

REPUBLIC OF BULGARIA
COUNCIL OF MINISTERS

DECREE No. 199
of 13 October 1992

**on the Adoption of Regulations on the Structure
and Activities of the National Water Board**

Promulgated State Gazette No. 86/23.10.1992
Amended SG No. 10/1995

**THE COUNCIL OF MINISTERS
HAS DECREED:**

Sole Article

The Regulations on the Structure and Activities of the National Water Board shall be adopted pursuant to the provisions of Art. 3, Para 3 of the Water Act (Promulgated State Gazette, No. 29 of 1969; Amended Nos. 3 of 1977, 36 of 1979, 44 of 1984, 36 of 1986 and 24 of 1987).

Prime Minister: **Philip Dimitrov**
Chief Secretary of the Council of Ministers: **Konstantin Mouhovsky**

REGULATIONS

**on the Structure and Activities of the National Water Board at the Council of Ministers and Its
Central Office**

Chapter I

General Provisions

Article 1

These Regulations make provision for the structure and activities of the National Water Board at the Council of Ministers and its central office.

Article 2

The National Water Board shall pursue the government policies with respect to the use of water resources in conformity with the sustainable development requirements.

Article 3

- (1) The National Water Board is a college agency at the Council of Ministers, comprising representatives of the major ministries and other institutions which are directly involved in the use of water resources.
- (2) The Council of Ministers shall designate the membership of the Board.
- (3) The executive body of the Board is its Central Office.

Chapter II

**Major Functions and Tasks
of the National Water Board**

Article 4

- (1) The National Water Board, with the participation of government agencies, public organizations and movements directly involved in the use of water resources and in conformity with the sustainable development requirements, shall develop or assign the development of:
 1. A strategy for the efficient use of water resources as well as concept, forecasts, regional and national programmes;
 2. Bills and drafts of administrative regulations in the sphere of the use and management of water resources;
 3. Water balances, economic balances and projects for the management of water resources.
- (2) The National Water Board shall execute:
 1. The distribution of water consumption from the general-purpose and other dams included in the list approved by the Council of Ministers as well as from rivers, lakes and underground sources;
 2. The management of the Water Resources Fund;
 3. The representation on behalf of the State, jointly with other authorities and agencies, and the preparation of drafts of intergovernmental or other international treaties, conventions, covenants and agreements;

4. The participation in the activities of intergovernmental or other expert committees or commissions for national and international hydrotechnical equipment, water sources and transboundary rivers.
- (3) The National Water Board shall supervise:
1. The observance of the existing legislation with respect to waters;
 2. The water balance of water sources and the condition of the water equipment on rivers, lakes, dams, etc.;
 3. The implementation of standards and regulations connected with the safety of hydrotechnical equipment and the condition of its controlling and measuring systems;
 4. The condition of the national or departmental networks for reporting the condition of water resources and managing the use of waters;
- (4) The National Water Board shall coordinate:
1. And assist the activities of governmental and municipal authorities, economic entities, other organizations and individuals for efficient use of water resources;
 2. And organize research programmes and the preparation of standards, statutory regulations and economic experts' assessment of waters.

Article 5

The National Water Board shall prepare and submit for approval:

1. A government strategy with respect to waters;
2. Standards and criteria for the use of water resources in the various sectors of the economy;
3. Action programmes for the implementation of the government social policies in the field of water use.

Article 6

- (1) The National Water Board shall hold regular sessions on a quarterly basis. Extraordinary session may be convened by the Chairman or at the request of a Ministry or another institution represented in the Board.
- (2) The sessions of the Board shall be considered quorate provided two-thirds of the members are present.
- (3) The National Water Board shall make decisions by two-third majority vote.
- (4) The decisions of the Board shall be binding on Ministries, the other institutions, local government bodies and the local administration, economic entities, the other organizations and individuals.

Article 7

- (1) The Chairman of the National Water Board shall organise and rule the overall activities of the Board.
- (2) The Chairman of the National Water Board shall take decisions on operative and current questions arising in the period between the sessions of the National Water Board.
- (3) The Chairman of the National Water Board, together with the Minister of Finance, shall prepare and submit for approval the regulations for the management of the Water Resources Fund.
- (4) The Chairman of the National Water Board shall inform the public about the condition of water resources.
- (5) The Chairman of the National Water Board shall supervise the implementation of the decisions taken by the National Water Board with respect to:
 1. The condition of water resources and their distribution among the various economic sectors;
 2. The condition of the national and institutional networks for reporting the use of water resources and managing the use of waters;
 3. The observance of the statutory regulations on the use of water resources.

Article 8

The Chairman shall represent the National Water Board in intergovernmental organisations and in meetings covering the sphere of the use of water resources.

Article 8a

- (1) The High Water Board of Experts shall be an auxiliary, specialised body of the National Water Board on coordination of programmes for intersectoral and territorial allocation of investments, for evaluation of the national strategy and the overall state water programme as well as of the regional and basin hydroeconomic balances and schemes.
- (2) The Chairman of the National Water Board shall organise the activities of the High Water Board of Experts

Chapter III **Functions, Tasks and Structure** **of the Central Office**

Article 9

- (1) The Central Office, whose structure is determined by the Chairman of the National Water Board, shall implement the decisions taken by the National Water Board and the related administrative activities.
- (2) The governing body of the Central Office shall involve a Chairman and a Deputy-Chairman.

Article 10

The Chairman of the National Water Board shall direct and be responsible for the activities of the Central Office as well as the activities concerning the international cooperation and the legal advisor.

Article 11

The Deputy Chairman shall be responsible for the activities of the structural units in the Central Office: the Water and Hydroeconomic Resources Division, the Water Use and Consumption Division, Water Inspectorate Division, Administrative and Economic Service Division, Financial and Accounting Division and the Regional Water Offices. He may take decisions independently, unless the matter is within the competence of the Chairman.

Article 12

The Chairman of the National Water Board can establish collegium of the Central Office as an auxiliary body to the governing body with the participation of the Chairman and the Deputy Chairman, the Heads of Department and Water Inspectorate Division, the legal advisor, the chief accountant and the chiefs of the Regional Offices.

Article 13

- (1) The Water and Hydroeconomic Resources Division, in conformity with the existing legislation with respect to waters and the decisions of the National Water Board shall work out and participate in the process of working out:
 1. Short-, medium-, and long-term comprehensive water resources use programmes: strategies, forecasts;
 2. Hydroeconomic studies and balances for individual rivers, regions or the country as a whole;
 3. Analysis of the environmental and economic efficiency of the existing hydroeconomic systems and projects;
 4. Research programmes and hydroeconomic experts' assessments.
- (2) The Water and Hydroeconomic Resources Division, in conformity with the existing legislation with respect to waters and the decisions of the National Water Board, shall assess the condition and the efficiency of national or institutional hydrometric networks and prepare the statutory regulations stating the requirements to such networks. It shall maintain the functional links between the above networks.
- (3) The Water and Hydroeconomic Resources Division, in conformity with the existing legislation with respect to waters and the decisions of the National Water Board, shall analyze and process the hydrological data input and compile a bulletin on the condition of water resources.
- (4) The Water and Hydroeconomic Resources Division, in conformity with the existing legislation with respect to waters and the decisions of the National Water Board, shall establish and maintain a hydroeconomic cadaster of surface and underground waters, providing:
 1. Cadastral information on the permanent characteristics of water sources, the water intake, hydroeconomic systems and projects;
 2. Current information: real-time data input.

Article 14

The Water Use and Consumption Division, in conformity with the existing legislation with respect to waters and the decisions of the National Water Board, shall:

1. Carry out the continuous distribution of waters among the various economic sectors;
2. Schedule the use of waters from general-purpose and large dams and supervise the use of such waters by the respective users;
3. Permit the use of waters from rivers, lakes and underground sources;
4. Issue permits, jointly with the Committee for Geology and Mineral Resources, for hydrogeological surveys;
5. Issue permits for building wells;
6. Prescribe mandatory requirements with view of the efficient use of water resources when permits are issued for water use and for building general-purpose equipment;
7. Participate in formulating economic regulators with respect to the use of water resources;
8. Participate in the preparation of normative regulations on the amount and priorities in meeting the demands for water use;
9. Participate in the work of experts' panels of other institutions;
10. Coordinate the settlement of problems related to the use of water resources arising between institutions, municipalities, economic entities and individuals;
11. Prepare planned assignments and conclude contracts for basic or applied research;
12. Formulate draft decisions related to the development of water resources and submitted to the National Water Board;
13. Prepare proposals for the management of the Water Resources Fund;
14. Work out and participate in working out statutory regulations concerning water resources.

Article 15

- (1) The Water Inspectorate shall supervise:
 1. The observance and enforcement of the prescriptions on the water distribution and the water use permits;
 2. The water balance of water sources and the condition of the water intake equipment;

3. The observance of the expected parameters when hydroeconomic systems are established;
 4. The condition of hydrometric networks;
 5. The observance of the existing legislation, administrative regulations and standards related to the use of waters;
 6. The enforcement of the statutory regulations and economic regulators with respect to the use of waters;
 7. The enforcement of the statutory regulations with respect to the safety of hydrotechnical projects and the condition of their monitoring and measuring systems;
 8. The condition of rivers and the waters inflow equipment;
 9. Repealed (SG No. 10/1995).
- (2) The Water Inspectorate shall propose penalties against those who:
1. Violate the water use schedule;
 2. Use water illegally;
 3. Let water into water intake places illegally;
 4. Excavate inert materials from river beds without permission;
 5. Perpetrate other violations of the statutory regulations concerning water resources.
- (3) The Water Inspectorate shall analyse the impact effectiveness of the normative basis.
- (4) The Water Inspectorate shall interact with:
1. National and local government authorities and economic entities when natural calamities occur;
 2. The Ministry of the Environment when the use and protection of waters is supervised;
 3. The Committee for Geology and Mineral Resources when the use of underground waters is supervised.
- (5) The Water Inspectorate shall take part in:
1. The preparation of statutory regulations;
 2. The sorting out and solution of disputes related to the use of waters.

Article 16

- (1) Regional Water Offices shall implement the decisions of the National Water Board and the related administrative impact on the regional level.
- (2) Regional Water Offices shall cover groups of hydrographic basins with relatively homogeneous conditions for the formation and use of water resources.
- (3) Six Regional Water Offices shall be established:
 1. Regional Office for Northwest Bulgaria situated in Vratsa, covering the catchment areas of the rivers from the western border of the country to the Iskar included;
 2. Regional Office for Central Northern Bulgaria situated in Pleven, covering the catchment areas of the rivers from the Iskar to the Roussenski Lom included;
 3. Regional Office for Northeast Bulgaria situated in Varna, covering the catchment areas of the rivers from the Roussenski Lom to the Kamchia and the Dvoinitsa included;
 4. Regional Office for Southeast Bulgaria situated in Bourgas, covering the catchment areas of the rivers around Bourgas from the Hadzhiyska included to the southern border of the country and the Toundja river;
 5. Regional Office for Central South Bulgaria situated in Plovdiv, covering the catchment areas of the Maritsa, the Arda and the Byala rivers;
 6. Regional Office for Southwest Bulgaria situated in Blagoevgrad, covering the catchment areas of the Dospat, the Mesta and the Strouma rivers.

Article 17

- (1) Regional Water Offices shall:
 1. Formulate opinions on the applications for water use;
 2. Collect and submit information on the day-to-day management of water resources;
 3. Collect information for supplementing and updating the existing cadaster;
 4. Sort out and settle local disputes concerning the use of waters;
 5. Interact with other government and public structural units when natural calamities occur.
- (2) Regional Water Offices shall supervise:
 1. The enforcement of statutory regulations on the safety of hydrotechnical projects and the condition of their monitoring and measuring systems;
 2. The water use permits and schedules;
 3. The water balances of water sources;
 4. The observance of the expected parameters when hydroeconomic systems are set up;
 5. The condition of river beds;
 6. The condition of organizations and companies with a view of their capacities to use water resources efficiently;
 7. The excavation of inert materials from river beds.

- (3) Regional Water Offices shall draw up statements against those who violate the Waters Act and the other statutory regulations concerning the use of waters.

Article 18

- (1) The Administrative Services Department shall cover the typing, filing, housekeeping, transportation, cleaning and security by providing:
1. The maintenance of the buildings and premises of the Board in accordance with the communal occupational safety and antifire protection rules and standards;
 2. The repair of premises, while inspecting the quality of the work and accepting the repair work done;
 3. The necessary fuels, oils, chemicals, office equipment, office supplies and furniture, while ensuring their continuous inspection and timely maintenance work;
 4. The delivery and keeping of office equipment and supplies and working overalls, keeping account of their spending;
 5. The proper filing of letters, the typing and copying of letters, orders and information materials;
 6. The conditions needed to keep documents and archives;
 7. The technicalities concerning the arrangement of meetings and other activities.
- (2) The Administrative Services Department shall supervise:
1. The fitness of the lighting, heating, ventilation and sewage systems and approach the relevant offices in case of breakdown;
 2. And organise the observance of occupational safety rules, the internal regulations and discipline at the place of work.

Article 19

The Financial and Accounting Department shall organise and direct the financial activities of the Board and, for this purpose, it shall:

1. Prepare the budget of the Board with all the assets and liabilities and register all changes introduced by the Ministry of Finance;
2. Organise and prepare the analytical and synthetic report of revenues from fees, fines, etc.;
3. Prepare all the current and annual financial and statistical statements; exercise the preventive and current internal financial control;
4. Coordinate the financial policies of the Board on all matters related to the Ministry of Finance and the Bulgarian National Bank;
5. Supervise the observance of the financial and fiscal discipline; coordinate the day-to-day execution of the budget of the Board's Central Office, the lawfulness and purposefulness of expenses;
6. Execute cash operations in local and foreign currency, prepare income and expenditure documents, payrolls, etc.

Article 20

The Legal Advisor shall provide for the legal servicing of the Board and its Central Office by means of:

1. Supervising the lawfulness of all acts of the Board;
2. Giving opinion on bills prepared by other ministries and institutions;
3. Participating in the preparation of drafts for statutory regulations concerning water resources;
4. Participating in the preparation and actual signing of contracts, countersigning them and taking the responsibility for their lawfulness;
5. Providing for the observance of the existing labour legislation;
6. Taking direct part in the elaborations on the legal aspects of the international cooperation in the sphere of water resources;
7. Representing the National Water Board before the judiciary with a view of providing legal defence.

Article 21

- (1) The structural units of the Central Office enjoy the right to:
1. Participate in the preparation or to propose for approval drafts of statutory regulations concerning their activities;
 2. Require from the relevant departments, economic bodies and organisations the information necessary for their activities.
- (2) The structural units of the Central Office shall establish and maintain contacts with:
1. National and local government authorities and their agencies;
 2. Public organizations and movements;
 3. The Bulgarian Academy of Sciences and other research institutes;
 4. Establishments of higher learning;
 5. Design and development organizations, companies, offices, etc.

Concluding Provision

Sole Paragraph

These Regulations are issued pursuant to the provisions of Art. 3 of the Waters Act and Art. 1, Para 3 of Decree No. 102 of the Council of Ministers on Determining the Main Functions and Tasks of the National Water Board (State Gazette, No. 87/1991)