

295/1996 Coll.  
REGULATION  
of the Ministry of the Environment of the Slovak Republic  
dated 30 September 1996  
under which some provisions of the Act of the National Council of the Slovak Republic concerning  
Nature and Landscape Preservation are performed

The Ministry of the Environment of the Slovak Republic (hereafter "Ministry"), according to Article 32 par. 6, Article 37 par. 3 and 8, Article 38 par. 4, Article 49 par. 3, Article 58 par. 8 and Article 59 par. 2 of the Act of the National Council of the Slovak Republic No. 287/1994 Coll. concerning Nature and Landscape Preservation, orders:

Article 1

Preservation, Care and Maintenance of Woody Plants  
(to Article 32 of the Act)

(1) Preservation of woody plants means any competence intended to maintain their ecological and aesthetic functions in nature and landscape and to prevent their unfounded cutting down.

(2) Deterioration of woody plants means any action or neglecting of action which can immediately or subsequently decrease the ecological and aesthetic functions of woody plants substantially and permanently or cause their extinction.

(3) Care of woody plants means any competence intended to keep or improve their health or remove the consequences of their deterioration.

(4) Maintenance of woody plants ensures conditions for their optimal development. The optimal development of woody plants is mainly ensured through:

- a) mellowing, manuring, weeding and watering soil
- b) the creation of suitable space for the development of woody plants
- c) shaping woody plants
- d) the removal of deadened parts of woody plants which endanger the stability of woody plants and their surroundings
- e) performing the necessary mechanical and biological measures against pests and rodents

(5) Renewal of production crops woody plants is understood to be an exchange of productive crops woody plants which are unambiguously for fruit production intended for planting new crops woody plants where new woody plants may differ from the original crops kinds or species.

(6) As an immediate danger to man's health or life, or large damage to property is understood as the status of immediate danger caused mainly by an unforeseeable or unavoidable event independent of human will and related to consequences regarding the danger to man's health or life, or the arising of large damage to property. It especially concerns thunder strikes, floods, earthquakes, whirlwinds, landslides and erosion, as well as dry or deadened woody plants at places where they can endanger man's health or life, or cause large damage to property.

(7) The application for the approval to cut down woody plants contains

- a) the name and permanent address of the applicant
- b) cadastral domain, allotment number and type of landscape where woody plants grow, a copy of a cadastral map or another document which enables the identification of woody plants in terrain
- c) the agreement from the owner, warden or tenant (if he/she is authorised to provide it by lease) of the landscape where woody plants grow if the applicant is not an owner (warden or tenant)

- d) specification of the woody plant to be cut down, especially its species, amount, status of health, stem circumference measured with a height of 130 cm above ground or measured in the place of the largest circumference or area of shrubbery
- e) reason for the application

(8) Documents according to par. 7, b) and c) are not required in cases where the application for the approval to cut down woody plants is due to the location of a row construction where it is possible to expropriate the lands.1)A drawing from the project documentation of a construction, which contains a detailed description of the row construction to the scale of at least 1:10,000 with the marked locality where the woody plant grows, shall be attached to the application.

(9) Documents according to par. 7, c) are not required in cases where the application for the approval to cut woody plants is due to the maintenance of river bank growth2) if the applicant is a warden of the river.

(10) When providing the approval according to Article 32 par. 3 of the Act, the environmental body respects the fact that the cutting down of woody plants should be made preferably during vegetative dormancy.

(11) The content of the announcement concerning the fact that woody plants3) were cut down refers similarly to par. 7.

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1) Article 108 and following Articles of Act No. 50/1976 Coll. concerning terrestrial planning and structural system (Building Act) in wording of Act No. 262/1992 Coll. and the Act of the National Council of the Slovak Republic No. 199/1995 Coll.

2) Articles 10, 33 and Article 34 par. 1 b of Act No. 138/1973 Coll. concerning water (Water Act).

3) Article 32 par. 5 of the Act of the National Council of the Slovak Republic No. 287/1994 Coll. concerning Nature and Landscape Preservation.

## Article 2

### Administration of State Catalogue of Specially Protected Parts of Nature and Land (to Article 37 of the Act)

(1) The State Catalogue of Especially Protected Parts of Nature and Landscape (hereafter "State Catalogue") is an official register of territories under protection and protected woody plants as well as protected species of plants, animals, minerals and fossils (hereafter "protected species"). The State Catalogue includes

- a) the acquisition catalogue of territories under protection and protected woody plants which contains chronologically registered territories under protection and protected woody plants, basic data and documents concerning them
- b) the card register of territories under protection, protected woody plants and protected species together with their basic data
- c) a collection of documents concerning territories under protection, protected woody plants and protected species.

(2) The content of the State Catalogue is stated in Annex No. 1.

(3) The Slovak Environmental Protection Institute (hereafter "Institute") administers the State Catalogue. The Institute administers the State Catalogue for the whole Republic and also for regions and districts, and especially for state institutions for nature and landscape protection (hereafter "environmental body").

(4) District Institutions and Subdistrict Institutions administer extracts from the State Catalogue for their own territorial districts. Extracts from the State Catalogue are also administered by environmental bodies.4)

(5) The Reservation Book is not a part of the State Catalogue.

(6) The basis to register a territory under protection or protected woody plant into the State Catalogue are documents which constitute a collection of documents concerning territories under protection and protected woody plants stated in Annex No. 1.

(7) Within 15 days of the day when the Institute has received the announcement on the provision, change or cancellation of the specially protected part of nature and land, the Institute shall make an entry into the State Catalogue and shall plot it onto the respective basic maps and shall deposit the documents into the collection of documents concerning territories under protection, protected woody plants and protected species.

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4) Article 51 par. I of the Act of the National Council of the Slovak Republic No. 287/1994 Coll.

Article 3  
Marking the Specially Protected Parts of Nature and Land  
(to Article 38 of the Act)

(1) Plates with the state emblem of the Slovak Republic<sup>5)</sup> (hereafter "state emblem") and inscription where the respective category of the territory under protection, protected woody plant and their protected range<sup>6)</sup> are stated, are used to mark territories under protection, protected woody plants and their protected ranges. When it concerns a Protected Landscape Region or National Park and its protected range, their full name shall be stated.

(2) The plate with the state emblem for marking territories under protection and their protected ranges shall have dimensions of 40 x 30 cm, the plate for marking protected woody plants shall have dimensions of 15 x 10 cm. Caves, abysses and natural waterfalls can be marked with both kinds of plates. State emblems<sup>5)</sup> are placed in the upper part of the plates with a dark green background and under the state emblem there is an inscription in white. Examples of the plates are in Annex No. 2.

(3) If the marking of the woody plant is not enough to emphasise the subject of protection, a protected range of protected woody plants is marked with the state emblem.

(4) The plate with dimensions of 40 x 30 cm is usually fixed to a wooden pillar resistant to atmospheric influences, the plate with dimensions of 15 x 20 cm to a metal post of a suitable diameter. Plates shall be located in a well visible place at the border of the territory under protection or protected range in an appropriate distance from the protected woody plant or they are carefully fixed to the bark of its trunk.

(5) Plates with dimensions of 40 x 30 cm with a white inscription on a dark green background are used for marking zones of Protected Landscape Regions and National Parks.

(6) Besides plates according to paragraphs 1, 2 and 5, territories under protection with the fourth and fifth level of protection and their protected ranges with the fourth level of protection as well as A and B zones are marked on their borders with a striped marking on woody plants or on wooden border posts outside of forest growth, especially on break points of the border. In the forest growth the striped marking shall also be used on some woody plants in sufficiently visible distances between break points. When the borders of the territory under protection overlap the borders of a protective forest<sup>7)</sup>, it is necessary to perform the marking of the territory under protection in such a way that there is no confusion with the marking of the protective forest.

(7) The striped marking on the border woody plants and posts are made of two paint stripes of a 5 cm width which are separated by a gap of a 5 cm width. Territories under protection and their protected ranges are marked with red paint, zones of National Parks and Protected Landscape Regions are marked with blue paint. The upper stripe goes around the whole circumference of the woody plant

at the height of 130 cm above terrain or 10 cm under the top of a 1 m high pillar. The lower stripe goes on the outside part of the territory under protection or protected range.

(8) The identification of the break points of borders of territories under protection and their protected ranges, outside of Protected Landscape Regions, National Parks and their protected ranges, outside of forest growth is made with metal posts set to the soil at the terrain level. When the break points are identical to landmarks, then the identification with posts is not required.

(9) The location of break points of the territories under protection and their protected ranges or zones, if it is not possible to identify it unambiguously, shall be determined by simply aligning it on the basis of data for drawing the land in the landregister.

(10) With the agreement of the District Institution, it is possible to label protected parts of nature and protected ranges of territories under protection and protected woody plants in terrain with an additional information label such as

- a) plates with additional information concerning the protected part of nature usually placed next to the sign with the state emblem
- b) graphic plates without any text which express some forbidden activities
- c) panels at tourist centres or other suitable places providing special information concerning educational localities or educational paths, or providing more detailed information concerning protected parts of nature.

(11) If the protection of nature reservations, natural landmarks, protected areas or protected woody plants requires it, then it is possible with the agreement of the owner, warden or tenant (if he/she is authorised to provide it by lease) of the land to mark the borders of the territory under protection with simple, usually post fencing.

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5) The Act of the National Council of the Slovak Republic No. 63/1993 Coll. concerning state symbols of the Slovak Republic and their use in wording of the Act of the National Council of the Slovak Republic No. 240/1994 Coll.

6) Article 12, Article 17 par. 2 and Article 18 par. 2 of the Act of the National Council of the Slovak Republic No. 287/1994 Coll.

7) Article 23 par. 3 of Act No. 61/1977 concerning forests.

#### Article 4

##### Providing and registering information concerning Nature and Landscape Preservation (to Article 49 of the Act)

(1) Environmental bodies enable information concerning Nature and Landscape Preservation (hereafter "information") which are under their administration according to Article 49 par. 1 of the Act for natural persons and legal entities.

(2) Accessing information is especially understood to be its publication, provided upon request, allowing the browsing of respective materials and making of copies and transcriptions or reference to the publication where the information was published. The type of accessing should correspond to the request for information, circumstances of the case and the possibilities of the environmental body.

(3) The request for accessing information is given verbally, verbally into the record, in writing or in another technically comparable way (e.g. by fax). The request shall be sufficiently definite, the content and extent of the requested information shall be particularly evident from the request.

(4) If the request is not complete, the environmental body shall call the applicant for information to complete the request.

(5) The information shall be accessed without any unnecessary delay, no later than two months after the delivery of the request or its completion according to par. 4.

(6) The environmental body will not provide the information if this may cause unacceptable disturbances, abuse or destruction of a specially protected part of nature and land. The environmental body asked to access the information shall judge the extent of the threat.

(7) The environmental body registers the accessing of information in the Information Book.

(8) The Information Book especially contains

- a) data to identify the applicant for accessing information
- b) name (kind) of information provided together with its brief description and in cases of written information the registration number shall also be stated.
- c) the date of receiving the request to access information
- d) the date of accessing information
- e) the name of the employee of the environmental body who has accessed information
- f) the form of accessing information
- g) in cases of partial or complete blockage to accessing information, reasons for this blockage to access.

## Article 5

### Organisation and Objectives of Nature Watch. Appointment and Assumptions for Nature Watch Execution Authority. (to Articles 58 and 59 of the Act)

(1) District Institutions for the management of Nature and Landscape Preservation in their territorial districts appoint and suspend Nature Watch, determine the number of its authorities which corresponds to existing natural and scenic reality, especially the area, the number and importance of specially protected parts of nature and land, biocentres and other important landscape elements. District Institutions also direct the activities of Nature Watch.

(2) Authorities of Nature Watch are mainly appointed on proposals of District Institutions, environmental bodies<sup>4</sup>), communities or citizen's associations whose main objective according to their provisions is Nature and Landscape Preservation.

(3) A virtuous citizen of the Slovak Republic not younger than 18 years old who is healthy and physically capable of performing this function and has the necessary knowledge and skills, is aware of the rights and duties of an authority of Nature Watch and has taken a vow according to par. 9 can be appointed as an authority of Nature Watch.

(4) Virtuous, according to par. 3, is considered to be a person who, during the last five years, has not been found guilty by law for any wilful malefaction or malefaction against the environment.<sup>8</sup>)

(5) The proposal to appoint an authority of Nature Watch contains:

- a) name and surname of the proposed person
- b) date and place of birth
- c) personal identification number
- d) permanent address
- e) number of personal identification card
- f) proposed operational district
- g) number of the fire-arms licence if the candidate is a holder, who issued it and when it was issued and the period of its validity.

(6) The following shall be attached to the proposal for the appointment of an authority of Nature Watch

- a) record from the crime register no more than three months old
- b) medical statement concerning health status

c) photo with dimensions of 3 x 3,5 cm.

(7) If the proposed person for an appointment to be an authority of Nature Watch has a fire-arms licence according to special provision<sup>9</sup>), then the items according to par. 6 a) and b) are not required.

(8) The District Institution in co-operation with an environmental body shall verify whether the proposed person possesses the necessary knowledge and skills to perform the position as an authority of Nature Watch, is aware of the objectives and rights related to this position and knows the local geography of the territory where he/she should perform the position, before his/her appointment to be an authority of Nature Watch.

(9) The person proposed to be an authority of Nature Watch takes, in the presence of the head of the District Institution, this vow: "I promise that as an authority of Nature Watch I will conscientiously fulfil my tasks in protection of nature and land, and during my work I will uphold the law and other generalised orders".

(10) After taking the vow, the District Institution assigns the Certificate of Nature Watch and the Emblem of Nature Watch to the authority of Nature Watch.

(11) Examples of both the Certificate of Nature Watch and the emblem of Nature Watch are given in Annex No. 3.

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4) Article 51, par. i) of the Act of the National Council of the Slovak Republic No. 287/1994 Coll.

8) Article 181b to 181e of the Penal Code.

9) The Act of the National Council of the Slovak Republic No. 246/1993 Coll. concerning weapons and ammunition in wording of the Act of the National Council of the Slovak Republic No. 284/1995 Coll. (complete wording No. 138/1996 Coll.)

Regulation of the Ministry of Interior of the Slovak Republic No. 96/1996 Coll. that performs the Act of the National Council of the Slovak Republic No. 246/1993 Coll. concerning weapons and ammunition.

Regulation of the Ministry of Health of the Slovak Republic No. 62/1994 Coll. concerning proceedings for the assessment of physical, health and special mental capabilities to hold or carry weapons and ammunition.

## Article 6

An authority of Nature Watch during the performance of his/her position especially:

- a) follows what is going on in nature, human intervention into nature and land, and the influence of this intervention on nature and land
- b) checks how restrictions and other conditions of the protection of specially protected parts of nature and landscape are maintained
- c) reports to the District Institution shortages and events found during the survey and checking of the territory
- d) reports to the District Institution violations of orders concerning the protection of nature and landscape and conditions set by resolutions of the environmental body
- e) procures the material of evidence for proceedings of the District Institution
- f) performs the necessary measures to avert dangers to nature and landscape and their consequences. He/she informs the District Institution about his/her actions immediately
- g) proves his/her Nature Watch authority certificate upon request
- h) informs the District Institution immediately concerning the loss or theft of the Nature Watch authority certificate or the Emblem of Nature Watch.
- i) informs the District Institution within 15 days concerning changes of the facts stated in the certificate of Nature Watch.

## Article 7

- (1) The authority to Nature Watch terminates with
- a) the recall of Nature Watch authority
  - b) the death of Nature Watch authority

(2) The District Institution, which appointed the Nature Watch authority, shall recall the authority upon his/her request

(3) The District Institution that appointed the Nature Watch authority is entitled to recall the authority if

- a) the Nature Watch authority exceeds his/her rights or does not perform his/her job adequately
- b) there are circumstances which prevent the Nature Watch authority to henceforward fulfil his/her tasks
- c) the Nature Watch authority ceases to satisfy some of the terms stated in Article 5, par. 3.

(4) A Nature Watch authority who has been recalled from his/her position immediately delivers his/her of Nature Watch authority certificate and Nature Watch emblem to the District Institution.

#### Article 8

(1) The District Institution

- a) administers the register of Nature Watch authorities,
- b) together with the District Institution and the expert environmental body takes care of keeping and improving the expert level of Nature Watch authorities including their introduction to generalised provisions,
- c) reimburses all expenses related to the performance of the position of a Nature Watch authority under conditions given by a special provision<sup>10)</sup>
- d) provides provisions, maps and other facilities for Nature Watch authorities.

(2) The District Institution

- a) directly manages and co-ordinates the activities of Nature Watch authorities within its district
- b) reimburses or approves all expenses related to the performance of the position of a Nature Watch authority<sup>10)</sup>.

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10) Act No. 119/1992 Coll. concerning travel reimbursements in wording of the Act of the National Council of the Slovak Republic No. 53/1996 Coll.

#### Article 9

Workers of environmental bodies, who have the Nature Watch authorisation according to Article 58 par. 7 of the Act, shall have this authorisation recorded in their official identity card.

#### Article 10

The District Institution, after previous instruction concerning the tasks and rights of Nature Watch authority, shall also issue the certificate of Nature Watch authority and the Nature Watch emblem to the owner of the land where the private territory under protection was established (Article 22 par. 5 of the Act).

#### Article 11

#### Enforcement

This Regulation shall enter into force on November 1, 1996.

Jozef Zlocha sign manual

ANNEX 1

## CONTENT OF THE STATE CATALOGUE OF SPECIALLY PROTECTED PARTS OF NATURE AND LAND

The State Catalogue involves

1. the acquisition catalogue of the territories under protection and protected woody plants
2. the card-register of the territories under protection, protected woody plants and protected species
3. a collection of documents concerning territories under protection, protected woody plants and protected species

1. The acquisition catalogue of the territories under protection and protected woody plants

The acquisition catalogue of the territories under protection and protected woody plants contains

- a) a serial number which is the registration number of the State Catalogue
- b) the name of the territory under protection (protected woody plant)
- c) the category of the territory under protection
- d) the order concerning the declaration, change or cancellation of the territory under protection (protected woody plants)
- e) map details, allotment registers or an extract from the area sign
- f) basic data concerning the territory under protection (protected woody plants)
- g) information on documents concerning negotiations on the intention to establish a territory under protection (protected woody plants)
- h) information concerning extracts from the forest economic plan

2. The card-register of the territories under protection, protected woody plants and protected species

- 2.1 The card-register of the territories under protection and protected woody plants contains

- a) the registration number of the State Catalogue
- b) the name of the territory under protection (protected woody plant)
- c) the category of the territory under protection
- d) the subject of protection
- e) information concerning the protected range
- f) incorporation into geomorphologic unit
- g) domicile, cadastral domain, district, region
- h) area of the territory under protection, area of its protected range
- i) the order concerning the declaration of the protection and its changes
- j) the allotment numbers of the lands
- k) information concerning map details (nomenclature, scale, sheet name)
- l) information concerning soil (fund), indication of forest growth, indication of species of plants
- m) marking and registration in the landregister
- n) pertinence of the territory under protection (protected woody plant) to a National Park or Protected Landscape Region
- o) name of the owner (warden or tenant) of the land
- p) information concerning permission for exceptions from the conditions for the protection of a territory under protection.

- 2.2 The card-register of the protected species contains

- a) the name (taxon) of the protected species
- b) the registration number with an index: R (Rastlina) - plant, Ž (Živočích) - animal, N (Nerast) - mineral, S (Skamenelina) - fossil
- c) place of occurrence together with cadastral domain, name of the local district and the approximate area of occurrence in hectares
- d) incorporation into geomorphological unit
- e) time of occurrence, time of observation or time of extinction of the population

### 3. Collection of documents concerning territories under protection, protected woody plants and protected species

#### 3.1 The collection of documents concerning territories under protection and protected woody plants contains

- a) the order concerning the declaration of the protection and its changes
- b) map details for the declaration of the protection
- c) basic data concerning the territory under protection (protected woody plant)
- d) an extract from the landregister and an extract from the ownership certificate of allotments concerned
- e) the announcement to the cadastre administration concerning the declaration of the territory under protection
- f) allotments register of the agricultural soil or an extract from the area table together with the stated forest category
- g) documents concerning negotiations on the intention to establish a territory under protection (protected woody plant)

#### 3.2 The collection of documents concerning protected species contains

- a) the registration document of the protected plant, protected animal, protected mineral or protected fossil
- b) accepted and accomplished measures to ensure care and preservation
- c) map details with marked localities of protected species
- d) documents concerning permission for exceptions from the conditions for the protection
- e) programs for preservation

## ANNEX 2

### EXAMPLES OF SIGNS TO MARK SPECIALLY PROTECTED PARTS OF NATURE AND LAND

#### A. Marking of territories under protection and their protected ranges

The boards are dark-green, the signs are white  
Dimensions of boards: 40 x 30 cm

#### B. Marking of protected woody plants Dimensions of boards: 15 x 10 cm

## ANNEX 3

### EXAMPLES OF THE NATURE WATCH AUTHORITY CERTIFICATE AND THE NATURE WATCH AUTHORITY EMBLEM

#### A. The Nature Watch authority certificate

#### B. The Nature Watch authority emblem