units having an effect on the state of subsurface waters shall not be permitted in the catchment areas of subsurface bodies of water which are or which may be used for drinking, everyday and household water supply.

Irrigation of lands with sewage (waste) waters, where this has or may have an effect on the state of subsurface bodies of water, shall be prohibited.

Establishment and operation of wells, and also utilization of exhausted mineral deposits for the dumping of sewage and drainage waters shall be permitted with observance of the requirements specified in the present Code and in RF legislation on the subsoil.

Boreholes, including gushers and prospecting holes, and also wells not fit for exploitation or whose use is terminated shall be subject to equipment with regulating devices, to conservation or liquidation, in the established manner.

Where aquifers are opened up in the use of the subsoil, measures must be taken in the established manner to protect the subsurface bodies of water, with the fact reported to the organs of local self-government, to expressly authorized state organs in the protection of the natural environment, the state organ of administration in the use and protection of the subsoil, and the expressly authorized state organ of administration in the utilization and protection of the water stock.

Extraction of subsurface waters in the mining of minerals, performance of works in water-level lowering, erection of structures or protection against the harmful effect of waters, and also in the building and operation of drainage systems on improved lands shall be permitted under a water-use license.

In the siting, design, building, startup and operation of water-intake structures involving utilization of subsurface bodies of water, measures must be provided for to prevent the damaging effect thereof on surface bodies of water and on the natural environment.

Article 108. Rules for Performance of Works on Bodies of Water and in Their Water-Protection Zones

Performance of building, bottom-deepening, blasting and other works on bodies of water and in the water-protection zones thereof shall be effected by agreement with

the expressly authorized state organ of administration in the utilization and protection of the water stock.

The rules for the use of minerals and other resources extracted in the course of works on bodies of water shall be determined by the organs of executive power of RF subjects.

Article 109. Norms of Maximum Permitted Harmful Effect on Bodies of Water

Maintenance of surface and subsurface waters in a state corresponding to the ecological requirements shall be ensured by the establishment of and compliance with norms of maximum permitted harmful effect on bodies of water.

The norms of maximum permitted harmful effect on bodies of water shall be established by RF legislation on the protection of the natural environment and by RF water legislation.

The norms of maximum permitted harmful effect on bodies of water shall be established proceeding from:

- the maximum permitted magnitude of anthropogenic load whose long-term effect does not lead to any change in the ecosystem of the body of water;
- the maximum permitted mass of noxious substances which may enter a body of water and its catchment area.

The norms of maximum permitted dumping of noxious substances into bodies of water shall be established proceeding from the condition of the inadmissibility of exceeding the maximum permitted concentrations of noxious substances in bodies of water.

The norms of maximum permitted concentrations of noxious substances in bodies of water and sewage (waste) water shall be established proceeding from the condition of the specified-purpose utilization of the body of water.

The rules for the working out and confirmation of the norms of maximum permitted harmful effect on bodies of water shall be established by the Government of the Russian Federation.

Article 110. Requirements on Ecological Drawdowns and Norm-Setting of Maximum Permitted Irretrievable Withdrawal of Surface Waters

In order to maintain the state of bodies of water up to ecological requirements, drainage of water from reservoirs (ecological drawdowns) shall be made, and the volume of irretrievable withdrawal of surface waters established.

Ecological drawdowns and volumes of irretrievable withdrawal of surface waters for each body of water shall be determined by the expressly authorized organ of administration in the utilization and protection of the water stock together with expressly authorized state organs in the protection of the natural environment, in the manner established by the Government of the Russian Federation.

Satisfaction of the requirements of users of water in water resources out of an ecological drawdown shall not be permitted.

Article 111. Water Protection Zones of Bodies of Water

Water-protection zones shall be established to maintain bodies of water in a state meeting ecological requirements, to prevent the pollution, clogging and depletion of surface waters, and also to preserve the habitat of the denizens of the animal and vegetable kingdom.

The water-protection zone shall be a territory adjacent to the water territory of a body of water on which a special regime is established for the utilization and protection of natural resources and for other economic activity.

Coastal protective strips shall be established within the boundaries of water-protection zones. Ploughing of land, felling and stubbing of forests, location of animal-breeding farms and camps, and also other activity in coastal protective strips shall be prohibited, except in the cases provided for by the present Code.

In coastal protective strips of water-protection zones, the siting of facilities for water supply and recreation, for the fishing and hunting industries, and also of water-intake, port and hydrotechnical structures shall be permitted under a water-use license.

The rules for the establishment of the size and boundaries of water-protection zones and of their coastal protective strips, and also the regime of utilization thereof shall be established by the Government of the Russian Federation.

Water-protection zones of bodies of water which are sources of drinking-water supply or places of the spawning of valuable species of fish shall be declared expressly protected territories, in the manner established by the Government of the Russian Federation.

Article 112. Specific Allotment of Land Parcels in Water-Protection Zones and Control of Utilization Thereof

Land parcels in the water-protection zones of bodies of water shall be allotted to citizens and legal persons in the manner established by RF land legislation, by agreement with the expressly authorized state organ of administration in the utilization and protection of the water stock.

State control of compliance with the regime of utilization and protection of natural resources and other economic activity of citizens and legal persons in the water-protection zone shall be effected by the organs of executive power of RF subjects, the expressly authorized state organ of administration in the utilization and protection of the water stock, expressly authorized state organs in the protection of the natural environment, the state organ of administration in the utilization and protection of lands, and the expressly authorized state organ of administration in forestry, within the limits of their competence.

Article 113. Utilization and Protection of Forests in Water-Protection Zones of Bodies of Water

The utilization and protection of forests in the water-protection zones of bodies of water shall be aimed to prevent the pollution, clogging and depletion of bodies of water.

Main-use felling in forests of water-protection zones and coastal protective strips shall be prohibited. Intermediate-use felling and other forest-industry measures ensuring protection of bodies of water shall be permitted.

Allotment for use of forests in water-protection zones shall be effected in agreement with the expressly authorized state organ of administration in the utilization and protection of the water stock, in conformity with RF forest and water legislation.

The expressly authorized state organ of administration in the utilization and protection of the water stock shall exercise control of the utilization of water-protection-zone forests, and shall be entitled to suspend or to prohibit works having a harmful effect on the state of bodies of water.

Article 114. Protection of Bodies of Water in Utilization of Subsoil

In the geological study of the subsoil, exploration and extraction of minerals, construction and operation of underground structures not connected with extraction of minerals, subsoil users shall have the duty to prevent the pollution, clogging and depletion of bodies of water.

Article 115. Zones and Areas of Sanitary Protection

With the object of protection of bodies of water used for drinking, everyday and household water supply, and also containing natural medicinal resources, zones and area of sanitary protection shall be established, in conformity with RF legislation.

Article 116. Zones in State of Ecological Emergency and Ecological Disaster on Bodies of Water

Bodies of water, parts thereof and their catchment areas where, as a result of economic activity or natural processes, changes threatening human health, the animal and vegetable kingdom, or the state of the natural environment occur may be declared zones in a state of ecological emergency or ecological disaster.

The juridical regime of zones in a state of ecological emergency or ecological disaster shall be determined by RF legislation.

Article 117. Prevention and Liquidation of Consequences of Harmful Effect of Waters

The Federal organs of executive power, the organs of executive power of RF subjects, and users of water shall have the duty to take measures in the prevention and liquidation of the consequences of the harmful effect of waters, among these:

- flooding, inundation and underflooding;
- destruction of shores, dams, dykes, and other structures;
- swamping and salinization of lands;
- erosion of soils, formation of gullies, landslides, mud torrents, and similar other phenomena.

In the cases specified by RF legislation, special commissions may be set up by the Government of the Russian Federation and/or organs of executive power of RF subjects for the prevention and liquidation of the consequences of the harmful effect of waters, and their decisions, taken within the limits of their competence, shall be binding on all citizens and legal persons.

Users of water shall, in the event of natural disasters and accidents on bodies of water, have the duty to take part in effecting measures for the prevention and liquidation of the consequences of the harmful effect of waters. The aforesaid measures shall be taken in coordination with the expressly authorized state organ of administration in the utilization and protection of the water stock and with the organs of local self-government.

Article 118. Expressly Protected Bodies of Water

Expressly protected bodies of water shall be natural water ecosystems of especial nature-protection, scientific, cultural, aesthetic, recreational and health-improvement importance. Expressly protected bodies of water shall be fully or partially, constantly or temporarily withdrawn from economic activity on the basis of decisions by the appropriate organs of executive power, on the motion of the expressly authorized state organ of administration in the utilization and protection of the water stock, and expressly authorized state organs in the protection of the natural environment.

Expressly protected bodies of water may be classified as expressly protected bodies of water of Federal, territorial (regional) and local importance.

An expressly protected body of water may be a detached expressly protected natural territory or may be a part of an expressly protected natural territory, as determined by RF legislation.

The Government of the Russian Federation and the organs of executive power of RF subjects may establish the following categories of expressly protected bodies of water:

- sectors of internal sea waters and the RF territorial sea;
- swamp-water lands;
- watercourses and reservoirs referred to unique natural landscapes;
- zones of protection of headwater or estuary of bodies of water; places of spawning of valuable species of fish;
- other categories of bodies of water regarded in integral connection with forests, the animal kingdom and other natural resources subject to especial protection.

Other categories of expressly protected bodies of water may be provided for by RF legislation.

Expressly protected bodies of water which are in Federal ownership and which are a part of a unique natural complex may be utilized and protected in conformity with Federal law.

Protection and utilization of expressly protected bodies of water shall be effected in conformity with RF legislation on expressly protected territories.

Article 119. Expressly Protected Bodies of Water of International Importance

Expressly protected bodies of water of international importance (transborder -- frontier -- bodies of water, sectors of internal sea waters and the RF territorial sea, and swamp-water lands) shall be determined in the manner established by the Government of the Russian Federation, in conformity with international treaties of the Russian Federation and with effective legislation of the Russian Federation.

The procedure for utilization and protection of protected bodies of water of international importance shall be determined by international treaties of the Russian Federation and by effective legislation of the Russian Federation.

Article 120. Basin Agreements on Restoration and Protection of Bodies of Water

Basin agreements on the restoration and protection of bodies of water (hereinafter "basin agreements") shall have the purpose of coordinating and unifying the activity aimed at restoration and protection of bodies of water.

A basin agreement shall be concluded between the expressly authorized state organ of administration in the utilization and protection of the water stock, and the organs of executive power of RF subjects situated within the boundaries of the basin of the body of water.

A coordination organ (basin council) may be set up within the framework of the basin agreement. A statute of the basin council shall be confirmed by the Government of the Russian Federation.

Participation in a basin council of representatives of RF organs of state power, organs of state power of RF subjects, organs of local self-government, public associations and users of water shall be determined by the Statute of the Basin Council.

In order to attain the objectives and fulfill the tasks of a basin agreement, citizens and legal persons may set up, in conformity with civil legislation, a fund whose means are intended for effecting measures in the restoration and protection of bodies of water.

The drafting of a basin agreement shall be effected on the basis of water-management budgets, schemes for the complex utilization and protection of water resources, state programs for the utilization, restoration and protection of bodies of water, and other scientific and design projects, and also of proposals of the organs of state power of RF subjects.

Chapter 12. Economic Regulation of Utilization, Restoration and Protection of Bodies of Water

Article 121. Principles of Economic Regulation of Utilization, Restoration and Protection of Bodies of Water

Payment of a charge for use of water shall be the basic principle of economic regulation of the utilization, restoration and protection of bodies of water.

Economic regulation of the utilization, restoration and protection of bodies of water shall provide for the creation of the following systems:

- a system of payments arising from the use of bodies of water;
- financing of the restoration and protection of bodies of water;
- economic stimulation of rational utilization, restoration and protection of bodies of water.

Article 122. Charges for Water Use

Use of bodies of water shall carry a charge, except in the cases provided for by the present Code.

No charge for the use of bodies of water shall be collected from the expressly authorized state organ of administration in the utilization and protection of the water stock or from its subordinate organizations (administrations operating water reservoirs and water-management systems, boards of water reservoirs and water-management systems under construction, and organizations conducting the state monitoring of bodies of water).

The charge for the intake of waters from bodies of water for the irrigation of improved lands, and the charge for detached bodies of water shall be collected in the manner specified by the Federal law on land charges.

Article 123. System of Charges Arising from Use of Bodies of Water

The system of charges arising from the use of bodies of water shall include the following:

- a charge for the use of bodies of water (water tax);
- a charge used for the restoration and protection of bodies of water.

Charges arising from the use of bodies of water shall be paid by citizens and legal persons holding a water-use license.

Charges arising from the use of bodies of water shall be entered in the form of regular payments.

The rules for the establishment and collection of charges arising from the use of bodies of water, and the maximum amount thereof shall be determined by RF legislation.

Differentiated amounts of charges arising from the use of bodies of water shall be established by the organs of executive power of RF subjects.

Privileges in charges arising from the use of bodies of water shall be established by Federal law. Laws and other normative legal enactments of RF subjects may establish privileges in charges arising from the use of bodies of water and going into the budgets of RF subjects.

Article 124. Charge for Use of Bodies of Water (Water Tax)

The charge for the use of bodies of water (water tax) shall go into the Federal budget and the budgets of RF subjects in whose territories bodies of water are utilized, and shall be distributed as follows:

Federal budget -- 40 percent;

budget of RF subjects -- 60 percent.

Article 125. Charge Used for Restoration and Protection of Bodies of Water

The charge used for the restoration and protection of bodies of water shall go into the Federal budget and the budgets of the RF subjects in whose territory use is made of bodies of water.

The charge used for the restoration and protection of bodies of water paid for:

- withdrawal of water from bodies of water within the established limits;
- above-limit withdrawal of water;
- utilization of bodies of water without withdrawal of water, in conformity with the conditions of the water-use license;
- dumping of normative-quality sewage (waste) waters into bodies of water within the established limits, shall go into the Federal budget and into the budgets of RF subjects, in the following proportion:

Federal budget -- 40 percent;
budget of RF subjects -- 60 percent.

Increased charges shall be established for above-limit withdrawal of water.

The charge specified in part two of the present Article going into the Federal budget shall be used for the formation of a Federal specified-purpose budgetary fund for the restoration and protection of bodies of water.

The charge used for the restoration and protection of bodies of water going into the budgets of RF subjects shall be used to finance measures in the rational utilization, restoration and protection of bodies of water.

The means of the Federal specified-purpose budgetary fund for the restoration and protection of bodies of water, and also the means going into the budgets of RF subjects shall be used for implementing Federal and territorial state programs for the utilization, restoration and protection of bodies of water; financing of measures in the rational utilization, restoration and protection of bodies of water; protection against the harmful effect of waters; performance of research and design works, and also for other purposes connected with the rational utilization, restoration and protection of bodies of water.

The charge used for the restoration and protection of bodies of water paid for:

- dumping into bodies of water of water of sewage (waste) waters whose content of noxious substances is in excess of the established norms;
- dumping into bodies of water of normative-quality sewage (waste) waters over and above the established limits, shall go into the Federal budget, the budgets of RF subjects, and local budgets, in the following proportion:

Federal budget -- 10 percent;
budget of RF subject -- 30 percent;
local budget -- 60 percent;

Increased charges shall be established for dumping into bodies of water of sewage (waste) waters whose content of noxious substances is in excess of the established norms, and of normative-quality sewage (waste) waters over and above the established limits.

The charge specified in part five of the present Article going into the Federal budget shall be used for the formation of a Federal specified-purpose budgetary ecological fund.

The charge specified in part five of the present Article going into the Federal specified-purpose budgetary ecological fund, the budgets of RF subjects, and local budgets

shall be used in the proportion of not less than 80 percent to finance measures for the restoration and protection of bodies of water.

The rules for expending the means of the Federal specified-purpose budgetary fund for the restoration and protection of bodies of water and of the Federal specified-purpose budgetary ecological fund shall be determined by the Government of the Russian Federation.

Article 126. Fee for Issue of Water-Use Licenses

A fee for the issue of water-use licenses shall be collected by the expressly authorized state organ of administration in the utilization and protection of the water stock.

The amount of the fee for the issue of water-use licenses shall be determined proceeding from the expenditures on the expert examination of applications for the use of bodies of water, and organizational and other expenditures arising from the issue of licenses, and shall be confirmed by the organs of executive power of RF subjects, on the motion of the expressly authorized state organ of administration in the utilization and protection of the water stock.

Article 127. Principles of Economic Stimulation of Rational Utilization, Restoration and Protection of Bodies of Water

The economic stimulation of rational utilization, restoration and protection of bodies of water shall provide for the following:

- establishment of tax and other privileges for citizens and legal persons performing works in the restoration and protection of bodies of water, and prevention and liquidation of the harmful effect of waters;
- granting of easy credits for performance of works in the restoration and protection of bodies of water, and prevention and liquidation of the harmful effect of waters;
- establishment of tax, credit and other privileges for users of water.

The rules for the granting of tax, credit and other privileges for the rational utilization, restoration and protection of bodies of water shall be established by RF legislation.

Article 128. Privileges in Charges Arising from Use of Bodies of Water

Privileged maximum amount of charges used for the restoration and protection of bodies of water shall be established, in conformity with RF legislation, for state organizations carrying on their activity in the social sphere, and also for users of water utilizing bodies of water for agriculture.

Privileges for the users of water specified in part one of the present Article, and also privileges for other categories of users of water in charges arising from the use of bodies of water and going into the budgets of RF subjects may be established by laws and other normative legal enactments of RF subjects, within the limits of the sums going into their budget.

Section V. Settlement of Disputes in Matters of Utilization and Protection of Bodies of Water and Liability for Breach of Water

Legislation of the Russian Federation

Chapter 13. Settlement of Disputes in Matters of Utilization and Protection of Bodies of Water

Article 129. Rules for Settlement of Disputes in Matters of Utilization and Protection of Bodies of Water

Disputes in matters of utilization and protection of bodies of water shall be settled in court of law, court of arbitration or court of mediation, in the manner established by RF legislation.

Protection of the rights of use of bodies of water in administrative proceedings shall be effected only in the cases specified by Federal law. Decisions taken in administrative proceedings may be appealed against in court of law.

Chapter 14. Liability for Breach of Water Legislation of the Russian Federation

Article 130. Administrative and Criminal Liability for Breach of Water Legislation of the Russian Federation

Persons in breach of RF water legislation shall bear administrative and criminal liability, in conformity with RF legislation.

Fines for administrative offences shall be imposed by officials of the expressly authorized state organ of administration in the utilization and protection of the water stock within the limits of their competence, as established by RF legislation.

Imposition of a fine shall not relieve the offenders of the duty of eliminating the committed breaches and compensating the inflicted damage.

Article 131. Liability of Citizens and Legal Persons for Infliction of Damage on Bodies of Water

Citizens and legal persons inflicting damage on bodies of water shall compensate it voluntarily or by decision of court of law or court of arbitration, in conformity with the methods used to assess damage to bodies of water, and in the absence thereof, in accordance with the actual costs of restoring the bodies of water, with due account of the suffered losses, including expected benefits forgone.

The expressly authorized state organ of administration in the utilization and protection of the water stock, the expressly authorized state organs in the protection of the natural environment, and the state organ of sanitary and epidemiological supervision shall be entitled to file lawsuits for compensation of damage caused to bodies of water as a result of breach of RF water legislation.

The damage-compensation sums recovered by decision of court of law or court of arbitration shall be remitted into the Federal budget or the budget of RF subjects, in the established manner, and shall be expended on the restoration of bodies of water.

The conditions and rules for compensation of damage caused to bodies of water as a result of breach of RF water legislation shall be regulated by RF legislation.

Article 132. Invalidity of Transactions Made in Breach of Water Legislation of the Russian Federation

Transactions made in breach of RF water legislation shall be deemed invalid.

Specific Part

Section VI. Specified-Purpose Utilization of Bodies of Water

Chapter 15. Purposes of Utilization of Bodies of Water

Article 133. Utilization of Bodies of Water for Drinking, Everyday and Household Water Supply

Utilization of bodies of water for drinking, everyday and household water supply shall be a matter of priority.

For drinking, everyday and household water supply, utilization must be made of surface and subsurface bodies of water protected against pollution and clogging. The suitability of surface and subsurface bodies of water for drinking, everyday and household water supply shall be determined by the state organ of sanitary and epidemiological supervision.

Classification of a body of water as a source of drinking-water supply must be effected with due account of its reliability and the possibility of organizing zones and areas of sanitary protection, in the manner provided for by the Government of the Russian Federation.

Utilization for other purposes of subsurface bodies of water suitable for drinking-water supply shall not be permitted, except in the cases provided for by the present Code.

In a territory without surface bodies of water which may be used for economic and other purposes, and where there are adequate reserves of subsurface waters suitable for drinking-water supply, the organs of executive power of RF subjects, in coordination with the expressly authorized state organ of administration in the utilization and protection of the water stock, and with the state organ of administration in the utilization and protection of the subsoil, may, in exceptional cases, permit the utilization of these waters for purposes not connected with drinking, everyday and household water supply.

The rules for the use of bodies of water for drinking, everyday and household water supply shall be regulated by RF water legislation.

Article 134. Preservation of Sources of Drinking-Water Supply

In order to provide the population with water suitable for drinking-water supply, reservation of sources of drinking-water supply shall be effected, in anticipation of possible states of emergency, on the basis of subsurface bodies of water protected against pollution and clogging. For these sources, a special regime of protection and control of their condition shall be established, in conformity with RF water legislation and RF legislation on protection of the natural environment.

Article 135. Centralized and Noncentralized Drinking, Everyday and Household Water Supply of Population

In centralized drinking, everyday and household water supply of the population, the intake of water from bodies of water shall be effected by organizations whose activity has the drinking, everyday and household water supply as their object and purpose, and which are in possession of a water-use license.

In noncentralized drinking, everyday and household water supply of the population, citizens and legal persons shall be entitled to effect the intake of water directly from surface and subsurface bodies of water, in conformity with the present Code.

Article 136. Utilization of Bodies of Water Containing Natural Medicinal Resources

Bodies of water containing natural medicinal resources shall be used above all for the purposes of public health care, in the manner established by RF legislation on natural medicinal resources, medical-treatment and health-improvement localities, and health resorts.

In exceptional cases, the organs of executive power of RF subjects may permit the utilization of bodies of water containing natural medicinal resources for drinking-water supply of the population and for other purposes, in coordination with the expressly authorized state organ of administration in the utilization and protection of the water stock, the specially authorized state organ in the administration of health resorts, and, for subsurface bodies of water containing natural medicinal resources, also in coordination with the state organ of administration in the utilization and protection of the subsoil.

Article 137. Utilization of Bodies of Water for Power and Other Industries

Users of water utilizing bodies of water for the power and other industries shall have the duty to take measures in reducing the withdrawal and losses of water, in preventing pollution, clogging and depletion of bodies of water, and also to ensure the maintenance of the temperature regime of bodies of water.

The Government of the Russian Federation and the organs of executive power of RF subjects, in the event of natural disasters, accidents and other states of emergency, and also in the event of excess of the water-consumption limit established in the water-use license, shall be entitled to restrict, suspend or prohibit the utilization of bodies of water for the power and other industries, on the motion of the expressly authorized state organ of administration in the utilization and protection of the water stock, in conformity with the requirements of the present Code.

Subsurface bodies of water may be utilized, in the established manner, for the power and other industries, with due observance of the requirements in the rational utilization and protection of subsurface waters.

Subsurface bodies of water containing waters suitable for drinking-water supply may be utilized for the power and other industries, in conformity with the requirements of Article 133 of the present Code.

Article 138. Utilization of Bodies of Water for Agriculture and Forestry

Citizens and legal persons utilizing bodies of water for agriculture and forestry shall have the duty to take measures to reduce losses and drainage of water from the land-improvement network, to prevent fish erring into the land-improvement network, and to effect, in the necessary cases, measures for the prevention of pollution of ground waters and raising of the level thereof.

Irrigation, including irrigation with the use of normative-quality sewage waters, drainage and other land-improvement works must be effected in a complex with nature-protection measures ensuring protection of bodies of water and their water-catchment areas.

Water supply ensuring the needs of agriculture and forestry shall be effected in conformity with RF water legislation.

Article 139. Utilization of Bodies of Water for Hydropower

Utilization of bodies of water for the hydropower industry shall be effected with due account of the interests of other users of water and in compliance with the requirements in the rational utilization and protection of bodies of water.

Organizations operating hydropower and hydrotechnical structures on water reservoirs and other bodies of water shall have the duty to ensure a regime of fill-up and drawdown of reservoirs, observing the priority of drinking, everyday and household water supply, and also the requirements of the fishing industry in sectors of rivers and reservoirs of great importance for the preservation and reproduction of fish resources.

Where, in consequence of a change in the natural level of bodies of water resulting from the fill-up and drawdown of reservoirs, harm is inflicted on citizens and legal persons, the offenders must pay compensation therefor, in conformity with RF legislation.

The rules for the exploitation of reservoirs shall be established by the Government of the Russian Federation.

The utilization and protection of water reservoirs shall be effected in conformity with the requirements determined by the expressly authorized state organ of administration in the utilization and protection of the water stock for each water reservoir, cascade or system of reservoirs, as agreed with interested organs of executive power of RF subjects, with expressly authorized state organs in the protection of the natural environment, the state organ of sanitary and epidemiological supervision, the state organ of administration in the utilization and protection of fish resources, and other interested state organs of administration.

Control of observance of reservoir-operation rules shall be exercised by the expressly authorized state organ of administration in the utilization and protection of the water stock, in the manner established by the Government of the Russian Federation and the organs of executive power of RF subjects.

Article 140. Utilization of Bodies of Water for Fishing Industry

Bodies of water or parts thereof which are of key importance for the preservation, reproduction and extraction of fish resources shall be made available mainly for these purposes. In the event, utilization of bodies of water or parts thereof for purposes other than drinking, everyday and household water supply may be restricted, in conformity with the present Code.

The schedule of bodies of water intended for the preservation, reproduction and extraction of fish resources shall be determined by the Government of the Russian Federation and the organs of executive power of RF subjects.

Citizens and legal persons utilizing bodies of water for the fishing industry shall have the duty to maintain the shores of bodies of water in the places of the utilization thereof in accordance with the sanitary and ecological requirements established by RF legislation.

In the siting, design, construction, reconstruction and operation of hydrotechnical and other structures on bodies of water used for the fish industry, provision must be made for timely measures ensuring the protection of bodies of water, fish resources, and aquatic and circum-aquatic animals and plants.

The specific utilization of bodies of water for the preservation, reproduction and extraction of fish resources shall be established by Federal law, in conformity with the present Code.

Article 141. Utilization of Bodies of Water for Hunting Industry

Bodies of water which are the habitat of water fowl, circum-aquatic birds, and valuable fur animals which are regarded as objects for hunting shall be made available for use to citizens and legal persons in possession of licenses for the use of denizens of the animal kingdom, by the organs of executive power of RF subjects and by the expressly authorized state organ of administration in the utilization and protection of the water stock.

Article 142. Utilization of Bodies of Water for Transport and Timber-Rafting

Surface bodies of water shall be waterways in public use, except in the cases where their utilization for these purposes is fully or partially prohibited or where they are made available for special use.

The schedule of bodies of water utilized for shipping, timber-rafting and take-off (landing) of aircraft shall be determined by the Government of the Russian Federation and by the organs of executive power of RF subjects.

Timber-rafting on bodies of water utilized for shipping without ship traction shall be prohibited. Loose-floating of timber on bodies of water shall be prohibited. Organizations effecting timber-rafting shall have the duty of regularly carrying out the clearance of sunken timber from bodies of water.

The rules for clearance of sunken timber from bodies of water shall be established by the expressly authorized state organ of administration in the utilization and protection of the water stock.

Utilization of bodies of water for the sailing of small-size water craft, and also for the take-off (landing) of aircraft shall be effected in the manner established by the organs of executive power of RF subjects, in conformity with RF legislation.

Article 143. Utilization of Bodies of Water for Recreation

Bodies of water shall be utilized for mass rest, tourism and sport in places established by the organs of local self-government, in coordination with the expressly authorized state organ of administration in the utilization and protection of the water stock, expressly authorized state organs in the protection of the natural environment, and the state organ of sanitary and epidemiological supervision, in compliance with the requirements on the protection of human life on water, as determined by the organs of executive power of RF subjects.

Permission for the utilization of bodies of water for amateur and sports fishing shall be given by the organs of local self-government, in coordination with the expressly authorized state organ of administration in the utilization and protection of the water stock, with the state organ of administration in the utilization and protection of fish resources, and with the expressly authorized state organ in the protection, control and regulation of the utilization of denizens of the animal kingdom and of the habitat.

Article 144. Utilization of Bodies of Water for Dumping Sewage (Waste) and Drainage Waters

Utilization of bodies of water for dumping sewage (waste) and drainage waters may be effected in conformity with the requirements specified by the present code and RF legislation on protection of the natural environment.

Dumping of sewage (waste) and drainage waters into the following bodies of water shall be prohibited:

- bodies of water containing natural medicinal resources;
- bodies of water classified as under special protection, and also:
 - into zones and areas of sanitary protection of water intakes;
 - into the first and second zones and areas of sanitary (mountain-sanitary) protection of health resorts;
 - into places of tourism, sport and mass rest of the population;
 - into places of spawning and wintering of valuable and expressly protected species of fish;
 - into the habitat of valuable animals and plants, and animals and plants entered in the Red Book.

The dumping of sewage (waste) and drainage waters may be restricted, suspended or prohibited, in conformity with Article 89 of the present Code.

Where a threat to public health or to the existence of aquatic and circum-aquatic animals and plants arises, the expressly authorized state organs in the protection of the

natural environment, the state organ of sanitary and epidemiological supervision, and the expressly authorized state organ of administration in the utilization and protection of the water stock shall have the duty to suspend the dumping of sewage (waste) and drainage waters, including cessation of operation of economic and other facilities, and give due notice of the fact to the Government of the Russian Federation, the organs of executive power of the respective RF subject, and the organs of local self-government.

Article 145. Utilization of Bodies of Water for Extraction of Minerals, Construction and Other Works

Utilization of bodies of water for the extraction of minerals, peat and sapropel, for drilling works, and for the building of underground structures shall be effected in conformity with RF legislation on the subsoil and with the present Code.

Utilization of bodies of water for the extraction of peat and sapropel, withdrawal of sunken timber, laying of cables and pipelines, performance of bottom-deepening, blasting and other works involving the use of the bottom of bodies of water, and building and operation of submarine and supermarine structures shall be effected under a water-use license issued in the established manner.

Article 146. Utilization of Bodies of Water to Ensure Fire Safety

Intake of water to ensure fire safety shall be permitted from any bodies of water and shall be carried out without any special permit therefor, free of charge, and in the amount required to put out the fire.

Utilization for other purposes of water from bodies of water expressly designated to ensure fire safety shall be prohibited.

Concluding Part

Chapter 16. Putting Present Code into Effect

Article 147. Putting Present Code into Effect

The present Code shall be put into effect from the day of its official promulgation.

The President of the Russian Federation shall be requested and the Government of the Russian Federation authorized to bring their legal acts into conformity with the present Code.

Article 148. Declaration of RSFSR Water Code as Null and Void

The RSFSR Water Code shall be deemed null and void.