

Aquaculture governance and licencing of aquaculture farms in Hungary

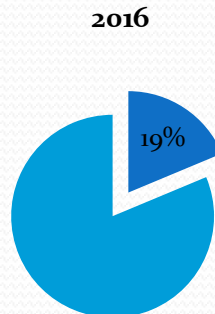
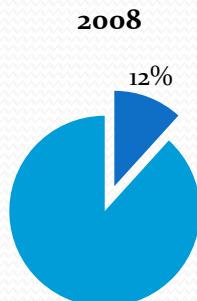
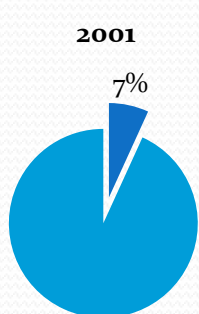
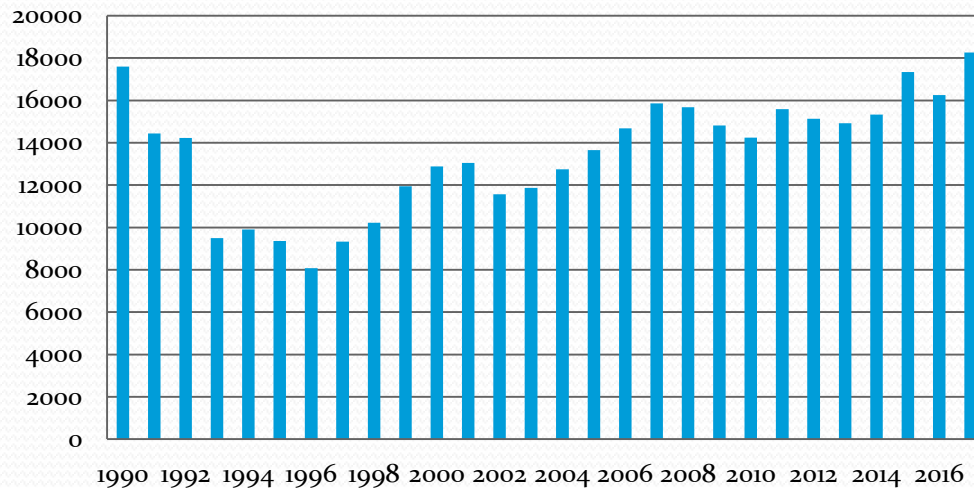
Peter Lengyel
Ministry of Agriculture,
Hungary

TAPAS workshop on bottlenecks in aquaculture governance and licensing
Olsztyn, Poland, 5 March 2019

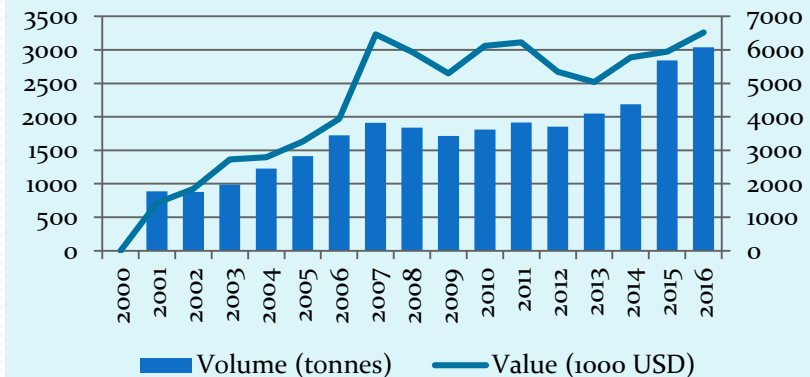


Aquaculture production

Food fish production in Hungary 1990-2017
(tonnes)

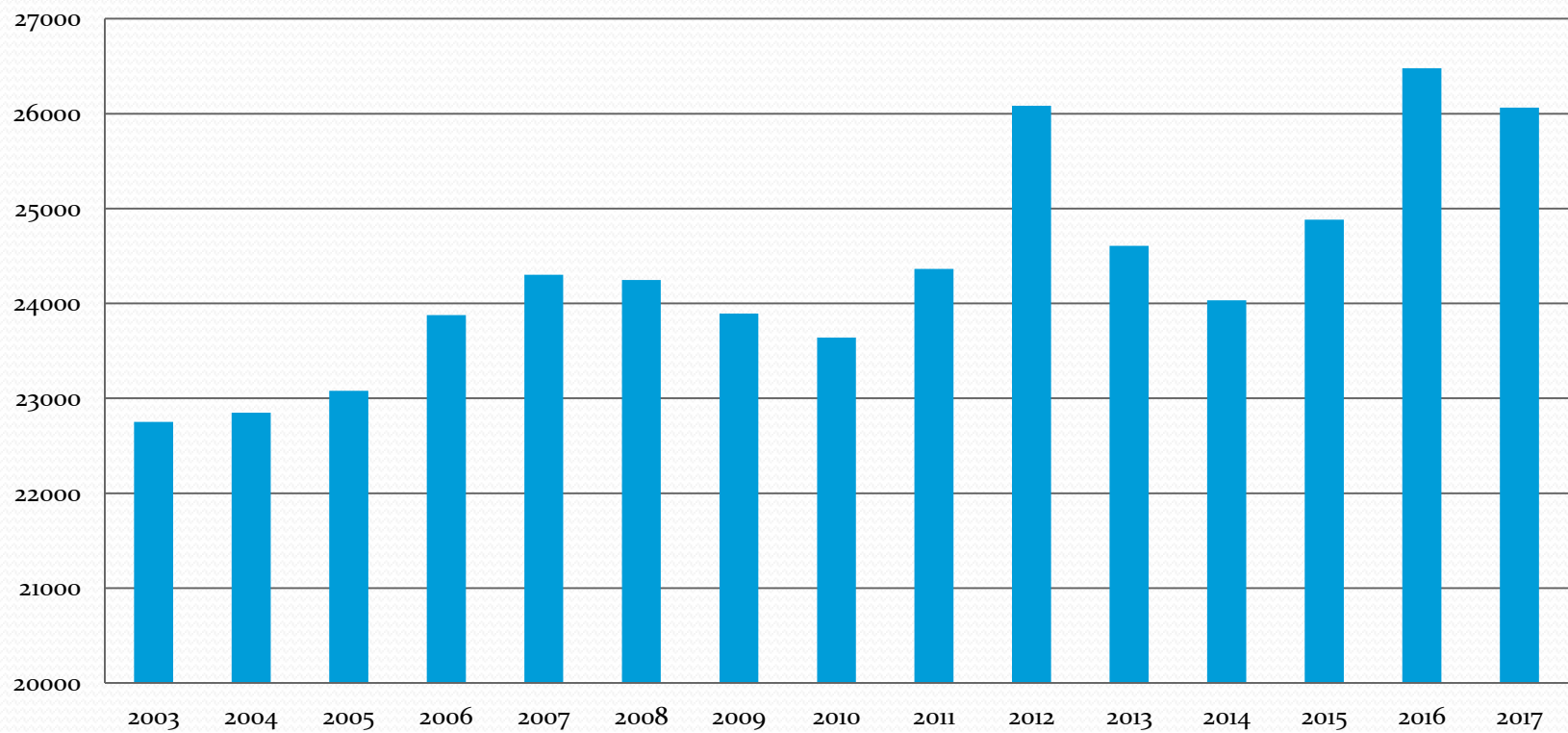


African catfish production in Hungary (FAO, 2019)

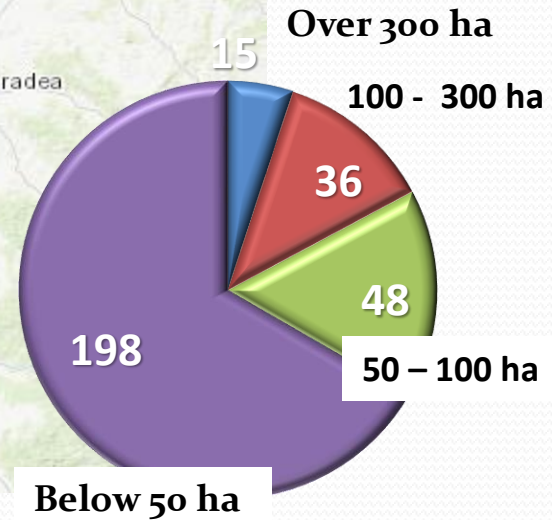
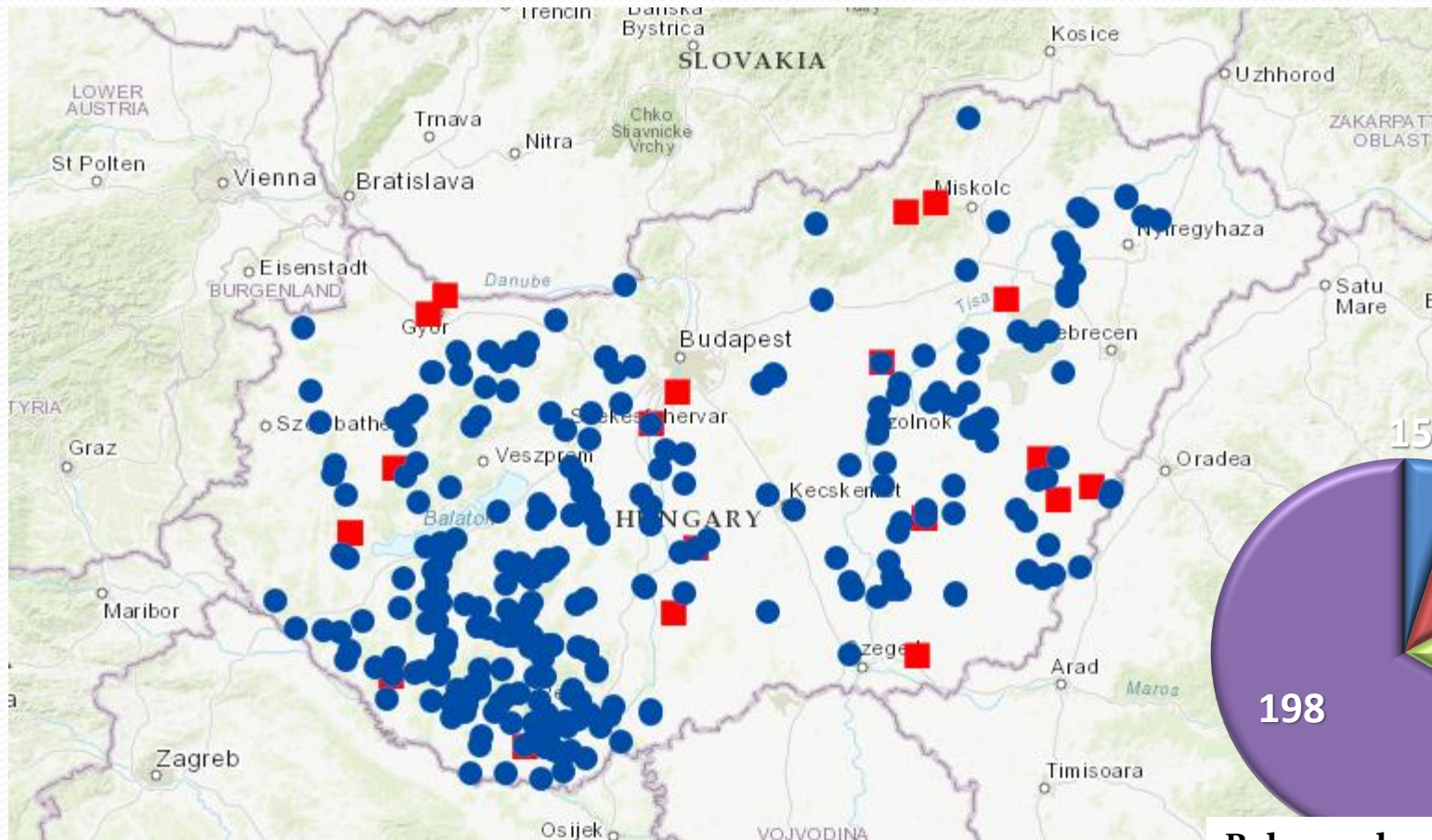


Pond surface

Changes in operating pond surface 2003-2017 (hectares)



Geography

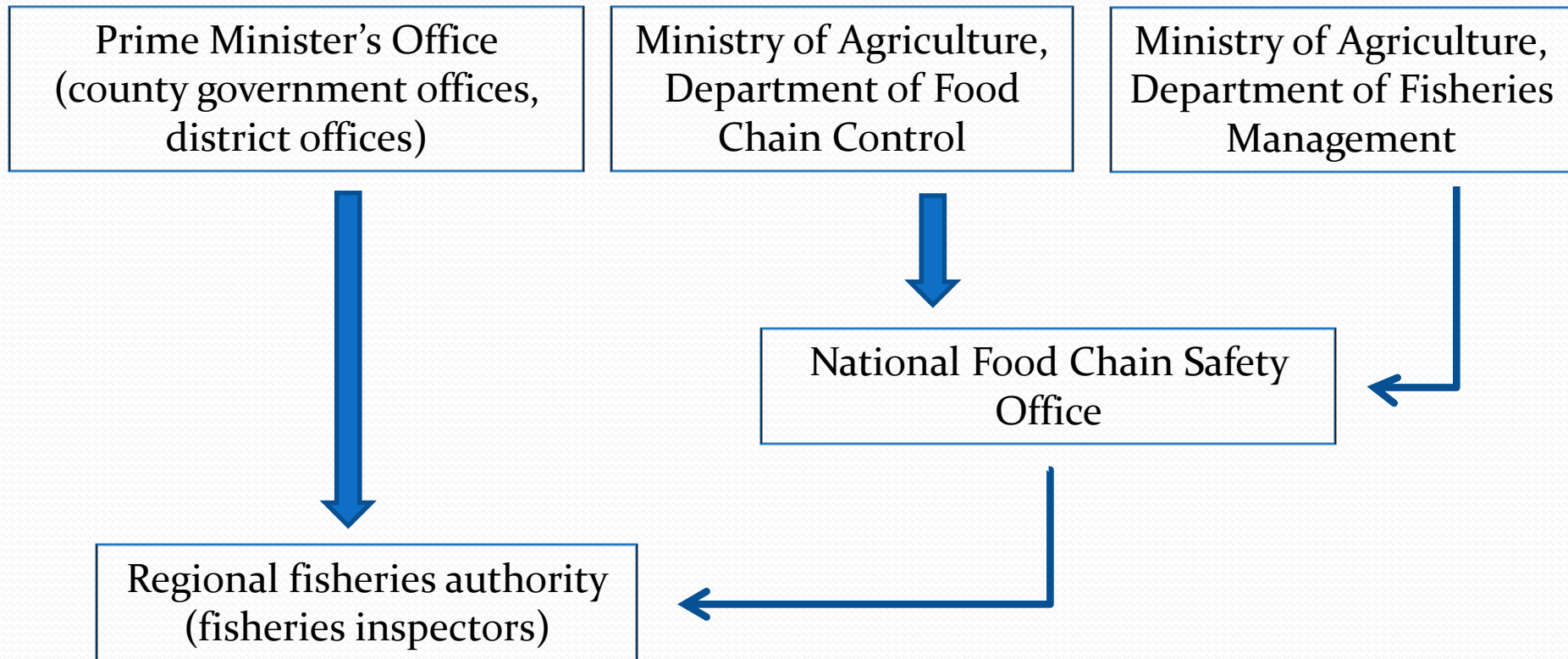


Central governance - fisheries

- Ministry of Agriculture
 - State Secretariat of Lands
 - Department of Fisheries Management
 - Fisheries Management Unit
 - Aquaculture Development Unit
 - Audit and Certifying Authority Unit



Organizational vs. Professional control



Aquaculture legislation

- No specific aquaculture law
- Basic sectoral law: Act CII of 2013 on fisheries and the protection of fish
- Implementing regulations:
 - Ministerial Decree 133/2013 laying down some rules of fisheries and fish protection;
 - Government Decree 314/2014 on fisheries management and fish protection fines
 - Ministerial Decree 111/2009 on the rules of using alien and locally absent species in aquaculture (implementing Council Regulation (EC) No 708/2007 concerning use of alien and locally absent species in aquaculture)
 - In preparation: Ministerial Decree on rules of aquaculture production



Aquaculture licencing

- No specific legal provision on aquaculture licencing
- No licencing specific to aquaculture – general rules on construction, water use, EIA, etc. apply
- Several licences and permissions to be obtained separately
- No one-stop shop



Water rights licences

- Issued by the Water Authority
- Required for all water use and waterworks (defined as works changing the course, flow, quantity, quality, bed or banks of a water).
- Issued in 45 days
- Multi-level system:
 - Preliminary permission for water rights licence
 - Water rights licence for construction
 - Water rights licence for operation
 - Water rights licence for legalising construction
 - Water rights licence for abolishment



Water rights licences

- Preliminary permission for water rights licence
 - 200 EUR
 - Valid for 1 year
 - Defines conditions of applying for „Water rights licence for construction”
 - Confirms acceptability of chosen technical solution and water need



Water rights licences

- Water rights licence for construction:
 - Request must contain : plans of construction and permissions from various authorities (public utilities, police, fire department, protection of plant and soil, archaeology etc.)
 - Validity: 2 (in case of major construction, 3) years
 - EIA (when required by law or deemed necessary by environmental protection authority).
 - Construction can be started only after obtaining the licence.



Water rights licences

- Fees of water rights licence for construction:
 - construction of water abstraction facilities modifying the water flow, e.g. barrages (depending on the construction value): 640-2300 EUR
 - water use (depending on the volume): 130-1120 EUR
 - geothermal water extraction (depending on the volume): 260-2240 EUR
 - reinjection of used geothermal water as an independent process (depending on the volume): 65-575 EUR
 - reinjection of used geothermal water linked to geothermal water extraction (depending on the volume): 33-290 EUR
 - water supply and drainage facilities (depending on the construction value): 320-3455 EUR
 - water treatment facilities:
 - facilities having the permission of the construction authority or a CE certificate: 115 EUR
 - individually planned facilities (depending on the construction value): 385-2600 EUR
 - permit for pre-treatment facilities:
 - facilities having the permission of the construction authority or a CE certificate: 80 EUR
 - individually planned facilities (depending on the construction value): 160-575 EUR
 - monitoring wells:
 - establishment of a monitoring well: 22 EUR/well
 - establishment of a water quantity monitoring well: 15 EUR/well
 - closing of a monitoring well: 50% of the above



Water rights licences

- Water rights licence for legalising construction:
 - In case of constructions built without (or not according to) WRL for construction
 - Fee: same as WRL for construction + penalty (up to 20% of construction value) + administrative fee
 - Does not allow operation in itself but possibility to apply for WRL for legalising and WRL for operation in one process
- Water rights licence for operation:
 - Permission to start operation
 - Upon acceptance by the relevant authorities
 - Fee: 80% of WRL for construction
 - Validity: for determined time, set by water authority (normally 5 years)
- Water rights licence for abolishment :
 - Fee: same as WRL for construction
 - Valid for 2 years



Other licences and permits

- Generally must be attached to application for water rights licence for construction:
 - Environmental impact assessment, when required (environmental authority)
 - Construction permit (construction authority)
 - Hatchery licence (breeding authority)
 - Veterinary licence (veterinary authority)
 - Permission to use alien species (fisheries authority)
 - plus: permissions from various other authorities, as needed (public utilities, police, fire department, plant and soil protection, archaeology etc.)



How to improve?

- Administrative simplification is a priority (included in National Aquaculture Strategy)
- Development of the „one-stop shop” concept: County Government Offices, District Offices
- Improvement of e-governance
- Informing the public: Brochure on rules of aquaculture licensing published by the Ministry of Agriculture and available online
- Still: too much time, too much administration
- More simplified procedures would be needed
- Main obstacles: different authorities, different ministries
- General procedures for all sectors
- Economic weight of aquaculture insufficient



Thank you for your
attention

