

158/1976 Coll.
Regulation
of the Ministry of Forest and Water Management
of the Slovak socialist Republic
from 3 December 1976
on Water Guard

Amendment: 112/1978 Coll.

The Ministry of Forest and Water Management of the Slovak socialist Republic, after the agreement with the Ministry of Interior of the Slovak socialist Republic, and according to the Article 23 par. 4 of the Act of the Slovak National Council No. 135/1974 Coll. on State Administration in Water Management, establishes:

Article 1

District national committees, and in Bratislava the National committee of capital city of the Slovak socialist Republic Bratislava (hereafter "water management body"), in spatial area of which the waters, water flows or water management works, for protection of which the water guard is being established, are, establishes water guard for protection of waters, water flows, and water management works. If these waters, water flows or water management works are situated on the area of several districts, respectively regions, then water guard may be established by water management body, in area of which the citizen, who is proposed for the member of water guard, has his permanent residence.

Article 2

(1) Czechoslovak state citizen, who reached 21 years of age, is devoted to socialist society establishment, blameless, taking advantage of general credit and confidence, physically and mentally capable for performing this function, who knows the obligations and the rights of water guard, and passed given promise, may also be established as a member of water guard.

(2) The organisation, 1) which proposes the citizen for establishing as a member of water guard, submits the paper on health statement of proposed person, excerpt from criminal register to water management body, relevant for establishing the water guard, it will also prove where and how, it has informed him on obligations and rights of water guard, and proposes the scope of his operancy.

(3) Water management body will examine the knowledge of proposed person on water guard obligations and rights.

1) the Article 23 par. 1 of the Act of the Slovak National Council No. 135/1974 Coll. on State Administration in Water Management.

Article 3

Water management body will inform the citizen, who is supposed to be established as a member of water guard, in co-operation with the organisation, which proposes his appointing, on the scope of operancy in this function. When determining the scope of operancy, the water management body emerges from submitted proposal.

Article 4

(1) Citizen, who is supposed to be appointed for the member of water guard, passes this promise to water management body:

"I promise, that as a member of water guard, I will protect the interests of the Czechoslovak socialist Republic, I will perform the protection of waters, water flows and water management works, within

determined scope, with the best care, during my activities, I will follow legal provisions, and I will not go beyond the authorisations, appointed to water guard.”

(2) After passing the promise, the water management body will issue the certificate on his establishing for the member of water guard, and service pin for the member of water guard.

(3) Service pin is made out of metal, ellipse shaped, and in the middle, there is state badge of the Czechoslovak socialist Republic situated. The state badge is 5 cm tall, and 3,7 cm wide. In upper part of edge belt, there is written WATER GUARD, in lower part of the pin, there is his number pressed.

Article 4a

The Ministry of Forest and Water Management of the Slovak socialist Republic may implement uniform and uniform marking, according to unified principles, determined by the Ministry of Forest and Water Management of the Slovak socialist Republic, for the employees of water management bodies, conducting water management supervision, for the employees of the Slovak Water Management Inspection and for the employees of state water management bodies, directed by the Ministry of Forest and Water Management of the Slovak socialist Republic, who conduct the function of water guard. The state badge is part of the uniform.

Article 5

The member of water guard is obliged to prove himself with the certificate on appointing for the member of water guard, after being asked, and during fulfilling his tasks.

Article 6

(1) The water guard conducts, in determined scope, the protection of waters, water flows and water management works against the persons and organisations, which infringe the provisions of the Water Act on protection of waters, water flows and water management works.

(2) The organisation, which proposed the establishment of the member of water guard, will equips him with necessary tools for conducting his function, and monitors, whether he conducts his function appropriately.

Article 7

(1) The water management body, which established the member of water guard, will recall him from the function in the cases, when

- a) member of water guard asks for recall,
- b) the organisation, which proposed the establishing of citizen for the member of water guard, will notify the water management body on circumstances, which prevent him from further conducting the task of water guard, respectively, if water management body learns such circumstances itself,
- c) member of water guard infringes passed promise.

(2) Citizen, who had been recalled from the function of member of water guard by water management body, is obliged to return service pin and certificate on appointing for the member of water guard, to this body immediately.

(3) Member of water guard will not pass the promise again, if there is change in determining the local operancy of member of water guard.

Article 8

Water management bodies keep the records of members of water guard, which have been appointed for the function by them.

Article 9

Member of water guard, during conducting of protection, according to characteristics of infringement in legal provisions, is obliged to take the actions, while he may

- a) challenge, so that the activity, which causes infringing of provisions of the Water Act on protection of waters, water flows and water management works, is being waived
- b) find out the organisation or identification of persons, who infringed the provisions of the Water Act on protection of waters, water flows and water management works,
- c) impose the fines for citizens for offences against the protection of water management, in block proceedings, according to special provisions
- 2)
- d) ask for the co-operation with Board of National Protection, if he can not arrange fulfilling his tasks by his own forces or provisions.

2) the Regulation No. 61/1961 Coll. on Block Proceedings in wording of the Regulation No. 7/1970 Coll.

Article 10

Member of water guard uses the protection of public agent, during fulfilling his tasks.

Article 11

This Regulation enters into force on January 1st, 1977.

The Regulation No. 112/1978 Coll. enters into force on September 22, 1978.

Minister:
Ing. Margetin, sign manual