

LAW OF THE REPUBLIC OF ARMENIA ON HYDRO-METEOROLOGICAL ACTIVITIES

Adopted on February 7, 2001

This Law regulates the hydro-meteorological activities of the Republic of Armenia, determines the legal basis for hydro-meteorological activities and aims to satisfy the needs of public, government officials, legal and physical entities in acquisition of information on hydro-meteorological phenomena and processes.

CHAPTER 1 General Provisions

Article 1. Objectives of the Law

Objectives of this Law are to:

- a) define legal requirements for hydro-meteorological activities;
- b) create relevant conditions for market relations in the fields of hydro-meteorological information collection, maintenance and use;
- c) provide legal basis for harmonized and effective activities of the national hydro-meteorological network as a part of the international hydro-meteorological network.

Article 2. Main Terms Used in the Law

Following main terms are used in this Law:

meteorology - a science, that studies composition and structure of atmosphere, its chemical, biological and physical characteristics and interaction with the natural environment;

hydrology - a science, that studies waters generation and distribution on the earth, as well as its dynamics in space and time, allocation, circulation, chemical, biological, physical characteristics and interaction with the natural environment;

hydro-meteorological phenomena – manifestation of separate forms of hydro-meteorological components (atmospheric pressure, wind, humidity, air and water temperature, water level and discharge, freezing etc.), which determine regimes of weather and water bodies;

hydro-meteorological processes - regular development of hydro-meteorological phenomena in space and time, which determines conditions of atmosphere and hydrosphere;

hydro-meteorological service – a unity of organizationally and technologically interdependent organizations, enterprises, centers, stations and points, which provides a fulfillment of complex works in the hydro-meteorological field, including climate science, agro-meteorology, limnology, hydro-meteorological phenomena including ionosphere and near-to-the-earth space monitoring, and information provision on hydro-meteorological phenomena and processes;

hydro-meteorological activities – a process of hydro-meteorological information production: monitoring, collection, processing, analysis, maintenance and use;

national hydro-meteorological system – a complex of sectoral and other organizations and services dealing with production of information on hydro-meteorological phenomena and processes on the territory of the Republic of Armenia;

international hydro-meteorological network - a complex of technologically interconnected national hydro-meteorological systems that operate according to the international agreements;

monitoring of hydro-meteorological phenomena - instrumental measurement and observations of hydro-meteorological phenomena: meteorological, climatic, aerological, hydrological, geophysical, agro-meteorological, actinometric, ozonometric, and physical, chemical (including radioactivity) qualitative and quantitative characteristics of atmosphere, soils, waters, snow cover;

monitoring network - a system of stationary and portable facilities for monitoring of hydro-meteorological phenomena;

monitoring of hydro-meteorological phenomena - a system for the assessment of regular monitoring of hydro-meteorological phenomena and the forecast;

information on hydro-meteorological phenomena and processes - data received as the result of monitoring hydro-meteorological phenomena, as well as information received as the result of analysis and processing;

extremely urgent information on hydro-meteorological phenomena and processes – factual and forecasted information on spontaneous natural phenomena and dangerous levels of the environmental contamination, which is transmitted immediately after being received and processed, according to the established rules;

general information on hydro-meteorological phenomena and processes – factual and forecasted information, which is received, collected and processed according to the established procedures;

professional information on hydro-meteorological phenomena and processes – targeted information, which is received, processed, analyzed, maintained and presented upon the request of consumers and the production of which requires additional work and expenses;

hydro-meteorological works of national and international significance - works and explorations of global, national or interregional significance, as well as works and explorations important for economic development, public and state security, social and economic sustainability.

Article 3. Legislation on Hydro-Meteorological Activities

Hydro-meteorological activities are legally regulated by the legislation of the Republic of Armenia, this Law, other laws and normative legal acts in hydro-meteorological and related fields.

Property relations generated from the use of technical and organizational means used to collect, process and disseminate information on the state of atmosphere and hydrosphere are regulated by the Civil Code of the Republic of Armenia.

Relations related to acquisition of weapons for professional purposes by state organizations and services of the national hydro-meteorological system are regulated by the Law on Weapons of the Republic of Armenia.

Article 4. Principles of Fulfillment of Hydro-Meteorological Activities

Hydro-meteorological activities are fulfilled based on the following principles:

- a) complexity, integrity and regularity of hydro-meteorological monitoring;
- b) technological unity of hydro-meteorological monitoring implementation, information collection, analysis, summary, maintenance and dissemination on the territory of the Republic of Armenia;
- c) ecological security, environmental protection, public health protection and safety in the processes of active influence on meteorological and other geophysical processes;
- d) integrity of activities of the national hydro-meteorological system and their harmonization with the activities of international hydro-meteorological network;
- e) accessibility, openness, reliability and effective use of information on factual and expected data on hydro-meteorological phenomena.

Article 5. Producers and Consumers of Information on Hydro-Meteorological Phenomena and Processes

Producers of information on hydro-meteorological phenomena and processes are the specialized national and international hydro-meteorological bodies and services.

Consumers of information on hydro-meteorological phenomena and processes are the government officials and local governmental bodies, citizens, legal entities, as well as international physical and legal entities, unless otherwise claimed in the legislation of the Republic of Armenia.

Article 6. Rights and Responsibilities of Producers of Information on Hydro-Meteorological Phenomena and Processes

As defined by the legislation of the Republic of Armenia, the producers of information on hydro-meteorological phenomena and processes have a right to:

- a) a) fulfill activities according to the founding documents and, in special cases, according to licenses for foreseen hydro-meteorological phenomena;
- b) b) receive payment for providing information on hydro-meteorological phenomena and processes;
- c) c) protect intellectual property rights for scientific and other activities related to hydro-meteorological phenomena and processes;
- d) d) refuse to provide information on hydro-meteorological phenomena and processes to consumers, if the latter violate terms of provision of information;
- e) e) carry out other activities, which are not prohibited by the legislation of the Republic of Armenia.

Producers of information on hydro-meteorological phenomena and processes are obliged to:

- a) a) carry out monitoring of hydro-meteorological phenomena according to the requirements of the legislation of the Republic of Armenia, international agreements of the Republic of Armenia and the current methodology;
- b) b) keep terms of contracts for production, maintenance and provision of information on hydro-meteorological phenomena and processes;
- c) c) calculate and by established rules provide information on fulfilled hydro-meteorological works;
- d) d) provide consumers with reliable hydro-meteorological information.

Article 7. Rights and Responsibilities of Consumers of Information on Hydro-Meteorological Phenomena and Processes

Consumers have a right to:

- a) a) receive information on hydro-meteorological phenomena and processes based on contracts made with information producers;
- b) b) reject information on hydro-meteorological phenomena and processes, if information producer violates terms of contract, the legislation, the current norms and other requirements;
- c) c) choose a producer of information on hydro-meteorological phenomena and processes.

Consumers of information on hydro-meteorological phenomena and processes are obliged to keep terms of contracts made with implementers of hydro-meteorological works.

Article 8. Rights of Citizens, NGO's and Other Legal Entities in the Field of Hydro-Meteorological Activities

Citizens, NGO's and other legal entities have a right to receive a reliable information on hydro-meteorological phenomena and processes.

Citizens and environmental NGO's have a right to carry out independent monitoring of hydro-meteorological phenomena and processes and inform the state governing body authorized in the field of hydro-meteorology (hereinafter, the authorized body) about natural calamities, accidents, violation of technological processes, which have affected or may affect human life and health, and which have caused or may cause dangerous environmental contamination. Received data can be disseminated through mass media or other means upon agreement with the authorized body.

Article 9. Subjects of Hydro-Meteorological Activities and Directions for the Utilization of Results from Those Activities

Subjects of hydro-meteorological activities are the climate, meteorological and hydrological conditions.

Results of hydro-meteorological activities can be used in different sectors of economy as well as by foreign countries and international organizations.

CHAPTER 2. State Governance in the Field of Hydro-Meteorological Activities

Article 10. Jurisdiction of the Government of Armenia in the Field of Hydro-Meteorological Activities

Overall state governance of hydro-meteorological activities in the Republic of Armenia is implemented by the Government of Armenia. The Government of Armenia:

- a) a) provides implementation of national policy in the field of hydro-meteorological activities;
- b) b) approves programs of hydro-meteorological works of national significance;
- c) c) is a client of hydro-meteorological works of the national significance.

Article 11. Jurisdiction of the Authorized Body

Management of hydro-meteorological activities in the Republic of Armenia is implemented by the authorized body.

Main responsibilities of the authorized body are:

- a) a) implementation of national policy in the field of hydro-meteorological activities, participation in development and implementation of national programs;
- b) b) provision of executive and administrative functions implementation in the field of hydro-meteorological activities;
- c) c) participation in drafting of normative documents on methods and norms in the field of hydro-meteorological activities;
- d) d) establishment and operational support to the national hydro-meteorological system of the Republic of Armenia, its operation and development, and coordination of activities of commercial entities that are dealing with hydro-meteorological monitoring, but are not in the structure of national hydro-meteorological service;
- e) e) licensing of commercial entities for fulfillment of hydro-meteorological activities, which are not in the structure of national hydro-meteorological service;
- f) f) development and operational support to state structures that collect, process, analyze and use information on hydro-meteorological phenomena and processes according to established procedures;
- g) g) provision of the state and local government bodies, armed forces, population and other consumers of the Republic of Armenia with hydro-meteorological manuals and with an extremely urgent factual and forecasted information on hydro-meteorological phenomena and processes;
- h) h) definition of a list of hydro-meteorological activities of international, national and local significance, support for their implementation, provision with official forecasts and other products on hydro-meteorological phenomena;
- i) i) organization of scientific research of international, national and local significance on the assessment and forecast of hydro-meteorological phenomena;

- j) j) development of a state information resources base, establishment and maintenance of a unified state fund of the Republic of Armenia of the data on hydro-meteorological phenomena and processes;
- k) k) provision of consistence and comparability in the field of hydro-meteorological phenomena monitoring, methods, calculations, forecast, data and hydro-meteorological activities;
- l) l) organization and implementation of works to influence hydro-meteorological and geophysical phenomena in favor of economic and public security, as well as execution of a state control over their implementation in the Republic of Armenia;
- m) m) support for protection of the objects of the state monitoring network;
- n) n) international cooperation within the limits of its jurisdiction.

Legal acts on the hydro-meteorological activities of the authorized body are necessary for all the subjects dealing with those activities.

Article 12. National Hydro-Meteorological System of the Republic of Armenia

National hydro-meteorological system of the Republic of Armenia includes:

- a) a) state hydro-meteorological service;
- b) b) sectoral hydro-meteorological services;
- c) c) different physical and legal entities dealing with monitoring of hydro-meteorological phenomena;

State hydro-meteorological service includes:

- a) a) state monitoring network, which contains meteorological, hydrological, aerological, avia-meteorological, aero-meteorological and other specialized monitoring points, stations, services and centers including radiant, solar, magnetic monitoring centers;
- b) b) chemical and radiological laboratories;
- c) c) satellites of international hydro-meteorological network;
- d) d) aerological laboratories, scientific ships and other monitoring means,
- e) e) stations placed out-of-the-way;
- f) f) an integral state structure, which is responsible for collection, processing and dissemination to consumers of the factual and forecasted information on hydro-meteorological phenomena and processes;
- g) g) unified state fund of the Republic of Armenia of data on hydro-meteorological phenomena;
- h) h) strategic services designed to influence actively the hydro-meteorological processes.

CHAPTER 3.

Framework and Regulations for Fulfillment of Hydro-Meteorological Activities

Article 13. Right to Implement Hydro-Meteorological Activities

Hydro-meteorological activities are subject to be licensed.

According to the legislation of the Republic of Armenia, hydro-meteorological activities can be accomplished without a license by:

- a) a) the state hydro-meteorological service of the Republic of Armenia;
- b) b) hydro-meteorological services of the armed forces of the Republic of Armenia.

Licensing of hydro-meteorological activities is implemented by the authorized body, as defined by law.

Official warning, forecasts and other information products, related to the safety of population's life and health and the security of property, are transmitted to consumers only by the authorized body.

Article 14. Activities of Hydro-Meteorological Service in the Field of Meteorology

In the field of meteorology, the activities of the hydro-meteorological service are intended to determine the status and development of natural meteorological phenomena, of technogenic, physical, chemical and other processes in the atmosphere as a result of interaction with soil and water surfaces.

Main objectives of activities of the hydro-meteorological service in the field of meteorology are to:

- a) a) provide information on the meteorological processes and phenomena directly to interested state bodies and commercial entities;
- b) b) alert the state bodies, legal entities and population on dangerous and natural atmospheric phenomena (climatic, other meteorological changes);
- c) c) provide forecasts on the meteorological situation and the required data on expected unfavorable conditions to the forecasting services;
- d) d) summarize and collect the reliable data on meteorological and radiation regime in the Republic of Armenia and its distinct regions.

Article 15. Activities of the Hydro-Meteorological Service in the Field of Hydrology

In the field of hydrology, activities of the hydro-meteorological service are carried out with a purpose of collection of data about the rivers, lakes, reservoirs, canals, marshes, ground sources, other water objects and water resources, which are necessary to:

- a) a) meet the demands of population and the economy by providing information about the change in the hydrological regime of water objects (floods, inundation, etc.);
- b) b) study the space and time related regularities of the hydrological regime, create the state water inventory, maintain the water cadastre, estimate water resources and water balance of water basins and areas, assess the impact of economic activities on the regime of water objects and water resources.

Article 16. Hydro-Meteorological Activities in Special Circumstances

Hydro-meteorological activities in special circumstances (natural calamities, accidents and other emergency situations, and removal of their consequences on the territory of the Republic of Armenia) form a constituent part of the unified state system for the forecast of natural and technogenic emergency situations and removal of consequences.

In case of natural calamities and accidents, which have resulted or may result in environmental contamination, additional monitoring shall take place.

In particular circumstances, the procedure for fulfillment of hydro-meteorological activities is determined by law.

Article 17. Hydro-Meteorological Services to the Armed Forces

Provision of information on hydro-meteorological phenomena and processes to the armed forces located on the territory of the Republic of Armenia is implemented according to the requirements of this Law, the legislation of the Republic of Armenia and interstate agreements.

In case of declaring a military situation on the territory of the Republic of Armenia, the hydro-meteorological service as a whole is transferred under the Ministry of Defense of the Republic of Armenia.

Article 18. Requirements to the Hydro-Meteorological Service and Ways of Dissemination of Its Products

Producers of information on hydro-meteorological phenomena and processes are obliged to meet requirements of legal acts adopted by the authorized body regarding realization of monitoring

according to the existing methods, international and national standards and normatives, collection, processing, analysis and use of the data.

Results of hydro-meteorological activities shall be formed according to the requirements of this Law and other normative documents.

Article 19. Objects of the Monitoring Network and Their Maintenance

The initial unit of production of the national hydro-meteorological system and international hydro-meteorological network, which directly conducts monitoring, processes the results of monitoring of hydro-meteorological phenomena and transmits information to the hydro-meteorological centers, is considered as an object of the monitoring network.

Objects included in the state hydro-meteorological service of the monitoring network are consolidated in the state network for monitoring the hydro-meteorological phenomena.

In order to receive reliable information on the natural phenomena, protection zones are created on the territory of objects that perform monitoring of hydro-meteorological phenomena, where certain limitations exist for economic and other activities, procedures and restrictions for which are defined by the government of the Republic of Armenia. As disputes arise, servitudes are determined according to the Civil Code of the Republic of Armenia.

Demolition and reconstruction of objects of the state monitoring network is realized upon the permission of the authorized body.

Allocation of land for construction of objects of the state monitoring network and protection zones for their objects has a state and public significance and is realized according to the procedures defined in the legislation of the Republic of Armenia.

Protection of the objects of the state monitoring network is realized by the national, territorial and local government bodies that manage those plots. Leaders of the state, territorial and local governments are obliged to notify the authorized body about all cases of destruction or damage of hydro-meteorological objects immediately.

CHAPTER 4.

Information on Hydro-Meteorological Phenomena and Processes

Article 20. Information on Hydro-Meteorological Phenomena and Processes

Information on hydro-meteorological phenomena and processes is the data that is based on monitoring results as well as the information and forecast resulted from processing and analyzing those data.

Information on hydro-meteorological phenomena and processes that is received on the territory of the Republic of Armenia is considered as an information resource of the Republic of Armenia.

Information on hydro-meteorological phenomena and processes, except for data categorized as limited-use information, is open and accessible for public.

Data that contain information on hydro-meteorological and emergency situations, which are necessary for the security of human settlements, industrial objects, population and citizens, are not categorized as limited-use information.

Article 21. Terms of Provision of Information on Hydro-Meteorological Phenomena and Processes

Information on hydro-meteorological phenomena and processes is provided free of charge and for payment.

Information provided free of charge is:

- a) a) information that is extremely urgent and general, the list for which is defined by the government of the Republic of Armenia;
- b) b) data and information products intended for the operation of state bodies;
- c) c) data on availability of information on hydro-meteorological phenomena and processes and on the terms of provision of that.

Charges are imposed to consumers, other than the state bodies, only for those services, which relate to sorting, copying, reproducing, mailing or transmitting by other means of communication of the general information on hydro-meteorological phenomena and processes.

The authorized body is obliged to notify the consumers about the information services, information inventory and methods of provision, when providing information on hydro-meteorological phenomena and processes.

Article 22. Certification of the Source of Information on Hydro-Meteorological Phenomena and Processes

The legal entities, which use professional information on hydro-meteorological phenomena and processes for estimation of job remuneration, energy costs, or the impact from the discharge of dangerous substances, shall have a certificate conferred by the authorized body to attest the source of that information.

Article 23. Unified State Fund of the Republic of Armenia of the Data on Hydro-Meteorological Phenomena

All the data resulted from monitoring of the hydro-meteorological phenomena, that has been received on the territory of Armenia and outside of subjects of national hydro-meteorological system, form the unified state fund of the Republic of Armenia of data on hydro-meteorological phenomena, which is under the authorized body in the hydro-meteorological field.

Management and use of materials and data of the hydro-meteorological fund of the Republic of Armenia that contains any state and official secrecy are realized according to the Law of the Republic of Armenia on the State and Official Secrecy of the Republic of Armenia.

Documents on hydro-meteorological materials and data, that belong to the archive fund of the unified state fund of the Republic of Armenia, are filled, processed, maintained and used according to the Law of the Republic of Armenia on Armenian National Archive Fund.

CHAPTER 5.

Provision for the Hydro-Meteorological Activities

Article 24. Financing of the Hydro-Meteorological Activities

Finances of the hydro-meteorological activities are generated from:

- a) a) state budget of the Republic of Armenia;
- b) b) consumer charges for information on hydro-meteorological phenomena and processes;
- c) c) other sources that are not prohibited by the legislation of the Republic of Armenia.

The state budget of the Republic of Armenia provides funding for those types of hydro-meteorological activities that have a national significance, for membership fees for the World Meteorological Organization and other international hydro-meteorological organizations, as well as for special work

for the removal of consequences of emergency situations that resulted from natural calamities and accidents.

Projects in the hydro-meteorological field that have regional and local significance are financed from the appropriate budgets.

Budget expenses for the current year are determined by the Law of the Republic of Armenia on the State Budget of the Republic of Armenia and appear as a distinct line item in the state budget.

Hydro-meteorological activities can be realized upon the order of the legal and physical entities, on a contractual basis, without diminishing the volume of work that is financed from budgets, as well as from environmental and other funds.

In order to develop the hydro-meteorological service, to promote effectiveness of social-economic projects and to build the scientific-technical capacity of the participants of hydro-meteorological activities, funds can be created in the hydro-meteorological service, formulation and operation procedures for which shall be determined by the charters of those funds. Those are approved by the authorized body.

Article 25. Material and Technical Potential of the Hydro-Meteorological Activities

Provision for the material and technical potential for fulfillment of the hydro-meteorological activities related to the draft international, national and regional hydro-meteorological projects and monitoring, and for implementation of the state order, is executed on the expense of the state and community budgets.

CHAPTER 6.

Dispute Settlement and Liability for Violations of Legislation in the Field of Hydro-Meteorological Activities

Article 26. Settlement of Disputes among the Participants of Hydro-Meteorological Activities

Disputes among the participants of hydro-meteorological activity are resolved through juridical procedures.

Disputes among the units of the state hydro-meteorological service, and between the sectoral hydro-meteorological services or agencies are examined by their relevant supervisory bodies, as defined by law.

Interstate disputes in the field of hydro-meteorological activities are settled by interstate committees established for that matter or by arbitration courts.

Article 27. Liability for Violations in the Field of Hydro-Meteorological Activities

In carrying out hydro-meteorological activities, legal and physical entities of the Republic of Armenia bear appropriate liabilities for:

- a) a) fulfillment of hydro-meteorological works on their own initiative without a special permit (license);
- b) b) violation of rules and requirements for fulfillment of hydro-meteorological monitoring, and the related collection, processing, analysis, maintenance and provision of information to consumers;
- c) c) falsification, closure or late notification of the extremely urgent information on calamity situations, identified sources of the radioactive environmental pollution, and concealment of the size of the danger;
- d) d) intentional damage or destruction of objects of the monitoring network;
- e) e) violation of regulations of use of protection zones around the objects of the state monitoring network.

CHAPTER 7.
International Cooperation in the Field of Hydro-Meteorological Activities

Article 28. National Hydro-Meteorological System of the Republic of Armenia and International Hydro-Meteorological Network

National hydro-meteorological system of the Republic of Armenia is a component of an international hydro-meteorological network.

The Republic of Armenia participates in formation and development of global and regional as well as united international systems of monitoring and information exchange on hydro-meteorological phenomena.

Authorized body represents and defends interests of the Republic of Armenia in cooperation with international organizations and hydro-meteorological services of other countries, and coordinates international activities in the field of hydro-meteorological activities carried out by legal and physical entities of the Republic of Armenia.

Article 29. International Cooperation in the Field of Hydro-Meteorological Activities

International cooperation in the field of hydro-meteorological activities is implemented according to this Law, the legislation of the Republic of Armenia and international agreements of the Republic of Armenia.

Activities of foreign citizens, persons without a citizenship and foreign legal entities, international organizations in the territory of the Republic of Armenia are regulated by this Law, other legal acts and relevant international agreements of the Republic of Armenia.

In case this Law does not provide for certain norms, which are set forth in international agreements, those in the international agreements take a precedence.

CHAPTER 8.
Final Clause

Article 30. Entering into Force

This law enters into force starting from time it is published.

Robert Kocharyan
President of the Republic of Armenia

Yerevan
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