

REGULATIONS
on the Enforcement of the Nature Protection Act
Approved by Decree No. 16 of the Council of Ministers of 10 April 1969

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Amended SG No. 9/1978

Article 1

The management, use and protection of nature and natural resources shall be carried out in accordance with the provisions of the applicable special laws, the Nature Protection Act and these Regulations.

Article 2

The construction of facilities in the environment shall be carried out in accordance with territorial planning schemes – regional, urban, construction planning, urban planning, landscaping and other schemes which comply with the requirement to prevent any harm, destruction, pollution, or defacing of nature.

Where no such plans exist, construction sites in the environment shall be approved with the consent of the State Planning Committee, the Architecture and Urban Planning Committee, the Ministry of Agriculture and Food Industry, the Ministry of Forests and Forestry, the Environment Protection Committee, the Ministry of Public Health and district people's councils. If arable lands or pastures are affected, the provisions of the Arable Land and Pastures Protection Act shall apply.

It is prohibited to assign the development and design of facilities for which construction sites have not been approved as set forth above.

Article 3

(Repealed – SG No. 9/1978).

Article 4

Projects having no provisions to protect and restore the environment during construction and utilisation shall not be approved.

(Paragraph 2, new – SG, No. 9/1978)

Those parts of the projects that are related to the restoration of degraded lands shall be consulted with the Environment Protection Committee and with the Ministry of Agriculture and Food Industry where agricultural lands are concerned, and with the Ministry of Forests and Forestry in cases where forests are concerned.

Article 5

(Amended – SG No. 9/1978)

Survey and utilisation activities that are detrimental to the environment (mines, dumping grounds, quarries, shifting of soil masses, cutting areas in forests etc.) shall be carried out only after an approval in writing is obtained from the Architecture and Urban Planning Committee, the Environment Protection Committee and district people's councils, and where the sites are located within land or forest stock – with the approval of the Ministry of Agriculture and Food Industry and the Ministry of Forests and Forestry respectively. Where arable lands or pastures are affected, the provisions of the Arable Land and Pastures Protection Act shall apply.

A project and situation schemes for the type, character and scope of the survey and utilisation activities shall be presented for such consultations and approval.

The project provides for activities and resources for the restoration of the environment or for the elimination of the adverse consequences from surveys and utilisation. The funding of these activities shall be provided by the survey, design or capital investment draft budgets and shall not be reduced or reallocated for other purposes.

Where the utilisation and the surveys are carried out by a governmental agency supported by the budget, funds for the respective activities shall be secured from the capital investment plan or from the budget.

The restoration shall be carried out in a way that allows for uninterrupted continuation of the survey and utilisation activities.

Article 6

(Amended – SG No. 9/1978)

Where the environment around populated areas and places of recreation, highways and railways, international tourist sites and protected natural sites is harmed, deformed or degraded as the result of surveys, construction or utilisation carried out prior to the enforcement of these Regulations, the Environment Protection Committee, in consultation with the Ministry of Forests and Forestry (concerning the forest stock), the Ministry of Agriculture and Food Industry (concerning the land stock), the respective district people's council and the authorities concerned, shall define the activities and terms within which the investors shall restore or improve the environment.

Where it is impossible to identify the organisation responsible for the restoration of the harmed environment, the restoration or improvement shall be carried of by the site managing organisation.

Article 7

Where the draft statements of accounts do not provide for activities and funds to eliminate the adverse consequences of surveys and utilisation, projects shall not be financed, banks shall not provide funding, and the agencies at the people's councils shall not issue construction permits.

Article 8

Where sloping lands are cultivated, all state-owned and co-operative enterprises, organisations, and private agricultural owners shall adhere to the requirements for erosion control techniques established by the Ministry of Agriculture and Food Industry.

Article 9

State-owned and co-operative agricultural enterprises shall construct and maintain the necessary erosion control and protection facilities in the land stock.

The Ministry of Forests and Forestry shall plan, organise and carry out the construction of the necessary protection facilities and shall implement the necessary erosion control activities on the territory of the state forest stock.

Article 10

(Amended – SG No. 9/1978)

To protect the landscape, air, waters and soils against damage and pollution from drilling and other operations, the respective economic and other organisations and agencies shall adopt proper treatment measures to dispose of harmful substances, chemicals, waste waters, etc.

Article 11

Natural water sources such as springs, lakes, streams, and rivers, being beautiful features of nature and sources of valuable raw material for the national economy, shall be preserved and protected in their natural form and conditions shall be created for recreation and entertainment of the working people.

(Paragraph 2, Amended – SG No. 9/1978)

Lakes, marshes and other water reservoirs shall be drained only with the approval of the Environment Protection Committee, the Ministry of Forests and Forestry, the Ministry of Agriculture and Food Industry, the Ministry of Health, the Architecture and Urban Planning Committee, the respective district people's council, and the Bulgarian Academy of Sciences.

Article 12

Rivers, artificial waterways, irrigation, drainage and navigation channels shall be surrounded by vegetation, and balancing channels, drinking pools and others shall be constructed for the needs of the national economy, for economic progress, for recreation and entertainment of the working people.

Article 13

To protect waters within the territory of the state against pollution, cleaning and washing of ships and tankers shall be carried out on special sites and in a way that allows to collect and, where possible, utilize residual petrol.

(Paragraph 2, Amended – SG No. 9/1978)

The Environment Protection Committee, through its executive agencies, shall control the activities of the ministries and other agencies in relation to the protection of sea waters and of the waters of the Danube against pollution.

Article 13a

(New – SG No. 9/1978)

The Environment Protection Committee and its agencies shall exercise control over the respective ministries and other agencies for their adherence to the provisions of the Nature Protection Act.

A representative of the respective regional environmental inspectorate shall participate in forest management meetings and in sessions of the Technical Council for the approval of forest management projects.

Article 14

(Amended – SG No. 9/1978)

Cultivated areas and forests around populated areas, parks, places for recreation and tourism, resorts, wellheads, beaches, roads, railways, and mineral water springs are subject to preservation and special protection in view of their aesthetic and health-protection importance.

It shall be prohibited in such forests and cultivated areas to carry out timbering that can reduce or destroy their decorative, protective, aesthetic or health functions; to graze animals; to destroy bushes and grass; to develop lands or carry out construction which has not been provided for in the development plans for such lands.

Article 15

Wildlife (mammals, birds, fishes, reptiles, amphibians etc.) shall be subject to protection and reasonable use.

All agencies, enterprises and organisations whose activities affect the fauna of the state shall adhere to the established rules and standards for hunting and fishing and shall assist the improvement of the conditions for the existence and reproduction of wildlife.

(Paragraph 3 new – SG No. 9/1978)

The Environment Protection Committee and its agencies shall control the adherence of the respective ministries and other agencies, and also of respective economic and public organisations to the provisions of the foregoing paragraphs.

Article 16

Protected natural areas shall be reserves, people's parks, natural landmarks, areas of characteristic features, historic sites, and valuable animal and plant species of permanent importance for scientific research, protection of the natural beauty, recreation for the working people and tourism.

Article 17

(Amended – SG No. 9/1978)

It shall be prohibited to carry out any activity in nature reserves that can affect the unique character of nature.

In exceptional cases of massive calamities in the forest reserves (damage of dangerous consequences to the vegetation), sanitary felling may be carried out with the permission by the Ministry of Forests and Forestry and the approval by the Environment Protection Committee and the Bulgarian Academy of Sciences.

Entry into reserve areas shall be made only after a permission is obtained from the reserve area managing ministries and agencies with the approval of the Environment Protection Committee, and only specified roads and paths on the territory of the reserves shall be used.

Systematic scientific research can be carried out in the reserves on plants and animals in their habitats, or on the natural development of soils and land formations.

Research-related experiments, testing grounds etc. shall require permission by the respective reserve managing ministries and agencies with the approval of the Environment Protection Committee and the Bulgarian Academy of Sciences.

Article 18

The management and use of natural resources on the territory of national parks covering wide areas and diverse nature shall be subject to special regulations. The construction of buildings, roads etc. within such areas shall be set forth in the park planning project.

Article 19

(Amended – SG No. 9/1978)

Natural landmarks shall be natural sites of geological, palaeontological, botanical or other natural sites, which, irrespective of their surroundings, possess scientific, cultural, historical, or aesthetic value, such as:

caves, pot-holes, "stone mushroom" formations, stone bridges, beautiful rocks, gorges, moraines, overhangs and other karst formations, sand dunes, earth pyramids etc.;

springs, lakes, marshes, waterfalls, river estuaries, meanders, mires etc.;

age-old coppices, individual old trees of groups of them, bushes or grassy plants, archaeological exhibits of vegetation or animal origin.

The areas around the natural landmarks and those of importance for the protection of the latter shall also be subject to special protection.

Any activities causing changes of the type, originality, aesthetic, scientific and historical values, and of the characteristics of landmarks, shall be carried out with the permission of the Environment Protection Committee after approval by the Bulgarian Academy of Sciences.

Article 20

(Amended – SG No. 9/1978)

Protected areas are natural spots of specific features, such as mountain slopes and defiles, views of special beauty around highways and railways, areas used for recreation purposes, and areas of special importance for the development of tourism, or the habitat of rare plants and animals. The use of the soils, waters and other natural resources on the territory of protected areas shall be restricted to allow the natural identity of the region to be preserved.

Construction on the territory of protected areas shall be subject to the provisions of the region planning scheme, in keeping with the landscape and the characteristics of the region.

Article 21

The development of historic sites shall involve protection of the vegetation and of the conditions of the area in which the historical events took place.

The study of historic sites, the development of projects for monuments, memorial plaques etc. and their implementation shall be carried out under the guidance and control of the Institute for Protection of Monuments of Culture.

Article 22

Valuable and rare wild animals and plants that are endangered with extinction or destruction, or must be protected for scientific or economic purposes shall also be placed under protection.

It shall be prohibited to stalk, catch and kill protected wild animals without taking into consideration their condition or development.

It shall be prohibited to carry out unwarranted relocation, damage, destruction and sale of protected plants or parts thereof.

(Paragraph 4, Amended – SG No. 9/1978)

The Environment Protection Committee shall permit protected plants to be collected and wild animals to be caught and killed for scientific purposes after approval by respective ministries, other agencies and the Bulgarian Academy of Sciences.

Introducing plant or animal species which are alien to the environment of the state shall be permitted by the Bulgarian Academy of Sciences.

Article 23

(Amended – SG No. 9/1978)

Sites shall be identified and proposed for placement under legal protection by the agencies of the Environment Protection Committee, ministries and other authorities, district people's councils, public and research organisations and individual citizens. Propositions shall be submitted to the Environment Protection Committee.

Site managing organisations shall present the documents necessary for renovation of sites for which a proposal is made to be protected.

Where sites proposed for protection are located on the territory of property owned by citizens, the documents shall be presented by the respective regional environmental inspectorate.

Article 24

The designation of proposed sites as protected shall be preceded by a preliminary on-site inspection and examination by the environment protection authorities, by the presenter, by the agency which is the current manager of the site and by the chairman of the respective municipal council.

Article 25

(Amended – SG No. 9/1978)

The designation of natural sites as protected shall be ordered by the Chairman of the Environment Protection Committee with the approval by the Bulgarian Academy of Sciences, the district people's council and ministries, agencies and organisations concerned. The order shall be promulgated in The State Gazette.

The order for the designation of sites as protected shall set forth the prohibited activities for each site.

The boundaries of protected sites shall be defined in detail in the designation order and shall be marked with clear and permanently visible signs.

Article 26

(Amended – SG No. 9/1978)

When searching for and exploring natural sites owned by individual citizens or managed by agencies, enterprises or organisations, while their designation is pending, the Environment Protection Committee may restrict their use temporarily and shall notify the owners.

Unwarranted activities, such as cutting of trees, grazing of animals, developing, picking of fruits etc. shall be regarded as causing harm to protected natural sites and the offenders shall be punished in accordance with the provisions of the Nature Protection Act and the provisions of these Regulation.

Article 27

(Amended – SG No. 9/1978)

Each owner of a protected nature site shall take care and maintain the site and, when necessary, shall inform the Environment Protection Committee for changes that have occurred.

Article 28

(Amended – SG No. 9/1978)

Activities such as construction and excavations, backfilling, redirecting water flows and changing the composition of water, introducing new plants and animals etc. in protected sites (except reserves), which can be the direct or indirect cause for changes of the protected sites or may endanger their existence, shall be subject to permission in writing by the protected natural site managing ministries and other authorities with the consent of the Environment Protection Committee.

Article 29

(Amended – SG No. 9/1978)

Owners of protected sites shall notify the Environment Protection Committee for every taking under eminent domain or assignment of sites where the latter are registered.

The new owner of protected natural sites shall assume all rights and obligations set forth by the legislation and by the order for the designation of the site as protected.

Article 30

(Amended – SG No. 9/1978)

Protected natural sites shall be categorised by the Environment Protection Committee with the consent of the relevant ministries, other institutions and the Bulgarian Academy of Sciences.

Protected natural sites shall be entered in special registers: a national register for all protected sites in the country, and district registers for all protected sites on the territory of the district.

Article 31

The management, restoration and protection of protected natural sites shall be carried out under the general guidance and control of the Ministry of Forests and Forestry.

Article 32

The management of protected natural sites of importance to science and to the economy shall be subject to special planning project schemes. The other protected natural sites shall be managed on the basis of annual forecasts.

Article 33

(Amended – SG No. 9/1978)

Protected natural sites used for the purposes of domestic and international tourism shall be organised by the respective managing agencies, enterprises or organisations after approval by the Architecture and Urban Planning Committee, the Environment Protection Committee, the Bulgarian Academy of Sciences, the State Tourism Committee, and the Bulgarian Tourist Union.

Article 34

(Amended – SG No. 9/1978)

The terms and conditions for visiting protected natural sites shall be defined by the Environment Protection Committee, in consultation with the Bulgarian Academy of Sciences, ministries and other managing agencies and visits to the sites that are the subject of domestic and international tourism shall be promoted.

Article 35

In accordance with Article 27 of the Nature Protection Act, the following activities shall be permitted on the territory of protected natural sites (excluding reserves):

- a) construction of administrative and public utility buildings, wildlife shelters and feeding troughs and racks, and tourist huts;
- b) forestation, completion and renovation of forest stocks in accordance with a plan approved in advance, with care being taken to preserve the country-specific vegetation;
- c) reducing the numbers of pest animals in the cases where they present danger to the environment or the economy, and taking measures for parasitic fungi diseases and insect pest control;
- d) construction of restaurants, hotels, and other utilities for the purposes of domestic and international tourism;
- e) other activities which are not in conflict with the main purpose of the respective protected natural site.

Article 36

The National Environment Protection Council shall be assigned the following major tasks:

- a) to consider and resolve the main issues of nature protection and to provide opinion on the technical and economic reports on the comprehensive utilisation of natural resources prior to their presentation at the Council of Ministers;
- b) to control the adherence to the Nature Protection Act and other regulations on the protection and expedient utilisation of natural resources, and, if necessary, to inform the Council of Ministers;
- c) to co-ordinate the activities of various ministries, agencies and district people's councils involved in the protection against pollution and wasteful use of soil, water and air, in the protection against damage and destruction of protected natural sites such as reserves, people's parks, protected animals and plants, historic sites etc., in the protection of typical landscapes, etc. against defacing and damage;
- d) to settle disputes arising between various ministries, agencies and district people's councils who have been assigned the task of immediate enforcement of the Nature Protection Act;
- e) to organise surveys, to discussing and resolve problems of nature protection and expedient utilisation of natural resources.

Article 37

The Environment Protection Committee shall supervise the protection of nature on behalf of the state in concurrence with other ministries and agencies where issues of their respective competence are concerned.

Article 38

District nature protection committees shall have the following tasks:

- to direct, co-ordinate and perform general guidance of nature protection in the district;
- to propose the designation of protected natural sites and to organise "nature protection month" activities in the district;
- to organise the promotion of nature protection in the district;
- to require through the executive committees of the district people's councils that all enterprises, organisations and offices take measures to protect the purity of water, air and soil, use natural resources in a reasonable manner and protect the beauty of local landscapes;

Article 39

The development of the scientific fundamentals of nature protection and the research within protected natural sites shall be directed by the Bulgarian Academy of Sciences.

(Paragraph 2, Amended – SG No. 9/1978)

The Environment Protection Committee in co-operation with the respective protected natural site managing ministries and agencies, and with the Bulgarian Academy of Sciences, shall define the protected natural sites where research stations and bases can be constructed.

Article 40

(Amended – SG No. 9/1978)

The National Nature Protection Committee at the National Council of the Fatherland Front and the other public organisations shall provide public assistance to nature protecting authorities through public education to establish proper attitude toward nature, awareness of the need for proper utilisation, restoration and multiplication of natural resources, and protection of the diversity of nature in Bulgaria.

The National Nature Protection Committee at the National Council of the Fatherland Front, the Bulgarian Tourist Union and other public organisations shall provide assistance to the government agencies to protect nature, identify, designate, and study protected natural sites, establish and lead groups of volunteer environmentalists, mark tourist paths, and perform other nature protection activities.

Article 41

(Amended – SG No. 9/1978)

Environmental volunteer groups shall be created under the Environment Protection Committee with the assistance of respective committees of the Fatherland Front, the Bulgarian Tourist Union and other public organisations. Their members shall be recruited on the basis of public participation from within the Dimitrov Young Communist League, the Fatherland Front, the Bulgarian Tourist Union and the Bulgarian Union of Hunters and Fishermen.

Under the guidance of the Dimitrov Young Communist League and the Dimitrov Pioneer Organisation, green patrols shall be established on volunteer principles. They shall involve the most active and the best performing pupils who demonstrated aptitude and interest in nature, forests and wildlife, and who are ready to act for their protection.

Article 42

Environmental volunteer groups and school green patrols shall assist the nature protection authorities to protect nature, identify new protected sites and study and protect the local nature.

Article 43

Large-scale education in and outside schools shall be carried out in order to promote the love for the nature of the country among the public.

Article 44

All harm to nature caused through violation of the provisions of the Nature Protection Act shall be compensated for by the offenders.

(Paragraph 2, Amended – SG No. 9/1978)

Where reparable harm to nature is caused, the amount of the compensation shall be determined on the basis of the resources necessary to repair the harm. The compensation is paid to the protected natural site managing organisation.

Where irreparable harm is caused, the amount of compensation shall be determined on the basis on tariffs approved by the Council of Ministers.

Article 45

These Regulation are issued in accordance with Article 42, Paragraph 2 of the Nature Protection Act (SG, 47/1967)