

The cabinet of the Azerbaijan Republic

The decision № 146

About the statement of some regulatory legal acts connected with fishing in the Azerbaijan Republic

Baku, on September, 6th, 1999

On the basis of the Decree of the President of the Azerbaijan Republic «About application of the Law of the Azerbaijan Republic» About fishery »from June, 13th, 1998 № 722 Cabinet of the Azerbaijan Republic decides:

1. To confirm «Admissible norms of harmful influence on water objects of fishing value», «The types, rates, application rules of payments for use of fish stocks and penalties for illegal fishery», «Payment and rules of use of fish stocks in the Azerbaijan Republic legal and physical persons of the foreign states».
2. To recognize as become invalid the first and second points of the decision of the Cabinet of the Azerbaijan Republic «About measures on strengthening the protection of stocks of valuable types of fishes, water animals and invertebrates in water reservoirs of a fishing economy of the Azerbaijan Republic» from March, 1st, 1993 №. 128.
3. The present decision comes into force from the date of signing.

The Prime minister of the Azerbaijan Republic

A.RASI-ZADE.

*Are confirmed by the decision of the
Cabinet of the Azerbaijan Republic
from September, 6th, 1999 № 146*

Admissible norms of harmful influence on water objects of fishing value

I. General provisions

1. «Admissible norms of harmful influence on water objects of fishing value» (further — norms) are made on the basis of the Water code of the Azerbaijan Republic and the Law of the Azerbaijan Republic «About fishery» and pursue the aim of prevention of pollution of land water currents and the reservoirs concerning water objects of fishing value, and also sector of Caspian sea belonging to the Azerbaijan Republic (further — water objects) a waste and sewage.

2. Water objects are considered polluted if have come to a condition, partially or completely unsuitable for existence and development of fish stocks and other live organisms owing to change of structure and properties of water in view of direct or indirect influence of a waste and sewage of all kinds of a household and economic origin.

Criterion of pollution of water is deterioration of its quality owing to changes in the organoleptic properties and presence as a part of harmful to fish and other live organisms (including having fodder and hunting value) substances, and also the rise in temperature of the water which have entailed changes of conditions of normal ability to live of water organisms.

3. Compound and qualitative suitability of the water used in a fishing economy, is defined on the basis of the present norms and requirements.

4. It is forbidden:

□ To dump in water objects sewage of all kinds without the consent of Committee on land improvement and a water management at the Cabinet (on land water objects), the State committee on geology and mineral stocks (on underground water objects), and also the State committee on ecology and control over wildlife management, in frameworks the of powers carrying out the state control over use and protection of water objects, and also without the coordination with sanitary-and-epidemiologic and fisheries service;

□ To dump in water objects the sewage containing polluting substances with unstated admissible limits of density (ДППП);

□ To suppose emissions in water objects from oil pipelines and oil fields;

□ To dump in water objects crude waste, ballast water, and also a dangerous liquid and dense waste from floating crafts and stationary installations;

□ To dump any kind sewage in places of mass spawning, a food and wintering of fish;

□ To dump a waste and sewage of all kinds in the water objects which having the status of national park and have been taken away for research works.

5. Specifications of dump of sewage in water objects, requirements to them and ways of their coordination, and also observance of these conditions are regulated by the present Rules.

II. Protection of water objects from pollution by radioactive substances

6. Dump, elimination and neutralization of the sewage containing radioactive substances, are carried out according to effective standards of radioactive safety, rules of sanitary work with radioactive substances and other sources of ionizing radiation.

7. It is forbidden to dump in water objects formed as a result of neutralization of radioactive sewage of a pulp, deposits and boiler clots, and also a highly active liquid waste in connected with these river basins, ditches and other water objects.

8. It is forbidden to dump the sewage containing radioactive substances, in lakes, lakes and the ponds which have been taken away for cultivation of fish and a bird, and also in connected with these river basins, ditches and other water objects.

III. Admissible norms of harmful influence on water objects

9. On value for a fishing economy water objects are divided on two categories:

□ The water objects used for restoration, a gain and protection of valuable kinds of the fish, different high oxygen sensitivity, — to the first category;

□ The water objects used for other purposes of a fishing economy, — to the second category.

10. The category of water object on value for a fishing economy is defined by the fisheries service taking into account the future development of a fishing economy and fishery.

11. Structure and properties of water objects in which waste and natural waters merge, in each point established by the fishery protection service within 500-meter distance from a place of dump, should meet the requirements of a fish economy.

12. Possibility of dump of sewage on the sites of water objects which are nearby from places of mass spawning, a food and wintering of fishes, and also conditions of merge of sewage with waters fishery object are defined by the fisheries service.

13. Structure and properties of water in the water objects used for fishery purposes, admissible limits of density of harmful substances in waters of water objects of fishing value shouldn't exceed the standard indicators resulted in appendices № 1 and 2 to present norms.

14. In case of receipt in water object of several polluting substances with the same indicator of harmful influence (taking into account volume of the waste mixes dumped from neighboring spillways) a parity of the sum of density of separate substances in water (S_1, S_2, \dots, S_n) to them ДППП shouldn't exceed unit:

$$\frac{S_1 + S_2 + \dots + S_n}{ДППП_1 + ДППП_2 + ДППП_n} \leq 1$$

If on the site of water object accepting sewage of the projected enterprise, a water use condition change, the permission to dump by such enterprises of sewage should be reconsidered.

IV. Rules of entering of additions and changes in admissible norms of harmful influence on water objects of fishing value

15. Additions and changes to admissible norms of harmful influence on water objects, and also norms of dump in water objects of fishing value of harmful substances of a new kind, unknown persons or earlier not dumped together with sewage, affirm the Cabinet of the Azerbaijan Republic on the basis of motivated representation State fishery concern of the Azerbaijan Republic "Azerbalyg" in coordination with the State committee on ecology and control over wildlife management, Committee on land improvement and a water management and Academy of Sciences.

The general requirements to structure and properties of water in the water objects used for fishery of the purposes

<p>Water use category.</p> <p>Indicators of structure and properties of water in water pool or a current</p>	<p>The water objects used for restoration, gain and protection of valuable kinds of fish with the raised requirement for oxygen</p>	<p>The water objects used for other purposes of a fishing economy</p>
<p>1</p>	<p>2</p>	<p>3</p>
	<p>The quantity of the weighed substances in comparison with natural water shouldn't exceed the specified limit</p> <p>0, 25 мг.л. 0,75 мг.л.</p>	
<p>The weighed substances</p>	<p>If at the water average level in pool the quantity of natural mineral substances exceeds 30 мг.л., the increase in their quantity in waters of this pool within 5 percent is supposed. It is forbidden to dump in water objects the weighed substances with the speed of a deposit exceeding in water currents of 0,4 mm/sek, and in reservoirs — 0,2 mm/seconds.</p>	
<p>Floating mixes (substance)</p>	<p>On a water surface the covering from oil products, oils, fats from other mixes shouldn't be found out.</p>	
<p>Colors, smells and tastes</p>	<p>Water shouldn't have smells, tastes and the colors, able to affect meat of fish.</p>	
<p>Temperature</p>	<p>In comparison with natural temperature in pool water temperature shouldn't exceed 5C. For kinds of the fishes living in rather cold water, water temperature shouldn't exceed in the summer 20C, in the winter 5C, and in other water pools — in the summer 28C, in the winter — 8C.</p>	
<p>The dissolved oxygen</p>	<p>During the winter period should be not less following indicators:</p> <p>6,0 мг.л. 4,0 мг.л.</p> <p>In all water pools during the summer period in the samples taken to 12 o'clock in the afternoon, should be not less than 6,0 мг.л.</p>	
<p>Hydrogen indicator</p>	<p>Shouldn't fall outside the limits pH 6,5-8,5.</p>	
<p>Biochemical requirement for oxygen (BRO)</p>	<p>The full requirement of water for oxygen (20C) shouldn't exceed 3,0 мг.л. In case of fall during the winter period of quantity of the dissolved oxygen in water objects of the first category on 6,0 мг.л., and in water objects of the second category on 4,0 мг.л., dump in these water objects of the sewage which is not changing biochemical requirement of water in oxygen is possible.</p>	
<p>Poison gases</p>	<p>Presence in water of the substances having expressly or by implication harmful influence on fish and other water organisms, and also their fodder stocks is inadmissible.</p>	

***The list of limits of admissible density of the harmful
Substances in water of water objects of fishing value***

Serial №	Names of substances	the Limit indicator	the Admissible limit of density (мг.л.)
1	2	3	4
1.	Ammonia	Toksikologichen	0,05
2.	Benzene	—	0,5
3.	Boric acid	—	0,1
4.	Гексахлоран	—	forbidden
5.	Диссольван	—	0,9
6.	Cadmium (Cd ²⁺)	—	0,005
7.	Cobalt (CO ²⁺)	—	0,01
8.	A bitumen varnish	—	5,0
9.	Magnesium (Mg ²⁺)	—	50,0
10.	Copper (Cu ²⁺)	—	0,01
11.	Arsenic	—	0,05
12.	Washing preparation МЛ-6 (a mix сулфоната, сулфонола and цајт-спирита ДВ)	—	0,5
13.	Nickel (Ni ²⁺)	—	0,01
14.	The oxidized oil acids	—	3,9
15.	Пирор-400	—	0,005
16.	Поливинилацетат (емулсия)	—	0,3
17.	Проксамин 385	—	7,5
18.	Петролатум	—	6,5
19.	Полихлорпинен	—	запрещен
20.	Lead (Pb ²⁺)	—	0,1

21.	The resinous substances which have been washed up from coniferous breeds of trees	—	less than 2,0
22.	Сульфонат на керосиновой основе	—	0,5
23.	Сулфонол NP-5	—	0,5
24.	Хлористый сулфонол	—	0,1
25.	Сулфонол NP-1	—	0,2
26.	Сулфонол NP-3	—	0,1
27.	Таннины	—	from above 10,0
28.	Тетроболат натрия	—	0,05
29.	Free chlorine (Cl ⁻)	—	is forbidden
30.	Zinc (Zn ²⁺)	—	0,01
31.	Соляровое масло	—	0,01
32.	Technical DDT	—	is forbidden
33.	ДДТ в соляровом масле	—	is forbidden
34.	ДНС (динатриевая соль моноалкилсульфоянтарной кислоты на основе вторичных спиртов и малинового ангидрида)	—	0,2
35.	Пеносмолистый лак	—	1,0
36.	Натриумалеиноканифоль	—	0,01
37.	Carbon sulfide	—	1,0
38.	Сульфонат с синтиновой основой (натриевая соль алкилсульфо-натной кислоты)	—	1,0
39.	Аминоканифольный хлорацетат	—	0,001
40.	Цианиды	—	0,05
41.	Ammonium chloride (NH ⁴⁺)	—	1,2
42.	Ammonium sulfate (NH ⁻)	—	1,0
43.	Ammonium nitrate (NH ⁴⁺)	—	0,5
44.	Ammonium a perchlorate (NH ⁴⁺)	—	0,008
45.	Хлорофос	—	it is forbidden
46.	Formalin	—	0,25
47.	СП-7 (специальная паста —	—	0,3

	полиэтиленоглюколовый эфир)		
48.	СП-10 (специальная паста — полиэтиленоглюколовый эфир алкилфенола)	—	0,5
49.	Алкилсульфонат	санитарно-токсикологичный	0,5
50.	Первичный алкилсульфат	—	0,2
51.	Карбомоль	органолептический	1,0
52.	Метазин	—	1,0
53.	Хромолан	—	0,5
54.	Дипроксамин 157	—	3,2
55.	A xyloI	—	0,05
56.	Styrene	—	0,1
57.	Toluene	—	0,5
58.	Проксанол 305	—	6,3
59.	ДНС-немылообразующая (паста) 2 на основе вторичных спиртов	—	0,2
60.	ДС-препараты (полиглюколовые эфиры)	—	0,3
61.	Отвердитель (конденсация продуктов смешения дициандиамина и кристаллов 10%-ного медного ацетата, добавленного в формальдегид)	—	0,5
62.	Сульфоспирты (немылообразующие 2)	—	0,1
63.	NBC (the neutralized black contact)	—	0,01
64.	Preparations AB	—	1,0
65.	Synthetic latex	in fishing economy	1,6
66.	Oil and oil products	—	0,05
67.	Phenols	—	0,001
68.	Энтобактерии	общесанитарный	10,0

Kinds, rates, rules of application of payments for use of fish stocks and penalties for illegal fishery

General provisions

- 1. The present Rules are made on the basis of the Law of the Azerbaijan Republic «About fishery», the Water legislation of the Azerbaijan Republic, contracts, agreements, the arrangements concluded between the Azerbaijan Republic and the near-Caspian states, other international contracts and rules of law.*
- 2. Use of fish stocks is paid, except for the cases provided by the legislation of the Azerbaijan Republic.*
- 3. Payments for use of fish stocks and penalties for illegal fishing are differentiated depending on kinds of fishing tools and means, and also from appointment of water objects.*
- 4. Kinds and rates of payments for use of fish stocks are defined as follows:*

Kinds of fish stocks	Rates on use of fish stocks
1	2
Sprat	1,0
Mullet	2,0
Herring	2,5
The bream	2,0
Crustaceans	5,0
Small fry	2,0
Carp	4,0
Zhereh	5,0
Pike perch	4,0
Omul	5,0
Shemaya	5,0
Рыбец	2,0
Salmon	10,0
Sturgeon	10,0
Other kinds of fish	2,0
Seal	1,0

5. *Payment for use of fish stocks is defined under the formula ($Q=L \times K \times N$).*

L — the basic price for use of one ton of a sprat or one seal (in manat): the Basic price is established according to market price of a sprat and a seal. For legal and physical persons of Azerbaijan and the foreign states this price is established in size accordingly 5 and 10 percent;

K — the rate depending on a kind of fish stocks;

N — total (limit) provided for fishing and seals (pays off for fish in tons, and for seals in pieces).

6. *Payments for use of fish stocks on the water objects which are in isolated using, rent, the municipal property and a private property, are established by municipalities, proprietors, users and tenants in the form specified in article 3 of the present Rules.*

7. *Application of privileges for use of fish stocks is regulated by the corresponding legislation of the Azerbaijan Republic. Catching fish and other water animals in the research and control purposes, for fish farming and also adaptations of fishes and other water animals to environment and their resettlements for research of a condition of fish stocks and definition of limits of fishing it is free from payment.*

8. *Payments for use of fish stocks are brought in an order provided by the legislation.*

9. *Rules of application of payments:*

The Payment for use of fish and other water biostocks is listed on the settlement account State fishing concern "Azerbaijig".

Payment of the general limit allocated for use of fish stocks, is made on quarters as follows:

1st payment — to 50 percent of originally planned sum;

2nd payment — the full sum of payment for the fish actually caught in 1st quarter, and 50 percent of the sum planned for 2nd quarter;

3rd payment — the full sum of payment for the fish actually caught in 1st half-year, and 50 percent of the sum planned for 3rd quarter;

4th payment — the full sum of payment for the fish actually caught within 9 months, and 50 percent of the sum planned for 4th quarter;

5th payment — the full sum of payment for the fish actually caught within one year till February of the next year.

10. *The harm caused to one fish, a water animal and the invertebrate irrespective of its size and weight, is defined by following factors in relation to the minimum salary:*

a) *Fish:*

*Kinds of the fishes brought in «the Red book» (a thorn, a sea pike perch, **белоглазка**, a lamprey, a trout) 100*

The Beluga 90

*The Sturgeon, **севрюга**, a salmon, a humpback salmon 80*

Zhereh, kutum, a pike perch, shemaja, a white cupid, a silver carp 30

The Sazan, a carp, a hali 20

*The Catfish, a pike, a mullet, **рыбец**, the bream, small fry, **храмуля**, a crucian, a perch and other kinds*

Herring 10;

b) *Caviar (1 kg.):*

*The Beluga, a thorn, a sturgeon, **севрюга** 100*

c) *Water animals:*

□ *The Caspian seal 50*

d) *Water invertebrates:*

□ *Cancers 1,0*

□ *Shrimps 0,5*

e) *Penalties for fish, water animals and invertebrate, illegally caught or destroyed in state reserved and in other especially protected territories, are raised in the threefold size.*

*It is confirmed by the decision
of the Cabinet of the Azerbaijan
Republic from September, 6th,
1999 № 146*

Payment and rules of use of fish stocks legal and physical persons of the foreign states in the Azerbaijan Republic

1. Legal and physical persons of the foreign states can get the right of use of fish stocks on water objects of the Azerbaijan Republic on the basis of the Law «About fishery» and contracts, agreements, arrangements etc., prisoners between the Azerbaijan Republic and the near-Caspian states.

2. On water objects of fishing value of the Azerbaijan Republic legal and to physical persons of the foreign states sites of fishing for industrial, sports and amateur catching (which borders are established by the contract), areas catching and limits are established by corresponding enforcement authorities.

In the contract on top of sites of fishing the volume (limit) of caught fish, its kinds and the sizes forbidden for fishing fishing tools, means, other rules and conditions are established.

3. Industrial catch fish stocks legal and physical persons of the foreign states is paid, thus the right of use is got in an order provided by the legislation of the Azerbaijan Republic.

4. The size payments (cost) of use of fish stocks is differentiated depending on kinds of fish stocks, their way catching, a kind of fishing tools and means, and also appointment of water object and is established according to market conditions as follows:

Kinds of fish stocks	Operating ratios of fish stocks
a) Sprat	1,0
б) Mullet	2,0
c) Herring	2,5
d) Scaly fishes::	
▪ The Pike perch	4,0

▪ Small fry	2,0
▪ The Bream	2,0
▪ The Carp	3,0
▪ Zhereh	5,0
▪ Omul	5,0
▪ Shemaja	5,0
Other kinds of scaly fishes	2,0
e) Seal	1,0
f) Crustaceans	5,0

5. The size of a payment for the general using fish stocks is established under the following formula:

$$Q = L \times K \times N.$$

Q — in manat

L — the basic price for use of one ton of fish or one seal. The basic price makes 10 % of market sale price of fish and a seal.

K — the factor depending on a kind of fish stocks.

N — total (limit) intended for catching object of fishing, the unit of measure is accepted for fishes in tons, and for seals — in pieces.

6. Payments for use of fish stocks on the water objects which are in isolated using, rent, the municipal property and a private property, are established by municipalities, proprietors, users and tenants.

7. The right of use of fish stocks on water objects of the Azerbaijan Republic legal and physical persons of the foreign states and their duty are established along with the Law of the Azerbaijan Republic «About fishery» other acts of the Azerbaijan Republic and the international rules of law.

The cabinet of the Azerbaijan Republic

The decision № 104

*About entering of addition into the decision of the Cabinet of the Azerbaijan Republic
«About the statement of some regulatory legal acts connected with fish culture in the
Azerbaijan Republic» from September, 6th, 1999 № 146*

City of Baku, on June, 16th, 2005

With a view of maintenance of execution of point 2.3 of the Decree of the President of the Azerbaijan Republic «On regulation of export of fish and other seafood from the Azerbaijan Republic in the countries of the European Union» from April, 1st, 2005 № 218 Cabinet of the Azerbaijan Republic decides:

1. The appendix 2 «the List of limits of admissible density of harmful substances in water of water objects of fishing value» to «to Admissible norms of harmful influence on water objects of fishing value», the confirmed decision of the Cabinet of the Azerbaijan Republic from September, 6th, 1999 № 146 to add with "Note" of the following maintenance:

«The note. In waters of water objects in which are caught and grown up fish and other sea production which is subject to export to the countries of the European Union, a limit of admissible density of cadmium (Zhd2 +), cobalt (ЖО2 +), magnesium (Me2 +), nickel (Ni2 +), free chlorine (Cl) and zinc (Zn2 +) is established accordingly in 0,01 мг.л., 1,0 мг.л., 14 мг.л., 0,3 мг.л., 0,01 мг.л. And 0,003 мг.л.».

2. The present decision comes into force from the date of signing.

The Prime minister of the Azerbaijan Republic

A. RASI-ZADE