

Protected areas act

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rom. SG. 133/11 Nov 1998, amend. SG. 98/12 Nov 1999, amend. SG. 28/4 Apr 2000, amend. SG. 48/13 Jun 2000, suppl. SG. 78/26 Sep 2000, amend. SG. 23/1 Mar 2002, amend. SG. 77/9 Aug 2002, amend. SG. 91/25 Sep 2002, amend. SG. 28/1 Apr 2005, amend. SG. 94/25 Nov 2005, amend. SG. 30/11 Apr 2006, amend. SG. 65/11 Aug 2006, amend. SG. 24/20 Mar 2007, amend. SG. 62/31 Jul 2007, amend. SG. 36/4 Apr 2008, amend. SG. 43/29 Apr 2008, amend. SG. 19/13 Mar 2009, amend. SG. 80/9 Oct 2009, amend. SG. 103/29 Dec 2009, amend. SG. 19/8 Mar 2011, amend. SG. 38/18 May 2012, amend. SG. 27/15 Mar 2013, amend. SG. 66/26 Jul 2013, amend. SG. 98/28 Nov 2014, amend. SG. 61/11 Aug 2015

Chapter one. GENERAL PROVISIONS

Section I. Categories of protected areas

Art. 1. This Act settles the categories of protected areas, their designation and regime of preservation and usage, announcement and management.

Art. 2. (1) The Act aims at the protection and preservation of the protected areas as a national and human wealth and property and as a special form of preservation of the national environment, contributing to the development of the culture and science and to the welfare of the society.

(2) The preservation of the nature in the protected areas is of advantage before the other activities in them.

Art. 3. The state shall establish and provide the functioning and preservation of a system of protected areas as a part of the regional and world network of such territories in compliance with the international agreements on the protection of the environment, party to which is the Republic of Bulgaria.

Art. 4. (1) (prev., Art. 4 - SG 28/00) The protected areas are designated for preservation of the biological varieties in the ecological systems and of the natural processes ensuing from them, as well as of characteristic or important sites of the non-living nature and landscapes. The designation of the protected areas cannot be changes except by the order of Chapter Three of the law.

(2) (New, SG 28/00) The preservation and the using of the medical plants in the protected areas shall be settled by an individual law.

Art. 5. The categories of protected areas are:

1. reserve;
2. national park;
3. natural landmark;
4. maintained reserve;
5. natural park;

6. protected area.

Art. 6. (1) Included in the protected areas are forests, land and water basins.

(2) The populated areas and the urban formations within the limits determined by the construction and regulation plans or surrounding polygons within protected areas are not parts of them.

(3) (amend. – SG 19/09, in force from 10.04.2009) The cultural valuables within the limits of the protected areas shall retain their regime of protection and using provided for by the Cultural Heritage Act.

(4) Protected areas which by the moment of entry into force of the Act fall within the limits of populated areas shall retain their status and shall be categorised according to this Act.

Art. 7. (1) (prev. text of para 07 – SG 65/06, in force from 11.08.2006) The provisions of this Act shall apply for all protected areas regardless of the ownership of the forests, lands and the water basins on them.

(2) (new – SG 65/06, in force from 11.08.2006) Determination of the prohibitions and restrictions of performing activities within the limits of the inner circle of the sanitary guarded zones belonging to protected areas shall be carried out according to the order of the Waters Act.

Section II. Property

Art. 8. (1) The parks of national importance, which serve for satisfying public needs of national importance are exclusive state property.

(2) (amend., SG 28/00) The parks of national importance are territories under Art. 5, item 2 which include natural ecological systems with great variety of vegetation and animal kinds habitats with area over 1000 hectares. Their limits do not include settlements and urban formations.

(3) The natural reserves are territories according to Art. 5, item 1 and 4 including species of natural ecological systems whose preservation exclude any or permits minimal human intervention.

Art. 9. (1) For increase of the area or addition of new protected areas the forests, land and water basins, property of individuals and corporate bodies and private municipal property shall be expropriated by the order of the State Property Act.

(2) In cases other than those under para 1 the declaring of protected areas shall not change the ownership of the forests, land and water basins.

Art. 10. (1) The ownership of the which is not exclusive state ownership and of those of the municipalities over the forests, land and water basins included in the protected areas according to this Act, is public.

(2) (amend. – SG 24/07) Foreign countries cannot acquire right of ownership of forests, land and water basins in the protected areas.

(3) (new – SG 24/07; amend. – SG 61/15) * Foreign citizens and foreign legal persons may acquire right of ownership of forests and lands in protected areas, which are not exclusive property of the State, by virtue of an international agreement, ratified by the manner of Art. 22, para 2 of the Constitution of the Republic of Bulgaria, promulgated and entered into force, observing the requirements under this Act, the Farm Land Ownership and Use Act and the Forestry Act, in accordance within the term and under the conditions of the Treaty of Accession of the Republic of Bulgaria to the European Union.

(4) (new – SG 24/07) Foreigners may acquire right of ownership of forests and lands in protected areas, which are not exclusive property of the State, in case of inheritance by law.

(5) (prev. text of para 3 – SG 24/07) Political parties, organisations, movements and coalitions with political purposes cannot have the right of ownership of forests, land and water basins in the protected areas.

Art. 11. The owners and the users of forests, land and water basins in the protected areas shall be obliged to observe the regimes established by the order of this Act by the order for declaring the protected territory and the plan for its management.

Art. 12. (1) Transactions with real estates in lands with protected areas shall be carried out upon filing written declaration by the transferring party on whether the real estate falls within the protected territory.

(2) The acquirers of real estates under para 1 shall declare at the time of the transfer that they are informed about the regime of activities in the protected areas.

(3) The forms of the written declarations under para 1 and 2 shall be approved by the Minister of environment and waters in co-ordination with the Minister of justice and legal European integration.

(4) The persons under para 2 shall inform the regional bodies of the Ministry of environment and waters about the change of the ownership within 14 days from acquiring the right of ownership.

Art. 13. (1) (amend. – SG 27/13) The construction, the maintenance and the using of sites in the protected areas shall be carried out in compliance with the regime of the activities established by the order of this Act, by the order for declaring and the plan for management of the protected areas, the structural and technical plans and projects.

(2) (amend. – SG 103/09) The construction of new sites, the expansion, the restructuring and the change of the purpose of existing sites for which assessment of the effect on the environment is not required shall be carried out upon coordination with the Minister of Environment and waters or officials authorized by him, regardless of the permits required by other laws.

Art. 14. (1) (suppl. – SG 19/11, in force from 09.04.2011) The owner and the users of forests and land in the protected areas cannot restrict the movement on the roads and on the marked paths passing through their real estates, unless otherwise provided for in a special law.

(2) The persons under para 1 cannot build fences around their real estates in the protected areas with exception of the buildings and the adherent yards, as well as the young forest plants.

(3) The restrictions under para 1 and 2 do not regard sites submitted for the defence and the armed forces.

(4) (New, SG 78/00; suppl. – SG 103/09) Fencing in areas in the protected areas, without the ones in the reserves and in the national parks shall be admitted for construction of bases for breeding game upon coordination with the Minister of Environment and Waters or officials authorized by him.

Art. 15. (amend. – SG 36/08; amend. and suppl. – SG 43/08; amend. - SG 80/09) At the request of the Ministry of environment and waters, the Ministry of Agriculture and Food or the Executive Agency of Forests, according to their competence, the owners and the users shall be obliged to provide free access to their real estates with exception of their homes, for carrying out the necessary studies, measurements and inspection, as well as for maintenance and recreation activities stipulated by the order of this Act, by the orders for declaring the protected areas and the plans for their management.

Chapter two. PURPOSE AND REGIME OF PROTECTION AND USING OF THE PROTECTED AREAS

Section I. Reserves

Art. 16. (1) As reserves shall be declared species of natural ecological systems including characteristic and/or extraordinary wild vegetation and animal kinds and their habitats.

(2) The reserves shall be managed with the purpose of:

1. protecting their natural character;
2. scientific and educational activity and/or ecological monitoring;
3. preservation of the genetic resources;
4. preservation of the natural habitats and of the populations of protected rare, endemic and relict kinds;
5. development of network of ecological systems and endangered habitats representative for Bulgaria and Europe.

Art. 17. (1) All activities are prohibited in the reserves with the exception of:

1. their guarding;
2. visits with scientific purpose;

3. passing of people along marked paths, including with educational purpose;
4. collection of seed material, wild plants and animals with scientific purpose or for their recreation in other places in quantities, ways and time excluding violation in the ecological systems.
5. (New, SG 28/00; amend., SG 77/02) extinguishing fires and sanitary measures in the forests damaged as a result of natural disasters and calamities.

(2) The paths under para 1, item 3 shall be determined by an order of the Minister of environment and waters.

(3) (amend. – SG 103/09) The visits under para 1, item 2 and 4 shall be made after coordination with the Minister of environment and waters or officials authorized by him.

(4) (New, SG 28/00; suppl., SG 77/02; amend. – SG 103/09) The sanitary measures under para 1, item 5 shall be carried out after coordination with the Minister of Environment and Waters or officials authorized by him issued on the basis of a positive scientific statement of the Bulgarian Academy of Science and a positive decision of the National Council for the Biological Diversity.

Section II. National parks

Art. 18. (1) Declared as national parks shall be territories within whose limits there are no populated areas and settlements and which include natural ecological systems with great variety of vegetation and animal species and habitats, with characteristic and extraordinary landscape and sites of the non-living nature.

(2) The national parks shall be managed with the purpose of:

1. maintaining the variety of the ecological systems and protection of the wild nature;
2. preservation and maintenance of the biological variety in the ecological systems;
3. providing possibilities for development of scientific, educational and recreational activities;
4. creation of preconditions for the development of tourism, ecological means of living of the population and other activities complied with the purposes under items 1 - 3.

Art. 19. The following zones shall be formed in the national parks:

1. reserves and maintained reserves;
2. tourist zone;
3. zones of the huts, the administrative centres and the sport installations;
4. other zones complied with the concrete conditions in the parks.

Art. 20. The reserves and the maintained reserves within the limits of the national parks shall retain their regimes determined by the order for their declaring.

Art. 21. Prohibited in the national parks shall be:

1. (amend. SG 48/2000) construction, except of tourist shelters and huts, water catching for drinking water, purification installations, buildings and installations for the needs

- of the management of the park and services for the visitors, underground communications, repair of existing buildings, roads, sport and other installations;
2. industrial activities with exception of maintenance and restoration activities in the forests, lands and water basins;
 3. taking out clear felling;
 4. using artificial fertilisers and other chemical substances;
 5. introduction of vegetal and animal kinds not typical for the region;
 6. grazing of goats, as well as grazing in the forests, outside the meadows and pastures;
 7. picking herbs, wild fruits and other plants and animals in definite places;
 8. collecting fossils and minerals, damaging rock formations;
 9. damaging the natural condition of water basins, water streams, their banks and adherent territories;
 10. game breeding and hunting except in cases of regulation of the number of animal kinds;
 11. sport fishing and fish breeding in definite places;
 12. pollution of the waters and of the terrain with household, industrial and other waste;
 13. camping and building fire outside the defined places;
 14. intervention in the biological variety;
 15. (suppl., SG 28/00) collection of rare, endemic, relict and protected kinds, except for scientific purposes;
 16. other activities determined by the order for declaring the protected territory and the management plan.

Art. 22. The zones under Art. 19, the regions, the places, the ways and other conditions of carrying out the activities in the national parks shall be determined by their management plans.

Section III. Natural landmarks

Art. 23. (1) Declared as natural landmarks shall be characteristic or exceptional sites of the non-living nature, such as rock formations, rock findings of scientific value, land pyramids, caves, pot-holes, water falls, fossils and mineral fields, sand dunes and others of exceptional value due to their inherent rarity, representative and aesthetic value or of importance for the science and culture.

(2) The natural landmarks shall be managed with the purpose of preserving their natural particularities.

(3) The natural landmarks shall be declared with adherent territories necessary for their preservation.

Art. 24. Prohibited in the natural landmarks shall be activities which can damage their natural condition or reduce their aesthetic value.

Art. 25. measures for preserving, strengthening and restoration of the natural landmarks shall be admitted by a permit of the Ministry of environment and waters in coordination with the owners of the natural landmarks and other interested institutions.

Section IV. Maintained reserves

Art. 26. (1) Declared as maintained reserves shall be ecological systems including rare and/or endangered wild vegetal and animal species and their habitats.

(2) The maintained reserves shall be managed with the purpose of:

1. maintaining their natural character;
2. scientific and educational purposes and/or ecological monitoring;
3. restoration of populations of vegetal and animal species and/or conditions of their habitats;
4. preservation of the genetic resources.

Art. 27. (1) Any activities shall be prohibited in the maintained reserves with the exception of:

1. their guarding;
2. visits with scientific purpose;
3. passing of people along marked paths, including with educational purpose;
4. collecting seed material, wild plants and animals with scientific purpose or for their restoration in other places;
5. carrying out maintaining, directing, regulatory or restoration measures.

(2) The activities under para 1, item 5 shall be determined by the management plan of the maintained reserves.

Art. 28. The provisions of Art. 17, para 2 and 3 shall apply for the maintained reserves.

Section V. Natural parks

Art. 29. (1) Declared as natural parks shall be territories including various ecological systems with a variety of vegetal and animal species and their habitats, with characteristic and exceptional landscape and sites of the non-living nature.

(2) The natural parks shall be managed with the purpose of:

1. maintaining the variety of the ecological systems and preserving the biological variety in them;
2. providing possibility of development of scientific, educational and recreational activities;
3. steady usage of the restorable natural resources with preservation of traditional forms of ways of living, as well as for providing conditions for the development of tourism.

Art. 30. (1) Within the limits of the natural parks there can be populated areas, settlements and resorts, as well as production and activities which do not pollute the environment.

(2) The protected areas of other categories, falling within the limits of the natural parks shall retain their regimes determined by the order for their declaring.

Art. 31. Prohibited in the natural parks shall be:

1. (amend. – SG 19/11, in force from 09.04.2011) carrying out clear felling in all forests, with exception of the poplars and low-stemmed forests; merging of bare, non-reused wood cutting areas of size no more than 2 hectares within the low-stemmed forests, except for acacias.
2. introduction of vegetal and animal species not characteristic of the region;
3. grazing of goats except in definite places;
4. collecting fossils and minerals, damaging rock formations;
5. pollution of the waters and terrain with household, industrial and other waste;
6. camping and building fire outside the determined places;
7. extraction of ores and minerals by the open-air method;
8. (New, SG 28/00) extraction and primary processing (dressing) of underground metal resources by applying chemical and chemical-bacteriological methods and cyanides;
9. (prev. item 8 - SG 28/00) activities and construction which are not permitted by the order for declaring the park, the management plan of the park and the structural and technical plans and projects;
10. (prev. item 9 - SG 28/00) collecting rare, endemic, relict and protected species except for scientific purposes;
11. (prev. item 10 - SG 28/00) extraction of resources from the sea through dragging and trailing;
12. (prev. item 11 - SG 28/00) other activities determined by the order for declaring the protected territory and the management plan.

Art. 32. (1) The provisions of Art. 19 and 22 shall apply for the natural parks.

(2) Applied for the natural parks or parts of them can also be the provisions of Art. 21, para 1 if they are adopted by the management plans approved by the Council of Ministers.

Section VI. Protected areas

Art. 33. (1) Declared as protected areas shall be:

1. territories of characteristic or remarkable landscapes, including such as a result from harmonic coexistence of man and nature;
2. habitats of endangered, rare or vulnerable vegetal and animal species and communities;

(2) The protected areas shall be managed for the purpose of:

1. preserving the components of the landscape;
2. preserving, maintaining or restoring conditions in the habitats corresponding to the ecological conditions for the species and communities - subject of protection;

3. providing possibility for scientific studies, educational activity and ecological monitoring;
4. providing possibility for tourism and for spiritual enrichment.

Art. 34. Prohibited in the protected areas shall be activities contradicting the requirements for preserving the concrete sites subject of protection.

Chapter three. DECLARING AND CHANGES IN THE PROTECTED AREAS

Art. 35. The declaring and the changes in the protected areas shall be carried out by the Minister of environment and waters.

Art. 36. (1) Proposals for declaring national and natural parks shall be made by ministries and administrative bodies, by municipalities and regional governors, scientific and academic institutes and public organisations and for the remaining categories of protected areas - by all interested individuals and corporate bodies as well.

(2) (suppl. – SG 19/11, in force from 09.04.2011) The proposals under para 1 shall be presented at the Ministry of environment and waters which shall take decision on their expediency in compliance with the criteria stipulated by this Act, within one month. Where the proposal concerns forest territories, the decision on expediency shall be delivered following coordination with the Ministry of Agriculture and Food and the Executive Agency on Forests.

(3) The Ministry of environment and waters shall work out or shall assign the working out of documentation for declaring protected territory.

(4) The documentation under para 3 shall contain:

1. substantiation;
2. maps;
3. area allocation of forests, lands and water basins;
4. draft order for declaring.

(5) (amend. – SG 36/08; suppl. – SG 43/08; amend. - SG 80/09) The Ministry of Agriculture and Food, the Executive Agency of Forests and the municipalities shall submit to the Ministry of environment and waters data under para 4, item 2 and 3.

Art. 37. The Ministry of environment and waters shall organise public discussion of the proposals for declaring national and natural parks, of reserves and maintained reserves. Invited to the public discussion shall be representatives of the municipalities, the regional governors, the local interested ecological and public organisations and other interested representatives of ministries, administrative, scientific and academic institutes. Written statements shall be kept for the opinions and proposals of the public discussion.

Art. 38. (1) Within one year from the receipt of the proposal for declaring national and natural park and within six months for the other categories of protected areas the Minister of environment and waters or a person authorised by him shall appoint a commission.

(2) (amend. – SG 36/08; suppl. – SG 43/08; amend. - SG 80/09; amend. - SG 66/13, in force from 26.07.2013; amend. – SG 98/14, in force from 28.11.2014) The commission under para 1 shall include representatives of the Ministry of Environment and Waters, the Ministry of Agriculture and Food, the Ministry of Regional Development and Public Works, of the Executive Agency of Forests, of the municipalities, of the owners of forests, water basins and lands and the respective regional governors.

(3) (Suppl., SG 77/02) The commission under para 1 shall take decision by a common majority for accepting the proposal and shall work out draft order for declaring or shall not accept the proposal.

(4) (New, SG 77/02) Members of the commission who do not agree with the taken decision for accepting the proposal and have signed the records with reserves shall motivate it in writing within 3 days. The reserves shall be attached to the records.

(5) (New, SG 77/02) In the cases of para 4 the Minister of Environment and Waters shall take the final decision for declaring the protected territory or for rejection of the proposal.

Art. 39. (1) (Amend., SG 77/02) The Minister of environment and waters shall issue order for declaring the protected territory upon positive decisions according to art. 38, para 3 and 5.

(2) The order under para 1 shall state:

1. the grounds;
2. the basic purposes;
3. the category;
4. the name;
5. the area allocation of the forests, land and water basins;
6. the regime of the basic activities in the protected territory.

Art. 40. (1) For declaring national park or reserve at the proposal of the Minister of environment and waters the Council of Ministers shall present at the National Assembly draft Act on amending and supplementing this Act.

(2) The order for declaring national park or reserve shall be enacted upon the adoption of the law under para 1.

Art. 41. The changes in the protected areas are:

1. deletion;
2. increase of the area;
3. reduction of the area;
4. new categorisation;
5. change of the regime of activities.

Art. 42. (1) The changes under Art. 41, item 1, 2 and 3 shall be made in compliance with the same procedures as with the declaring of protected areas.

(2) The changes under Art. 41, item 4 shall be made upon coordination with the interested state bodies.

(3) The changes under Art. 41, item 5 shall be made upon coordination with the owners of forests, land and water basins and with the interested state bodies.

(4) The changes under Art. 41, item 1 shall be made only when the protected areas are completely or irrevocably destroyed or damaged, they do not serve their purposes and cannot be given new category.

(5) The minister of environment and waters shall issue order for the changes under Art. 41.

(6) (New, SG 77/02) By an order according to para 5 and without observing the procedures of para 1 can be updated the area of the protected territory when the correction ensues from a more precise measuring and it is not related to a change of the determined boundaries of the protected territory.

Art. 43. The orders under Art. 39, para 1 and under Art. 42, para 5 shall be promulgated in the State Gazette.

Art. 44. The declared protected areas and the changes in them shall be entered in the State Register at the Ministry of environment and waters.

Art. 45. (1) If a danger exists of destruction or damage of territories proposed for declaring protected the Minister of environment and waters can, by an order, prohibit or restrict the using and the construction on them for a period up to two years, with exception of the sites submitted for the defence and the armed forces.

(2) Every violation of the order of the Minister of environment and waters under para 1 shall be sanctioned as an offence in the protected territory according to the punitive and administrative punitive provisions of this Act or of other laws.

Chapter four. MANAGEMENT AND GUARDING OF THE PROTECTED AREAS

Section I. Bodies of management

Art. 46. (1) The Ministry of environment and waters and its regional bodies carry out:

1. the management and control in the protected areas;
2. (amend., SG 28/00) the management, the assigning of the activities on the maintenance and restoration, the assigning of tourist activities, the guarding and the control in the forests, the lands and the water areas in the protected areas - exclusive state property.

(2) The activities under para 1, item 2 shall be carried out under conditions and by an order determined by regulations approved by the Minister of environment and waters.

Art. 47. In fulfilment of his legal capacities the Minister of environment and waters shall:

1. work out strategies, plans, programmes, draft laws and by-laws for the development of the system of protected areas;
2. create the system of protected areas;
3. (Amend., SG 23/02) organise the gathering, maintaining updated and storing of the data for the protected areas according to art. 32, para 1, item 1 of the Cadastre and Property Register Act for the creation of a specialised map, register and information system for them;
4. assign the working out and present for approval at the Council of Ministers plans of management of the national and natural parks;
5. assign the working out and approve the plans of management of the remaining protected areas, besides those under item 4 and coordinate the structural and technical plans and projects of protected areas which are not exclusive state property;
6. assist activities of owners or users, associations, non-government organisations and others, aimed at the preservation, maintenance or restoration of protected areas;
7. organise control over the activity of all owners and users in the protected areas;
8. coordinate the activities of other ministries, administrative bodies, municipalities, public organisations, scientific and academic institutes and others, related to the protected areas;
9. represent the state before international institutions and organisations in the field of protected areas;
10. extend proposals to international institutions for inclusion of protected areas in the "List of the biosphere reserves", in the "List of the world heritage" in the "List of the humid zones of international importance" and others.
11. organise the guarding of the protected areas - exclusive state property;
12. order the construction and maintenance of visiting centres in the protected areas with informational and educational purposes;
13. establish specialised structures of management of the protected areas.

Art. 48. Regional bodies of the Ministry of environment and waters for the protected areas are the directorates of the national parks and the regional inspections for the environment and waters.

Art. 49. The directorates of the national parks are independent corporate bodies at budget support and directly subordinated to the Ministry of environment and waters.

Art. 50. In fulfilment of their legal capacities the directors of the regional bodies of the Ministry of environment and waters in the protected areas in their regions shall:

1. carry out or organise the management of the protected areas;
2. organise the working out of management plans;
3. apply the management plans in the protected areas, exclusive state property, and provide their guarding;
4. (amend., SG 28/00) assign the fulfilment of maintaining, directing, regulating or restoration activities, tourist activities in the protected areas - exclusive state property;

5. (amend., SG 28/00) issue annual permits for pastures and permits for using wood by the local population within the frames of the maintaining and restoration activities in the forests, in the national parks and in the maintained reservations, in compliance with the plans and projects under chapter four;
6. (amend., SG 28/00) issue permits for picking mushrooms and wild fruits with exception of those from medical plants in the national parks for commercial purposes in compliance with the plans and projects under Chapter Four;
7. control the activities of the owners or users of forests, land and water basins;
8. coordinate and control the implementation of the plans of management in the field of the scientific and research activity, the maintaining and restoration measures for endangered species and habitats, the educational ecological programmes and other nature protection activities carried out by other state bodies, municipalities, non-governmental organisations and persons;
9. organise monitoring of the quality of the components of the environment;
10. (Revoked, SG 23/02)
11. organise the functioning of visiting centres;
12. sanction the offenders in the stipulated cases.

Art. 51. The functions, the tasks and the structure of the directorates of the national parks shall be settled by regulations for the structure and activity approved by the Minister of environment and waters.

Art. 52. (1) (amend. – SG 36/08; suppl. – SG 43/08; amend. - SG 80/09; suppl. – SG 19/11, in force from 09.04.2011) The Ministry of Agriculture and Food, the Executive Agency of Forests as well as individual, corporate bodies and the municipalities, owners of forests, land and water basins in the protected areas other than those which are exclusive state property, shall carry out their using, preservation and guarding according to the provisions of this and other special laws.

(2) (Amend., SG 28/00; amend. – SG 36/08; amend. – SG 43/08; amend. - SG 80/09) The Executive Agency of Forests shall establish special directorates of natural parks for fulfilment of the plans of management of the natural parks.

(3) (New, SG 28/00; amend. – SG 36/08; amend. – SG 43/08; amend. - SG 80/09; amend. – SG 19/11, in force from 09.04.2011) The functions, the tasks and the activities of the directorates under para 2 shall be determined in structural regulations, approved by the Executive Director of the Executive Agency for the Forests.

(4) (New, SG 28/00) The owners of forests, lands and water areas in protected areas, other than those which are exclusive state property or which are natural parks, can establish specialised units for carrying out maintaining, directing and regulating activities according to the orders for declaring and the plans of management.

Art. 53. The Ministry of environment and waters and the bodies and the persons under Art. 52, para 1 can submit to non-governmental and other organisations and associations the right of organising maintaining, directing, regulating, restoring and other nature protection activities in the protected areas.

Art. 54. (Amend., SG 23/02) (1) The Ministry of environment and waters shall create a specialised map, a register and information system of the protected areas.

(2) (amend. - SG 66/13, in force from 26.07.2013; amend. – SG 98/14, in force from 28.11.2014) The contents of the specialised map, the register and the information system of the protected areas, as well as the order of their creation and maintenance shall be determined by an ordinance of the Minister of Environment and Waters and the Minister of Regional Development and Public Works.

(3) The data of the specialised map and register of the protected areas shall be public and shall be submitted for using by the Ministry of Environment and Waters and its regional bodies against paid fee according to a tariff approved by the Council of Ministers.

(4) The conditions and the order of submitting data according to para 3 shall be determined by an ordinance of the Minister of Environment and Waters.

Section II. Management plans

Art. 55. (1) Worked out for the protected areas shall be management plans under conditions and by an order determined by an ordinance approved by the Council of Ministers.

(2) The management plans for national and natural parks shall be worked out within a period of up to three years and those for the reserves and maintained reserves - within two years from their declaring. The plans shall be updated every ten years.

Art. 56. The management plans shall be complied with:

1. the requirements for the category of protected territory;
2. the regime of the protected territory determined by the order for its declaring;
3. the requirements of international agreements.

Art. 57. The management plans shall contain:

1. general characteristics of the protected territory and of its components;
2. the purposes of the management in the protected territory;
3. norms, regimes, conditions or recommendations for carrying out: the activities in the forests, land and water basins; the development of the infrastructure and the construction; the organisation of the management and others, providing the achievement of the set goals;
4. short-term and long-term programmes for activities related to the scientific and research work and monitoring of the components of the environment, the maintenance of endangered species, communities and habitats, the ecological education and others.

Art. 58. (1) The management plans for the protected areas shall be assigned by the Ministry of environment and waters.

(2) (amend. – SG 103/09) The management plans for the protected areas can also be assigned by the owners, municipalities, non-governmental organisations or associations and others, upon coordination with the Minister of environment and waters or an official authorized by him.

(3) The terms of reference for the management plans shall be approved by the Minister of environment and waters.

Art. 59. (1) In the process of working out the management plans for national and natural parks and maintained reserves the executors shall organise public discussions with the participation of representatives of the interested central and local authorities, of the owners or their associations, of scientific, academic and non-governmental organisations and other.

(2) The general statements, recommendations and notes from the public discussions shall be entered in a written statement to be attached to the draft management plan. The management plan shall take account of the statements, recommendations and notes.

Art. 60. (1) The management plans for the national and natural parks shall be presented for adoption at the Council of Ministers by the Minister of environment and waters upon conclusion of the Supreme expert ecological council at the Ministry of environment and waters. For positive decision of the Council of Ministers the Minister of environment and waters shall sign the management plans.

(2) For participation in the meetings of the council under para 1 shall be informed the representatives of the interested state bodies, regional governors, municipalities, scientific and non-governmental organisations. The notifications shall be sent in advance, not later than 20 days before the date of the meeting, as well as fixed in a visible place in the respective municipalities, regional inspections for environment protection and waters and in the Ministry of environment and waters for the same period.

(3) Organised in every four years shall be public discussion on the fulfilment of the management plan for the national and natural parks organised by the Ministry of environment and waters to which the persons under para 2 shall be invited to participate.

Art. 61. (amend., SG 28/00, amend. SG 28/05, amend. SG 94/05; amend. – SG 36/08; suppl. – SG 43/08; amend. – SG 19/09, in force from 10.04.2009; amend. - SG 80/09; amend. - SG 66/13, in force from 26.07.2013; amend. – SG 98/14, in force from 28.11.2014) The management plans for reserves and maintained reserves, natural landmarks and protected areas shall be approved by the Minister of Environment and Waters upon coordination with the Ministry of Agriculture and Food, with the Ministry of Regional Development and Public Works, with the Executive Forestry Agency and with the respective municipalities, as well as with the Ministry of Culture when cultural valuables are located in the protected territory.

Art. 62. The approval of the plans under Art. 61 shall be carried out by an order of the Minister of environment and waters.

Art. 63. Changes of the approved management plans related to the norms and regimes under Art. 57, item 3 shall be made by the order of Art. 60 and 61.

Art. 64. For determining the type and the volume of the activities on using natural resources, the structure, the construction and others in the protected areas structural and technical plans and projects shall be worked out.

Art. 65. Plans and programmes under Art. 64, with exception of the territorial and structural plans, in the protected areas, exclusive state property, shall be assigned, approved and changed by the order of Art. 61 and 62.

Art. 66. (1) The plans and projects under Art. 64 for protected areas, which are not exclusive state property, shall be assigned and approved by the order of the respective laws.

(2) The approval of the plans and projects under para 1 shall be carried out upon:

1. positive decision on the assessment of the effect on the environment in the cases stipulated by the Environmental Protection Act;
2. (amend. – SG 103/09) coordination with the Minister of environment and waters or officials authorized by him in cases other than those under item 1.

(3) Changes of the approved structural and technical plans and projects shall be admitted in cases of natural calamities, such as fire, flooding and others, or for changes of the objective circumstances existing at the time of their approval and shall be made by the order of para 2.

Section III. Guarding

Art. 67. (1) (amend. – SG 19/11, in force from 09.04.2011) The guarding of the protected areas, exclusive state property, and of the Ramsar Convention and the other international agreements and conventions shall be organised by the Ministry of environment and waters. The forests in the remaining protected areas shall be protected according to the Forestry Act.

(2) The regional bodies of the Ministry of environment and waters shall organise and carry out the guarding in the protected areas, exclusive state property, in their regions. They shall organise mobile park guards and control points.

(3) (New, SG 77/02) The guarding of individual reservations and maintained reservations outside the boundaries of the national parks can be conceded by the Minister of Environment and Waters to other bodies of the executive authority or to municipalities.

Art. 68. The protected areas, exclusive state property, are divided into guarded sectors of up to 1500 hectares.

Art. 69. (1) The guarding in the protected areas, exclusive state property, shall be carried out by the park guards.

(2) The employees of the park guard shall be directly subordinated to the director of the regional bodies of the Ministry of environment and waters.

(3) Every employee of the park guard shall be responsible for the assigned guarded sector, shall wear uniform clothes with badges and fire arms.

(4) The employees under para 1 must have at least high education.

(5) (New, SG 28/00) Rights under para 3 shall also have other employees of the regional bodies of the Ministry of Environment and Waters applying the Protected Areas Act appointed by an order of the Minister of Environment and Waters.

Art. 70. (1) (prev., art. 70 - SG 28/00) The employees of the park guards in the assigned regions shall:

1. guard the forests, land and water basins against illegal usage and activities;
2. control the observance of the regime in the protected areas, determined by the order for declaring and by the management plan;
3. check up all documents permitting usage, activities and movement in the protected territory;
4. control the observance of the fire prevention requirements and participate in the extinction of fire when it occurs;
5. control the protection of the waters and terrain against pollution with household, industrial and other waste;
6. observe the condition of the forests and, if necessary, inform the director of the regional body of the Ministry of environment and waters;
7. (revoked, SG 28/00)
8. protect the flora and fauna;
9. accompany visiting groups, submit information and render assistance to the visitor;
10. maintain connection and interaction with the bodies of the Mountain control and rescue service, the fire brigade and the Ministry of interior;
11. participate in the fulfilment of activities related to the restoration of animal and vegetal species, of their habitats, as well as of landmarks of the non-living nature;
12. carry out activities related to the monitoring of the quality of the components of the environment;
13. issue acts for established offences;
14. detain the objects of the offence, as well as the objects which have served for its commitment.

(2) (New, SG 28/00) The employees under para 1 can stop and inspect the vehicles transporting wood materials, forest and farm products and other in the protected territory in the adjacent populated areas and their belonging territories.

(3) (New, SG 28/00) The bodies of the Ministry of Interior shall be obliged to render assistance to the inspection under para 2.

Art. 71. (1) The Ministry of environment and waters shall insure the employees of the park guards with "Life" insurance and "Accident" insurance.

(2) To employees of the park guards which have suffered non-proprietary damages during or on occasion of fulfilment of their duties shall be paid one-time compensation amounting to 10 gross monthly salaries for severe corporal injure and 6 gross monthly salaries - for medium corporal injury.

(3) To a spouse, children or parents of perished employee during or on occasion of fulfilment of his duty shall be paid one-time compensation amounting to 12 gross monthly salaries to each entitled person.

(4) The entitled persons can seek compensations by the common claim order for uncompensated claims under para 2 and 3.

Art. 72. (1) The employees of the park guards can use housing premises in the protected areas provided by the Ministry of environment and waters.

(2) The employees under para 1 shall have the right to use gratuitously annually 10 cubic meters of fire wood by the permit of the director of the regional body of the Ministry of environment and waters.

Art. 73. The bodies of the state and local authority, the organisations and the persons shall be obliged to render assistance to the employees of the park guards in fulfilment of their obligations.

Chapter five. FINANCING OF THE PROTECTED AREAS

Art. 74. (1) (amend. SG 91/02) The financing of the activities in the protected areas shall be assisted by the Enterprise for management of the activities for protection of environment at the Ministry of Environment and Waters which shall collect:

1. (Revoked, SG 77/02)
2. the taxes under Art. 76;
3. the taxes under Art. 77;
4. (Revoked, SG 77/02)
5. the resources amounting to 5 percent of the sum of the concession contract for a protected territory - exclusive state property;
6. receipts from the activities under Art. 50, item 4;
7. the sums of fines and sanctions collected according to this Act and according to the Environmental Protection Act when the penalty decree is issued by the Minister of environment and waters or by a person authorised by him;
8. sums from the sale of chattel taken in favour of the state according to Chapter Six;
9. donations by local and foreign individuals and corporate bodies;
10. other revenue by virtue of this Act.

(2) The resources under para 1 shall be spent for:

1. working out management plans;
2. maintenance and restoration of rare and perished wild vegetal and animal species and their habitats;
3. construction and maintenance of visiting centres;
4. educational programmes, promotional and advertising activity, publication of printing materials;
5. scientific studies and monitoring;

6. assistance to the municipalities, individuals and corporate bodies - owners of forests, lands and water basins in the protected areas in carrying out restoration, maintenance and other nature protecting activities on them;
7. maintaining and restoration activities in the protected areas - exclusive state property;
8. other activities related to the management and control of the protected areas.

(3) (amend., SG 77/02;evoked – SG 38/12, in force from 01.07.2012)

(4) (amend. SG 91/02) The resources of para 1 shall be spent according to the rules for work of the Enterprise for management of the activities for protection of environment at the Ministry of Environment and Waters.

Art. 75. (Revoked, SG 77/02)

Art. 76. (1) (prev. art. 76 - SG 28/00) Fees shall be paid for the permitted usage under Art. 50, item 5 and 6 by an order determined by the Council of Ministers.

(2) (New, SG 28/00) Fees under para 1 shall not be paid for obtained wood for construction, repair and heating of the buildings to the bodies under art. 48; construction and repair of shelters, bridges, fences, marking, anti-erosion and other public facilities related to the tourism, the safety of the visitors and the maintenance of the protected areas exclusive state property.

Art. 77. (1) For visits to protected areas, exclusive state property, the Minister of environment and waters can introduce visiting fees.

(2) The amount of the fees under para 1, the order and the ways of their payment shall be determined by an act of the Council of Ministers.

Chapter six. ADMINISTRATIVE AND PUNITIVE PROVISIONS

Section I. Compulsory administrative measures

Art. 78. For prevention and stopping administrative offences under this Act and of the harmful consequences from them the competent bodies or persons authorised by them shall impose compulsory administrative measures by the order of Art. 79.

Art. 79. (1) The Minister of environment and waters shall stop:

1. orders of central administrative bodies in violation of this Act or which do not correspond to the determined regime for the activities in the protected areas;
2. the realisation of structural and technical plans and projects approved in violation of this Act.

(2) The directors of the regional bodies of the Ministry of environment and waters shall:

1. stop the activities of using the forests, lands and water basins and of other resources, as well as the construction in protected areas which violate the approved management

- plans, structural and technical plans and projects or which are not coordinated by the order of this Act when such plans and projects are absent;
2. stop activities or sites which damage or pollute the environment in protected areas above the admissible norms;
 3. (amend. – SG 43/08) stop orders of the regional departments of the forests, the state forests husbandries and the municipal bodies which violate this Act or the regime of the protected areas;
 4. issue prescriptions for measures for prevention and removal of the harmful consequences from admitted offences or damages and pollution of the environment in the protected areas.

(3) (Suppl., SG 77/02; amend. – SG 43/08) The directors of the regional departments of the forests, the state forests husbandries, and the directorates of natural parks, as well as the mayors of the municipalities shall be obliged to stop activities and construction on ceded for use forests, lands and water basins in protected areas, state, municipal and private property, carried out in violation of the approved management plans, structural and technical plans and projects.

Art. 80. (amend. - SG 30/06, in force from 12.07.2006) The compulsory administrative measures can be appealed by the order of the Administrative procedure code.

Section II. Administrative offences and penalties

Art. 81. (1) Fined with 500 to 5 000 levs shall be individuals who:

1. carry out activity in protected areas in violation of the regime determined by this Act, by the order for declaring or by approved plans and projects under Chapter Four;
2. carry out activities in protected areas without permit or coordination stipulated by this Act.

(2) If the activity under para 1, item 1 and 2 is construction the fine shall amount from 5 000 to 20 000 levs and when it is development of areas the fine shall amount from 2 000 to 20 000 levs.

(3) In minor cases under para 1 the fine shall be from 5 to 100 levs.

Art. 82. Fined with 500 to 10 000 levs shall be official who:

1. permits or orders, or fails to impose penalty for activities or construction in protected territory in violation of the regime determined by this Act, by the order for declaring or by the approved plans and projects under Chapter Four;
2. does not coordinate with the competent bodies activities in protected areas for which there are no approved plans and projects under Chapter Four.

Art. 83. (1) Fine or respectively proprietary sanction shall be imposed in the amount from 1 000 to 10 000 levs sole entrepreneurs or corporate bodies who:

1. carry out activity in protected areas in violation of the regime determined by this Act, by the order for declaring or by approved plans and projects under Chapter Four;
2. carry out activities in protected areas without permit or coordination stipulated by this Act.

(2) When the activity under para 1, item 1 and 2 is construction or development of areas the fine shall be 5 000 to 50 000 levs.

(3) In minor cases under para 1 the fine shall be from 100 to 1 000 levs.

Art. 84. (1) The chattel, subject of offence and the chattel having served for its committing in protected areas, exclusive state property, shall be detained in favour of the state.

(2) The order of selling the chattel under para 1 shall be determined by an order of the Council of Ministers.

Art. 85. (1) (amend. – SG 36/08; suppl. – SG 43/08; amend. - SG 80/09) The offences under Art. 81 and 83 shall be established by an act of an official appointed by the Minister of environment and waters or by the Minister of Agriculture and Food or by the Executive Director of the Executive Agency of Forests or by the mayor of the municipality. The penalty decrees shall be issued respectively by the Minister of environment and waters, by the Minister of Agriculture and Food or by the mayor of the municipality or by persons authorised by them.

(2) The offences under Art. 82 shall be established by an act issued by an official appointed by the Minister of environment and waters and the penalty decrees shall be issued by the Minister of environment or by persons authorised by them.

(3) The establishment of offences, the issuance the appeal and the fulfilment of penalty decrees according to this Act shall be carried out by the order of the Administrative Violations and Penalties Act.

Art. 86. (Revoked, SG 77/02)

Additional provisions

- 1. In the context of this Act:
 1. (amend. – SG 61/15) * "Lands" are the farm lands in the context of the Farm Land Ownership and Use Act.
 2. (amend. – SG 19/11, in force from 09.04.2011) "Forests" are the forest territories in the sense of Art. 2, Para 3 of the Forestry Act.
 3. (amend. – SG 19/11, in force from 09.04.2011) "Water basins" are territories of the land fund, the forest territories and the continental shelf overflowed by water.
 4. "Settlements" are country house zones, industrial zones and resorts.
 5. "Parks of national importance" are those determined by the law.
 6. "Natural reserves" are those determined by the law.

7. "Biological variety" is the variety of the living organisms of all sources, including land, sea and other water ecological systems and ecological complexes of which they are part.
8. "Ecological system" is a dynamic complex of vegetal, animal and micro organism communities and their non-living environment, which interact as a functional unit.
9. "Habitat of species" is the region defined by specific abiotic and biotic factors in which this kind can be found in some of the stages of its live cycle.
10. "Genetic resources" are materials of vegetal, animal or micro organic origin containing functional units of genetics and having real or potential value.
11. "Rare species" are those whose populations are small and, of not directly, they are indirectly endangered in the context of item 12.
12. "Endangered species" are those which are threatened by perishing in their entire area or in its bigger part.
13. "Endemic species" are those which can be found only in a certain geographic region.
14. "Relict species" are those which in past geological periods was widely spread and today occupy not big territories.
15. "Structural and technical plans and projects" are the structural projects, plans and programmes, the technical projects for fighting the erosion, territorial structural plans, construction plans and others, subject to other laws.

Transitional and concluding provisions

- 2. (1) (amend., SG 98/99, amend. SG 28/00) Within three months from the entry into force of the Act the part of park "Rila" including the forests in the forest fund of "Rila" municipality, Kyustendil region under the forest development project of State Forestry - Rila Monastery of 1990; sectors: 1a - d, e, g, 1, 2; 2; 3; 4a - e, 1 - 3; 7a - e, 1 - 3; 8 - 12; 14a - c, 1, 8 - 11; 15a, b, 1, 2, 9; 16a - g, m, 1 - 5; 17 - 45; 46a - I, 1 - 5; 47 - 74; 75g - j; 76; 77a - j, 1, 3 -5; 78d - l, 6; 79b - p, 2 - 5; 80 - 82; 83d - s, 4 - 9; 94h - x; 8 (part), 9 - 19; 85; 86a - z4, 2 - 5; 87 - e - p, 2 - 5; 88a - s, 3 - 6; 89- 91; 101 - 108; 113 - 117; 119, 120; 121a - f, 1, 2; 400 - 410, with a total area of 14 370.7 hectares, as well as high-mountain pastures and meadows of Rila municipality, Kyustendil region, with a total area of 13 000 hectares is categorised as a natural park with the name of Natural park "Rila monastery"

(2) (amend., SG 28/00) The provisions of art. 21 shall be applied in the plan of management of Natural Park "Rila monastery".

- 3. (suppl., SG 28/00) Within three years from the enactment of this Act all protected areas, without those specified by the law shall be given new categories, where necessary, of protected areas according to Art. 5, item 3, 5 and 6.
- 4. (amend., SG 28/00) Within the periods under § 2 and 3 shall be determined the limits of the categorised protected areas.

- 5. (suppl., SG 28/00) Until the new categorisation of the protected areas under § 2 and 3 the found regimes shall be retained, unless they are changed by the order of chapter three of the law.

- 6. (amend., SG 28/00) (1) The Ministry of Environment and Waters shall coordinate with the regional governors the draft orders for declaring protected areas, the procedures of which are carried out by the order of the Environmental Protection Act before the enactment of the Protected Areas Act.

(2) The orders for declaring protected areas under para 1 shall be issued pursuant to art. 39, para 1.

- 7. (amend. – SG 103/09) The owners and the users under Art. 11 shall coordinate with the Minister of environment and waters or officials authorized by him the activities they intend to carry out in the protected areas if there is no management plan or they are not included in the plans and projects under Chapter Four, regardless of the permits required by other laws.

- 7a. (new – SG 62/07) (1) The orders, decrees and other administrative acts for declaring reserves, maintained reservations, people's parks, natural parks, national parks, protected areas, natural landmarks, historical places and buffer zones and for amendments thereto, which have been issued before 30 June 2007, shall be subject to appeal under judicial proceedings.

(2) The initiated and pending judicial proceedings against the acts referred to in Para 1 shall be terminated.

- 8. The following amendments and supplements are introduced to the Environmental Protection Act:
 1. In Art. 9, para 2 the word "cultivation" is replaced by "using by an order of the Minister of environment and waters to be promulgated in the State Gazette".
 2. The following amendments and supplements are introduced to Art. 11:
 3. a) in para 1 the second sentence is amended as follows:

"It shall not be permitted to use wild animals in quantities and within periods leading to endangering of the populations or hindering their normal reproduction.";

1. b) para 2, 3 and 4 are created:

"The kinds of wild animals whose populations are endangered shall be placed under a special regime of preservation and using by an order of the Minister of environment and waters upon taking the opinion of the Bulgarian Academy of Science which shall be promulgated in the State Gazette.

Prohibited is the catching, killing and using wild animals by the devices and the methods indicated in the Convention for preservation of the wild European flora and fauna and the natural habitats.

Import, export and re-export of representatives of plants and animals or clearly recognisable parts or derivatives of them of the species included in the Convention for international trade with endangered species of the wild flora and fauna, shall be carried out by a permit of the Ministry of environment and waters.";

1. c) the previous para 2 becomes para 5 and in it the words "the Bulgarian Academy of Science" are replaced by "the Ministry of environment and waters".
2. Art. 14 - 20 are amended as follows:

"14. Protected shall be declared individual species of wild plants and animals which are rare or threatened by perishing, represent scientific interest or are subject to international conventions or agreements party to which is the Republic of Bulgaria.

5. Prohibited is:
6. the picking, collecting, felling or uprooting of protected plants, their sale and export abroad;
7. the chasing, catching or killing protected animals, the destruction of their lairs, nests or eggs, as well as their sale and export abroad.

Exceptions from the provisions of para 1 shall be determined by the order of Art. 19.

6. Protected shall be declared individual age-old or extraordinary trees in or out of populated areas.

Prohibited is the uprooting, felling, cutting or destruction and damaging in other way age-old trees declared protected.

7. Around the reserves and the maintained reserves declared under the Protected Areas Act shall be determined buffer zones designated for restriction of the antropogenic influence over the reserves.

Prohibited or restricted in the buffer zones shall be activities or construction determined by the order for their declaring.

8. The proposals for declaring age-old trees and buffer zones shall be studied by a commission of representatives of the interested state bodies and municipalities, individuals and corporate bodies and non-governmental organisations.

The commission under para 1 shall be appointed by the directors of the regional bodies of the Ministry of environment and waters.

The commission under para 1 shall issue documentation or shall not accept the proposal.

The documentation under para 3 shall contain written statement with a proposal for declaring the sites, the regime of preservation and a scheme and shall be presented at the Ministry of environment and waters.

9. The declaring of sites under Art. 14, Art. 16, para 1 and Art. 17 shall be carried out by an order of the Minister of environment and waters upon coordination with the interested administrative bodies.

The order under para 1 shall be promulgated in the State gazette.

1. The declaring of age-old trees protected and of buffer zones shall not change their ownership."
2. Art.s 21 - 27 are revoked.
3. In Art. 37, after the words "Art. 10, para 2" the conjunction "and" is deleted, followed by "Art. 11" and after the words "Art. 12" is added "Art. 15., para 1, Art. 16, para 2 and Art. 17, para 2".
4. Art. 37a is created:

"37a. For violation of Art. 4, para 2, Art. 9, para 2, Art. 11, Art. 15, para 1, Art. 16, para 2 and Art. 17, para 2 to the responsible corporate bodies and sole entrepreneurs shall be imposed proprietary sanctions, respectively fines from 1 000 000 to 5 000 000 levs."

7. Everywhere in the Act the words "the minister of agriculture and forests" and "the Ministry of agriculture and forests" are replaced respectively by "the minister of agriculture, forests and agrarian reform" and "the Ministry of agriculture, forests and agrarian reform" and the words "people's councils" and "the chairmen of the executive committees of the municipal people's councils" are replaced respectively by "the municipalities" and "the mayors of municipalities".

- 9. The following amendments are introduced to Art. 278c of the Criminal Code:

1. In para 1 the words "protected natural site" are replaced by "protected territory or a representative of protected vegetal or animal kind".
2. In para 3 the words "formations, wild animals, birds, plants and others declared unique" are replaced by "and rock formations, caves, representatives of European or world endangered wild plants and animals declared protected".

- 10. In the Farm Land Ownership and Use Act and tenure of farm land Art. 24, para 4 is amended as follows:

"(4) Not restored shall be the right of ownership of farm lands included in parks of national importance and natural reserves, exclusive state property, determined by the order of the Protected Areas Act, as well as on the lands under and on which inseparable archaeological sites are located."

- 11. In the Forestry Act para 2 is created in Art. 3:

"(2) The provisions of this Act do not regard the forests and the lands of the forest fund in the protected areas - exclusive state property."

- 12. In the transitional and concluding provisions of the Act on restoration of the ownership of the forests and the lands of the forest fund § 4a is created:

"§ 4a. The land commissions shall take decision on requests for restoration of forests and lands falling within the limits of national parks after the determination of the limits under § 4 of the Protected Areas Act."

- 13. In § 2 of the transitional and concluding provisions of the Stamp Duty Act, in the first sentence is added "and the Protected Areas Act".
- 14. The following supplements are introduced to the Spatial Development Act:
 1. Para 8 is created in Art. 160:

"(8) Illegal constructions in protected areas, determined by the Protected Areas Act, and in the water supply areas shall be subject to obligatory removal and recultivation of the terrain for the account of the offender."

2. Para 5 is created in Art. 162:

"(5) Subject to legalisation shall not be constructions or parts of constructions in protected areas and water supply areas made without permit or in deviation from the approved designs and the other construction papers, as well as in violation of the Protected Areas Act."

- 15. (amend. – SG 36/08; amend. - SG 80/09) The fulfilment of this Act is assigned to the Minister of environment and waters, to the Minister of Agriculture and Food, to the Minister of finance and to the mayors of municipalities.

The Act was adopted by the 38th National Assembly on October 30, 1998 and was affixed with the official seal of the National Assembly.

Chairman of the National Assembly: Yordan Sokolov

Transitional and concluding provisions (SG 28/00)

- 18. Everywhere in the Act the words "the Ministry of Agriculture, Forests and Agrarian Reform", "the Minister of Agriculture, Forests and Agrarian Reform", the Minister of Justice and Legal European Integration" are replaced respectively by "the Ministry of Agriculture and Forests", "the Minister of Agriculture and Forests", "the Minister of Justice".

Transitional and concluding provisions TO THE ADMINISTRATIVE PROCEDURE CODE

(PROM. – SG 30/06, IN FORCE FROM 12.07.2006)

- 142. The code shall enter into force three months after its promulgation in State Gazette, with the exception of:
 1. division three, § 2, item 1 and § 2, item 2 – with regards to the repeal of chapter third, section II "Appeal by court order", § 9, item 1 and 2, § 15 and § 44, item 1 and 2, § 51, item 1, § 53, item 1, § 61, item 1, § 66, item 3, § 76, items 1 – 3, § 78, § 79, § 83, item 1, § 84, item 1 and 2, § 89, items 1 - 4 § 101, item 1, § 102, item 1, § 107, § 117, items 1 and 2, § 125, § 128, items 1 and 2, § 132, item 2 and § 136, item 1, as well as § 34, § 35, item 2, § 43, item 2, § 62, item 1, § 66, items 2 and 4, § 97, item 2 and § 125, item 1 – with regard to the replacement of the word "the regional" with the "administrative" and the replacement of the word "the Sofia City Court" with "the Administrative court - Sofia", which shall enter into force from the 1st of May 2007;
 2. paragraph 120, which shall enter into force from the 1st of January 2007;
 3. paragraph 3, which shall enter into force from the day of the promulgation of the code in State Gazette.

Transitional and concluding provisions TO THE ACT AMENDING AND SUPPLEMENTING THE WATERS ACT

(PROM. – SG 65/06, IN FORCE FROM 11.08.2006)

- 145. This Act shall enter into force from the day of its promulgation in the State Gazette except the provisions of:
 1. Paragraph 18, item 3 which shall enter into force one year after entering into force of this Act;
 2. Paragraph 48 – in the part regarding the provision of Art. 118a, para 1, item 1 which shall enter into force from 22 December 2013;
 3. Paragraph 60, item 5 which shall enter into force from 1 March 2007;
 4. Paragraph 73 – in the part regarding the provision of Art. 155a, para 1, item 1 which shall enter into force one year after entering into force of this Act.

Transitional and concluding provisions TO THE ACT AMENDING AND SUPPLEMENTING THE FISHERIES AND AQUACULTURE ACT

(PROM. - SG 36/08)

- 99. In the Protected Areas Act (prom. – SG 133/98; amend. – SG 98/99; SG 28, 48 and 78/00; SG 23, 77 and 91/02; SG 28 and 94/05; SG 30 and 65/06 and SG 24 and 62/07) everywhere the words "the Ministry of Agriculture and Forests" and "Minister of Agriculture and Forests", shall be replaced respectively with "the Ministry of Agriculture and Food Supply" and "Minister of Agriculture and Food Supply".

Transitional and concluding provisions TO THE ACT AMENDING AND SUPPLEMENTING THE FORESTRY ACT

(PROM. - SG 43/08)

- 76. In the Protected Areas Act (prom. – SG 133/98; amend. – SG 98/99; SG 28, 48 and 78/00; SG 23, 77 and 91/02; SG 28 and 94/05; SG 30 and 65/06 and SG 24 and 62/07) the following amendments are made:

.....

- 7. Everywhere in the Act the words "forestry" shall be replaced with "forests husbandries".

Transitional and concluding provisions TO THE CULTURAL HERITAGE ACT

(PROM. – SG 19/09, IN FORCE FROM 10.04.2009)

- 44. This Act shall enter into force from April 10, 2009 except for Art. 114, para 2 and Art. 126, which shall enter into force April 10, 2010.

Transitional and concluding provisions TO THE ACT AMENDING THE FORESTRY ACT

(PROM. - SG 80/09)

- 37. To the Protected Areas Act (prom. - SG 133/98; amend. - SG 98/99, SG 28, 48 and 78/00, SG 23, 77 and 91/02, SG 28 and 94/05, SG 30 and 65/06, SG 24 and 62/07, SG 36 and 43/08, and 19/09) shall be made the following amendments:

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3. Everywhere in the Act the words "the Ministry of Agriculture and Food Supply" and "the State Agency on Forests" shall be replaced respectively with "the Ministry of Agriculture and Food" and "the Executive Agency on Forests".

Transitional and concluding provisions TO THE FORESTRY ACT

(PROM. - SG 19/11, IN FORCE FROM 09.04.2011)

- 42. This Act shall enter into force one month after its promulgation in the State Gazette, except for:
 1. paragraph 3, § 9, Para 9-11 and § 16, Item 41, which shall enter into force from the day of promulgation of this Act in the State Gazette;
 2. Art. 14, Para 1, Item 2, Art. 115, Para 1, Item 2, Art. 116, Para 2, Art. 183, Para 2, Item 3 and Art. 249, Para 5, Item 3, which shall enter into force from 1 January 2016.

Transitional and concluding provisions TO THE ACT AMENDING AND SUPPLEMENTING THE CIVIL SERVANTS ACT

(PROM. - SG 38/12, IN FORCE FROM 01.07.2012)

- 84. (In force from 18.05.2012) Within one month from the promulgation of the Act in the State Gazette:
 1. the Council of Ministers shall bring the Classifier of Administration Positions in compliance with this Act;
 2. the competent authorities shall bring the statutory rules of the respective administration in compliance with this Act.

- 85. (1) Legal relations with the persons from administrations under the Radio and Television Act, the Independent Financial Audit Act, the Electronic Communications Act and the Financial Supervision Commission Act, Act on Access to and Disclosure of the Documents and Announcing Affiliation of Bulgarian Citizens with the State Security Service and the Intelligence Services of the Bulgarian Popular Army, Confiscation by the State of Proceeds of Crime, Act on Prevention and Findings of Conflict of Interests, Code of Social Insurance, Health Insurance Act, Agricultural Producers Assistance Act and the Roads Act shall be regulated under the terms and following the procedure of § 36 of the Transitional and Final provisions of the Act Amending and Supplementing the State Servant Act (SG 24/06).

(2) By the act appointing the civil servant shall be:

1. awarded the minimum rank for the position occupied defined in the Classifier of Administration Positions, unless the civil servant has a higher rank;
2. determined the individual basic monthly salary.

(3) The funds additionally needed for insurance installments of the persons referred to in para 2 shall be provided within the costs for salaries, remuneration and insurance installments of the budgets of the respective budget credit spending units.

(4) The Council of Ministers shall carry out the changes required in the extra-budgetary account of State Fund Agriculture according to this Act.

(5) The managing bodies of the National Insurance Institute and the National Health Insurance Fund shall carry out the changes requires according to this Act in the respective budgets.

(6) Unused leaves under employment relationships shall be retained and may not be compensated by cash benefits.

- 86. (1) Within one month from entry into force of this Act the individual basic monthly salary of the employee shall be determined in such a manner as to ensure that the said salary, reduced by the tax due and the mandatory insurance installments at the expense of the insured person, if they were due, is not lower than the gross monthly salary received hitherto, reduced by the mandatory insurance installments due at the expense of the insured person, if they were due, as well as by the tax due.

(2) The gross salary under para 1 shall include:

1. the basic monthly salary or basic monthly remuneration;
2. bonuses paid regularly along with the basic monthly salary or basic monthly remuneration due, which are related solely to the hours worked off.

- 87. The Act shall enter into force from July 1, 2012 except for § 84, which shall enter into force from the date of its promulgation in the State Gazette.

Transitional and concluding provisions TO THE SPATIAL DEVELOPMENT ACT

(PROM. – SG 66/13, IN FORCE FROM 26.07.2013)

- 71. In the Protected Areas shall be made the following amendments:
 2. In the rest of the texts the words “the Minister of Regional Development and Public Works” and “the Ministry of Regional Development and Public Works” shall be replaced respectively by “the Minister of Regional Development” and “the Ministry of Regional Development”.
- 117. The Act shall enter into force from the date of its promulgation in the State Gazette.

Transitional and concluding provisions TO THE SPATIAL DEVELOPMENT ACT

(PROM. – SG 98/14, IN FORCE FROM 28.11.2014)

- 117. The Act shall enter into force from the date of its promulgation in the State Gazette.

Editor`s note

* **Editor`s note:** The amendment to this issue of the State Gazette refers to replacing a word with its synonym, which is practically untranslatable in English.