

## **About the realization of auction tenders on sale of quotes on fishing the sturgeon fishes**

*The decision of the Head of the administration of the Astrakhan area № 90 from March 10, 2000.*

In the performance of the Decree of the President of the Russian Federation from 08.04.97 № 305 " About the prime measures on the prevention of corruption and the reduction of the budget charges at the organization of purchases of production for state needs " and, taking into account the efficiency of realization of the auction tenders the quotes on fishing sturgeon fishes in 1999, is stated:

1. To establish the quote on fishing sturgeon fishes subject to the realization on auction tenders, in the volume of 200 Tons from the general allowed fishing in the Astrakhan area, including: stellate sturgeon - 106,5 tons, sturgeon - 93,5 tons.

2. To ratify the rule about the realization of auction tenders on sale of quotes on fishing sturgeon fishes,

3. To the fund of the Federal Budget of the area (Kareva) to organize the realization of auction tenders till April 12, 2000 with the following provisions:

3.1. the quote is exposed on the auction by 10 equal lots including:

The main bank - 7 lots (sturgeon - 65,45 tons; females in bioweight - no more than 28,4 %; stellate sturgeon - 74,55 tons; females- 23,2 %);

The Kirov bank - 1 lot (sturgeon - 9,35 tons; females - 21,1 %; stellate sturgeon - 10.65 tons; females - 23,3 %);

Belinski bank - 2 lots (sturgeon - 18,7 tons; females- 42,1 %; stellate sturgeon - 21,3 tons; females - 36,5 %).

3.2. The initial price of a lot should be not lower than 600 thousand roubles.

3.3. In spring fishing season quotes should be mastered not less than on 80 % of the total amount.

4. To ratify the instruction about the order of the development of the quotes on fishing sturgeon fishes in 2000.

5. Non-realized quote on fishing sturgeon fishes responds in the reserve of the area with the subsequent redistribution between the managing subjects in the established order.

6. To the fund of the Federal Budget of the area (Kareva) the financial assets received from the realization of the quotes to be listed in the target of non-budget fund of management, study, preservation and reproduction of water biological resources to the settlement account 40410810400010000004 in Agroincombank in Astrakhan, INN 3015009890, BIC 041203726, except for the charges of the fund of the Federal budget of the area on the realization of auction tenders in the volume 0,2 % from the made bargain in time, not later than 5 working days from the moment of their receipt from the buyer on the settlement account of the fund.

In case of delayed transfer of means by fund of the Federal budget of the area the fine is paid to the administration of the area at the rate of the one three-100-th working at this time rate of refinancing of the Central bank of the Russian Federation.

7. The control of performance of the present decision to assign to the first assistant of the head of the administration of the area Volodin E.M.

*A. Gugevin, the head of the administration of the area*

### **" The Rule about the realization of auction tenders on sale of quotes on fishing sturgeon fishes "**

It is authorized by the decision of the head of the administration of the area from March 10, 2000 N 90

1. General provisions

1.1. The rule is developed according to the current legislation of the RUSSIAN FEDERATION.

1.2. The rule defines the general order of the realization of auction, condition of the participation in it of the buyers, the procedure of payments, and also the procedure of the registration of the property on the sold the quotes.

1.3 The decision on sale of quotes on fishing sturgeon fishes on auction is accepted by the head of the administration of the area.

## 2. Preparation and realization of the auction

2.1. By the seller of quotes the fund of the Federal budget of the Astrakhan area, in further called "seller" acts.

### 2.2. Seller:

- publishes the information message on the realization of the auction in the local mass media not later than 30 days prior to the announcement of the date of its realization:
- forms and affirms the auction and the competitive commissions;
- organizes the realization of the auction;
- makes accounts with the participants of the auction;
- concludes the contract of sale and purchase with the buyer becoming the winner of the auction
- gives out to the winner of the auction the certificate on the right of the accommodation acquired
- quotes
- prepares the information on the results of the auction and transfers it for the publication in the mass media.

The information message should contain the following items of information:

- time and place of the realization of the auction;
- the subject of the auction;
- the order of the realization of the auction, including the order of the definition of the winner;
- of the item of the information on the initial price
- the termination date of the reception of the applications
- the requirements showed to the participants of the auction.

## 3. Condition of participation of the buyers in the auction

3.1. For the participation in auction the legal persons registered in the territory of the Astrakhan area on the code OKONH-18300, branch " fish industry " and having the special certificated manufacture available, positive financial parameters for the previous year, not having debts in the budget and state non-budget funds which are not being by organizations, transformed from organizations non-payers without the performance of the tax obligations, in time submitted the application form for the participation in the auction, other necessary documents and brought in when the due hereunder sum of the deposit are supposed at a rate of 50 % from the initial price of the lot, on which the demand moves

3.2. For the participation in the auction the applicant represents the seller the following documents:

- the application form for the participation in the auction;
- the copy of the payment document confirming entering of the deposit on the settlement account of the seller;

- certified notarially or by the body which is carrying out the registration copy of the charter;
- the conclusion of the competitive commission about an opportunity of the participation of the applicant in the auction.

3.3. To the persons allowed to the participation in the auction, the ticket of the participant of the auction is given out, that includes: the number, under which the buyer participates in the tenders; the number of the lot, exposed on sale from the auction;

The basic conditions of the realization of the auction the Ticket gives to the participant on the basis of the application, received from it and after the presentation of the payment document about entering the sum of the deposit on the settlement account of the seller.

3.4. After the expiration of the target date the reception of the applications stops.

3.5. The items of information on the persons who have submitted the application form for the participation in the auction are not subject to the announcement.

3.6. To the applicant can be refused in the participation in the auction, if:

- the person who has submitted the application, does not correspond to the requirements of item 3.1 of the present rule;
- the person who has submitted the application, has not presented in time the documents stipulated by items 3.2 of the present rule.

The given list of the bases for the refusal is settling.

4. Order of the realization of the auction.

4.1. The seller will carry out the auction independently or employ for its realization of the auctioneer. The auction begins with the announcement by the auctioneer of the names and the initial price of the object, and also the step of the auction.

The step of the auction makes from 10 up to 50 % from the initial price. In the stipulated limits the step of the auction is chosen by the auctioneer. The step of the auction remains uniform for all periods of the auction.

During the tenders the auctioneer names the price, and the buyer signals about his readiness to buy the lot for the given price by raising the ticket.

4.2. The tenders begin with the announcement of the initial price of the lot. After the announcement of the next price the auctioneer names the number of the ticket of the buyer, which, from the point of view of the auctioneer has lifted the ticket the first. Then the auctioneer announces the following price according to the step of the auction.

At the absence of the buyers ready to buy the lot for the given price, the auctioneer repeats this price three times.

4.3. The tenders are finished, when after the triple announcement of the next price any of the buyers has not lifted the ticket. The winner of the auction becomes the buyer, the number of whose ticket was named as the auctioneer last.

After the end of the tenders the auctioneer announces about the sale of the exposed lot, names the sale price and number of the ticket of the winner.

4.4. If after the triple announcement of the initial price any of the buyers has not lifted the ticket, the auction admits inconsisting.

4.5. The winner of the auction should sign the protocol on the results of the auction per day of its realization. The protocol is signed in duplicate by the buyer or his proxy representative and the seller. In the protocol the

items of information on the seller and the buyer, the name of the object of the sale, the final price, and also the obligation of the parties on signing the contract of sale and purchase are specified. One copy of the protocol about the results of the auction is given out to the buyer and is the document certifying the right of the buyer on the conclusion of the contract of sale and purchase.

4.6. If the winner of the auction in the day of the auction does not sign the protocol on its results the brought in the deposit does not come back, the results of the auction are cancelled.

4.7. The information on the results of the auction is published within 7 calendar days from the date of the realization of the auction in the local seal.

5. Registration of the rights of the property on quotes and accounts with the participants of the auction

5.1. The contract of sale and purchase consists between the seller and as the winner of auction (buyer) further is called - according to the Civil code of the Russian Federation not later than next day after the statement of the protocol about the results of the auction with the representation in the cases, established by the legislation, of the information of the tax inspection about the declaration of the sources of money resources used by the buyer for the payment of the got object.

The information of the tax inspection is represented by the buyers - legal persons in case of the fulfilment of the bargains of selling-buying for the sum more than 10 thousand minimal sizes, established by the federal law, of payment of work.

To the buyer who has not presented in the established cases and in the target dates the specified documents, the deposit is not returned. The object, exposed for sale, remains in the property of the Astrakhan area, and the question on its further use is decided by the head of the administration of the area.

5.2. In the contract of the purchase - selling made on the results of the auction, it is specified:

- the name of the sold object;
- the price of the purchase of the object;
- of the item of information on the seller, buyer and place of their presence;
- the form and terms of payment;
- the special conditions of the contract.

5.3. The buyer is obliged to make payment according to the contract not later than five working days after signing the contract.

5.4. The sum of the deposit which has been brought in by the buyer, is included in the sum of the payment under the bargain. To all other participants of the auction to the sum of the deposit comes back within 3 days from the moment of signing the protocol about the results of the auction

5.5. The list of the winners of the auction affirms by the head of the administration of the area. The administration of the area does not bear the responsibility in case of the incomplete development of the acquired quotes, occurred on the organizational reasons and force-major circumstances.

#### **The instruction about the order of the realization of quotes on fishing sturgeon fishes in 2000.**

Is authorized by the Decision of the head of the administration of the area from March 10, 2000 № 90

The purpose of the present instruction is ordering the craft of sturgeon fishes in the delta of the river Volga and the amplification of the control of the safety of fish.

1. The owners of the quotes on fishing of sturgeon fishes process fish on their own capacities or according to the contract for processing fish with fish-manufacturing enterprises having certificated the specialized manufacture on processing of sturgeon.

2. The owners of the quotes independently conclude the economic contracts on the development of the quotes on fishing of sturgeon fishes with fish-catching organizations of the area with the instruction of the percentage ratio of the caviar fish and the representation of the appropriate information in the department of the fish facilities of the administration of the area.
3. The procedure of payments for the services on catching and processing of fish is determined in the contracts between the interested organizations.
4. The development of the quotes on fishing sturgeon fishes is carried out in strict conformity with working rules of fishery, the control on trade sites is carried out only by the bodies of the fish-guard, the presence of other supervising organizations in the places of the craft is not supposed.
5. The management "Sevcaspribvod" represents to the administration of the area the weekly information on the course of the craft of sturgeon fishes with the indication of the volume of fishing, the class structure, biological parameters of fishing on all categories of the users of the quotes of fishing of sturgeon kinds of fishes.
6. Fish-manufacturing enterprises in the obligatory order inform the administration of the area on the made economic contracts on the transfer and the development of sturgeon kinds of fishes.