

GENESIS OF LEGISLATION IN THE AREA OF FISH FARMING

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On the basis of retrospective analysis of normative legal acts regulating fishing, in the article proposed arrangement and selection of key periods of development of legislation in this area.

Fish farming, fish farming becoming, stages of legislation development in the field of fish farming.

Fishing engendered before our era, and it was the cradle of ancient civilizations of China and Rome. At that time, the most characteristic of bio-fish farming area was hunting of fertilized eggs, embryos and larvae available for the purpose of introduction of artificial reservoirs for further growth.

The purpose of this article is a retrospective study of normative legal acts regulating fishing, and selection of the periods of the law in this area on the basis of this analysis.

In Rus, the fish has long been a favorite and valuable food. In 880-890 years "Veselesova book" was published, where the detailed rituals associated with the consumption of fish are described. Historical documents show that the fish lands were owned by senior clerics and secular people, monasteries, and sometimes people from the lower layer of the population. There were the reservoirs which belonged to nobody, and anyone was allowed to fish there.

There was no normative regulation in fish farming for a long time. Some sources of law contained the provisions that protect the ownership of natural objects - "Rus Truth" and in the period of feudal fragmentation - princes certificates that allow or vice versa - forbid, fishing in some estates.

Activation of the development of pond fisheries sector as agricultural production took place in Ukraine since the mid nineteenth century, mainly near the estates of large landowners. And on Podillya, Carpathians and Volyn fisheries activities under the influence of the Czech Republic, Slovakia and Poland developed more rapidly than in other regions. In 1866 Alexander II fishing documents were collected in the Third Section of temporary Division of land system state peasants Department of Agriculture Ministry of State Property. On July 22, 1881 the State Property Ministry has approved the Statute of the Russian Society of fish farming and fishing. The society had 18 branches, including branch of Kiev. In the period from July 1918 - 1920 years main legislative act which was carried out on the basis of regulation of relations in collective farms was the position of the socialist land management activities and the transition to a socialist agriculture.

Since 1956 pond fishing was considered highly profitable sector of the economy, and according to the Council of Ministers of the RSFSR on May 8, 1956 № 364 "On the development of the state and collective pond Fisheries RSFSR" fisheries ministry of the RSFSR undertook to sell agricultural marketing cooperative for fishing ponds to feed pond fish.

In December 1970 p. Supreme Soviet adopted the Principles of Water Legislation of the USSR and the Union Republics, which went on the effect on September 1, 1971 p. According to them, on 9 June 1972 p. the Water Code of USSR was adopted, which entered into force on November 1, 1972 p. Water legislation was intended to provide rational use of water for the needs of the population and economy, water protection from pollution and depletion etc. Significant in the development of legislation on fish farming is the Law of Ukraine "On fisheries, commercial fisheries and protection of aquatic biological resources" and the Law of Ukraine "On aquaculture".

In the analysis of the genesis of the legislation governing fishing, we have chosen a chronological approach which allowed the development of legislation considered in the context of its adaptation to the development of fish farming

(aquaculture) as the type of agricultural activity at different stages of its existence. The scientific literature defines historical stages of fish farming.

We offer the following **conclusions** and identify three major periods of the relevant legislation: the first - fish farming in Ukraine since its entry into the Russian Empire (before 1917); second - fish farming during the Soviet era in Ukraine (1917-1991 gg.), which includes the following steps: 1) the establishment of state control in fisheries (1917-1958 gg.), 2) the introduction of new principles and types of fish farming (1958-1970 gg.) 3) the prioritize the preservation and restoration of water bodies and intensification of pond fish culture (1970-1991); third - fish farming in Ukraine since independence, which is divided into several stages: 1) the effect of regulatory legal acts of the USSR in the field of fish farming; 2) the adoption of the Water Code of Ukraine and a number of legal acts aimed on the development of fish farming: the Law of Ukraine "On Wildlife", the decisions of the Cabinet of Ministers of Ukraine "On approval of the interim order of fisheries and implementation of fisheries" and the order of the State Committee for Fisheries of Ukraine "On approval of Regulations on the procedure of artificial breeding, cultivation of aquatic resources and their use "; 3) the acceptance of the Law of Ukraine "On fisheries, commercial fisheries and protection of aquatic biological resources" and the Law of Ukraine "On aquaculture".