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DIRECTIONS OF AQUACULTURE IN NATIONAL LEGISLATION

This article analyzes directions of aquaculture in national legislation, outlines the main deficiencies of legislative fixed directions. There is indicated on flawed operating of conceptual apparatus within a single legislative act. It also contains possible ways to improve the regulation of aquaculture areas in national legislation.

Name of the Article 13 «Directions and kinds of aquaculture» of the Law of Ukraine «On aquaculture» includes a broader concept than the provision fixed in paragraph 1 of this Article where are listed the «aquaculture directions of activity that are carried out in order». The first direction is enshrined in Art. 13 and means: receiving marketable products of aquaculture and its further implementation (commercial aquaculture). This direction has not received an explanation or basic provisions for its implementation in this article.

Provisions for the given direction contained in paragraph 1 of Art. 13 where the legislator establishes the concept of «aquatic biological resources», but in paragraph 4 of Art. 13, while explaining the given direction the legislator uses the term «objects of aquaculture», that are not identical terms.

The third direction is provided by the legislator in Part 1 of Article 13 of the Law of Ukraine «On aquaculture» and is about providing recreational services. Here must be stressed on the need for more detailed legislative provisions on this activity and possible services in aquaculture. It is necessary to use a comprehensive approach to the settlement of recreational services in aquaculture, considering all the possible directions of service delivery, reproduction of biological resources and preservation of existing assets.

Summarizing all above it can be concluded about the necessity of a comprehensive approach to the settlement of relations in the field of aquaculture as well as it should be improved the conceptual framework of the Law of Ukraine «On aquaculture» for an unambiguous understanding of legal norms and in order to avoid the collisions of law in the future.

Keywords: aquaculture; aquaculture areas; aquaculture commodity; commodity production; aquaculture facilities; water biological resources; recreation services in the field of aquaculture.