

RESOLUTION OF THE CABINET OF MINISTERS OF THE AZERBAIJAN REPUBLIC

On the Approval of Procedures for Implementation of State Control over the Use and Protection of Water Facilities

Based on Decree 685 “On the Approval of the Water Code of the Azerbaijan Republic confirmed in accordance with the Law of the Azerbaijan Republic dated 26 December 1997” issued by the President of the Azerbaijan Republic on 13 March 1998, the Cabinet of Ministers of the Azerbaijan Republic hereby **resolves**:

1. The “Procedures for Implementation of State Control over the Use and Protection of Water Facilities” be approved (is attached).
2. This Resolution shall be deemed to have come into force as of its signing day.

A. RASIZADE
Prime Minister, Azerbaijan Republic

Baku, 25 September 1998
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APPROVED by Resolution #195
of the Cabinet of Ministers of the
Azerbaijan Republic dated
25 September 1998

PROCEDURES for Implementation of State Control over the Use and Protection of Water Facilities

1. These Procedures have been developed in accordance with the Water Code of the Azerbaijan Republic and Decree 685 “On the Application of the Water Code of the Azerbaijan Republic approved pursuant to the Law of the Azerbaijan Republic dated 26 December 1997” issued by the President of the Azerbaijan Republic on 13 March 1998.
2. The key objectives and obligations of state control over the use and protection of water facilities are to ensure the observance of the following procedures and requirements by all entities, administrations, organizations, other legal entities, nationals of the Azerbaijan Republic, foreigners and stateless persons irrespective of their property forms:
 - Procedures for the use and protection of water facilities;
 - Limits for the use of water; sanitary-hygienic, ecological, hydrological, technological, meteorological standards, norms and procedures;

- Regime of utilization of water protection zones territory, and the other requirements of the Water Legislation of the Azerbaijan Republic.

3. State control over the use and protection of water facilities shall be carried out by the Melioration and Water Utilities Committee (on aboveground water facilities), the State Committee for Geology and Mineral Resources (underground water facilities) and the Committee of Ecology and Control over the Use of Nature.

State control over the water facilities located on the territory of Nakhchivan Autonomous Republic shall be carried out by the Cabinet of Ministers of Nakhchivan Autonomous Republic.

4. Implementation of state control over the use and protection of water facilities shall be effected in accordance with the appropriate organizations' regulations and other normative legal documents:

4.1. Control shall be carried out on the basis of monthly, quarterly and annual specific action plans. Control-related objectives and obligations shall be described in these action plans. These action plans shall be approved by the management of the relevant authorities carrying out control over the use and protection of water facilities.

Inspections may also be conducted on the basis of the state authorities, various organizations, physical persons and legal entities' requests.

4.2. Control shall be carried out on the basis of the analysis of enterprises, administrations and organizations' production technologies and water facilities' activity, and the investigation of water facilities' status. First of all the water facilities with unsatisfactory use and protection shall be kept under control.

4.3. Conformity of water facilities' operation regime with the project terms and the procedures for efficient use of water shall be determined during the inspections. Moreover, the information on the availability of necessary water meters and equipment, their technical status, the application of water use-related progressive technologies and the initial registration of water usage shall be checked.

4.4. A protocol or a report on the use and protection of water facilities shall be drawn up based on the results of inspection. The confirmed facts and information shall be incorporated into the said documents. Appropriate action shall be developed and put in place for improvement of the use and protection of water facilities on the basis of the inspection. Implementation of these actions shall be binding on all users of water facilities and water consumers.

5. The authorities carrying out state control over the use and protection of water facilities shall have the following rights:

- Institute administrative responsibility against the citizens and officials guilty in the violation of the procedures for the use and protection of water facilities;
- Raise a claim against all enterprises, administrations, organizations, and other legal entities regardless of their subordination and property form, and the citizens of the Azerbaijan Republic, foreigners and stateless persons for

- reimbursement of the damage caused to the state as a result of the violation of the procedures for the use and protection of water facilities;
- Submit the appropriate documents to the law enforcement authorities in order to institute criminal proceedings against the persons guilty in the violation of the procedures for the use and protection of water facilities;
 - Suspend the work and the use of water of these sources in the event that the procedures determined for the use and protection of water facilities are violated.

RESOLUTION OF THE CABINET OF MINISTERS OF THE AZERBAIJAN REPUBLIC

On determination of the areas where enterprises, installations and other facilities impacting on the status of water will be constructed and agreement of their construction projects and procedures for state expert examination and commissioning

The Cabinet of Ministers of the Azerbaijan Republic hereby resolves as follows in connection with the enforcement of Decree 685 “On the Approval of the Water Code of the Azerbaijan Republic Confirmed in accordance with the Law of the Azerbaijan Republic Dated 26 December 1997” issued by the President of the Azerbaijan Republic on 13 March 1998:

1. The “Procedures for determination of the areas where enterprises, installations and other facilities impacting on the status of water will be constructed and agreement of their construction projects and state expert examination and commissioning” be approved.
2. This Resolution shall be deemed to have come into force as of its signing day.

A. RASIZADE
Prime Minister, Azerbaijan Republic

Baku, 28 September 1998

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APPROVED by Resolution 197
of the Cabinet of Ministers of the
Azerbaijan Republic dated
28 September 1998

PROCEDURES

for determination of the areas where enterprises, installations and other facilities impacting on the status of water will be constructed and agreement of their construction projects and state expert examination and commissioning

1. GENERAL PROVISIONS

1.1. These Procedures have been determined in relation with the enforcement of Decree 685 “On the Application of the Water Code of the Azerbaijan Republic Approved in accordance with the Law of the Azerbaijan Republic dated 26 December 1997” issued by the President of the Azerbaijan Republic on 13 March 1998 and shall be binding on all physical persons and legal entities being subject to new construction, reconstruction, expansion facilities impacting on the status of waters on the territory of the Azerbaijan Republic irrespective of their property form.

These Procedures shall regulate the issues regarding the permissions for allotment of land plots for construction of the facilities causing direct or indirect impact on the status of waters, as well as the agreement of their designing and commissioning with the relevant executive authority carrying out control over these issues.

1.2. These Procedures shall cover the protection of our republic’s water reserves from chemical, bacteriological, radioactive, mechanical, heating and magnetic pollutions and shall be aimed at normal operation water supply sources in the constructed, reconstructed or newly equipped buildings and facilities, as well as the treatment and neutralization of disposed sewage waters at the required level under optimal scheme.

1.3. The facilities causing impact on the quality of natural water during the construction and operation of constructed, reconstructed and newly equipped buildings shall be agreed in the same manner. Aboveground water sources should be agreed with the Melioration and Water Utilities Committee and the State Hydrometeorological Committee operating at the Cabinet of Ministers of the Azerbaijan Republic, and underground water sources – with the State Committee of Geology and Mineral Resources, as well as with the relevant local executive authorities and owners, sanitary-ecological offices, administrations for state control of use of nature, and departments for control over fishing, marine and river navigation, port service, land and veterinary control departments as required.

1.4. These procedures shall cover general requirements for adoption of an appropriate decision for construction facilities’ advisable and efficient location by taking into account their impact on the status of water basins during the agreement of project documents and the issuance of permission for their application.

2. CONSTRUCTION OBJECTS AND SUBJECTS THAT WILL CAUSE IMPACT ON THE STATUS OF WATER BASINS OF THE AZERBAIJAN REPUBLIC

- 2.1. The construction facilities including the Caspian Sea falling under the circle of legal impact of these Procedures shall be new buildings, expansion and reconstruction, industrial, civil buildings and newly equipped facilities that may cause impact on the quality of aboveground and underground water reserves.
- 2.2. The construction subjects falling under the circle of legal impact of these Procedures shall be customers of the facilities causing impact on the status of our republic's water basins, and the authorities and persons mentioned in Paragraph 1.3 of these Procedures.

3. DETERMINATION OF THE AREAS WHERE ENTERPRISES, INSTALLATIONS AND OTHER FACILITIES CAUSING IMPACT ON THE STATUS OF WATER BASINS OF THE AZERBAIJAN REPUBLIC WILL BE CONSTRUCTED AND PREPARATION OF PERMISSION DOCUMENTS FOR ALLOTMENT OF LAND PLOTS FOR THEM

- 3.1. Land plots for new buildings that may cause impact on the quality of water reserves in the Azerbaijan Republic shall be allotted by the relevant executive authorities in accordance with the existing land legislation by strictly following the master plans of residential areas, sewage system and water supply development schemes.
- 3.2. Relevant executive authorities shall pass a decision on the construction of private property facilities impacting on the status of water in the republic pursuant to the justification documents describing the expert examination and agreement of water use and sewage water disposal projects and their techno-ecological, industrial-technological and technical solution upon the obtaining of state environmental experts' consent in connection with the declaration and substantiation documents submitted for allotment of land plots.
- 3.3. Relevant executive authorities shall give permission for the allotment of land plots for individual construction facilities upon the obtaining of the agreements of the melioration and water utilities, geology and mineral reserves committees, the authorised ecology and nature use control, hydrometeorology, health, agricultural and fishery bodies, as well as the republican water transport service (when the last three services are necessary).
- 3.4. The documents on the allotment of land plot for construction facility causing impact on the status of waters and the provision of the associated specifications shall remain in effect during the normative period of time determined for engineering and construction of enterprises, buildings and facilities.

4. PROCEDURES FOR APPROVAL AND STATE EXPERT EXAMINATION OF THE PROJECTS DEVELOPED FOR CONSTRUCTION FACILITIES IMPACTING ON THE STATUS OF WATER

- 4.1. Relevant authorities should follow the technical terms and requirements while allotting land plots for the construction of facilities.
- 4.2. The specifications issued during the allotment of land plots should be taken into account when the project solution developed for the construction facilities impacting on the status of water are reviewed by the authorities and persons enumerated in Paragraph 1.3 of these Procedures.
- 4.3. The project documents developed for the construction facilities impacting on the status of waters should be submitted to the state expert examination in the same manner for all customer investors and should meet the following provisions in accordance with the Law of the Azerbaijan Republic “On Investment Activity” and Resolution 572 of the Cabinet of Ministers of the Azerbaijan Republic dated 22 October 1992:
 - Compliance of the initial technical terms and requirements given by the organizations and state supervisory authorities interested in the enforcement of the decision adopted in connection with feasibility study for construction of enterprises, buildings and facilities during the agreement of the territory where the facility will be constructed provided that efficient use of water is taken as a basis;
 - Observance of town-planning, engineering-geological, environmental protection and other factors during the agreement of water demand and water disposal issues with local management authorities when an area is selected for construction;
 - Observance of the sanitary-hygienic requirements related to the level of treatment of sewage waters and the disposal of waters; Accuracy and efficiency of technical solution of water utilization and environmental protection measures; other requirements envisaged in the legislation.

5. ACCEPTANCE OF CONSTRUCTION FACILITIES IMPACTING ON THE STATUS OF WATERS IN THE AZERBAIJAN REPUBLIC FOR OPERATION

- 5.1. Acceptance for operation of the completed facilities impacting on the status of water reserves shall be implemented in the general manner established in the applicable legislation for buildings and facilities with the participation of representatives from the state ecology and nature use control and sanitary supervision authorities, as well as the melioration and water utilities and the state hydrometeorology committees operating at the Cabinet of Ministers, the State Fishery Concern, the Ministry of Agriculture, the State Land Committee’s marine and river shipment service, and port service control at the residential areas located at the port in accordance with the purposes of facilities.

- 5.2. When industrial, accommodation and civil-purpose facilities complex is commissioned stage by stage their operation shall not be permitted without water receiving, water discharging, water treatment and sanitary-hygienic installations.

Industrial-purpose facilities complex shall be permitted to take over for operation in the event that sanitary-hygienic units and complex melioration actions reducing the impact of hazardous substances discharged into the soil and water and emitted to the atmosphere are installed in them.

- 5.3. Water treatment facilities of the newly constructed, expanded and reconstructed construction facilities should be completed prior to the initial complex testing of the technological equipment for disposal of waste water. Acceptance of water treatment facilities for operation shall be permitted after the pipelines, storage tanks and the equipment and mechanisms of all big trains have been hydrotested (at least in 72 hours) and mutual relations have been established between all facilities.
- 5.4. Dredging of water facilities and basins, expansion of banks, procurement of water plants, installation of offshore cables, pipelines and other communication lines, felling of trees within the protection zones, implementation of mining activities shall be permitted upon obtaining appropriate permissions from the relevant authorities and persons, the services carrying out control over the use and protection of water reserves and other interested organizations.

6. INTER-SUBJECT RELATIONS OF THE BUILDINGS THAT MAY CAUSE IMPACT ON THE STATUS OF WATERS

- 6.1. Any customer investor, territorial management authorities and relevant state supervisory services of the buildings that may cause impact on the status of waters in the Azerbaijan Republic should follow the legislation on water, mineral reserves, health, environmental protection, as well as enterprises and property in their own relations.
- 6.2. The above subjects shall follow the existing normative legal acts and these Procedures while determining, designing, construction and operation of the facilities that may cause impact on the status of water reserves and they shall bear responsibility in accordance with the legislation in the event that they breach the requirements of the above documents.

RESOLUTION OF THE CABINET OF MINISTERS OF THE AZERBAIJAN REPUBLIC

On the Approval of the Procedures for Issuing the Status of Geological Allotment to Subsoil Areas Allotted for the Purpose of Geological Surveys

The Cabinet of Ministers of the Azerbaijan Republic hereby resolves as follows in connection with the enforcement of Decree 701 “On the Application of the Law of the Azerbaijan Republic “On Subsoil” issued by the President of the Azerbaijan Republic on 27 April 1998:

1. “Procedures for Issuing the Status of Geological Allotment to Subsoil Areas Allotted for the Purpose of Geological Surveys” be approved (is attached).
2. This Resolution shall be deemed to have come into force as of its signing day.

A. RASIZADE
Prime Minister, Azerbaijan Republic

Baku, 29 September 1998

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APPROVED by Resolution 199
Of the Cabinet of Ministers of the
Azerbaijan Republic dated
29 September 1998

PROCEDURES for Issuing the Status of Geological Allotment to Subsoil Areas Allotted for the Purpose of Geological Surveys

1. GENERAL PROVISIONS

- 1.1. These Procedures have been developed in accordance with the Law of the Azerbaijan Republic “On Subsoil” and Decree 701 “On the Application of the Law of the Azerbaijan Republic “On Subsoil” issued by the President of the Azerbaijan Republic on 27 April 1998, and shall determine the procedures for issuing the status of geological allotment to subsoil areas allotted for the purpose of geological surveys.

- 1.2. Based on these Procedures, geological allotment shall be provided by the State Committee of Geology and Mineral Resources of the Azerbaijan Republic and shall apply to the subsoil areas allotted for the purpose of geological surveys.
- 1.3. One-type or various-purpose activities may be carried out within the boundaries of the same geological allotment for investigation of subsoil from geological standpoint on the basis of a special permit. In this case mutual relationships of special permit holders operating within the boundaries of the same geological allotment shall be defined when a special permit is issued.
- 1.4. The State Committee of Geology and Mineral Resources may determine the sizes and numbers of the subsoil areas issued as geological allotment.
- 1.5. Boundaries of the geological allotment may be increased to cover the whole field on the basis of the special permit holder's application and the authority issuing this special permit shall make an appropriate attachment to it in the event that the mineral deposit discovered in the process of geological survey of subsoil protrudes from the boundaries of the given geological allotment and that a special permit for the said area is not given to another person.
- 1.6. Geological allotment for geological surveys of subsoil on specifically protected territories and the status of areas shall be provided in accordance with the legislation.
- 1.7. Subsoil users may not transfer the geological allotment issued to them to another legal entity or physical person for permanent or temporary utilization.

2. ORDER OF ISSUING GEOLOGICAL ALLOTMENT

- 2.1. Geological allotment shall be a document determining the boundaries of subsoil areas issued for the purpose of geological survey of subsoil (a specimen of geological allotment is attached).
- 2.2. Legal entities or physical persons should submit the following documents to the State Committee of Geology and Mineral Resources in order to obtain geological allotment:
 - 2.2.1. Application to obtain geological allotment;

The following information should be provided in the above application:

For legal entities – name, organizational-legal form and legal address of legal entity;
For physical persons – first, middle and last name; information about the document confirming his/her personality (series, number, when and by whom was issued, address).

- 2.2.2. Form 3 qk for state registration of the works to be performed on the subsoil area allotted for geological survey by the State Committee of Geology and Mineral Resources;

- 2.2.3. Layout of the subsoil area to be allotted for the use for the purpose of geological survey. Boundaries of woodland and agricultural areas, residential stations, buildings and facilities, as well as the limits of required geological allotment should be indicated on the plan depending on the purpose and scale of the works to be performed.
- 2.3. The application and documents submitted to obtain geological allotment shall be accepted and reviewed by the State Committee of Geology and Mineral Resources and geological allotment shall be issued within 10 days in the event that there are no shortcomings and grounds for refusal. Applicants shall be submitted substantiated written notice in the event that issuance of geological allotment to them is refused.
- 2.4. Provision of geological allotment shall be denied on the basis of the following grounds: in the event that the works to be performed are completely or partially repeated; in the event that inaccurate information is discovered in the documents submitted.
- 2.5. The following shall be indicated in the geological allotment:
 - 2.5.1. Name of legal entity; first, middle and last name of physical person;
 - 2.5.2. Administrative position, name of the territory required for geological allotment, numbers of corner points, coordinates, dimensions of the area, the list and sizes of the areas protruding from the agreed territory.
- 2.6. The term of geological allotment shall be restricted with the term of special permit issued for geological survey of subsoil.

RESOLUTION OF THE CABINET OF MINISTERS OF THE AZERBAIJAN REPUBLIC

On the Approval of Some Procedures related to the Water Legislation of the Azerbaijan Republic

The Cabinet of Ministers of the Azerbaijan Republic hereby resolves as follows in accordance with Decree 685 “On the Application of the Water Legislation of the Azerbaijan Republic Approved with the Law of the Azerbaijan Republic dated 26 December 1997” issued by the President of the Azerbaijan Republic on 13 March 1998:

1. “Standardization procedures for the use and protection of water facilities”, “Procedures for the development and implementation of water utilization limits”, “Procedures for the development, agreement, state expert examination, approval and implementation of schemes of complex use and protection of water reserves”, “Order of approval of the plans of inter-economy water use and the whole system plans of water use” be approved (are attached).

2. Resolution 259 (except for Section IV) of the Soviet of Ministers of the Azerbaijan SSR dated 4 August 1976, "On Resolution 408 "ON the Order of Development and Approval of the Schemes of Complex Use and Protection of Waters" of the Soviet of Ministers of the USSR dated 2 June 1976 be considered null and void.

3. This Resolution shall be deemed to have come into force as of its signing date.

A. RASIZADE

Prime Minister, Azerbaijan Republic

Baku, 15 October 1998

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APPROVED by Resolution 206 of
The Cabinet of Ministers of the
Azerbaijan Republic dated
15 October 1998

**STANDARDIZATION PROCEDURES FOR THE USE AND PROTECTION
OF WATER FACILITIES**

1. These Procedures have been developed on the basis of the Water Code of the Azerbaijan Republic and Decree 685 "On the Application of the Water Code of the Azerbaijan Republic Approved by the Law of the Azerbaijan Republic dated 26 December 1997" issued by the President of the Azerbaijan Republic on 13 March 1998.

2. The main objective of standardization in the sphere of the use and protection of water facilities is to determine water utilization limits, develop and accept sanitary-hygienic, ecological, hydrological, hydrogeological, technological, meteorological standards, norms and procedures for the use and protection of water facilities by taking into account the scientific and technical progress.

3. Standardization in the sphere of the use and protection of aboveground water facilities shall be implemented by the Melioration and Water Utilities Committee pursuant to the agreement with the Ministry of Economy, the Ministry of Agriculture, the Ministry of Health, the State Committee of Ecology and Nature Use Control, the State Committee of Hydrometeorology, the State Veterinary Committee, "Azerbmesha" Production Association, "Azerbalig" State Committee and "Azerenergy" Joint Stock Company.

4. Standardization in the sphere of the use and protection of underground water facilities shall be implemented by the State Committee of Geology and Mineral

Resources pursuant to the agreement with the Ministry of Economy, the Ministry of Agriculture, the Ministry of Health, the Melioration and Water Utilities Committee, the State Committee of Ecology and Nature Use Control, the State Veterinary Committee and other relevant organizations and authorities.

5. Standardization in the sphere of the use and protection of the Azerbaijan Sector of the Caspian Sea (Lake) shall be implemented by the State Committee of Ecology and Nature Use Control based on the agreement with the “Azerbalig” State Concern.
6. Sanitary-hygienic standards, norms and procedures for the use and protection of water facilities shall be developed by the Ministry of Health based on the agreement with the Melioration and Water Utilities Committee, the State Committee of Ecology and Nature Use Control, the State Committee of Hydrometeorology and other relevant organizations and shall be approved by the Cabinet of Ministers of the Azerbaijan Republic.
7. Ecological and technological standards, norms and procedures for the use and protection of water facilities shall be developed by the State Committee of Ecology and Nature Use Control based on the agreement with the Ministry of Health, the Ministry of Agriculture, the Melioration and Water Utilities Committee, the State Committee of Hydrometeorology, the State Committee of Geology and Mineral Resources and the “Azerbalig” State Concern and shall be approved by the Cabinet of Ministers of the Azerbaijan Republic.
8. Hydrogeological and hydrological standards, norms and procedures for the use and protection of water facilities shall be developed by the State Committee of Geology and Mineral Resources based on the agreement with the Ministry of Health, the Ministry of Agriculture, the Melioration and Water Utilities Committee and the State Committee of Hydrometeorology and shall be approved by the Cabinet of Ministers of the Azerbaijan Republic.
9. Meteorological standards, norms and procedures for the use and protection of water facilities shall be developed by the State Committee of Hydrometeorology based on the agreement with the Ministry of Health, the Ministry of Agriculture, the Melioration and Water Utilities Committee, the State Committee of Ecology and Nature Use Control and the State Committee of Geology and Mineral Resources and shall be approved by the Cabinet of Ministers of the Azerbaijan Republic.
10. Standardization in the sphere of the use and protection of water facilities shall be implemented on the basis of Water cadastre and in accordance with the schemes of complex use and protection of water reserves by taking the country’s social and economic requirements into account.

APPROVED by Resolution 206 of the
Cabinet of Ministers of the Azerbaijan
Republic dated 15 October 1998

PROCEDURES **for the Development and Implementation of Water Use Limits**

1. These Procedures have been developed on the basis of the Water Code of the Azerbaijan Republic and Decree 685 “On the Application of the Water Code of the Azerbaijan Republic Approved with the Law of the Azerbaijan Republic dated 26 December 1997” issued by the President of the Azerbaijan Republic on 13 March 1998.
2. Water use limits shall be calculated and implemented for population’s drinking, everyday, treatment, resort, health and other needs, as well as for agricultural, industrial, transportation, fishery and other state and public demands.
3. Aboveground water facilities’ use limits for agricultural needs shall be based on the State Hydrometeorological Committee’s information about water supplying ability of water facilities, and shall be developed and implemented by the Melioration and Water Utilities Committee of the Azerbaijan Republic and its relevant authorities.
4. Water use limits for population’s drinking, everyday and other needs shall be developed and implemented by district (city) executive authorities and their relevant organizations.
5. Water use limits for population’s treatment, resort and other needs shall be developed and implemented by the Ministry of Health and the relevant health resort organizations.
6. Water use limits for industrial, energy, construction, transport, fishery and other requirements shall be developed by the Melioration and Water Utilities Committee, “Azerenergy” Joint Stock Company, “Azerbalig” State Concern and other relevant organizations and shall be implemented based on the agreement with the State Committee of Ecology and nature Use Control and the State Committee of Hydrometeorology.
7. If sufficient underground water reserves are available in small districts where there are no aboveground water sources, then the said waters shall, first of all, be used for population’s drinking and everyday needs.
8. Underground water use limits shall be developed and implemented by the State Committee of Geology and Mineral Resources by following the requirements of efficient use of the underground water sources
9. Water use limits should take into account any water losses in every main, inter-economy and enterprise canal.

10. Water use limits for agricultural needs shall be approved by the Melioration and Water Utilities Committee for main and inter-district canals.
Based on the confirmed water use limits, water distribution shall be implemented by the relevant organizations subject to the Melioration and Water Utilities Committee. The volume of water pumped into the canals and provided to water consumers at the water distribution stations shall be determined by means of the water meters installed at these stations.
11. Water use limits may be amended and specified depending on water supplying capacity of water distribution stations and climatic conditions. These changes and amendments shall be made by the organization approving the water use limits. Any changes or amendments to the limits shall be made by submitting 10 days prior notice about it.
12. All water consumers shall be obliged to strictly follow the water use limits.
13. Water consumers shall bear responsibility for the spoilage and destruction of the devices and facilities installed on the water supply systems and wellhead, and for the overuse of water in comparison with the envisaged water use limits.

APPROVED by Resolution 206
Of the Cabinet of Ministers of the
Azerbaijan Republic dated
15 October 1998

PROCEDURES
for the Development, Agreement, State Expert Examination, Approval and
Implementation of the Schemes for Complex Use and Protection of Water
Reserves

1. These Procedures have been developed on the basis of the Water Code of the Azerbaijan Republic and Decree 685 “On the Application of the Water Code of the Azerbaijan Republic Approved with the Law of the Azerbaijan Republic dated 26 December 1997” issued by the President of the Azerbaijan Republic on 13 March 1998.
2. Master Scheme, as well as water area and territorial schemes for complex use and protection of water reserves shall be developed in order to determine the country’s perspective demand for water reserves and water utilities-related actions required to take for this purpose, ensure the efficient use and protection of water facilities, prevent the adverse impact of waters and eliminate its consequences.
3. Schemes of complex use and protection of water reserves shall be based on the long-term directive documents and programs for social and economic development of the country, the scientific and technical progress, the scientific-research works, and the forecasts drawn up by the Ministry of Economy and design institutes.

4. Master Scheme for complex use and protection of water reserves shall determine the main directions of development of water economy of the Azerbaijan Republic, and shall incorporate systematic investigation and design materials on the status of water reserves and the perspectives of the use and protection of water facilities in itself.
5. Water basin schemes for complex use and protection of water reserves shall be developed on the basis of the Master Scheme for river basins and other water facility basins.
6. Territorial schemes for complex use and protection of water reserves shall be developed on the basis of the Master Scheme and basin schemes for Nakhchivan Autonomous Republic and various economic regions and districts.
7. Master Scheme, basin and territorial schemes for complex use and protection of aboveground water reserves shall be developed by the Melioration and Water Utilities Committee with the participation of the State Committee of Geology and Mineral Resources, the State Committee of Ecology and Nature Use Control, the State Committee of Hydrometeorology and “Azerenergy” Joint Stock Company.
8. Master Scheme, basin and territorial schemes for complex use and protection of underground water reserves shall be developed by the State Committee of Geology and Mineral Resources with the participation of the Melioration and Water Utilities Committee, the State Committee of Ecology and Nature Use Control, the State Committee of Hydrometeorology and “Azerenergy” Joint Stock Company.
9. The actions envisaged in the schemes for complex use and protection of water reserves should ensure more efficient use of water in all the spheres of the country economy (first of all by taking into account the satisfaction of population’s demand for potable water) by way of regulation of water flows, economic use of water, as well as prevention of generation of waste water based on the application of progressive water supply schemes and technologies.
10. Schemes for complex use and protection of water reserves shall be developed by the specialized design institutes at the expense of the means allocated from the state budget. And their state expert examination shall be implemented accordingly by the Melioration and Water Utilities Committee and the State Committee of Geology and Mineral Resources.
11. Master Schemes for complex use and protection of water reserves shall be approved by the Cabinet of Ministers of the Azerbaijan Republic pursuant to the representations of the Melioration and Water Utilities Committee and the State Committee of Geology and Mineral Resources on the basis of the agreement with the Ministry of Economy, the State Committee of Ecology and Nature Use Control, the State Committee of Geology and Mineral Resources, the State Committee of Hydrometeorology and “Azerenergy” Joint Stock Company.
12. Basin schemes for complex use and protection of water reserves shall be approved by the Melioration and Water Utilities Committee (aboveground water

reserves) and the State Committee of Geology and Mineral Resources (underground water reserves) based on the agreement with the State Committee of Ecology and Nature Use Control, the State Committee of Hydrometeorology and “Azerenergy” Joint Stock Company.

13. Territorial schemes for complex use and protection of water reserves shall be approved by the Melioration and Water Utilities Committee (aboveground water reserves) and the State Committee of Geology and Mineral Resources (underground water reserves).
14. Master Scheme for complex use and protection of water reserves shall be developed for a term of 15 years and shall be updated once every 5 years by taking periodical amendments into account.

APPROVED by Resolution 206
of the Cabinet of Ministers of the
Azerbaijan republic dated
15 October 1998

PROCEDURES

for Approval of Inner-Economy Water Use Plans and Whole System Plans for Water Use

1. These Procedures have been developed on the basis of the Water Code of the Azerbaijan Republic and Decree 685 “On the Application of the Water Code of the Azerbaijan Republic Approved with the Law of the Azerbaijan Republic dated 26 December 1997” issued by the President of the Azerbaijan Republic on 13 March 1998.
2. Water consumers in the Azerbaijan Republic may be enterprises, administrations, organizations and other legal entities irrespective of their property form, as well as citizens of the Azerbaijan Republic, foreigners and stateless persons.
3. Usage of water of irrigation systems, pasture water supply systems and other water economy facilities shall be implemented on the basis of the whole system plans for inner-economy water use and the use of water.
4. Plans for inner-economy water use shall be applied by taking into account water consumers’ demand for water.
5. Plans for inner-economy water use should include the information on sizes of irrigated land plots, the structure of arable lands, the irrigation regime and plants’ irrigation time, the coefficient of in-economy canals, the soil-reclamative condition of arable lands , and the water reserves.

6. Plans for inner-economy water use shall be approved by local executive authorities after they have been agreed between water consumers and district departments of irrigation systems.

7. The whole system plans for water use shall be developed by district departments of irrigation systems with the participation of local agricultural organizations in accordance with sowing forecasts and irrigation regimes and shall be specified on the basis of the plans for inner-economy water use.

8. The whole system plans for water use should, in addition to the information on the plans for inner-economy water use, include the information about main and inter-economy canals and the volume of water taken by the main water collector, and the coefficient of inter-economy canals and the whole system.

9. Plans for inner-economy water use and the whole system plans for water use should comply with the system of actions taken in connection with the arrangement of works and agricultural engineering and hydrometeorological condition should be taken into consideration therein.

10. The whole system plans for water use should be taken into account during the use of irrigation water for energy, industrial, communal, everyday needs and other purposes.

11. The whole system plans for water use shall be approved:

- for the irrigation systems of district importance – by district departments of irrigation systems;

- for inter-district irrigation systems of the republican importance – by the Melioration and Water Utilities Committee operating at the Cabinet of Ministers of the Azerbaijan Republic.

12. Water use plans and water use agreements signed on the basis of these plans shall be the main documents determining the relations between district departments of irrigation systems and water consumers.

Water use agreements shall detail the terms and conditions related to the provision of water to water consumers from water distribution facilities on time and in the volume envisaged in the plans for inner-economy water use; the implementation of irrigation by water consumers according to the plan; the improvement of irrigation equipment; the maintenance of inner-economy network and the facilities installed on them in operational condition, etc.

13. The whole system plans for water use shall be specified in the event that the size of the area to be sown, types of the plants to be sown and the volume of water available in water sources change up to 10% in comparison with the envisaged one or time of irrigation and irrigation norm should be changed as a result of heavy rainfall. The whole system plans shall be specified by taking into account the correct information on water sources' water supplying capacity and the status of plants.

14. Taking of water from irrigation systems more than the volume envisaged in the plan shall not be permitted without local irrigation systems department's agreement even if there is much water in water sources.

15. Taking of water from inter-economy irrigation canals by constructing a new water receiving facility, installing a temporary pump station or by another method shall be permitted only with the agreement of the Melioration and Water Utilities Committee subject to the Cabinet of Ministers of the Azerbaijan Republic.