

# Bulgaria

## PROTECTED AREAS LAW (1998)

### Chapter One GENERAL CONDITIONS

#### Section I: PROTECTED AREA CATEGORIES

##### Article 1

This Act shall define the categories of protected areas, their purpose and regime of protection and use, declaration and management.

##### Article 2

1. This Act aims at the conservation and preservation of protected areas as a national or general human wealth and possession and as a special form of conservation of the fatherland's nature, conducive to the development of culture and science, and the welfare of society.
2. Conservation of nature within protected areas shall prevail over the other functions thereof.

##### Article 3

The state shall establish and secure the functioning and conservation of a protected area system as part of the regional and global network of such areas in conformity with the international environmental conservation agreements to which the Republic of Bulgaria is a party.

##### Article 4

The protected areas shall be intended for conservation of the biodiversity in the ecosystems and of the natural processes occurring therein, as well as of typical or remarkable abiotic natural objects and landscapes. The purpose of protected areas shall not be changed except under Chapter Three of this Act.

##### Article 5

The protected area categories shall be:

1. Strict Nature Reserve;
2. National park;

3. Natural monument;
4. Menaged reserve;
5. Natural park;
6. Protected site.

#### Article 6

1. The protected areas shall include forests, lands and aquatic areas.
2. The populated areas and the settlement formations within the boundaries defined with their development plans or town-planning schemes, or with their surrounding areas that fall within protected areas shall not be parts thereof.
3. The monuments of culture within the boundaries of protected areas shall retain their protection and use regimes as defined following the procedures under the Cultural Monuments and Museums Act.
4. Protected areas falling within the boundaries of populated areas at the time of this Act's entry in force shall retain their status by being categorised hereunder.

#### Article 7

The provisions hereof shall apply to all protected areas without regard to the ownership of forests, lands and aquatic areas therein.

### **Section Two: OWNERSHIP**

#### Article 8

1. The parks of national significance stated in Annex 1 and the nature reserves stated in Annex 2 of the Act, which are used for the serving for the satisfaction of public needs of nation-wide significance shall be exclusively the exclusive property of the State owned by of the state and are indicated in an Annex hereto.
2. The Parks of national significance shall be areas under Article 5, item 2, that include natural ecosystems of large diversity of plant and animal species and habitats, and are larger than 30000 1000 ha. and do not include any populated areas. Their boundaries shall not include populated areas and settlement formations, monasteries, lands and forests around these, the ownership of which shall be restored under the Agricultural Land Ownership and Use Act and the Forest and Forest Fund Ownership Restoration Act.
3. The nature reserves shall be areas under Article 5, item 1 and item 4 that include models of natural ecosystems whose conservation shall exclude any, or allow for minimum, human intervention.

#### Article 9

1. Upon increasing of size or inclusion of new protected areas in the Annexes under Article 8, paragraph 1, the forests, lands and aquatic areas owned by the natural and legal

persons, and the privately owned by municipalities shall be expropriated following the procedures of the State Property Act.

2. Except for the cases under paragraph 1, the declaration of protected areas shall not change the ownership of forests, lands and aquatic areas therein.

#### Article 10

1. The property of the State which is not exclusive state property, and the ownership of municipalities over The right to ownership over the forests, lands and aquatic areas within the protected areas shall be public property and the sites therein that are not exclusive property of the state, may belong to natural and legal persons, to the state and to the municipalities.
2. Foreign states, foreign citizens and foreign legal persons may not possess rights of ownership over forests, lands and aquatic areas within protected areas.
3. Political parties, organizations, movements and coalitions with political objectives may not possess rights of ownership over forests, lands and aquatic areas within protected areas.

#### Article 11

1. The owners and users of forests, lands and aquatic areas within protected areas shall observe the regimens established hereunder by means of with the protected area declaration order and with the management plan.
2. The owners and users under paragraph 1 shall agree with the Ministry of Environment and Waters upon the activities that they plan to conduct within the protected areas if no management plan exists or if they are not provided for in the plans and projects under Chapter Four, regardless of the permits required under other laws.

#### Article 12

1. Real estates within the protected areas shall be disposed of following presentation of a written declaration by the transferor as to whether the property is within a protected area.
2. The recipients of property under paragraph 1 shall, at the time of the transfer, declare their awareness of the regimen of activities within the protected area.
3. The specimens of the written declarations under paragraph 1 and paragraph 2 shall be approved by the Minister of Environment and Waters in agreement with the Minister of Justice and the Legal Eurointegration.
4. The persons under paragraph 2 shall notify the regional authorities of the Ministry of Environment and Waters of the change within 14 days as of obtaining the ownership right.

#### Article 13

1. The construction, maintenance and use of sites within the protected areas shall comply with the regimen of activities established hereunder with the declaration order and with

the protected area management plan, and the development plans and projects, irrespective of the requirements under other laws.

2. The construction of new sites, the expansion, reconstruction and change of the purpose of existing sites for which no environmental impact assessment is required shall be performed following written agreement by the Ministry of Environment and Waters irrespective of the permits required under other acts.

#### Article 14

1. The owners and users of forests and lands within protected areas may not restrict movement along roads and marked paths crossing their property.
2. The persons under item 3 1 may not fence off their property within protected areas except for the buildings and their adjoining yards, as well as young forest plantations.
3. The restrictions under paragraphs 1 and 2 shall not apply to sites submitted for defence and for the armed forces.

#### Article 15

Upon request by the authorities of the Ministry of Environment and Waters or the Ministry of Agriculture, Forests and Agrarian Reform in line with their competencies, the owners and the users shall provide free access to their property, except for the residential buildings, for performance of the necessary studies, measurements and inspections, and for carrying out of maintenance and restoration activities provided for in the protected area declaration orders and management plans.

### **Chapter Two**

#### **PURPOSE AND REGIMENS OF PROTECTED AREA CONSERVATION AND USE**

##### **Section One: RESERVES**

#### Article 16

1. Declared as reserves shall be model natural ecosystems that include typical and/or remarkable wild plant and animal species and their habitats.
2. The reserves shall be managed for the purpose of:
  1. preservation of their natural characteristics;
  2. scientific and educational purposes and/or ecomonitoring;
  3. genetic resources conservation;
  4. conservation of natural habitats of the populations of protected rare, endemic and relic species;

5. development of an ecosystem and endangered habitat network representative for Bulgaria and Europe.

#### Article 17

1. Prohibited in reserves shall be all activities with the exception of:
  1. guarding thereof;
  2. visits for scientific purposes;
  3. movement of people along defined trails, including for purposes of education;
  4. gathering of seed materials, wild plants and animals for scientific purposes or for restoration thereof elsewhere in quantities, manner and time which exclude violations in the ecosystem.
2. The trails under paragraph 1, item 3 shall be defined with an order by the Minister of Environment and Waters.
  1. The visits under paragraph 1, items 2 and 4 shall be made with permission by the Ministry of Environment and Waters.

### **Section Two:** NATIONAL PARKS

#### Article 18

1. Declared as national parks shall be areas without any populated areas and settlement formations within their boundaries that include natural ecosystems with of large diversity of plant and animal species and habitats, with typical and remarkable scenery and abiotic objects of nature.
2. The national parks shall be managed for the purpose of:
  1. maintenance of the diversity of the ecosystems and protection of wildlife;
  2. conservation and maintenance of the biological diversity within the ecosystems;
  3. presentation of opportunities for development of scientific, educational and recreation activities;
  4. creation of prerequisites for development of tourism, environmentally sound livelihood for the population and other activities in harmony with the goals under the preceding items.

#### Article 19

1. The following zones shall be differentiated within national parks
  1. reserves and maintained reserves;
  2. tourist zone;
  3. zones of chalets, park management and maintenance administrative centres and sports facilities;
  4. other zones according to the specific conditions within parks.

#### Article 20

The reserves and maintained reserves within the national parks shall retain their regimens defined with the declaration orders thereof.

#### Article 21

1. The following shall be prohibited within the National Parks:
  1. Construction of any kind except for tourist shelters and chalets, drinking water catchments, treatment facilities, park management and visitor service buildings and facilities, underground communications and repairs of existing buildings and roads, and sports and other facilities;
  2. Any production activity except for maintenance and restoration activities within forests, lands and aquatic areas;
  3. Clear felling;
  4. Use of artificial fertilisers and other chemicals;
  5. Introduction of plant and animal species that are alien for the region;
  6. Grazing of goats and grazing within forests outside meadows and pastures;
  7. Gathering of mushrooms, herbs, wild fruits and other plants and animals, except in the locations designated for these purposes;
  8. Gathering of fossils and minerals, damaging of rock formations;
  9. Disturbance of the natural state of aquatic areas, water flows, their banks and adjacent territories;
  10. Game breeding and hunting, except for regulation of the numbers of animal species;
  11. Sports fishing and fish breeding, except in the locations designated for the purpose;
  12. Pollution of the waters and areas with household, industrial and other waste;
  13. Camping and lighting of fires outside the locations designated for these purposes;
  14. Intervention in the biological diversity;
  15. Gathering of rare, endemic, relic and protected species;
  16. Other activities defined with the protected area declaration order and the management plan.

#### Article 22

The zones under Article 19, the regions, locations, methods and other conditions for the performance of activities within the national parks shall be defined in the management plans thereof.

**Section III:**  
NATURAL MONUMENTS

Article 23

1. Declared as natural monuments shall be typical or remarkable abiotic objects of nature such as rock formations, rock excavations of scientific value, earth pyramids, caves, caverns, waterfalls, fossil and mineral deposits, sand dunes and others of exceptional value due to their inherent rarity, representativeness, aesthetic quality or of scientific or cultural significance.
2. The natural monuments, natural landmarks shall be managed for the purpose of conservation of their natural features.:
  1. conservation of remarkable natural features;
  2. presentation of opportunities for studies and aesthetic enjoyment.
3. The natural monuments, natural landmarks shall be declared with their adjacent areas needed for their conservation.

Article 24

Prohibited within natural monuments, natural landmarks shall be activities that could disturb their natural condition or reduce their aesthetic value.

Article 25

Measures for protection, strengthening and restoration and strengthening of the natural monuments, natural landmarks shall be allowed with the permission by the Ministry of Environment and Waters in agreement with the owners of the natural monuments, natural landmarks and with other interested institutions.

**Section Four:**  
MANAGED RESERVES

Article 26

1. Declared as maintained reserves shall be ecosystems that include rare and/or endangered wild plant and animal species and their habitats.
2. The maintained reserves shall be managed for the purpose of:
  1. preservation of the natural characteristics;

2. scientific and educational purposes and/or ecomonitoring;
3. restoration of populations of plant and animal species and/or the conditions of the habitats thereof;
4. conservation of genetic resources.

#### Article 27

1. Prohibited in maintained reserves shall be all activities except for
  1. guarding thereof;
  2. visits for scientific purposes;
  3. movement of people along defined trails, including for purposes of education;
  4. gathering of seed material, wild plants and animals for scientific purpose or for restoration thereof elsewhere;
  5. conducting of maintenance, guidance, regulatory or restorative measures.
2. The activities under paragraph 1, item 5 shall be defined in the maintained reserve management plan.

#### Article 28

In respect of maintained reserves, the provisions of Article 17, paragraphs 2 and 3 shall apply.

### **Section Five: NATURAL PARKS**

#### Article 29

1. Declared as natural parks shall be areas that include diverse ecosystems with multiformity of plant and animal species and habitats thereof, with typical and remarkable scenery and abiotic objects of nature.
2. The Natural parks shall be managed for the purpose of:
  1. maintenance of the diversity of ecosystems and conservation of biodiversity therein;
  2. presentation of opportunities for development of scientific, educational, and recreational activities;
  3. sustainable use of the renewable natural resources while preserving traditional forms of livelihood, and provision of conditions for the development of tourism.

## Article 30

1. Populated areas, settlement formations and resorts may exist within national parks, and production and activities that do not pollute the environment may be conducted therein.
2. The protected areas of other categories located within the natural parks shall retain their regimens determined with their declaration orders.

## Article 31

The following shall be prohibited in the natural parks:

1. Clear felling in high-stem forests except for the poplar-tree forests, and in coppices that exceed 3 ha in size;
2. Introduction of plant and animal species that are alien to the region;
3. Grazing of goats, except on locations determined for the purpose;
4. Gathering of fossils and minerals, damaging of rock formations;
5. Pollution of the waters and terrains with household, industrial and other waste;
6. Camping and lighting of fires outside the specified locations;
7. Open cast extraction of ores and minerals;
8. Activities and construction not permitted by the park declaration order, the park management plan and the development and technical plans and projects that disturb the natural landscape and the local architectural traditions;
9. Collecting of rare, endemic, relic and endangered species;
10. Extraction of resources from the sea by means of dredging or trawling;
11. Other activities determined with the protected area declaration order and management plan.

## Article 32

1. For the activities within natural parks, the provisions of Article 19 and Article 22 shall apply.
2. For the nature parks or parts thereof, the provisions of Article 21, paragraph 1, may apply if adopted by the management plans approved by the Council of Ministers.

## **Section Six:** PROTECTED SITES

## Article 33

1. Declared as protected areas shall be:
  1. areas with typical or remarkable scenery including those that are the result of harmonious existence of man and nature and stand out for their significant aesthetic value;
  2. habitats of endangered, rare or vulnerable plant and animal species and communities.

2. The protected areas shall be managed for the purpose of:
  1. preservation of the scenery components;
  2. conservation, maintenance or restoration of the habitat conditions that meet the ecological requirements of species and communities under protection;
  3. presentation of opportunities for scientific research, education and ecomonitoring;
  4. presentation of opportunities for tourism and spiritual gain.

#### Article 34

Prohibited in the protected areas shall be activities that contravene the requirements for conservation of specific sites that are the subject of protection.

### **Chapter Three** DECLARATION AND CHANGES WITHIN PROTECTED AREAS

#### Article 35

The declaration and changes within the protected areas shall be made by the Minister of Environment and Waters.

#### Article 36

1. Proposals for declaration of national and natural parks shall be made by ministries and agencies, municipalities and regional governors, scientific and academic institutions, and public organisations, and, concerning the remaining protected area categories, by all interested natural and legal persons.
2. The proposals under the preceding paragraph 1 shall be submitted to the Ministry of Environment and Waters, which shall within 1 month pass judgment on their advisability in keeping with the criteria set forth within 1 month.
3. The Ministry of Environment and Waters shall draw up or commission the drawing up of protected area declaration documents.
4. The documents under paragraph 3 shall contain:
  1. rationale;
  2. maps;
  3. distribution by area of forests, lands and aquatic areas;
  4. a draft declaration order.

5. The Ministry of Agriculture, Forests and Agrarian Reform and the municipalities shall submit to the Ministry of Environment and Waters the data under paragraph 4, items 2 and 3.

#### Article 37

The Ministry of Environment and Waters may organise a public hearing of proposals for declaration of national and natural parks, reserves and maintained reserves. Invited to the public hearing shall be representatives of the municipalities, the regional governors, the local interested ecological and public organisations and other interested representatives of ministries, agencies, scientific and academic institutes. Minutes shall be kept of the opinions and proposals raised at the public hearing.

#### Article 38

1. Within 1 year as of the submission of the national and natural park declaration proposal and within 6 months concerning other protected area categories, the Minister of Environment and Waters or the persons authorised by him shall appoint a committee.
2. The committee under paragraph 1 shall include representatives of the Ministry of Environment and Waters, the Ministry of Agriculture, Forests and Agrarian Reform, the Ministry of Regional Development and Public Works, the municipalities, of owners of who own forests, lands and aquatic areas, scientific and public organizations, and other interested natural and legal persons and the respective regional governors.
3. The committee under paragraph 1 shall decide on the acceptance of the proposal and shall draft a declaration order, or shall not accept the proposal.

#### Article 39

1. The Minister of Environment and Waters shall issue protected area declaration orders following agreement with the interested governmental authorities in keeping with the proposal by the Committee under Article 38.
2. The orders under paragraph 1 shall indicate:
  1. the rationale;
  2. the main objectives;
  3. the category;
  4. the name;
  5. the distribution by area of forests, lands and aquatic areas;
  6. the regimen of the main activities within the protected areas.

#### Article 40

1. Upon declaration of a national park or a reserve proposed by the Minister of Environment and Waters, the Council of Ministers shall submit to the National Assembly a Draft Act on the Amendment and Supplementing hereof.
3. The national park or reserve declaration order shall become effective following the adoption of the Act under paragraph 1.

#### Article 41

The changes within the protected areas shall be:

1. closure;
2. increasing of size;
3. reduction of size;
4. recategorization;
5. change of the regimen of activities.

#### Article 42

1. The changes under Article 41, items 1, 2, and 3 shall be made in observation of the same procedures as in protected area declaration.
2. The changes under Article 41, item 4 shall be made following agreement with the interested government authorities.
3. The changes under Article 41, item 5 shall be made following agreement with the owners of forests, lands and aquatic areas and with the interested government authorities.
4. The changes under Article 41, item 1 shall be made only when the protected areas are completely and irreversibly destroyed, damaged, do not perform serve their functions and can not be recategorized.
5. Regarding the changes under Article 39, the Minister of Environment and Waters shall issue orders.

#### Article 43

The orders under Article 39, paragraph 1 and Article 42, paragraph 5 shall be promulgated in the State Gazette.

#### Article 44

The declared protected areas and the changes thereof shall be entered into a State Register at the Ministry of Environment and Waters.

#### Article 45

1. In the event of danger of destruction or damage to areas proposed for declaration as protected, the Minister of Environment and Waters may order the prohibition or

restriction of use and construction therein for up to one year with the exception of the sites submitted for defence and to the armed forces.

2. Any violation of the order of the Minister of Environment and Waters under paragraph 1 shall be sanctioned as a violation within a protected area, in conformity with the penal provisions herein or in other laws.

## **Chapter Four** PROTECTED AREA MANAGEMENT AND GUARDING

### **Section I:** MANAGEMENT AUTHORITIES

#### Article 46

1. The Ministry of Environment and Waters and its regional authorities shall conduct and realize:
  1. the management and control in protected areas;
  2. the management, the commissioning of maintenance and restoration activities, the guarding and control in the forests, lands and aquatic areas within the protected areas that are exclusive property of the state.
2. The activities under paragraph 1, item 2 shall be conducted following the conditions and procedures defined in Rules approved by the Minister of Environment and Waters.

#### Article 47

In executing his authorities, the Minister of Environment and Waters shall:

1. Develop strategies, plans, programs, draft acts and secondary legislation for development of the protected area system;
2. Build the protected area system;
3. Organize and maintain a state register, an agency cadastre and a national protected area data base;
4. Commission the drafting of the national and nature park management plans and shall submit those for approval by the Council of Ministers and approve the management plans and the technical plans and projects, except for the territorial and development ones, for the protected areas that are exclusive property of the state;
5. Commission the drafting and approve the management plans for the remaining protected areas other than those in item 4, and agrees on the development and technical plans and projects for the protected areas which are not the exclusive property of the state and approve the management plans and agree development and technical plans and projects for the protected areas other than those under item 4;
6. Assist the activities of owners or users, associations, non-governmental organizations and others, aimed at conservation, maintenance or restoration of protected areas;

7. Organise control over the activities of all owners and users within protected areas;
8. Co-ordinate the activities of other ministries, agencies, municipalities, public organizations, scientific and academic institutions and others related to protected areas;
9. Represent the state before international institutions and organisations concerning protected areas;
10. Propose to international institutions the inclusion of protected areas in the List of Biosphere Reserves, the List of Global Heritage, the List of Internationally Significant Wetlands, and others;
11. OrganizeOrganise the guarding of protected areas that are exclusive property of the state;
12. Order the construction and maintenance of visitor centers within protected areas for the purpose of information and education;
13. Establish specialised protected area management structures;

#### Article 48

Regional authorities of the Ministry of Environment and Waters concerned with protected areas shall be the Park Directorates and the Regional Inspectorates of Environment and Waters.

#### Article 1

Park directorates shall be established for the national parks and for natural parks within the areas of several municipalities or within the areas of several Regional Inspectorates of Environment and Waters.

#### Article 49

The Park Directorates shall be individual legal persons supported by the budget and directly subordinated to the Ministry of Environment and Waters.

#### Article 50

In observation of their powers, the directors of the regional authorities of the Ministry of Environment and Waters shall, within the territory of their regions:

1. carry out or organise the management of the protected areas;
2. organise the development of management plans;
3. implement the management plans in the protected areas that are exclusive property of the state and carry out guarding therein;
4. commission the implementation of supporting, guiding, regulating or restorative activities within protected areas that are exclusive property of the state;
5. issue annual permits for grazing in the national parks and in the maintained reserves in conformity with the plans and projects under Chapter Four.
6. issue permits for grazing, gathering of mushrooms, herbs, wild fruits and others within the protected areas that are exclusive property of the state, in conformity with the plans and projects under Chapter Four;
7. control the activities of owners or users of forests, lands and aquatic areas;

8. co-ordinate and control the implementation of the management plans in the area of scientific research, maintenance or restoration activities for endangered species and habitats, the awareness raising and educational ecological programs and other nature conservation activities carried out by other governmental authorities, municipalities, non-governmental organizations and persons;
9. organise monitoring of the quality of environmental components;
10. organise and maintain data bases and regional registries;
11. organise the functioning of visitor centres;
12. sanction violators in the envisioned cases.

#### Article 51

The functions, the objectives and the structure of the park directorates shall be set forth in Rules on the Structure and Activities thereof, approved by the Minister of Environment and Waters.

#### Article 52

1. The Ministry of Agriculture, Forests and Agrarian Reform, and the natural and legal persons and the municipalities, who are owners of forests, lands and aquatic areas within the protected areas, not including those that are exclusive property of the state, shall carry out their management, maintenance and guarding in conformity with the provisions hereof of this Act and of other special laws.
2. The Ministry of Agriculture, Forests and Agrarian Reform and the municipalities, as well as the owners of forests, lands and aquatic areas within the protected areas, except for other than those that which are exclusive property of the state, may establish specialized units for maintenance, guidance and regulation, restoration and other nature conservation activities in accordance with the declaration orders and the management plans.

#### Article 53

The Ministry of Environment and Waters and the authorities and the persons under Article 5352, paragraph 1, may submit delegate to non-governmental and other organisations and associations the right to organise the maintenance, guidance, regulation, restoration and other nature conservation activities within the protected areas.

#### Article 54

1. The Ministry of Environment and Waters and its regional authorities shall be the official sources of information for the protected area system.
2. Information on the protected areas that is kept with the governmental agencies and the municipalities shall be public and accessible to all.

### **Section II: MANAGEMENT PLANS**

#### Article 55

1. Management plans shall be developed for protected areas, following conditions and procedures set forth in a regulation approved by the Council of Ministers.
2. The national and natural park management plans shall be developed within a three-year period, and for reserves and maintained reserves, within two years as of their declaration. The management plans shall be updated every 10 years.

#### Article 56

The management plans shall comply with:

1. the requirements for the protected area category;
2. the protected area regimen defined in its declaration order;
3. the requirements of international conventions.

#### Article 57

The management plans shall contain:

1. general description of the protected area and its components;
2. the objectives of management in the protected area;
3. the standards, regimens, conditions or recommendations for the performance of: activities within the forests, lands and aquatic areas; development of infrastructure and construction, organisation of management and others that ensure achievement of the objectives;
4. short-term and long-term action programs related to scientific research and monitoring of the environmental media components, maintenance of endangered species, communities and habitats, ecological training and education etc.

#### Article 58

1. The protected area management plans shall be commissioned by the Ministry of Environment and Waters.
2. Protected area management plans may be commissioned by the owners, municipalities, non-governmental organisations or societies and others, following written agreement by the Ministry of Environment and Waters.
3. The terms of reference for the management plans shall be approved by the Minister of Environment and Waters..

#### Article 59

1. In the process of development of national and natural park and maintained reserve management plans, the developers shall organise public hearings with representatives of the interested central and local authorities, of owners or their associations, of scientific, academic, non-governmental organisations and others.

2. The common views, recommendations and notes adopted at the public hearings shall be entered in minutes that will shall be attached to the draft management plan. The management plan shall take into account the statements, recommendations and remarks.

#### Article 60

1. The national and natural park and the maintained reserve management plans shall be submitted for adoption to the Council of Ministers by the Higher Expert Ecological Council of the Ministry, Minister of Environment and Waters and, following positive decision by a statement by the Higher Council of Experts and the Ministry of Environment and Waters, shall be approved by the Minister of Environment and Waters. Upon positive decision by the Council of Ministers, the Minister of Environment and Water shall sign the management plans.
2. With regard to the participation in the Council meetings under paragraph 1, notification shall be given made to representatives of interested governmental authorities, regional governors, municipalities, scientific and non-governmental organisations. The notifications shall be sent in advance, not less than 20 days prior to the date of the meeting, and also announcements of its convening shall be placed in visible locations at the respective municipalities, at the regional inspectorates of environment and water protection and at the Ministry of Environment and Waters within the same deadline.
3. The Ministry of Environment and Waters shall organise public hearings every fourth year for the implementation of the national and nature park management plans and the persons under paragraph 2 shall be invited.

#### Article 61

The management plans for reserves natural monuments and protected areas shall be approved by the Minister of Environment and Waters following agreement with the Ministry of Agriculture, Forests and Agrarian Reform, the Ministry of Regional Development and Public Works and with the respective municipalities.

#### Article 62

The approval of the plans under Articles 61 and 62 shall be made by means of an order by the Minister of Environment and Waters.

#### Article 63

Amendments to the approved management plans, related to the standards and regimens under Article 5857, item 3, shall follow the procedures of Article 61 60 and Article 6261.

#### Article 64

For the purpose of determining the type and scope of activities for the use of natural resources, construction and others within protected areas shall be determined by means of, development and technical plans and projects may be developed.

1. The plans and projects under paragraph 1 shall comply with the standards, regimens and conditions in approved management plans and with those stated in the protected area declaration orders.

#### Article 65

Except for the territorial and development plans, the plans and projects under Article 6564, paragraph 1, except for the territorial and development plans, in protected areas that are exclusive property of the state, shall be commissioned, approved and amended following the procedures of Articles 61 and, Article 62 and Article 63.

#### Article 66

1. The plans and projects under Article 6564, paragraph 1 for protected areas that are not exclusive property of the state, shall be commissioned and approved following the procedures of the relevant laws.
2. The plans and projects under paragraph 1 shall be approved following:
  1. positive decision on the environmental impact assessment in the events provided for in the Environmental Protection Act;
  2. a written agreement by the Ministry of Environment and Waters in the cases events other than these under item 1.
3. Amendments of the approved development and technical plans and projects shall be allowed in the event of natural disasters such as fires, floods and others or in changed objective circumstances that had existed at the time of approval thereof and shall be made following the procedures of paragraph 2.

### **Section III: GUARDING**

#### Article 67

1. The guarding of the protected areas that are exclusive property of the state, as well as the Ramsar Convention Sites and the sites under other international agreements and conventions shall be organised by the Ministry of Environment and Waters. The forests in the remaining protected areas shall be guarded in compliance with the Forests Act.
2. The regional authorities of the Ministry of Environment and Waters shall organise and carry out in their regions the guarding of the protected areas that are exclusive property of the state. They shall organise also mobile park guards and control points.

#### Article 68

The protected areas that are exclusive property of the state shall be divided into protected sections of up to 1500 ha in area.

#### Article 69

1. The guarding within the protected areas that are exclusive property of the state shall be carried out by the park guards.
2. The park guard officials shall be governmental employees and shall be directly subordinated to the Directors of the regional authorities of the Ministry of Environment and Waters.
3. Each park guard official shall be responsible for the guarded section entrusted to him, shall wear a uniform with insignia, and firearms.
4. The employees under paragraph 1 shall possess at least a secondary education grade.

#### Article 70

The park guard officials shall, in their entrusted regions:

1. guard the forests, land and aquatic areas against illegal use and activity;
2. monitor the observation of the protected area regimens set forth with the declaration order and the management plan;
3. inspect all documents permitting uses, activities and movement within the protected areas;
4. monitor the observation of the fire precaution rules and in the event of fire, shall take part in its extinguishing;
5. monitor the protection of waters and terrains against pollution with household, industrial and other waste;
6. monitor the health status of forests and, when necessary, warn the Director of the regional authority of the Ministry of Environment and Waters;
7. stop and inspect the transport vehicles transporting timber, forest and agricultural products and others within the protected area;
8. protect the flora and fauna;
9. accompany visitor groups, provide information and render assistance to the visitors;
10. maintain links and co-operate with the mountain rescue service officials, with the Fire Department and with the Ministry of the Interior;
11. participate in the performance of activities related to the restoration of animal and plant species and their habitats, and of as well as remarkable abiotic objects of nature;
12. carry out activities related to the monitoring of the qualities of the environmental components media quality;
13. draw up writs for observed violations;
14. seize the subject of the violation and the chattels used in committing thereof.

#### Article 71

1. The Ministry of Environment and Waters shall provide the forest guards with a Life and Accident insurance.
2. The forest guards sustaining non-property damage during, or in relation to, the performance of their official obligations shall receive a one-time payment of 10 gross

monthly salaries in the event of a grievous bodily injury and 6 gross monthly salaries for medium bodily injury.

3. The spouse, the children and parents of an official who has perished during, or in relation to, the performance of his/her official obligations shall receive a one-time payment amounting to 12 gross monthly salaries to each rightful claimant.
4. The rightful claimants may seek compensation following the general claim procedures for uncompensated damages under paragraph 2 and paragraph 3.

#### Article 72

1. The park guard officials living within the protected area, outside urban areas, shall be entitled to using may use housing facilities within the protected areas submitted to them by the Ministry of Environment and Waters.
2. The officials under paragraph 1 shall be entitled to using without charge of up to 10 cub. m. of firewood with the permission of the Director of the regional authority of the Ministry of Environment and Waters.

#### Article 73

The governmental and local authorities, the organisations and the persons shall render assistance to the park guard officials in the implementation of their official obligations.

### **Chapter Five** FINANCING OF PROTECTED AREAS

#### Article 74

1. The financing of activities within the protected areas shall be supported by the National Environmental Protection Fund at the Ministry of Environment and Waters, which shall receive:
  1. The fees under Article 7675;
  2. The fees under Article 7776;
  3. The fees under Article 7877;
  4. Compensations under Article 8786, paragraph 12, item 1;
  5. An amount of five per cent of the amount of the concession agreement for granting of special use rights over protected areas that are exclusive property of the state;
  6. Revenues from the performance of activities under Article 5150, item 4;

7. The amounts from penalties and sanctions collected hereunder and under the Nature Protection Act if the penalty ordinance is issued by the Minister of Environment and Waters or by a person authorised by him;
  8. The amounts received from the sale of chattels expropriated to the benefit of the state under Chapter Six;
  9. Donations by local and foreign natural and legal persons.
  10. Other revenues based on a legal instrument.
2. The moneys under paragraph 1 shall be expended for:
    1. Preparation of management plans;
    2. Maintenance and restoration of rare and extinct wild plant and animal species and their habitats;
    3. Construction and maintenance of visitor centres;
    4. Educational programs, promotion and advertisement, printed publications;
    5. Scientific research and monitoring;
    6. Support of Assistance to municipalities, natural and legal persons who own forests, lands and aquatic areas within protected areas to perform restoration, maintenance and other conservation activities therein;
    7. Maintenance and restoration activities related to the management and control of the protected areas which are the exclusive property of the State;
    8. Other activities related to the management and control of protected areas.
  3. Up to 30 per cent of the moneys under paragraph 1, item 7 shall be used also for additional material incentives to the part guard officials in a manner approved by the Council of Ministers.
  4. The funds under the item shall be expended in conformity with the provisions of the Regulation on Raising, Expending and Controlling the Funds in the National Environmental Protection Fund at the Ministry of Environment and Waters.

#### Article 75

1. For developed real property within protected areas, but outside the development boundaries or surrounding areas of the populated areas, a 'nature' fee shall be paid.

2. The basis for the fee shall be the immovable property tax calculation provided for in the Local Taxes and Fees Act.
3. The fee shall be annual and shall be determined in accordance with the property type to the following amounts: for hotels, motels, camping sites, resorts, sports and technical facilities, production facilities, retail outlets, filling stations, including their administrative buildings – 0.5 per thousand of the evaluation under paragraph 2.
  1. For hotels, motels, campings, resorts, sports and technical facilities, production facilities, retail outlets, filling stations, including their administrative buildings – 0.5 per thousand of the evaluation under paragraph 2;
  2. For chalets – 0.1 per thousand of the evaluation under paragraph 2;
4. The fee shall be paid together with the immovable property tax by the owners thereof, or by their users in the event of a right of property use arrangement.

#### Article 76

For the uses permitted under Article 5150, items 5 and 6 1, fees shall be paid following a procedure set forth by the Council of Ministers.

#### Article 77

1. For visits to protected areas that are exclusive property of the state, the Minister of Environment and Waters may introduce visitor fees.
2. The amount of the fees under paragraph 1 and the procedures and manner of payment thereof shall be set forth in a legislative act of the Council of Ministers.

### **Chapter Six**

#### ADMINISTRATIVE AND PENAL PROVISION

#### **Section I:**

#### COMPULSORY ADMINISTRATIVE MEASURES

#### Article 78

To prevent and discontinue administrative violations hereof and their harmful consequences, the competent authorities or persons authorised by them shall impose compulsory administrative measures in accordance with Article 8079.

#### Article 79

1. The Minister of Environment and Waters shall cancel:

1. orders of central authorities that contravene this Act or do not comply with the established protected area regimens.
  2. the implementation of development and technical plans and projects approved in violation hereof.
2. The Directors of the regional authorities of the Ministry of Environment and Waters shall:
1. cancel uses of forests, lands and aquatic areas, and other resources as well as construction within the protected areas that are in violation of properly approved management plans, development plans and technical plans and projects, or are not agreed under the procedures hereunder in the absence of such plans and projects;
  2. cancel activities or sites which damage or that pollute the environment within the protected areas in excess of the admissible levels;
  3. cancel orders of the Regional Directorates of Forests, Forestry Enterprises and municipal authorities that are in violation hereof or of the protected area regimens;
  4. issue prescriptions for measures to prevent and remove the harmful consequences of admitted violations or environmental damage and pollution within protected areas.
3. The directors of the Regional Directorates of Forests, and of the Forestry Enterprises and the Mayors of Municipalities shall cancel activities and construction within forests, lands and aquatic areas submitted for use within state, municipality or privately owned protected areas, if performed in violation of the approved management plans and development and technical plans and projects.

#### Article 80

The compulsory administrative measures can be appealed against through the channels established in the Administrative Procedures Act.

### **Section II:** ADMINISTRATIVE VIOLATIONS AND SANCTIONS

#### Article 81

1. Fines of 500,000 to 25,000,000 levs shall be imposed on natural persons who:
  1. realizes perform activities in the protected area in violation of the regime determined with this Act, the declaration order or approved management plans and projects under Chapter Four;
  2. perform activities within the protected area without the permission provided for herein;

2. When the activity under paragraph 1, items 1 and 2 is construction, the fine shall amount to 5,000,000 to 20,000,000 levs, and when the activity is for development of areas, the fine shall amount to 2,000,000 to 20,000,000 levs;
3. In unimportant minor cases under paragraph 1, when no damage to the protected area has been caused, the fine shall be 5,000 to 1200,000 levs.

#### Article 82

1. Fines of 500,000 to 10,000,000 levs shall be imposed on officials who:
  1. allow or order, or fail to impose penalties for activities or construction within a protected area in violation of the regimen set forth herein, in the declaration order or in the approved management plans and development and technical plans and projects under Chapter Four.
  2. do not agree with the competent authorities upon activities within a protected area without approved plans and projects under Chapter Four.;

#### Article 83

Fines or, respectively, property sanctions from 1,000,000 to 510,000,000 levs shall be imposed to sole traders or natural legal persons who:

1. realizes perform activities in protected areas in violation of the regime determined with this Act, with the declaration order or approved management plans and projects under Chapter Four;
2. perform activities within the protected area without the permission provided for herein;
2. When the activity under paragraph 1, items 1 and 2 is construction or development of areas, the fine shall amount to 5,000,000 to 50,000,000 levs;
3. In unimportant minor cases under paragraph 1, the fine shall be 100,000 to 1,000,000 levs.

#### Article 84

1. The objects that constitute the violation and the objects used in committing thereof within protected areas that are exclusive property of the state, shall be expropriated to the benefit of the state.
2. The procedure for the sale of the objects under paragraph 1 shall be set forth in a Regulation of the Council of Ministers.

#### Article 85

1. The violations under Articles 82 81 and 84 83 shall be established with a writ issued by an official person nominated by the Minister of Environment and Waters, the Minister of Agriculture, Forests and Agrarian Reform, or by the Mayor of the Municipality. The penal ordinances shall be issued, respectively, by the Minister of Environment and Waters, the Minister of Agriculture, Forests and Agrarian Reform and the mayor of the municipality or by persons authorised by them.
2. The violations under Article 83 82 shall be established by means of a writs issued by an official person nominated by the Minister of Environment and Waters, and the penal ordinances shall be issued by the Minister of Environment and Waters or by persons authorized by him/her.
3. The establishment of violations, issuance, appealing and amendment enforcing of penal ordinances shall be made following the procedures of the Administrative Violations and Penalties Act.

#### Article 86

1. For damages caused to protected areas, the guilty persons shall pay compensation based on a tariff adopted by the Council or Ministers but not less than the amount of the damage.
2. The amounts collected under paragraph 1 shall be transferred into:
  1. The National Environmental Protection Fund, when the penal ordinances are issued by officials from the system of the Ministry of Environment and Waters.
  2. The Bulgarian Forest Fund when the penal ordinances are issued by officials from the system of the Ministry of Agriculture, Forests and Agrarian Reform.
  23. The relevant municipal fund when the penal ordinances are issued by officials of the municipalities.
3. If the violation has been committed by a third person within properties or sites owned by natural or legal persons, the compensation shall be determined to the benefit of the relevant owner.
4. If the violation has been committed by the owner of the property or the site, the compensation shall be transferred to the National Environmental Protection Fund.

#### **ADDITIONAL PROVISIONS**

- § 1. Pursuant hereto:

1. "Lands" shall be the agricultural lands pursuant to the Agricultural Land Ownership and Use Act areas intended for the needs of agriculture under Article 4, item 1 a) of the Uniform Cadastre Act of the People's Republic of Bulgaria.
2. "Forests" shall be the forests and lands in the Forest Fund pursuant to the Forests Act areas intended for the needs of silviculture under Article 4, item 1 b) of the Uniform Cadastre Act of the People's Republic of Bulgaria.
3. "Aquatic areas" shall be the areas of the forest fund, the land fund and the continental shelf inundated with water occupied by water flows and aquatic areas under Article 4, item 1 d) of the Uniform Cadastre Act of the People's Republic of Bulgaria and the territorial sea and the Bulgarian continental shelf under Article 4, item 2 of the same Act.
4. "Settlement formations" shall be summer house areas, industrial zones and resort complexes.
5. "Parks of national significance" shall be the parks listed in the annex 1 hereto.
6. "Nature reserves" shall be the reserves listed in the annex 2 hereto.
7. "Biological diversity" shall be the multiformity of living organisms from all sources, including land, marine and other aquatic systems and ecological complexes of which they are a part. This means interspecies and intraspecies multiformity of the ecosystems.
8. "Ecosystem" shall be the dynamic complex of plant, animal and micro-organism communities and their abiotic living environment, which interact as a functional unit.
9. "Habitat of a species" shall be the region defined by specific abiotic and biotic factors where this species is in any of the stages of its lifecycle.
10. "Genetic resources" shall be the materials of plant, animal or micro-organism origination, containing functional units of heredity and possessing actual or potential value.
11. "Rare species" shall be those whose populations are small and which are at least directly threatened in accordance with item 1112.
12. "Endangered species" shall be that species which is endangered with extinction in all of its areas or part thereof.
13. "Endemic species" shall be the species occurring only in specific geographic areas.
14. "Relic species" shall be the species which in the past geological eras has been widely spread and occupies small areas at present.

15. “Development and technical plans and projects” shall be the development projects, plans and programs, the technical projects for erosion control, the territorial development plans, the construction plans and others that are the subject of other laws.

### **TRANSITIVE AND CONCLUDING PROVISIONS**

§ 2. (1) Within a period of 6 months as of the enactment hereof, the parks listed in the annex 1 hereto shall be recategorized as national parks with boundaries determined in conformity with Chapter Three hereof. The boundaries of the parks declared with Annex No. 1 shall be valid for a year as of the enactment hereof.

(2) Of , and of the reserves listed in Annex No. 2the same annex, recategorized as maintained reserves shall be these reserves whose the conservation of which will involve the application of multiple measures of maintenance, guidance, regulation and restoration.

(3) The protected areas which shall, at the time of adoption of the Act, fall within populated areas, shall retain their protected area status and shall be recategorised in accordance herewith.

§ 3. Within 3 years as of the enactment hereof, each all protected areas except those stated in the annex hereto, shall be recategorized into one of the protected area categories under Article 5, items 3, 5, and 6.

§ 4. The boundaries of the respective protected areas shall be determined within the terms under §2 and §3.

§ 5. Until the sites protected areas under paragraphs § 2 and § 3 are recategorized, their existing regimens shall remain.

§ 6. The transferring of management, control and guarding of protected areas shall follow the procedures under Article 15, paragraph 5 of the State Property Act.

§ 7. The owners and users as defined under Article 11 shall agree with the Ministry of Environment and Waters upon the activities planned for completion in the protected areas, if no management plan exists or the measures are not provided for in the plans and projects under Chapter Four, irrespective of the permits required under other laws.

§ 68. The following amendments and supplements shall be made to the Nature Protection Act (promulgated SG, 47/1967, amended and supplemented 3/1997; 39/1978; 28/1982; 26/1988; 86/1991 and 85/1997):

1. In Article 9, item 2, the word “cultivation” shall be replaced with “use by order of the Minister of Environment and Waters, promulgated in the State Gazette”.

2. The following amendments and supplements shall be made in Article 11:

a. In paragraph 1, the second sentence shall be replaced with “It shall not be allowed prohibited to use wild animals in quantities and for a period which lead to endanger the population or prevent the normal restoration thereof”;

b. Paragraphs 2, 3 and 4 shall be established.

“(2) The wild animal species whose populations are endangered, shall be placed under a special regimen of conservation and use by order of the Minister of Environment and Waters, following an opinion of the Bulgarian Academy of Sciences, which shall be promulgated in the State Gazette.

(3) It shall be prohibited to catch, kill and use wild animals by the means and methods stated in the Convention on the Protection of the Wild European Flora, Fauna and Natural Habitats.

(4) Imports, exports and reexports of representatives of plants and animals or clearly identifiable parts and derivatives thereof of the species included in the Convention of International Trade in Endangered Species of the Wild Fauna and Flora shall be performed with a permit by the Ministry of Environment and Waters.”

c. The former paragraph 2 shall become 5 and in it the words “Bulgarian Academy of Sciences” shall be replaced with “The Ministry of Environment and Waters”.

3. Articles 14 through to and inclusive of Article 27 shall be revoked.

43. Articles 14 through 20 shall be amended as follows New articles 14, 15, 16, 17, 18 , 19 and 20 shall be created::

“Article 14. Declared as protected shall be individual wild plant and animal species which are rare or endangered with extinction, represent scientific interest or are the subject of international conventions or agreements to which the Republic of Bulgaria is a party.

Article 15: (1) It shall be prohibited to:

1. Collect, pick, cut or uproot protected plants and to sell and export the same abroad;

2. Hunt, catch or kill protected animals, destroy their lairs, nests or eggs, and their sale and export abroad;

(2) The exceptions of the provisions under paragraph 1 shall be defined with the order under Article 19.”

Article 16 (1) Declared as protected shall be age old or remarkable trees within or outside the populated areas.

(2) It shall be prohibited to uproot, cut, prune or destroy or otherwise damage age old trees that are declared protected.:

Article 17. Around the reserves and the maintained reserves declared under the Protected Areas Act, buffer zones shall be established to restrict the human impact on the reserves.

Activities or construction as defined in the designation orders shall be prohibited in the buffer zones.

Article 18. (1) The age old trees and buffer zones proposed for declaration shall be studied by a committee with representatives of interested governmental authorities and municipalities, natural and legal persons and non-governmental organisations.

(2) The Committee under paragraph 1 shall be appointed by the Directors of the regional authorities of the Ministry of Environment and Waters.

(3) The Committee under paragraph 1 shall draw up documents or shall not accept the proposal.

(4) The documents under paragraph 3 shall include minutes with the proposal for the declaration of the sites, the regimen of protection thereof and a sketch, and shall be submitted to the Ministry of Environment and Waters.

Article 19 (1) The declaration of the sites under Article 14, Article 16, item 1 and Article 17 shall be made with an order by the Minister of Environment and Waters following agreement with the interested central authorities.

(2) The order under paragraph 1 shall be promulgated in the State Gazette.”

Article 20. The declaration of age old trees as protected and of buffer zones shall not change the ownership thereof.”

4. Articles 21 – 27 shall be revoked.

5. The following amendments and supplements shall be made in Article 37:

a. Following the words “Article 10, paragraph 2”, the conjunction ‘and’ shall be deleted and “Article 11” shall be added, and “Article 15, paragraph 1 and Article 16, paragraph 2” shall be added after the words “Article 12”.

b. Following the word “penalty”, “of 20,000” shall be added.

c. The numbers “200”, “50” and “300” shall be replaced with, respectively, “20,000”, “50,000” and “300,000”.

6. A new article 37-a shall be established:

“Article 37-a: Legal persons and sole traders guilty of violating Article 4, paragraph 2, Article 9, paragraph 2, Article 11, Article 15, paragraph 1, Article 16, paragraph 2, and Article 17, paragraph 2 shall be subject to a penalty of 1 000 000 to 5 000 000 levs.

7. In Article 42, the figure “5” shall be replaced with “5000”

8. Throughout the Act the words “Minister of Agriculture and Forests”, “the Minister of Agriculture and Forests” and “the Ministry of Agriculture and Forests” shall be replaced with the words, respectively, “Minister of Agriculture, Forests and Agrarian Reform”, “the Minister of Agriculture, Forests and Agrarian Reform” and “Ministry of Agriculture, Forests and Agrarian Reform”, the words “people’s councils” and “the representatives of the executive committees of the municipal people’s councils” shall be replaced with the words, respectively, “the municipalities” and “the mayors of municipalities”.

§ 69. In the Penal Code (promulgated in the SG 26/1968, corrected 29/1968, amended and supplemented 92/1969, 26 and 27/1973, 89/1974, 95/1975, 3/1977, 54/197889/1979, 28/1982, corrected 31/1982, amended and supplemented 44/1984, 41 and 79/19852, corrected 80/1985, amended and supplemented 89/1986, corrected 90/1986, amended 37, 91 and 99/1989, 10, 31 and 81/1990, 1 and 86/1991, corrected 90/1991, amended 105/1991, 54/1992, 10/1993, 50 and 102/1995, 9107/1996/ – Ruling No. 19 of the Constitutional Court of 1995, amended in issue 102 of 1995, issue 107/1996, 62 and 85/1997, 120/1997 – Ruling No. 19 of the Constitutional Court of 1997, amended in issues 83 and 85 of 1998) the following changes shall be made in Article 278b 62 and 85/1997) the following changes shall be made:

1. In Article 287?, paragraph 1, the words “protected natural site” shall be replaced with “protected area or a protected plant or animal species representative”.

2. In Article 287?, paragraph 3, the words “formations, wild animals, birds, plants etc., declared unique” shall be replaced with “and rock formations, caves, representatives of wild plants and animals endangered on a European or a global scale and declared as protected”.

§ 810. Article 2, paragraph 4 of the Agricultural Land Ownership and Use Act (promulgated in the State Gazette issue 17/1991 amended and supplemented, issue 20/1991, amended and supplemented issue 74/1991, amended issues 18, 28, 46 and 105/1992, issue 48/1993, Ruling No. 12 of the Constitutional Court of 1993 – issue 64/1993, amended and supplemented, issued 83/1993, issue 80/1994, issues 45 and 47/1995; Ruling No. 7 and of the Constitutional Court of 1995 – issue 59 of 1995; issue 79/1996; Ruling No. 20 of the Constitutional Court of 1996 – issue 103/1996, amended issue 104103/1996; Ruling No. 3 of the Constitutional Court of 1997 issued 15104/19971996, amended and supplemented in issue 62, 87, 98, 123, and 124 of 1997, issue 59 and 88 of 1998) and 98/1997) Article 24, paragraph 4 shall be amended as follows:

“(4) Restoration shall not be made of the right to ownership over agricultural lands included in parks of national significance and nature reserves which are the exclusive property of the state, and are defined pursuant to the Protected Areas Act, and over lands upon or under which inseparable archaeological sites exist.”

§ 911. In the Forests Act (promulgated in the State Gazette issue 125/1997, amended in issue 79 of 1998), a paragraph 2 shall be created under Article 3:

“(2) The provisions hereof shall not apply to the forests and lands of the Forest Fund within protected areas that are exclusive property of the state”.

§12 §4a shall be created in the transitive and concluding provisions of the Forest Fund Forest and Land Ownership Restoration Act (promulgated in the State Gazette, issue 110 of 1997, amended 33 and 59 of 1998).

“§4a. The land commissions shall provide statements concerning requests for restoration of ownership of forests and land within national park boundaries following the determination of boundaries under §4 of the Protected Areas Act.”

§1013 In paragraph 2 of the Transitive and Concluding Provisions of the State Taxes Act (promulgated in Izvestia issue 104/1951, amended and supplemented issue 89/1959, 21/1960, amended and supplemented in the State Gazette, issue 53/1973, issue 87/1974, issue 21/1975, issue 21/1990, issue 55/1991, issue 100/1992, issue 69/1995, issue 87/1995, issue 37/1996, issue 100/1996, issue 104/1996, and issue 82 and 86/1997), added to the end of the first sentence shall be “and a Protected Areas Act.”

§14 In the Territorial and Urban Development Act (promulgated in the State Gazette, issue 29 of 1973, amended in issue 32/1973, suppl. & am. 87/1974, 3 and 102/1977, 36/1979, 3/1980, 45/1984, 19/1985, 36/1986, 14/1988, 31/1990, corrected 32/1990, amended 15/1991, amended and supplemented 63/1995, 104/1996, 41 and 79/1998, 89/1998, amended 124/1998) the following supplements will be made:

1. Paragraph 8 shall be created under Article 160:

“(8) Illegal construction within protected areas defined in the Protected Areas Act, and water catchment areas, shall be subject to compulsory removal and reclamation of the site at the expense of the violator.”

2. Paragraph 5 shall be created under Article 162:

“(5) Construction of parts thereof within protected areas and water catchment areas carried out without permits or in breach of approved plans and other construction papers, and in violation of the Protected Areas Act shall not be subject to legalising.”

§11 The implementation of this Act is assigned to the Minister of Environment and Waters, the Minister of Agriculture, Forests and Agrarian Reform, the Minister of Finance and the mayors of municipalities.

This Act was adopted by the XXXVIII National Assembly on October 30, 1998 and was sealed with the official seal of the National Assembly.

CHAIRMAN OF  
THE NATIONAL ASSEMBLY

(Yordan Sokolov)

True,

Administrative Secretary:

(M. Russeva)

Annex under Article 8, paragraph 1

No	Park Name	District	Area (ha)	Document type	Document No.	Date
01	PIRIN	Sofia	40066.7	Order	3074 8011 594 1036	08/11/62 30/09/74 03/04/76 17/11/87
02	CENTRAL BALKAN	Lovech Sofia Plovdiv Haskovo	53242.2	Order	843	31/10/91
03	RILA	Sofia	83211.1	Order	114	24/2/92

Note: The park areas include the areas of reserves included therein.

No	Reserve Name	Municipality	Area (ha)	Document type	Document No.	Date
01	SILIKOSIA	Kosti	389.6	Order Order Decree	1046 8455 13188	23/07/31 29/04/33 20/09/34
02	PARANGALITSA	Blagoevgrad	1509.0	Decree Order Order	8517 1980 523	30/12/33 07/08/61 09/06/87
03	BAYUVI DUPKI – DZHINDZHIRITSA	Razlog	2873.0	Decree Order Order	1388 301 976	29/01/34 04/02/76 26/12/79
04	BISTRISHKO BRANISHTE	Vitosha NP	1061.6	Decree Order	15422 106	27/10/34 24/01/68

05	TORFENO BRAHISHTE	Vitosha NP	784.1	Order Decree Order	230 16326 602	04/04/80 01/10/35 12/08/80
06	KALIAKRA	Balgarevo	687.5	Order Decree Order	82 16298 356	08/02/91 27/09/41 05/02/66
07	BOATIN	Cherni vit	1597.2	Order Decree Order Order Order Order Order	231 7285 1171 1700 2245 4537 993	04/04/80 12/06/48 24/09/51 17/07/61 31/12/56 17/11/75 30/09/83
08	PATLEINA	Preslav	37.8	Order Decree Decree	67 13428 977	25/01/91 23/10/48 26/12/79
09	DERVISHA	Preslav	10.1	Decree	13427	23/10/48

No	Reserve Name	Municipality	Area (ha)	Document type	Document No.	Date
10	CHAMDZHA	Hr. Danovo	64.5	Decree Order	3675 508	15/04/49 28/03/68
11	TSARITCHINA	Ribaritsa	3418.7	Decree Order Order Order Order Order Order Order Order Order	4942 1171 2245 2809 359 281 1255 67 500	18/07/49 24/09/51 30/12/56 10/10/62 09/02/73 04/05/79 22/12/83 25/01/91 29/06/92
12	IZGORYALOTO GYUNE	Kritchim	29.3	Decree Order	5334 2245	16/08/49 30/12/56
13	TISATA	Kresna	574.5	Decree Order Order Order	6663 440 130 844	05/12/49 09/12/77 22/02/85 31/10/91
14	GABRA	Tsarvaritsa	89.5	Decree Order	6660 2608	05/12/49 14/12/60
15	KAZAL CHERPA	Dzhenda	39.9	Decree Order	14827 2245	29/06/51 30/12/56
16	DUPKATA	Fotinovo	1210/8	Order Order Order	1700 3899 587	17/12/61 15/09/75 08/06/83
17	KAMCHIA	N. Oryahovo	842.1	Decree	14829	29/06/51

				Order	1749	27/07/62
				Order	105	14/02/62
18	GORNA TOPCHIA	Konevets	160.2	Decree	1171	24/09/51
				Order	754	19/07/84
19	ARDACHLAKA	Borintsi	99.8	Decree	1394	27/02/50
				Decree	1171	24/09/51
				Decree	2674	29/06/71
20	SREBARNA	Srebarna	902.1	Decree	11931	20/09/48
				Order	581	28/06/93
21	BOROVETS	Raven	36.0	Decree	1171	24/09/51
				Order	2245	30/12/56
22	ALI BOTUSH	G. Delchev Katuntsi	1185.8	Decree	1171	25/09/51
				Decree	14825	29/06/52
				Order	27	13/01/81
				Order	131	22/02/85
23	DZHENDEMA	Karlovo	4220.2	Order	606	28/03/53
				Order	1700	11/07/61
				Order	1080	21/10/83
				Order	67	25/01/91
24	CHAMLAKA	Momchilgrad	5.4	Order	2245	30/12/56

No	Reserve Name	Municipality	Area (ha)	Document type	Document No.	Date
	UZUNBODZHAK	Kosti	2529.6	Order	2245	13/12/56
	SHABANITSA	Trigrad	23.0	Order	2245	13/12/56
	VALCHI PROHOD	Golitsa	43.9	Order	508	28/03/68
	MOMCHILOVSKI DOL	Momchilovtsi	31.1	Order	508	28/03/68
	AMZOVO	Smolyan	0.3	Order	508	28/03/68
	SOSKOVCHETO	Smolyan	117.5	Order	508	28/03/68
	SINI BRYAG	Izgreve	39.5	Order	508	28/03/68
	SKAKAVITSA	Sapareva banya	70.8	Order	508	28/03/68
	BEGLIKA (V. KOLAROV)	Batak	1463.1	Order	751	11/05/60
				Order	7482	23/06/92
	MOMIN GRAD	Byala reka	10.9	Order	665	03/05/60
	BALABANA	Elhovo	84.7	Order	2678	21/12/60
				Order	752	19/07/84
	DOLNA TOPCHIA	Elhovo	462.8	Order	225	29/02/60
				Order	1700	17/07/61
				Order	756	19/07/84
	ELENOVA GORA	Sahrane	53.7	Order	2200	30/08/61
	OSTRITSA	Pernik	134.6	Order	318	20/02/61
				Order	775	29/03/72
	KUPENA	Peshtera	1761.1	Order	2969	24/09/61

			Order	3539	13/11/73
			Order	503	11/07/79
			Order	530	07/07/92
CHERVENATA	Bachkovo	3029.0	Order	2631	21/04/62
STENA			Order	1555	21/10/69
			Order	1050	17/12/90
PYASACHNATA	Sozopol	0.6	Order	1745	25/06/62
LILIA			Order	3538	13/11/73
KONSKI DOL	Satovcha	32.5	Order	2079	24/07/62
VODNITE LILII	Sozopol	13.6	Order	2080	24/07/62
TAMNA GORA	Kovachevitsa	32.6	Decree	1153	10/10/48
			Order	4811	10/10/62
UCHILISHTNA	Bozhenitsa	128.6	Order	4019	06/12/63
GORA					
BORAKA	Sarnitsa	11.1	Order	163	22/04/66

No	Reserve Name	Municipality	Area (ha)	Document type	Document No.	Date
	MANTARITSA	Rakitovo	1069.2	Order	960	08/06/68
				Order	3812	06/09/75
				Order	529	07/07/92
	GORNATA KORIA	Berkovitsa	161.0	Order	508	28/03/68
				Order	15	08/01/81
	VARBOV DOL	Asparuhovo	70.6	Order	508	28/02/68
	KIROV DOL	G. Traikov	51.5	Order	508	28/02/68
	KALFATA	Polyatsite	46.9	Order	508	28/03/68
	BYALA KRAVA	Kostel	91.0	Order	508	28/03/68
				Order	20	05/01/74
	SAVOV CHAIR	Kladni dyal	102.3	Order	508	28/03/68
				Order	3818	12/12/74
	HAIDUSHKI	Buinovtsi	33.9	Order	508	28/03/68
	CHUKAR					
	KASTRAKLII	Borino	124.0	Order	508	28/03/68
	KAZANITE	Mugla	161.0	Order	508	28/03/68
	CHUPRENE	Chuprene	1439.2	Order	358	09/02/73
				Order	506	11/07/79
	BOGDAN	Koprivshitsa	114.8	Order	775	29/03/72
	Baltata	Obrochishte	197.7	Order	180	20/04/78
	steneto	Cherni osam	3578.8	Order	214	05/04/79
				Order	280	04/05/79
				Order	44	15/01/91
	sokolna	Skobelevo	1250.0	Order	501	11/07/79
		asen		Order	9	09/01/85
	peeshti skali	Stokite	1465.7	Order	502	11/07/79
		Kravenik				

bukaka	Shumen	62.6	Order	79	05/02/80
Beli lom	Hlebarovo	773.0	Order	393	12/05/80
Atanasovsko lake	Burgas	1050.0	Order	601	12/08/80
tsarnata reka	Sazhdenik	197.0	Order	876	25/11/80
valchi dol	Boinik	774.7	Order	877	25/11/80
Stara reka	Karlovo	1974.7	Order	200	19/03/81
			Order	67	26/01/91
Vitanovo	M. Tarnovo	1112.4	Order	1113	03/12/81
			Order	1021	30/12/92

No	Reserve Name	Municipality	Area (ha)	Document type	Document No.	Date
	persinski blata	Isle of Belene	385.2	Order	1106	02/12/81
	Kitka	Isle of Kitka	25.4	Order	1106	02/12/81
	Vrachanski karst	Vratsa	1438.9	Order	854	10/08/83
				Order	9	09/01/85
				Order	1449	21/12/89
	severen dzhendem	Apriltsi	1610.0	Order	995	30/09/83
				Order	9	09/01/85
	kutelka	Sliven	645.1	Order	1253	22/12/83
	Orlitsata	Medven	566.5	Order	791	10/08/84
	Kamensthitsa	Enina	1018.4	Order	791	10/08/84
				Order	9	09/01/85
	Leshnitsa	Yasenovo	387.9	Order	793	10/08/84
	Ibisha	D. Tsibar	34.3	Order	794	10/08/84
	Orelyak	G. Delchev	758.1	Order	129	22/02/85
				Order	432	24/11/95
	Ibar	Kostenets	2248.6	Order	148	26/02/85
				Order	114	24/02/92
	Sokolata	Igralishte	211.0	Order	115	18/02/85
	Rila monastery forest	Rila	3676.5	Order	307	10/04/86
				Order	114	24/02/92
	Kozya stena	Chiflik	904.3	Order	1048	22/12/87
		Lovech		Order	67	25/01/91
	Kongura	Petrich	1312.0	Order	671	15/06/88
	Sredoka	Malko	607.8	Order	75	18/01/89
		Tarnovo				
	Tisovitsa	Balgari	749.3	Order	169	16/02/90
	Central Rila reserve	Samokov	12393.7	Order	114	24/02/92
	Ropotamo	Tsarevo	1000.7	Order	318	07/05/92
	YULEN	Bansko	3156.2	Order	223	26/08/94

