

# **BIOLOGICAL DIVERSITY ACT**

*Prom. SG. 77/9 Aug 2002, amend. SG. 88/4 Nov 2005, amend. SG. 105/29 Dec 2005, amend. SG. 29/7 Apr 2006, amend. SG. 30/11 Apr 2006, amend. SG. 34/25 Apr 2006, amend. SG. 52/29 Jun 2007, amend. SG. 64/7 Aug 2007, amend. SG. 94/16 Nov 2007, amend. SG. 43/29 Apr 2008, amend. SG. 19/13 Mar 2009, amend. SG. 80/9 Oct 2009, amend. SG. 103/29 Dec 2009, amend. SG. 62/10 Aug 2010, amend. SG. 89/12 Nov 2010, amend. SG. 19/8 Mar 2011, amend. SG. 33/26 Apr 2011, amend. SG. 32/24 Apr 2012, amend. SG. 59/3 Aug 2012, amend. SG. 77/9 Oct 2012, amend. SG. 15/15 Feb 2013, amend. SG. 27/15 Mar 2013, amend. SG. 66/26 Jul 2013, amend. SG. 98/28 Nov 2014, amend. SG. 61/11 Aug 2015, amend. and suppl. SG. 101/22 Dec 2015, amend. SG. 58/26 Jul 2016, amend. SG. 58/18 Jul 2017, amend. and suppl. SG. 76/19 Sep 2017, suppl. SG. 77/18 Sep 2018, amend. SG. 98/27 Nov 2018*

## **Chapter one. GENERAL**

Art. 1. (1) This Act settles the relations between the state, the municipalities, the corporate bodies and individuals regarding the protection and sustainable using of the biological diversity in the Republic of Bulgaria.

(2) The biological diversity is the variety of all living organisms in all forms of their natural organisation, their cohabitation and habitats, of the ecological systems and processes developing in them.

(3) The biological diversity is an inseparable part of the national wealth and its preservation is a priority and obligation of the state and municipal bodies and of the citizens.

Art. 2. This Act aims at:

1. (amend. SG 94/07) the preservation of specimen for the Republic of Bulgaria and Europe types of natural habitats and habitats of endangered, rare and endemic vegetation, animal and fungous species within the frames of the National Ecological Network;

2. (amend. SG 94/07) the preservation of the protected vegetation, animal and fungous species of the flora, fauna and mycota of the Republic of Bulgaria, as well as of those which are objects of using and trade;

3. the preservation of the genetic resources and the diversity of vegetation and animal species outside their natural environment;

4. regulation of the introduction of alien and re-introduction of local vegetation and animal species in nature;

5. regulation of the trade with specimens of endangered species of the wild flora and fauna;

6. preservation of venerable and remarkable trees.

## **Chapter two. NATIONAL ECOLOGICAL NETWORK**

### **Section I. General**

Art. 3. (1) The state shall create a National Ecological Network including:

1. (suppl. SG 94/07) protected zones as a part of the European Ecological Network "NATURA 2000" which may include protected territories;
  2. protected territories which are not included in the protected zones;
  3. (revoked SG 88/05) protected territories.
- (2) (amend., SG 88/05; amend. SG 94/07) Included with priority in the National Ecological Network shall be CORINE places, Ramsar places, important places for plants and ornithological important places.

Art. 4. The National Ecological Network aims at:

1. the long-term preservation of the biological, geological and landscape diversity;
2. providing enough space and places for reproduction, feeding and rest, including in migration, pining and hibernation of wild animals;
3. creation of conditions for genetic exchange between divided populations and species;
4. participation of the Republic of Bulgaria in the European and international ecological networks;
5. restriction of the negative anthropogenic impact on protected territories.

## **Section II. Protected zones**

Art. 5. The protected zones under Art. 3, Para 1, Item 1 are designated for preservation or restoration of the favourable state of the natural habitats included in them, as well as of the species in their natural region of habitation.

Art. 6. (1) Protected zones shall be declared for:

1. (suppl. SG 94/07) preservation of the types of natural habitats under the Directive 92/43/EEC on the conservation of natural habitats of wild flora and fauna;
2. (amend. SG 94/07) preservation of habitats of the species under the Directive 92/43/EEC of the Council on the conservation of natural habitats of wild flora and fauna for the animal and plant species, listed in Annex No. 2; ;
3. (amend. SG 94/07) preservation of habitats of the species under the Directive 79/409/EEC of the Council on the conservation of wild birds for the species of birds, listed in Annex No. 2;
4. preservation of territories where during the time of reproduction, pining, hibernation or migration a considerable number of birds gather, other than those under Appendix No 2.

(2) (suppl. SG 94/07) Threatened by extinction types of natural habitats included in Appendix No 1 and marked with the symbol (\*) shall be preserved with priority.

(3) (suppl. SG 94/07) Threatened by extinction vegetation and animal species included in Appendix No 2 and marked with the symbol (\*) shall be preserved with priority.

Art. 7. (1) Territories including types of natural habitats of Appendix No 1 shall be subject to assessment on the grounds of the following indices:

1. degree of representation of the natural type of habitat for the respective territory;
2. area of the territory occupied by the natural type of habitat as compared with the total area occupied by the same type of natural habitat within the boundaries of the Republic of Bulgaria;
3. degree of preservation of the structure and functions of the respective type of natural habitat and possibilities for their restoration;
4. general assessment of the importance of the territory for the preservation of the respective type of natural habitat on the grounds of the quantity of the indices under Item 1, 2 and 3.

(2) The territories including habitats of the species according to Appendix No 2 shall be subject to assessment on the grounds of the following indices:

1. size and density of the population of the species inhabiting the territory as compared with the size and density of the population of the same species in the territory of the Republic of Bulgaria;
2. degree of preservation of the characteristic features of the habitat which are of importance for the respective species and possibilities for their restoration;
3. degree of isolation of the population inhabiting the territory regarding the basic region of habitation of the species;
4. general assessment of the importance of the territory for the preservation of the respective species on the basis of the quantity of the indices under Item 1, 2 and 3.

(3) The territories including habitats of the species of birds according to Appendix No 2 and of the territories under Art. 6, Para 1, Item 4 shall be subject to assessment on the grounds of the following indices:

1. size and/or density of the population of the species during nesting, hibernation or migration as compared with the size and/or density of the population of the same species in Europe and in the Republic of Bulgaria;
2. degree of representation of the habitat of importance for the species on the respective territory;
3. general assessment of the importance of the territory for the preservation of the respective type on the grounds of the quantity of the indices under Item 1 and 2.

### **Section III. Declaring and changes of the protected zones**

Art. 8. (1) The Ministry of Environment and Waters shall provide the study, the assessment and the working out of documentation for the territories under Art. 7 containing:

1. name;
2. (amend., SG 88/05) scope and purposes of preservation of the protected zone;
3. (revoked SG 88/05)
4. (amend. SG 62/10, in force from 10.08.2010) filled in standard forms containing data and assessments;
5. (amend., SG 88/05) map and coordinate register of the border of the protected zone.

(2) (amend., SG 88/05) Proposals for the territories - subject of studies according to Para 1 can also be made by state bodies, scientific and public organisations.

(3) (new SG 88/05; amend. SG 29/06; amend. SG 64/07; amend. SG 80/09, amend. SG 58/17, in force from 18.07.2017) The Ministry of Agriculture, Foods and Forestry, the Executive Agency of Forestry, the Agency of geodesy, cartography and cadastre and the municipalities shall provide to the Ministry of Environment and Waters the data under Para 1, Item 5 against payment only of the expenditures for copies of the respective documentation.

(4) (new SG 52/07) The Ministry of Environment and Waters shall inform the public and the organisations, conducting it, of the start of the study referred to in Para 1 by a notice on their web site or at least in one daily paper.

Art. 9. (amend., SG 88/05; amend. SG 94/07; amend. SG 80/09, amend. SG 58/17, in force from 18.07.2017) In the process of preparation of the documentation under Art. 8 and before the announcement of protected zones, the Ministry of Environment and Waters and the Ministry of Agriculture, Foods and Forestry shall provide the conduction of national and regional public campaigns for promotion of the purposes and tasks of the protected zones.

Art. 10. (1) (amend. SG 88/05) On the grounds of submitted documentations under Art. 8, Para 1, the Ministry of Environment and Waters shall work out a draft list of the protected zones which, together with the documentations shall be tabled for consideration at session of the National Biodiversity Advisory Council.

(2) (suppl. SG 88/05; amend. SG 52/07) The National Biodiversity Advisory Council shall be summoned at a meeting not later than 6 months from the submission of the documents under Para1. As a result of the discussion it shall propose to the Minister of Environment and Waters to present the list referred to in Para1 to the Council of Ministers in order to be considered in whole or in part, also the dropping out of the list of some territories, or delay of consideration thereof for the purpose of carrying out further investigations. In case reasoned special opinion is presented by a member of Council, the Minister of Environment and Waters shall take final decision about the list regarding its submission to the Council of Ministers.

(3) (amend. SG 88/05; amend. SG 52/07) Within three months from the pronouncing of the National Biodiversity Advisory Council the Minister of Environment and Waters shall present a list of the protected zones in order to be considered by the Council of Ministers together with the special opinions according to Para2.

(4) The decision of the Council of Ministers and the list shall be promulgated in the State Gazette.

(5) (new SG 88/05) The decisions under Para 2 and 4 shall be grounded only on the scientific information in the documentations under Art. 8, Para 1 and the purposes under Art. 4.

(6) (new SG 52/07) The Ministry of Environment and Waters shall send to the European Commission the list of the protected zones as per Art. 6, Para1, Items 1 and 2, adopted by the Council of Ministers, in order to be approved. To the European Commission shall be sent for approval also a financial assessment of the necessary co-financing by the European Community of the provided measures for protection and/or restoration of the favourable condition of natural habitats and types in the protected zones as per Art. 6, Para1, adopted in the decision referred to in Para4.

Art. 11. (1) Declared as protected zones shall be territories included in the list of Art. 10, Para4.

(2) (amend. SG 52/07; amend. SG 62/10, in force from 10.08.2010; amend. SG 27/13) Declaring the protected zones as per Art. 6, Para1, Items 1 and 2 shall be carried out by the Minister of Environment and Waters within a period of six years from receipt of approval as per Art. 10, Para6 of the list of the protected zones.

(3) (new SG 52/07) Declaring the protected zones as per Art. 6, Para1, Items 3 and 4 shall be carried out by the Minister of Environment and Waters within a period of one year from promulgation of the decision of the Council of Ministers as per Art. 10, Para4.

Art. 12. (amend., SG 88/05) (1) The Ministry of Environment and Waters shall work out a draft of order for declaring the each protected zone included in the list under Art. 10, Para 4.

(2) The draft of order under Para 1 shall point out:

1. the grounds for its issuance;

2. the name and the location of the protected zone;

3. the designation and purposes of the protected zone;

4. (amend. SG 52/07) the total area, as well as description of the properties included in the protected zone and/or coordinate register of the boundaries of the protected zone.

5. prohibition or limitation of activities, contradicting the purposes of preservation of the protected zone.

(3) The Ministry of Environment and Waters shall announce before the public the draft of order of announcement, published at least in one daily and on the its Internet page. In the announcement shall be pointed the place and conditions of access to the full text of the draft of order.

(4) The full text of the draft of order shall be published on the Internet page of the Ministry of Environment and Waters and shall be left at disposal in the administrative premises of the regional inspections of environment and waters, in which territorial coverage the protected zone is located.

(5) Within one month period from the announcement under Para 3 the interested persons may submit to the Minister of Environment and Waters reasoned written opinions, objections and proposals on the draft of order only concerning the prohibitions or the limitations under Para 2, Item 5.

(5) In one month period after the elapse of the term under Para 5, the Minister of Environment and Waters shall take final decision on the submitted opinions, objections or proposals and shall issue order of announcement of the respective protected zone.

(7) The order under Para 6 shall be final and shall not be a subject of appeal.

Art. 13. (amend. SG 19/11, in force from 09.04.2011) The declaring of the protected zone shall not change the ownership of the lands, forest areas and water areas in it.

Art. 14. The Protected Areas Act shall apply for the protected territories included in the protected zones.

Art. 15. (amend. SG 19/09, in force from 10.04.2009) The Cultural Heritage Act shall apply for the cultural valuables included in the protected zones.

Art. 16. (1) The changes in the protected zones shall be:

1. increase of the area;
2. reduction of the area;
3. deletion.
4. (new SG 88/05) amendment of the prohibitions or limitation of the activities;
5. (new. SG 62/10, in force from 10.08.2010) change of the subject and objectives of preservation.

(2) (amend., SG 88/05) Art.s 10 and 12 shall apply for the changes under Para 1. items 1,2 and 3

(3) (new SG 88/05) Regarding the amendments under Para 1, Item 4 the provision of Art. 12 shall be applied.

(4) (previous 3 SG 88/05) The Minister of Environment and Waters shall issue an order for the changes under Para 1.

(5) (previous 4, amend SG 88/05) Declaring new protected zones shall be carried out by the order of Art. 8, 10, 11 and 12.

(6) (new SG 62/10, in force from 10.08.2010) Change as per Para 1, item 1 shall be admissible in event new data appears, found after the protected zone has been declared under the procedure of Art. 12, Para 6, and shall be done only after the data is entered in the standard form of the zone, envisaged in Art. 8, Para 1, item 4. Minister of Environment and Water shall issue an instruction on the procedure and manner of new data entrance into the standard forms envisaged in art. 8, Para 1, item 4.

Art. 17. (amend., SG 88/05) The orders under Art. 12, Para 6 and Art. 16, Para 4 shall be promulgated in the State Gazette.

Art. 18. (suppl. SG 94/07) Public registers shall be kept for the declared protected zones and the changes in them by the Ministry of Environment and Waters and by the regional inspectorates for the environment and waters.

Art. 19. (1) (amend. SG 88/05, previous Art. 19, amend. SG 94/07) When danger exists of damaging territories of the list under Art. 10, Para 2 before being declared protected zones the Minister of Environment and Waters shall prohibit or restrict by an order promulgated in the State Gazette, certain activities in them for a period of up to two years, with exception of the sites submitted to the defence and the armed forces.

(2) (new SG 94/07) Protesting the order of par. 1 shall not suspend its enforcement.

#### **Section IV. Buffer zones (revoked SG 88/05)**

Art. 20. (revoked SG 88/05)

Art. 21. (revoked SG 88/05)

Art. 22. (revoked SG 88/05)

Art. 23. (revoked SG 88/05)

Art. 24. (revoked SG 88/05)

Art. 25. (revoked SG 88/05)

Art. 26. (revoked SG 88/05)

#### **Section V. Management plans and development plans and projects**

Art. 27. (amend., SG 88/05) The protected zones under Art. 3, Para 1, Item 1 may work out management plans.

Art. 28. (amend. SG 94/07) (1) The management plans of protected zones shall be produced and approved under the conditions and following a procedure, determined by an order, adopted by the Council of Ministers.

(2) The management plans shall be updated every 10 years, and for protected zones, the majority of which are wet zones every 5 years.

Art. 29. (1) The management plans of Art. 27 shall provide measures aiming at prevention of deterioration of the conditions in the types of natural habitats and in the habitats of the species, as well as of the threatening and disturbance of the species for whose preservation the respective protected zones have been declared.

(2) The measures of Para 1 shall include:

1. prohibition or restriction of activities contradicting the requirements for preservation of the concrete sites - subject of protection;
2. preventive activities for avoiding predictable unfavourable events;
3. maintaining, directing and regulating activities;

4. restoration of natural habitats and habitats of species of populations of the vegetation and animal species;

5. carrying out scientific studies, educational activity and monitoring.

(3) Taken into consideration in determining the measures under Para 2 shall be, where possible:

1. the regional and local particularities, besides those for protection of the biological diversity, as well as the requirements of the public;

2. the sustainable using of the renewable resources.

(4) (new SG 94/07) In protected zones, for which co-financing under Art. 10, par. 6 is foreseen and measures of par. 1 are set, but their execution is postponed due to a delay in co-financing, no new measures shall be implemented, which may result in deterioration of the condition of the respective protected zone.

Art. 30. (1) (amend., SG 88/05;suppl. SG 62/10, in force from 10.08.2010; amend. SG 19/11, in force from 09.04.2011) The development plans, the district plans for development of forest areas and forest economy plans and programs, national and regional programs worked out according to other laws shall be complied obligatory with the order under Art. 12, Para 6, Art. 16, Para 4 and with the measures of Art. 29.

(2) Included, for providing the connections between the protected zones, in the plans and projects under Para 1 shall be measures and activities for preservation of the elements of the landscape which, on the basis of their linear and uninterrupted structure or connecting function, are important for the migration, geographic spreading and genetic exchange of the vegetation and animal populations and species.

(3) Basic elements of the landscape under Para 2 are:

1. rivers and their banks and water-supplied old river beds;

2. natural marshes, lakes, over-moist meadows and other humid zones;

3. caves, rock crowns and walls and dunes;

4. saddles and other natural territories connecting individual mountain massifs;

5. field hedges, wind-brake belts, meadows and pastures;

6. overflow river ledges and river-side vegetation;

7. forests at up to 500 m above the sea level.

Art. 31. (amend., SG 88/05; amend. SG 52/07) (1) (suppl. SG 62/10, in force from 10.08.2010) Plans, programmes, projects and investment offers, which are not connected directly or necessary for the management of protected zones and which separately or in interaction with other plans, programmes and projects or investment offers may cause significant negative impact on the protected zones, shall be assessed with regard to their compatibility with the subject and purposes of preservation of the respective protected zone.

(2) The assessment referred to in Para1 shall be carried out with regard to protected zones, which have been:

1. considered and approved in principle by the National Biodiversity Advisory Council, regardless whether postponed for further investigations and examination, or they are included in the list as per Art. 10, Para3 for submission at the Council of Ministers in order to be adopted, or

2. included in the list as per Art. 10, Para4, promulgated in State Gazette, or

3. announced in an order as per Art. 12, Para6.

(3) (revoked SG 62/10, in force from 10.08.2010)

(4) The assessment of the plans, programmes, projects and investment offers falling within the scope of the Environmental Protection Act shall be carried out by way of procedure of ecological assessment, respectively procedure of assessment of the influence on the environment pursuant to Chapter Six of the Environmental Protection Act, and in observance of the special provisions of this Act and the ordinance as per Art. 31a.

(5) Apart from the cases referred to in Para4 the assessment under Para1 of plans, programmes, projects and investment offers shall be carried out by way of a procedure, determined in the ordinance as per Art. 31a.

(6) In the cases referred to in Para4, during carrying out ecological assessment or assessment of the impact on the environment, as well as at consideration of the necessity of carrying out ecological assessment and assessment of the impact on the environment pursuant the Environmental Protection Act, if the competent body reckons that it is not possible for the plan, programme, project or the investment offer to exert substantial harmful impact on the protected zone, it shall take into account the said assessment at pronouncing the respective decision pursuant to chapter six of the Environmental Protection Act.

(7) (suppl. SG 62/10, in force from 10.08.2010) In the cases referred to in Para5, if the competent body reckons that it is not possible for the plan, programme, project or the investment offer to exert substantial harmful impact on the protected zone, it shall approve it by a decision and may determine concrete conditions, requirements and measures for preservation of the protected zone at execution of the plan, programme, project or the investment offer.

(8) In the cases referred to in Para4, at consideration of the necessity of carrying out ecological assessment or assessment of the impact on the environment pursuant the Environmental Protection Act, if the competent body reckons that it is not possible for the plan, programme, project or the investment offer to exert substantial harmful impact on the protected zone, it shall issue a decision for carrying out ecological assesment or assessment of the impact on the environment.

(9) In the cases referred to in Para8 and if implementation of ecological assesment or assessment of the impact on the environment with regard to the plan, programme, project or the investment offer is required, and the competent body reckons that it is possible for them to exert substantial harmful impact on the protected zone, in the ecological assesment of the degree of impact of the plan, programme and the investment offer on the natural habitat and the habitat of the species subject to protection in the protected zone.

(10) In the cases referred to in Para5, if the competent body reckons that it is possible for the the plan, programme and the investment offer to exert substantial harmful impact on the protected zone, it shall issue a decision for carrying out assesment of the degree of impact of the plan, programme and the investment offer on the natural habitat and the habitat of the species subject to protection in the protected zone.

(11) (suppl. SG 32/12, in force from 24.04.2012) The assessment under Para10 shall be finalised by a decision of the Minister of Environment and Waters or of the Director of the respective regional inspection of environment and waters. If within 5 years from the date of the issuance of the decision, the assignor does not undertake actions of implementation of the investment offer or project or of approval of the plan or the programme, the decision under Para12, Item 1 shall terminate its effect automatically.

(12) By the decision under Para11 the respective competent body shall:

1. coordinate the plan, the programme or the investment offer under Para5 by specifying conditions, requirements and measures for preservation of the protected zone upon implementation of the plan, the programme or the investment offer;

2. not coordinate the plan, the programme or the investment offer under Para5 and shall state the reasons for this.

(13) In case of objective impossibility to gather sufficient information about carrying out the assessment referred to in Para10 or in the event of ambiguity regarding the degree of damaging the protected zone, the competent body shall terminate the proceedings, notifying the assignor thereof.

(14) (suppl. - amend. SG 62/10, in force from 10.08.2010) In the cases referred to in Para 7 and 12, Item 1 the conditions, requirements and the measures in the decision of the competent body shall be obligatory for the assignor of the investment offer, the plan or the programme and for the respective competent bodies with regard to their approval in accordance with other laws.

(15) The provisions of Art. 13 and 14 shall also be applied in the cases referred to in Para4.



(16) (new SG 32/12, in force from 24.04.2012; amend., SG 27/13) The final decision referred to in Para 7 or in Para 12, Item 1 shall be required for the approval of the plan, project, programme or investment offer by the competent authorities according to other laws.

(17) (prev. text of Para 16 SG 32/12, in force from 24.04.2012) In the cases referred to in Para 12, Item 2 and Para 13 the investment offer, the plan or the programme may not be approved by the respective competent bodies in accordance with other laws. In these cases the initiated procedures on them shall be terminated.

(18) (prev. text of Para 17 SG 32/12, in force from 24.04.2012) Within 7 days from the taking of decision under Para 7, 10, 11 or 13 the competent body shall submit it to the assignor and announce it on its web site in Internet.

(19) (prev. text of Para 18 SG 32/12, in force from 24.04.2012, suppl. SG 76/17) The decisions of the competent body shall be subject to appeal pursuant to the Administrative Procedure Code. Final shall be the decisions of the first instance court on appeals against the competent authority's decisions regarding plans, programs and investment proposals related to the realization of sites designated as sites of national importance by an act of the Council of Ministers and are also strategic sites.

(20) (New SG 76/17) The court shall consider the complaints under para. 19, second sentence, and shall rule with a decision, where the proceedings shall be concluded within 6 months from the submission thereof. The court shall announce its decision within one month of the session, in which the case was heard and closed.

(21) (prev. text of Para 19 SG 32/12, in force from 24.04.2012, prev. para. 20 SG 76/17) For carrying out the assessment as per Para 1 the assignor of the plan, the programme or the investment offer shall pay a fee in amount determined in a tariff, adopted by the Council of Ministers.

(22) (amend. SG 62/10, in force from 10.08.2010; prev. text of Para 20 SG 32/12, in force from 24.04.2012, prev. para. 21 SG 76/17) In the cases referred to in Para 9 and 10 the assessment of the degree of impact of the plan, programme, project or the investment offer on natural habitat and the habitat of the species subject to protection in the protected zone, shall be assigned by the assignor to experts group who have experience in the sphere of protection of the habitat and/or the species, under the condition that at least one of them has education degree in in some of the subjects in professional branch "biological sciences". Experts shall meet the following requirements:

1. shall have graduated university education with Masters degree;
2. shall have minimum at least 5 years length of service in the respective subject;
3. shall be engaged or shall have experience in scientific activity and/or expert activity, including working out expert opinions, written consultations or ecological analyses and other such-like in the field of protection of habitat and species, included in Appendices No 1 and 2;
4. are acquainted with the current effective Bulgarian and European legislation in the field of environment preservation and at their work on the assessments per Para 9 and 10 shall refer to and carry out them in accordance with these requirements and the available methodology documents;
5. are not personally interested in the implementation of the respective plan, programme, project and investment offer subject to procedure of compliance assessment ;
6. are not related persons within the meaning of the Commercial Law;
7. are not in that kind of relationship with the assignor or the competent body which may raise reasonable suspicion with regard to their objectiveness;
8. (revoked SG 103/09)

(23) (new SG 62/10, in force from 10.08.2010; prev. text of Para 21, amend. SG 32/12, in force from 24.04.2012, prev. Para. 22 SG 76/17) The competent body, upon its own assessment or upon a request of the assigner, may require the expert group of Para 22 to include experts who have concrete competence, coordinated with the specific nature of the plan, programme, project or the investment offer.

(24) (new SG 32/12, in force from 24.04.2012, prev. Para. 23 SG 76/17) The decision referred to in Para 7 shall lose its legal effect, where within 5 years from the date of its issue the assigner

fials to take actions for the implementation of the project or the investment offer, or for the approval of the plan or the programme.

(25) (new SG 27/13, prev. Para. 24 SG 76/17) The competent authority shall terminate the proceedings, where it is found that the plan, programme, project of the investment proposal affect land properties within the boundaries of zone (A), zone (B) or the urban territories of settlements outside the boundaries of zone (A) of the Spatial Planning Act of the Black Sea Coast that include sand dunes, except in the cases of Art. 17a of the said Law.

Art. 31a. (new SG 88/05) (1) The terms and order for carrying out the assessment under Art. 31 shall be determined by an ordinance, adopted by the Council of Ministers.

(2) (amend. SG 52/07) In the ordinance under Para 1 obligatory shall be determined:

1. (suppl. - amend. SG 62/10, in force from 10.08.2010) the specific characteristics of combining the procedures of ecological assessment and assessment of the impact over the environment in the cases referred to in Art. 31, Para4;

2. the criteria for determination of the competent body;

3. the plans, programmes, projects and the investment offers as per Art. 31, Para1;

4. the requirements to the scope and the content of the information needed for the carrying out of the assessment, including the alternative solutions;

5. requirements to the scope, content and the form of submission of the assessment, as well as the order of its carrying out;

6. the criteria for determining the assessment of the type and the degree of impact on or damaging the protected zone as a result of the realization of the plan, the programme or the investment offer;

7. the stages of the procedure, including the requirements for consultations with the participation of the public;

8. the requirements to the form and the content of the decision;

9. the procedure for issuance of decision on the assessment and the control over its execution;

10. (new SG 62/10, in force from 10.08.2010) terms and conditions for issuance of decisions for termination of the procedure of assessment of compatibility.

Art. 32. (amend., SG 88/05) (1) (amend. SG 52/07) The competent body shall coordinate under Art. 31, Para 12, Item 1 the plan, the programme, project or the investment offer only if the conclusion on the assessment under Art. 31, Para 10 is that the object of protection in the protected zone will not be considerably damaged.

(2) The degree of damage under Para 1 shall be assessed at least with regard to the square of the habitats object of protection, which will be damaged, in comparison with their square in the concrete protected zone and in the whole net of protected zones.

(3) (new SG 52/07) The requirement of Para1 and 2 shall also apply in the cases where the assessment as per Art. 31, Para1 is being carried out by way of ecological assessment and/or assessment of the influence on the environment pursuant to the Environmental Protection Act.

Art. 33. (1) (amend., SG 88/05) Exception of the provision of Art. 32, Para1 shall be admitted only for reasons of primary public interest and when an alternative solution is not present.

(2) (suppl. SG 52/07) If the respective protected zone includes a priority type of natural habitat and/or a habitat of priority species valid for the exception under Para1 can only be considerations related to the human health, the public security or favourable impact on the environment, and in case there is not such impact, an exception under Para1 may be allowed only in the event that a positive statement has been received from the European Commission..

Art. 34. (1) (amend. SG 52/07) In the cases of Art. 33 the assignor of the plan, programme, project or investment offer shall undertake compensatory measures for providing the entity of the National Ecological Network, prior to the implementation of the plan, programme, project or investment offer

(2) The measures of Para1 consist in preservation or restoration of the same type of natural habitat or habitat of the same vegetation or animal species:

1. at another place of the damaged protected zone;
2. in an extension of the same or extension of another protected zone;
3. in a new protected zone.

(3) (amend. SG 52/07) The expenses related to the implementation of the measures of Para1 shall be taken over by the assignor of the plan, programme, project or investment offer.

Art. 34a. (new SG 52/07) In the cases referred to in Art. 33 the Ministry of Environment and Waters shall notify the European Commission of the allowed exceptions from the provision of Art. 32, Para1 and of the undertaken compensatory measures as per Art. 34.

### **Chapter three.**

## **PRESERVATION OF VEGETATION, ANIMAL AND FUNGOUS SPECIES (Title amend. SG 94/07)**

### **Section I.**

#### **General**

Art. 35. (amend. SG 94/07) The vegetation, animal and fungous species of the wild flora, fauna and mycota of the Republic of Bulgaria shall be preserved in their natural environment by:

1. preserving their habitats in the National Ecological Network;
2. placing the species under regime of protection or regulated using;
3. maintaining or restoration of the conditions in the habitats according to the ecological requirements of the respective species;
4. working out and implementation of plans for activity for species with different degree of threat;
5. reintroduction in the nature of disappeared species and adding up to the populations of rare and threatened species;
6. control and regulation of alien species which are or could be introduced purposefully or accidentally in the nature and threaten the local species.

Art. 35a. (new SG 94/07) Conservation of habitats of vegetable, animal and fungous species of Annex No. 2a, as well as of species of Annex 3, shall be carried out through protected territories, announces pursuant to the provisions of the Protected Areas Act.

Art. 36. Applied, in addition to the measures of Art. 35, shall also be measures for protection of the vegetation and animal species of the wild flora and fauna outside their natural environment by raising specimens and storing genetic material in conditions controlled by man.

### **Section II.**

#### **Protected vegetation and animal species**

Art. 37. Declared on the territory of the whole country shall be the wild animal and vegetation species as per Appendix No 3.

Art. 38. (1) Prohibited regarding the animal species of Appendix No 3 shall be:

1. all forms of deliberate catching or killing of specimens by any devices, means and methods;
2. chasing and disturbing, especially in the periods of reproduction, raising the offspring, hibernation and migration;
3. destroying or taking eggs, including in cases when they are abandoned; destruction, damaging or moving nests;
4. destruction or damaging places of reproduction, rest and gathering during migration;
5. taking found death specimens;
6. (suppl. SG 94.07) possessing, keeping, carrying, transporting, taking abroad, trade and offering for sale or exchange specimens taken from nature;
7. stuffing, possessing, public display, carrying, transporting, taking abroad, trade and offering for sale or exchange of stuffed specimens.

(2) The prohibitions under Para 1, Item 1, 2, 6 and 7 shall be valid for all life stages of the development of the animals.

Art. 39. (1) (amend., SG 88/05; amend. SG 64/07; amend. SG 80/09) A person who has found a specimen in helpless status or death specimen, who has wounded or killed without deliberation a specimen of animal species according to Appendix No 3 shall be obliged, in compliance with the provision of Art. 38, Para 1, Item 5, to inform about that the nearest regional body of the Ministry of Environment and Waters or of the Executive Agency of the Forestry within three days term.

(2) (amend., SG 88/05) By a decision of the regional body under Para 1 depending on its state the specimen shall:

1. be let free in an appropriate region;
2. (amend., SG 88/05) be sent for treatment or raising in a rescue centre, veterinary clinic or a zoo park;
3. (amend., SG 88/05) be submitted to a scientific organization or school or a natural science museum for studies or completion of educational collections;
4. be left in the place where it has been found or killed.

(3) (amend., SG 88/05; amend. SG 64/07; amend. SG 80/09; amend. SG 19/11, in force from 09.04.2011) Written records shall be issued for the disposal of the specimen under Para 2 which shall be sent to the Ministry of Environment and Waters, within 10 days term from the date of its making, and in the cases where it has been made out by the regional structures of the Executive Agency of Forestry also a copy which shall be sent to the regional inspections of environment and waters.

Art. 40. (1) Prohibited regarding the vegetation specimens of Appendix No 3 shall be:

1. the picking, gathering, cutting, uprooting or other way of destruction of specimens in their natural regions of growth;
2. (suppl. SG 94/07) the possession, keeping, carrying, transportation, taking abroad, trading and offering for sale or exchange of specimens taken from nature.

(2) The prohibitions under Para 1 shall be valid for all life stages of the development of the plants.

### **Section III.**

#### **Regulated using of vegetation and animal species**

Art. 41. (1) Under regime of preservation and regulated using from nature shall be the species of wild animals and plants included in Appendix No 4.

(2) Depending on the state of the populations and the biological requirements of the individual species of Appendix No 4 the regimes and the requirements for their using shall comprise:

1. prescriptions for access to definite regions;
2. temporary or local prohibition of using the species or certain populations;
3. terms, rules and methods of using;
4. introduction of a permit regime or determining quotas for using specimens;
5. requirements for buying, selling, possessing, offering for sale or transportation for the purpose of selling or taking abroad of specimens or parts of them;
6. conditions of raising, growing and reproduction of animal and vegetation species in conditions controlled by men.

(3) Prohibited regarding the species of birds of Appendix No 4 shall be:

1. the hunting and disturbing in the season of reproduction and raising of the offspring, as well as during the return of migrating birds in the places of raising the offspring;
2. the destruction, damaging or moving of nests;
3. the destruction, as well as the collecting and withholding eggs, including in the cases when they are abandoned.

Art. 41a. (new SG 94/07) (1) The restrictions under Art. 38, par. 1, item 7, except for the restriction for trading, shall not apply to specimens of species of Annex No. 4a, marked with the symbol "+", legally acquired in the territory of the respective European Union Member State in compliance with its national laws.

(2) A copy of the document of obtaining a specimen under par. 1, issued by the competent body in the state of acquisition shall be presented in the national inspection office of environment and waters within one month following its issuance.

Art. 42. (1) (suppl. SG 88/05; amend. SG 64/07; amend. SG 80/09, amend. SG 58/17, in force from 18.07.2017) The regimes and the requirements of Art. 41, Para 2 regarding fish, water animals and hunting species of Appendix No 4 shall be introduced by joint orders of the Minister of Agriculture, Foods and Forestry and of the Minister of environment and waters to be promulgated in the State Gazette.

(2) For the remaining animal and vegetation species of Appendix No 4 the regimes and the requirements for preservation and using according to Art. 41, Para 2 shall be introduced by orders of the Minister of Environment and Waters to be promulgated in the State Gazette.

Art. 43. The orders of Art. 42 shall be issued after a discussion with the interested central administrative bodies, public organisations and branch organisations of users, and in the cases of regional or local prohibition of using - with the respective regional governors and mayor of municipalities as well.

### **Section III (a).**

#### **Prohibitions for import of specimens of animal species (new SG 88/05)**

Art. 43a. (new SG 88/05) (1) (suppl. SG 62/10, in force from 10.08.2010) Shall be prohibited the import with a commercial purpose on the territory of the Republic of Bulgaria of leather/fur of cubs of the species of seals enlisted in Appendix No. 4 and of products derived from them, except for products which appear as a result of the traditional hunting of the Innuite nations .

(2) (amend. SG 62/10, in force from 10.08.2010; suppl. SG 101/15, in force from 22.12.2015) Import and trade of products from species of tulle not included in envisaged in Para 1 shall be carried out in accordance with Regulation (EC) No. 1007/2009 of the European Parliament and of the Council of 16th September 2009 on trade in seal products (OJ, L 286/36 of 31 October 2009), referred to hereinafter as (Regulation (EC) No 1007/2009), and Commission Regulation (EU) No 737/2010 of 10 August 2010 laying down detailed rules for the implementation of Regulation (EC) No 1007/2009 of the European Parliament and of the Council on trade in seal products (OJ, L 216/1 of 17 August 2010), referred to hereinafter as (Regulation (EC) No 737/2010).

(3) (amend. SG 94/07; amend. SG 62/10, in force from 10.08.2010) The import of products under Para 1, which are obtained as a result of the traditional hunting of the Innuite nations shall be admitted only upon submission of a permit of import, issued by the Minister of Environment and Waters or by an accredited by him/her person.

(4) The person who desires to obtain permit shall submit application to the Minister of Environment and Waters, where he/she shall point:

1. (amend. SG 98/18, in force from 27.11.2018) name of the legal entity, address/registered office of the person importing and BULSTAT or unified identification code;

2. the addresses of the recipient and the sender;

3. the kind and quantity of the specimens;

4. state of origin;

5. purpose of the import.

(5) To the application under Para 4 shall be attached:

1. a document of origin of the leather/fur, respectively of the product;

2. a copy of the document of identity of the applicant;

3. (amend. SG 34/06, in force from 01.10.2006, revoked SG 98/18, in force from 27.11.2018)

Art. 43b. (new SG 88/05) Upon observation of all of the terms under Art. 43a, Para 4 and 5, the permit under Art. 43a, Para 3 shall be issued within 5 business days term from the date of submission of the application under Art. 43a, Para 4.

#### **Section IV.**

##### **Prohibited methods, devices and means of catching and killing**

Art. 44. (1) Prohibited for catching or killing specimens of species of Appendix No 4 shall be the using of non-selective devices, means and methods included in Appendix No 5.

(2) The prohibition of Para 1 shall also be valid for the animal species of Appendix No 3 and the bird species of Art. 45 in cases of permitted exception by the order of Art. 49.

#### **Section V.**

##### **Preservation of birds met in a native state**

Art. 45. All species of birds, other than those of Appendix No 3 and No 4, met in a native state on the territory of the Republic of Bulgaria shall be subject to preservation and control for the purpose of maintaining their population in a favourable state.

Art. 46. Prohibited regarding the birds under Art. 45 shall be:

1. the catching or killing of specimen by any devices, means and methods;

2. retaining of specimen;

3. the destruction, damaging or moving of nests;
4. the destruction, as well as the collection and retaining of eggs, including when they are deserted;
5. the disturbance, especially in the period of reproduction and raising of the offspring.

Art. 47. (1) For all species of wild birds, other than those of Appendix No 3, shall be prohibited the retaining for the purpose of trade, the transport for the purpose of trade, the offering for sale and the sale of live or dead birds or any distinguishable parts or products of such birds.

(2) Para 1 shall not regard the species of birds included in Appendix No 6, as the activities under Para 1 can be carried out only upon proving that the birds have been lawfully killed, caught or obtained in any other lawful way.

Art. 47a. (new SG 94/07) For the species of birds under Art. 35 the Minister of Environment and Waters shall draft:

1. national list of endangered species, taking into account their geographical range;
2. list and ecological description of the territories of essential importance for the migrating species along their migration routes and as libernation and nesting places;
3. data base of the condition of populations of migrating species along their migration routes and of libernation and nesting places;
4. data base of the condition of populations of migrating species based on ring marking information;
5. assessment of the effect of methods of usage of wild birds on populations condition;
6. environmentally friendly methods of prevention of damages, caused by birds;
7. list of species which are used for indication of pollution;
8. analysis of the adverse effect of the chemical pollution on the condition of bird populations.

## **Section VI. Exceptions**

Art. 48. (1) Exceptions from the prohibitions of Art. 38, 40, Art. 41, Para 3, Art. 44, 46 and art 47, Para 1 shall be admitted only when there is no alternative solution and on condition that the populations of the affected species have not been harmed in their natural habitation and they are in a favourable state.

(2) The exceptions of Para 1 shall be admitted in the following cases:

1. (amend., SG 88/05) to the interest of the protection of the species of the wild flora and fauna and for preservation of natural habitats;
2. (amend., SG 88/05) for the protection against serious damages of the agricultural crops, livestock, forests, waters, fisheries, game-breeding farms and other types of estates;
3. (amend., SG 88/05; amend. SG 94/07) to interest of the public health and safety;
- 3a. (new SG 94/07) for other reasons of the primary public interest, including such of social or economic nature or expressed in extremely favourable consequences for the environment;
4. (new SG 88/05) to the interest of the aviation transport;
5. (previous 4, SG 88/05; amend. SG 94/07) for the purposes of the scientific research and education in introducing or reintroducing of species and the artificial reproduction of plants.

(3) In the cases of Para 2, when species of Appendix No 3 are affected, the exceptions shall be admitted only for a limited number of specimens.

(4) (new SG 94/07) The exceptions under par. 2, item 3a shall not apply to wild birds.

Art. 49. (1) The exceptions of Art. 48 shall be admitted by a written permit of:

1. (suppl. SG 103/09; suppl. SG 89/2010)) the Minister of Environment and Waters or a deputy-minister authorized by him - for the species of Appendix No 3. except for bear;

2. (new SG 89/10, amend. SG 58/17, in force from 18.07.2017) Minister of Agriculture, Foods and Forestry for the bear;

3. (amend. SG 64/07; amend. SG 80/09; suppl. SG 103/09; previous item 2 SG 89/10; amend. SG 59/12) the Executive Director of the Executive Agency of Forestry - for the hunting species of Appendix No 4 upon coordination with the Minister of Environment and Waters or a deputy-minister authorized by him;

4. (new SG 59/12, amend. SG 58/17, in force from 18.07.2017) the Minister of Agriculture, Foods and Forestry for the fish of Appendix No 4 upon coordination with the Minister of Environment and Waters;

5 (suppl. SG 103/09; previous item 3 SG 89/10; previous item 4 SG 59/12) the Minister of Environment and Waters or a deputy-minister authorized by him - for the remaining species of Appendix No 4 and for the birds of Art. 45.

(2) The permit of Para 1 shall determine the species, the number of the specimens, the time and the place, the devices, means and methods of disposing of the specimen, as well as other requirements by which the exception is admitted, as well as the body or the person charged with the control over the observance of the requirements.

Art. 50. (revoked SG 88/05)

Art. 51. (amend. SG 80/09, amend. SG 58/17, in force from 18.07.2017) The conditions and the order of issuing permits according to Art. 49, Para 1 shall be determined by an ordinance approved by the Minister of Environment and Waters and of the Minister of Agriculture, Foods and Forestry.

## **Section VII.**

### **Plans of action for vegetation and animal species**

Art. 52. Plans of action for vegetation and animal species shall be worked out obligatorily when it is established that:

1. the species is threatened on international scale and its preservation requires measures in the whole area of its natural habitation;

2. the state of the population of the species in the Republic of Bulgaria or in individual regions is unfavourable;

3. introduced in the nature alien species has unfavourable effect on the conditions of the natural habitats or on the state of local species of the wild flora and fauna.

Art. 53. Worked out with priority, under the conditions of Art. 52, shall be plans for:

1. priority species of Appendix No 2;

2. protected vegetation and animal species of Appendix No 3;

3. species - subject to regulated using of Appendix No 4;

4. species - subject to reintroduction in nature.

Art. 54. (amend., SG 88/05) (1) (previous Art. 54 SG 88/05) The plans for action comprise:

1. description of the biological particularities and ecological requirements of the species;

2. assessment of the habitation and the state of the populations of the species, as well as of the conditions in its natural habitats;



3. data regarding the threats and the limitation factors;
4. restoration, maintaining and other nature protecting measures for the species, including measures for preservation outside its natural environment if so required;
5. restoration or maintaining measures for the habitats of the species - subject of the plan;
6. measures for observation and control over the fulfilment and the effect of the implemented activities;
7. budget and schedule of the activities.

Art. 53, which:

1. have similar requirements to the habitat;
2. require one and the same measures for their preservation.

Art. 55. (1) The working out of the plans for action can be assigned by:

1. the Minister of Environment and Waters;
2. (amend. SG 64/07; amend. SG 80/09) the Executive Director of the Executive Agency of Forestry or by the heads of other interested state bodies;
3. non-governmental organisations.

(2) The bodies and the organisations of Para 1, Item 2 and 3 shall coordinate with the Ministry of Environment and Waters the terms of reference and the projects of the plans for action.

Art. 56. (1) The plans for action shall be presented for consideration to the National Biodiversity Advisory Council.

(2) The plans for action shall be approved by the respective competent body under Art. 49, Para 1 upon a positive decision of the National Biodiversity Advisory Council.

Art. 57. (amend. SG 64/07; amend. SG 80/09, amend. SG 58/17, in force from 18.07.2017) The conditions and the order of working out plans for action for species shall be determined by an ordinance of the Minister of environment and waters and of the Minister of Agriculture, Foods and Forestry.

## **Section VIII.**

### **Preservation of vegetation and animal species outside their natural environment**

Art. 58. (1) The preservation of the species outside their natural environment includes:

1. (suppl. SG 94/07) raising and reproduction of animals and plants in controlled conditions in vivariums, zoo or botanical gardens, dendrariums, live collections and in breeding and keeping centers for protected species;
2. creation of banks for seeds, pollens, gametes, embryos, tissue and cell cultures and other collections for preservation of vegetation and animal genetic resources in special conditions.

(2) The activities of Para 1 shall not include applying of techniques and methods leading to genetic changes.

Art. 59. The preservation according to Art. 58, Para 1 shall apply with priority for species and other taxones which are:

1. directly threatened by extinction in their natural habitats on local, national or international level;
2. of particular economic interest;
3. wild predecessors of cultural sorts of plants or primitive breeds of animals;
4. appropriate for using in reintroduction in nature;

5. of specific interest for the science - endemites, relicts, etc.;
6. appropriate for attracting the public interest in the problems of the preservation of the biological diversity.

Art. 60. (1) The preservation according to Art. 58, Para 1 can be carried out by scientific organisations, corporate bodies and individuals.

- (2) The organisations and the persons under Para 1 shall be obliged to:
1. document the specimens/specimens, as well as their origin;
  2. label and mark the specimens/specimens when possible;
  3. gather and maintain information by definite indices for the state of the collections, as well as for the technologies and techniques for their raising and maintenance;
  4. organise or participate in scientific and other studies of importance for the preservation and raising of the species, including such related to reintroduction in nature of wild species;
  5. submit reproduction materials of threatened species for restoration or reintroduction in nature;
  6. submit, upon contracting, reproduction materials of threatened species for creation of plans for cultivated growing of plants and animal farms;
  7. exchange information with other institutions of similar nature and with similar objectives;
  8. provide public access to the collections, information for the public related to the species of the collections, their natural habitats and preservation of the biological diversity;
  9. carry out educational and training activity;
  10. present the necessary information for completing and maintaining the registers of Art.

63.

(3) (suppl. SG 94/07) Besides the obligations of Para 2 the zoo gardens and breeding and keeping centers for protected animal species shall be obliged to:

1. accommodate animals in conditions satisfying their biological requirements and the requirements for their preservation and reproduction;
2. provide appropriate ambience for the individual species in the places where they are kept;
3. maintain a high level of preventive and medical veterinary care and feeding in raising and breeding the animals;
4. take the necessary measures for preventing the escape of animals in order to avoid possible ecological threat for the local species.

Art. 61. (1) (suppl. SG 94/07) The minimal requirements and conditions in which animals are raised in the zoo gardens and in breeding and keeping centers for protected animal species shall be determined by an ordinance of the Minister of Environment and Waters.

(2) In case of applying the compulsory measure of Art. 122, Para 1, Item 3 the Ministry of Environment and Waters shall order the placement of the animals in other zoo gardens or in places providing the conditions of the ordinance under Para 1 and Art. 60, Para 2 and 3.

Art. 62. (1) The activity in the zoo gardens shall be carried out on the grounds of a licence issued by the Ministry of Environment and Waters under conditions and by an order determined by an ordinance of the Minister of Environment and Waters.

(2) The licence under Para 1 shall be issued only in compliance with the requirements of Art. 60, Para 2 and 3 and those of the ordinance under Art. 61, Para 1.

(3) For established activity of a zoo garden without a licence or in violation of the requirements and terms by which the licence has been issued the Minister of Environment and Waters shall:

1. prescribe measures and set a period not longer than 2 years when the zoo garden must remove the offences and/or

2. impose the compulsory measure of Art. 122, Para 1, Item 3.

(4) For failure to fulfil the prescriptions within the period determined according to Para 3, Item 1 the Minister of Environment and Waters shall impose the compulsory measure of Art. 122, Para 1, Item 3 and/or Item 4.

Art. 62a. (new SG 88/05; amend. SG 64/07; suppl. SG 94/07; amend. SG 80/09, amend. SG 58/17, in force from 18.07.2017) The Minister of Environment and Waters and the Minister of Agriculture, Foods and Forestry may by an order, promulgated in the State Gazette, to prohibit the import, breeding and keeping outside the zoo parks, centers for keeping and breeding of protected animal species and rescue centers of local and alien animal species, which constitute danger for the people or are inappropriate for breeding as animals companions and of worldly endangered animal species.

Art. 62b. (new SG 94/07) Centers for keeping and breeding of protected animal species shall be subject to registration with the Ministry of Environment and Waters.

Art. 63. (1) The Ministry of Environment and Waters shall keep a register of the organisations and persons who possess and maintain collections of wild species of the local and foreign flora and fauna.

(2) (amend. SG 94/07; amend. SG 80/09, amend. SG 58/17, in force from 18.07.2017) The Ministry of Agriculture, Foods and Forestry shall keep a departmental register of the organisations and persons who possess and maintain collections of species of the cultural flora and fauna, as well as specialised collections of wild tree and bush species or hunting species of the local or foreign flora and fauna.

Art. 64. The specialised organisations creating and maintaining "national collections" shall be determined by an act of the Council of Ministers when:

1. they fulfil and/or coordinate activities on national or international programmes related to genetic resources;

2. the collections are designated for preservation and maintenance of a considerable taxonomic diversity of the world flora and fauna, including wild relatives of cultural plants or primitive breeds and/or represent a strategic resource due to the considerable diversity of species, sorts, breeds, forms, lines, including such of local origin and/or which are standard of international obligations undertaken by the Republic of Bulgaria.

Art. 65. The conditions and the order of completing, maintaining and servicing collections, with exception of those belonging to individuals, shall be determined by acts issued by the heads of the organisations and corporate bodies under Art. 60, Para 1.

Art. 66. (1) The state is owner of the genetic resources of the natural flora and fauna of the Republic of Bulgaria.

(2) The access to the resources shall be possible in compliance of the provisions of this Act, and when they are protected by a patent or other rights of intellectual property - of the special legislation in this sphere as well.

(3) The genetic resources can be submitted for using by other countries on the grounds of preliminary agreement in writing on the conditions and the way of distribution of the benefits from it under mutually profitable conditions including:

1. quoting the natural origin of the material;

2. submitting by the user state scientific results and technologies related to or engendered by them;
  3. return of a part of the resources obtained by using the material, as well as of products or tests related to it for commercial purpose;
  4. participation in joint scientific studies.
- (4) The agreement can stipulate gratuitous submitting of genetic resources when they are designated for non-profit purposes: scientific research, education, preservation of the biological diversity or of the public health.
- (5) The submission of the materials for using by third persons shall be carried out upon a written consent of the owner by observing the provisions of Para 2, 3 and 4.
- (6) The conditions and the order of providing access to genetic resources shall be determined by an ordinance adopted by the Council of Ministers.

## **Section IX.**

### **Introduction of alien or reintroduction of local animal and vegetation species in nature**

Art. 67. (1) (amend, SG 88/05) The introduction in nature, as well as the import, the breeding and raising alien animal and vegetation species, if it does not harm natural habitats in their natural region of habitation or local species of the wild flora and fauna or their populations.

(2) (amend. SG 101/15, in force from 22.12.2015) The activities of Para 1 may be permitted on the grounds of a developed programme and after complying with the following requirements:

1. a positive conclusion in a scientific expertise assigned by the respective competent body of Para 3 including a risk assessment having regard to the elements specified in Art. 5(1), (a), (b), (d),(f), (g) and (h) of Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ, L 317/35 of 4 November 2014), referred to hereinafter as (Regulation (EU) No 1143/2014), and to the extent it is possible, those specified in Letter (c) of the same Paragraph;

2. an act in force from a procedure under Chapter Six of the Act on the Protection of the Environment and/or Art. 31 of the said Act;

3. a positive decision of the National Biological Diversity Council.

(3) The activities of Para 1 shall be carried out by a written permit of:

1. (amend. SG 64/07; amend. SG 80/09) the Executive Director of the Executive Agency of Forestry - for tree, bush and hunting species;

2. the Minister of Environment and Waters - for all the other species.

(4) (amend., SG 88/05) The bodies of Para 3 may, by an order promulgated in the State Gazette, prohibit :

1. the introduction in nature of alien species which could endanger natural habitats or local species of the wild flora and fauna;

2. the import, breeding and raising of alien animal or plant species, if their occasional release into the wild nature will endanger the existence of local species of the wild flora and fauna.

Art. 67a. (new SG 88/05; suppl. SG 94/07) The Ministry of Environment and Waters shall organize and govern the activities on removal of entered in the country alien species, including sub-species and varieties, which could endanger natural habitats or local species of the wild flora and fauna.

Art. 68. (1) (suppl. SG 101/15, in force from 22.12.2015) Reintroduction in nature of local animal and vegetation species and recovery of extinct populations or support and stabilisation of populations in poor conditions shall be carried out in a way which would contribute to the restoration of the species in favourable state.

(2) The activities of Para 1 shall be carried out upon a written permit of the respective competent body of Art. 67, Para 3 in coordination with the interested central administrative bodies and after taking into consideration the public opinion in the region for repeated introduction of the species.

(3) (new SG 101/15, in force from 22.12.2015) The activities referred to in Para 1 shall be carried out by using specimen and/or genetic material of wild species originating of the same or the population that is genetically closest to the one being recovered, following a positive opinion of a scientific body.

Art. 69. (amend. SG 64/07; amend. SG 80/09, amend. SG 58/17, in force from 18.07.2017) The conditions and the order of issuing the permits of Art. 67, Para 3 and Art. 68, Para 2 and of considering the public opinion shall be determined by ordinances of, respectively, the Minister of Environment and Waters and of the Minister of Agriculture, Foods and Forestry.

## **Chapter four.**

### **TRADE WITH ENDANGERED SPECIES OF THE WILD FLORA AND FAUNA. PREVENTION AND MANAGEMENT OF THE INTRODUCTION AND SPREADING OF INVASIVE ALIEN SPECIES (Title amend. SG 101/15, in force from 22.12.2015)**

#### **Section I. General**

Art. 70. (amend. SG 94/07; amend. SG 101/15, in force from 22.12.2015) The provisions of this chapter shall apply to:

1. specimens of species included in the appendixes A, B, C, and D to Art. 3 of Regulations (EC) No. 338/97 of the Council on the protection of wild fauna and flora by regulating trade therein, herein after referred to as "Regulations 338/97);
2. specimens of species, determined as set out in Art. 4, Paragraph 1 of Regulation (EC) No 1143/2014.

Art. 71. (1) (amend. SG 94/07) The Ministry of Environment and Waters is the managing administrative body for implementation of the requirements of the Regulations 338/97.

(2) The Minister of Environment and Waters shall determine by an order the places with functions of rescue centres according to Art. 104, Para 1, Item 1.

(3) The activity of the rescue centres of Para 2 shall be determined by an ordinance approved by the Minister of Environment and Waters.

(4) (new SG 88/05) The Minister of Environment and Waters shall cancel the order under Para 2, if he/she finds that:

1. in the rescue center the needed care at the stay of the specimens are not provided, in result of which a danger for their general status or survival arises;
2. systematic breaches in the activity of the rescue centre;
3. systematic offence of the regulations of the activity of the rescue centers under Para 3.

(5) (new SG 88/05) Systematic breaches in the meaning of Para 4, items 2 and 3 shall be three or more breaches of the laws and the secondary legislation of their application, committed for two years.

Art. 72. (1) (amend. SG 94/07; suppl. SG 101/15, in force from 22.12.2015) The Bulgarian Academy of Science, through its specialised institutes, scientific staff and associated experts is the scientific consultative body for the implementation of the Regulation 338/97 and Regulation (EC) No 1143/2014.

(2) (amend., SG 88/05; amend. SG 94/07) The body under Para 1 shall propose to the Minister of Environment and Waters a list of the experts, who execute functions under Art. 84 and Art. 87, Para 1. The proposed experts shall declare in written that they are not personally interested in the import or the export of wild species.

(3) The list of Para 2 shall include the names, the addresses and the ways of connection, the sphere of competence and the region of activity of the experts.

(4) (new SG 88/05) In the list under Para 2 may be included only persons, who have educational-qualification degree of the major, obtained in a high school and have preformed for at least three years some of the following activities, related with the preservation of the flora and fauna:

1. teaching activity in high schools or scientific activity;
2. ex situ breeding of wild species in zoo parks or botanic gardens;
3. controlling activity on preservation of the flora and the fauna.

(5) (new SG 88/05; amend. SG 94/07) The Minister of Environment and Waters or an accredited by him/her person shall register into an official register the experts under Para 2 and shall enter the data under Para 3 or shall reasonably refuse registration and notify in written the body under Para 1 within 15-days period.

(5) (new SG 88/05) Within 15 days period from the entering under Para 5, the Minister of Environment and Waters shall issue by names a certificate of entering in the register.

(7) (new SG 88/05) The certificate under Para 6 shall be valid for 5 years.

(8) From the register under Para 5 shall be excluded the experts about who is proved that in their practice of definition of species, they have:

1. submitted incorrect information three times;
2. submitted incorrect declaration under Para 2 and this is evidence following the respective order.

(9) (new SG 88/05) In the cases under Art. 8 the Minister of Environment and Waters shall deprive the certificate under Para 6.

(10) (new SG 88/05; amend. SG 94/07) The order of conduction of the measures under Para 84 and of the identifications under Art. 87, Para 1, as well as payment to experts shall be determined by an order of the Minister of Environment and Waters.

## **Section II.**

### **Carrying through the borders of the Republic of Bulgaria**

Art. 73. (amend. SG 94/07) (1) (suppl. SG 101/15, in force from 22.12.2015, amend. SG 58/16) The import and the export of specimens of species of Art. 70 shall be carried out according to the requirements of the Regulations 338/97, of Regulation (EC) No. 865/2006 of the Commission laying down detailed rules concerning the implementation of Council Regulation (EC) No. 338/97 on the protection of species of wild flora and fauna by regulating trade therein, herein after referred to as "Regulation 865/2006", of Regulation (EC) No 1143/2015, of this Act, of the customs legislation.

(2) The transportation of live animals of species of par. 1 shall be carried out in compliance with the requirements for transportation of live animals published by the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), drawn up in Washington on 3 March 1973, (ratified by a decision of the GNA SG 103/90) (SG 6/92), herein after referred to as "The Convention", and for air transportation - with the requirements established by Resolution 620, Appendix (a) of the International Air Transport Association (IATA) as well.

Art. 74. (revoked SG 94/07).

Art. 75. (revoked SG 94/07).

Art. 76. (revoked SG 94/07).

Art. 77. (revoked SG 94/07).

Art. 78. (revoked SG 94/07).

Art. 79. (revoked SG 94/07).

Art. 80. (amend. SG 94/07, amend. SG 98/18, in force from 27.11.2018) (1) The applicant for permits and certificates under Art. 4, paragraphs 1 and 2, Art. 5, paragraphs 1 and 4, Art. 8, paragraph 3 and Art. 9, paragraph 1 of Regulation (EC) No 338/97 and under Art. 30, paragraph 1, Art. 37, paragraph 1, Art. 44a and Art. 44h, paragraph 1, of Regulation (EC) No 865/2006 submits on paper or electronically through an electronic administrative service portal a written application to the Minister of Environment and Water in accordance with the requirements of Art. 13 (1), Art. 20, 26, 34, 41, 44e, 44l and 50 of Regulation (EC) No 865/2006.

(2) The application under par. 1 contains:

1. information according to the formats under the Commission Implementing Regulation (EU) No 792/2012 of 23 August 2012 laying down rules for the design of permits, certificates and other documents provided for in Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein and amending Commission Regulation (EC) No 865/2006 (OJ, L 242/13 of 7 September 2012);

2. unified identification code or BULSTAT, and for foreign legal entities - VAT number;

3. the method of obtaining the permits and certificates preferred by the applicant.

Art. 81. (amend. SG 94/07) To the application of Art. 20 of Regulation 865/2006 shall be attached:

1. (revoked SG 98/18, in force from 27.11.2018)

2. for foreign legal entities a document, certifying applicants legal status, issued in compliance with his/her national legislation within three months prior to filing of the application;

3. address and description of conditions, under which the imported live specimen will be raised.

Art. 82. (amend. SG 94/07) (1) To the application of Art. 26, 34, 41 and 50 of Regulation 865/2006 shall be attached:

1. a document of origin in cases, where the specimen shall not be subject to registration under Art. 90;

2. a document of registration under Art. 91 or Art. 96, par. 1;

3. applicants identity data;

4. (revoked SG 98/18, in force from 27.11.2018)

5. for foreign legal entities a document, certifying applicants legal status, issued in compliance with his/her national legislation within three months prior to filing of the application;

6. in cases of import of specimen, propagated and kept in a closed place a brief description of the genus or the culture, from which the origin of individual specimen, forming the axis of this genus or culture is evidenced, as well as the number of the obtained genetic generation.

(2) The requirements of Para 1, Item 4 shall not apply in the cases of Art. 96, Para 1.

(3) For species of Appendix No. 4 to this Act, falling under Appendixes A, B, and C of Regulation 338/97, to the application under Para 1 shall be attached copies of the following documents:

1. permit for hunting in the name of the hunter;

2. registration under Art. 110, par. 1 of the Regulation for application of the Hunting and Game Protection Act (prom. SG 58/01; SG 43/02 Decision No. 3722 of the Supreme Administrative Court of 2002; amend. SG 41 and 101/03; SG 10/04 Decision No. 654 of the Supreme Administrative Court of 2004, amend. SG 62/07) or payment protocol of Art. 112, par. 1, item 2 of the same Regulation.

Art. 83. (amend. SG 94/07) (1) Within 5 days from receipt of the application for issuance of permit for import, export or of a certificate for re-export of specimens of species according to Appendixes A and B of Regulation 338/97 the Minister of Environment and Waters, or an accredited by him/her official shall require a statement from the scientific consultative body of Art. 72.

(2) For export of specimens of species under Appendix No. 4 to this Act, which fall under Appendixes A, B and C of Regulation 338/97, the opinion under Para 1 shall be required once and shall be valid for the period of the whole hunting season.

(3) Opinion under Para 1 shall not be required for export of specimens, which are subject to a preliminary defined quote, published by the Secretariat of the Convention.

Art. 84. (1) The scientific consultative body shall present to the Ministry of Environment and Waters statement within 15 days from receipt of the request of Art. 83, Para 1.

(2) If inspection on the sport is necessary it shall be carried out by an expert of the list of Art. 72, Para 2.

Art. 85. (amend. SG 94/07) The Minister of Environment and waters or an accredited by him/her official shall issue the permits and certificates of Art. 80 within 5 work days from receipt of the opinion of Art. 84, par. 1 in compliance with the requirements of the Regulation 338/97, Regulation 865/2006 and of this Act.

### **Section III. Customs supervision and control**

Art. 86. (suppl. SG 94/07; amend. SG 101/15, in force from 22.12.2015) The customs bodies shall exercise customs supervision and/or control of import and export of specimens of species of Art. 43a and Art. 70 to and out of the customs territory of the Republic of Bulgaria in compliance with the provisions of this Act, of the customs legislation and the requirements of:

1. Regulation (EC) No 338/97 and Regulation (EC) No 865/2006;
2. Regulation (EC) No 1007/2009 and Regulation (EC) No 737/2010;
3. Regulation (EC) No 1143/2014.

Art. 87. (1) (previous Art. 87 amend., SG 88/05; amend. SG 94/07; suppl. SG 101/15, in force from 22.12.2015) In case of inspection of a consignment of specimens of Art. 70, Item 1 the customs bodies shall require from the border veterinary and phyto-sanitary service to establish within 2 hours after the start of the inspection whether the specimens correspond to the data defined in the accompanying documents according to the requirements of Regulation 338/97 and Regulation 865/2006. Provided that this identification cannot be made the customs bodies shall address for identification of the specimens to a respective expert of the list of Art. 72, Para 2 who shall be obliged to appear at the border control checkpoint within 6 hours from the call.

(2) (new SG 88/05; amend. SG 94/07) The customs bodies shall provide premises for temporary lodging of the live specimens till the finalization of the expertise under Para 1.



Art. 88. (suppl. SG 94/07) For established violation of the requirements of this Act and Regulation 338/97 or in cases of doubt for violation the customs bodies shall retain the specimens and the objects having served as an instrument of the violation and shall inform immediately the Ministry of Environment and Waters or the respective regional inspectorate for the environment and waters which shall provide the placement of the specimens in appropriate conditions in rescue centres.

Art. 89. The respective regional inspectorates for the environment and waters and rescue centres shall render full assistance to the customs bodies for clarifying the cases of Art. 88 and taking decision on them.

#### **Section IV. Registration**

Art. 90. (amend., SG 88/05; amend. SG 94/07) (1) Subject to registration shall be all specimens of species of vertebrates according to Appendixes A and B of Regulation 338/97 with the exception of:

1. the foodstuffs from them;
2. species - subject to the Hunting and Game Protection Act;
3. colouristic mutations of the species of birds, which have not the natural colour of the wild forms;
4. small leather articles;
5. fish;
6. specimens of species under Art. 57, Item 5, item (a) of Regulation 865/2006.

(2) Specimens of species according to Appendixes A and B of Regulation 338/97, issued for which are permits for import, and for which is issued original permit for export or a certificate for re-export, issued by a third country shall be registered ex-officio by the regional inspectorates for the environment and waters without an application by the owner by the order of Art. 92.

(3) Within 7 days from the receipt of the documents of par. 2, the Ministry of Environment and Waters shall send copies thereof to the respective regional inspectorate for the environment and waters for registration.

Art. 91. (1) (previous Art. 91 amend., SG 88/05) The registration shall be made by a registration card issued by the respective regional inspectorate for the environment and waters at the permanent address of the owner of the specimen - individual, or at the headquarters, respectively address of management of the owner of the specimen - corporate body.

(2) (new SG 88/05) The registration card under Para 1 may be of two types:

1. for registration of single specimens;
2. for registration of group of specimens;

(3) (new SG 88/05; amend. SG 94/07) The card under Para 2, Item 2 shall be used only for groups of specimens under Appendixes A and B of Regulation 338/97, for which the individual marking is impossible.

(4) (new SG 94/07) The registration card shall be issued in cases, where for the specimens a certificate under Art. 8, item 3 and Art. 9, par. 2, item (b) of Regulation 338/97 is issued in the name of the owner.

Art. 92. (1) (amend., SG 88/05; amend. SG 94/07) For the purposes of the registration of Art. 91 the owner shall, within 15 days from obtaining the specimen, or within 40 days from obtaining of offspring of the species under Appendixes A and B of Regulation 338/97 present to the regional inspectorate of the environment and waters an application stating:

1. (suppl. SG 34/06, in force from 01.10.2006; amend. SG 94/07) personal data - for natural persons, for Bulgarian corporate bodies - name, headquarters, address and BULSTAT or unified identification code for the traders and for foreign legal entities a document, certifying the applicants legal status, issued in compliance with his/her national legislation within three months prior to filing of the application;

2. data for the specimen - species and state (live, dead, part of a specimen or product);

3. address of raising - for obtaining a live specimen;

4. way of obtaining - imported, purchased, exchanged, donated, reproduced in closed premises, found.

(2) (amend. SG 94/07) Attached to the application under Para 1 depending on the case shall be:

1. documents, indicating the specimen legal origin:

a) original document for registration issued by the respective regional inspectorate for the environment and waters - for purchase of a registered specimen according to Art. 91, par. 1 or a copy of the registration card in case of registration under Art. 91, par. 2;

b) document of registration in another European Union Member State, where such is required in the respective state;

c) original valid certificate for specimens, issued in the name of the trader according to Art. 8, item 3 of Regulation 338/97 and a document for the sale of the specimen;

d) copy of the permit according to SITES for export or a certificate for re-export, issued by a third country

e) invoice under Art. 102b, par. 3, item (k);

f) original permit or other document for catching or killing the specimen from the nature, stipulated by a normative act and proving the lawfulness of the obtaining of the same;

2. information on the method of marking of the specimen and the marking number;

3. number of the registered activity under Art. 97, par. 1 and 2.

Art. 93. (amend., SG 88/05) The regional inspectorates for the environment and water shall issue the document for registration according to Art. 91 within 5 days from receiving the documentation of Art. 90, Para 3 within a period of 5 business days from the submission of the documentation under Art. 90, Para 3 and within a period of 20 business days in case of necessity to check for clarification of the species or the circumstances of obtaining of the specimen in the cases of submission of the application of Art. 92.

Art. 94. (1) (amend., SG 88/05) The owner of a registered specimen shall be obliged to inform in writing the regional inspectorate for the environment and waters for:

1. (amend., SG 88/05) change of circumstances related to the specimen change of the owner, change of the address of raising a live specimen or dead, theft or losing the specimen;

2. destruction, damaging, loss or theft of the document for registration of the specimen.

(2) The regional inspectorates for the environment and waters shall:

1. (amend., SG 88/05) register the changes of Para 1 in the register of Art. 95 and in the document of registration under Art. 91;

2. (amend., SG 88/05) issue a new document for registration in the cases of Para 1, Item 1 and Item 2;

3. inform the Ministry of Environment and Waters about the cases of theft or loss of a specimen or a document for registration.

Art. 95. The regional inspectorates for the environment and waters shall keep a register of the specimen of Art. 90.

Art. 96. (1) (amend. SG 94/07) The registration of specimen of Art. 90 shall not regard collections in zoo gardens, museums, universities, institutes of the Bulgarian Academy of Science and other scientific and academic institutes.

(2) (amend., SG 88/05) The persons of Para 1 shall present to the Ministry of Environment and Waters and the respective regional inspection of environment and waters a list of the available specimens in species, presenting, at the beginning of every current year, information about the changes made in the list during the past year.

(3) (new SG 88/05) The list under Para 2 shall contain:

1. (amend. SG 94/07) the animal species, pointed in the Bulgarian and Latin languages;
2. 9amend. SG 94/07) data about the specimen species and status (live, dead, stuff, part or product);
3. the way of obtaining imported, bought, exchanged, donated, reproduced in closed, left at disposal under Art. 39, Para 2;
4. the number and the type of the document by which the specimen has been obtained;
5. the number of registration card in case of registration under Art. 91.

(4) (new SG 88/05; amend. SG 94/07) Permits and certificates under Art. 80 of this Act and labels under Art. 52, item 2 of Regulation 865/2006 shall not be issued to the persons under Para 1, who failed to fulfill their obligations under Para 2.

Art. 97. (1) (suppl. SG 34/06, in force from 01.10.2006; amend. SG 94/07) Individuals and corporate bodies with court or commercial registration in the Republic of Bulgaria shall have the right, through the Ministry of Environment and Waters, to register in the Secretariat of the Convention activities on:

1. (new SG 94/07) reproduction and raising for commercial purposes of specimens of species according to Appendix I of the Convention;
2. (new SG 94/07) production, processing, packing, re-packing, export and re-export of sturgeon.

(2) For the purposes of the registration of Para 1 the persons shall file in the Ministry of Environment and Waters application stating:

1. (new SG 88/05, suppl. SG 34/06, in force from 01.10.2006) name and unified civil number for natural persons, and for legal persons name, seat and BULSTAT or unified identification code for the traders;
2. (previous 1 SG 88/05) the address where the activity will take place;
3. (previous 2 SG 88/05) the scientific name of the species and the conditions of their reproduction and raising;
4. (previous 3 SG 88/05) proof of the lawful obtaining of the initial reproduction material.
5. (new SG 94/07) registration under the Fisheries and Aquaculture Act of the persons under par. 1, item 2.

Art. 97a. (new SG 94/07) (1) Legal entities of Art. 97, par. 1 may register for application of simplified procedures under Art. 18 and 19 of Regulation 865/2006.

(2) For the registration under par. 1 persons shall submit to the Minister of Environment and Waters an application, in which they indicate:

1. name, headquarters and BULSTAT or unified identification code for traders;
2. scientific designation of species, for which simplified procedure shall be applied;
3. evidences of legal acquisition of the primary material.

(3) The Minister of Environment and Waters shall authorize the persons of par. 1 to enter specific information into the permits according to Art. 18, par. 1, item (c) and Art. 19, par. 1, item (d) of Regulation 865/2006.

Art. 98. (1) Within 15 days from filing the application the Ministry of Environment and Waters shall carry out inspection of the circumstances of Art. 97, Para 2 and shall require a statement from the scientific consultative body by the order of Art. 83.

(2) Depending on the inspection and the statement of Para 1 the Ministry of Environment and Waters shall:

1. send documentation for registration of the activity to the Secretariat according to the requirements of the Convention;

2. (new SG 94/07) notify in writing the applicant of the reference number of registration of the activity;

3. (previous item 2, suppl. SG 94/07) in case of refusal for registration under item 1 inform in writing the applicant within 30 days.

Art. 99. (amend., SG 88/05) For termination of a registered activity the persons of Art. 97, Para 1 shall be obliged to inform about that the Ministry of Environment and Waters which shall send to the Secretariat of the Convention information about the deletion of the registration.

Art. 99a. (new SG 94.07) (1) Research institutions, implementing specimens exchange with other research institutions, may register in the Secretariat of the Convention for application of the exceptions of Art. 7, par. 6 of the Convention.

(2) For registration under par. 1 the research institutions shall submit to the Ministry of Environment and Waters an application, containing the name, headquarters and the address of the institution depending on the case:

1. decision of the General meeting of the Bulgarian Academy of Sciences for setting up specialized research units in compliance with the Law of the Bulgarian Academy of Sciences and its Charter;

2. decision of the General Assembly for establishment of a higher school in compliance with the Higher Education Act;

3. (amend. SG 19/09, in force from 10.04.2009) decision for establishment of a museum in compliance with the Cultural Heritage Act.

(3) Within 10 days from the acceptance of the application of par. 1 the Ministry of Environment and Waters shall notify the applicant of the registration number and shall register him/her in the Secretariat of the Convention.

(4) For entering and exporting of specimens for research exchange purposes of the persons under par. 1 labels according to Art. 52, item 2 of Regulation 865/2006 shall be applied.

## **Section V. Home trade**

Art. 100. (amend., SG 88/05; suppl. SG 101/15, in force from 22.12.2015) The trading of specimen on the territory of the Republic of Bulgaria of the species under Art. 70, Item 1 shall be carried out in compliance with the requirements of the present Act and Art. 8 of Regulation 338/97.

Art. 101. (revoked SG 94/07)

Art. 102. (1) (suppl. SG 101/15, in force from 22.12.2015) Prohibited is the effecting of commercial transactions with non-registered specimens under Art. 90, as well as with specimen of the species of Art. 70, Item 1, which lawful origin cannot be proved.

(2) (amend., SG 88/05) For sale of specimens registered according to Art. 91 the seller shall submit to the buyer:

1. the original of the registration card under Art. 91, Para 2, Item 1;
2. the copy of the registration card under Art. 91, Para 2, Item 2;
3. (new SG 94/07) certificate under Art. 8, par. 1 of Regulation 338/97, whereas for the imported to the European Community specimens the accompanying original permits as per CITES for export, a certificate for re-export or a certificate of origin, issued by a third country shall be provided.

(3) (new SG 88/05) The original registration card under Para 2, Item 2 after the finishing of the quantity pointed in it, shall be returned to the regional inspection of environment and waters by which it has been issued.

(4) (new SG 94/07; suppl. SG 101/15, in force from 22.12.2015) In case of sale of a specimen of a species under Art. 70, Item 1 the traders shall be obliged to issue an invoice, in which they obligatorily must enter the number and the type of documents under Art. 102b, Para 2 and 3, as well as the number and the type of marking of the specimen, if relevant.

Art. 102a. (new SG 88/05) (1) (amend. SG 94/07) The owners of specimens of species under Appendixes A and B of Regulation 338/97 shall obligatory mark or label them in accordance with the type and the status of the specimen, and the marking of the live specimens shall not injure their health status.

(2) (amend. SG 64/07; amend. SG 94/07; amend. SG 80/09, amend. SG 58/17, in force from 18.07.2017) The labeling and marking of specimens, of the types under Para 1 shall be determined by an ordinance of the Minister of Environment and Waters and the Minister of Agriculture, Foods and Forestry.

Art. 102b. (new SG 94/07) (1) (suppl. SG 101/15, in force from 22.12.2015) The persons, carrying out commercial transactions with specimens of species under Art. 70, Item 1 shall be obliged to hold and upon request by the control bodies to present a document, evidencing their legal origin.

(2) In cases of registration under Art. 90 the persons of par. 1 shall present a registration card, issued in compliance with Art. 91.

(3) Beyond the cases of par. 2 the persons of par. 1 shall present depending on the case:

- a) copy of a permit or certificate for re-export as per CITES, issued by a third country;
- b) copy of phyto-sanitary certificate, issued by a third country, where pursuant to the Convention such is used instead of a permit as per CITES;
- c) copy of a permit for import under Art. 4, par. 1 and 2 of Regulation 337/97;
- d) certificate under Art. 7, item 3 of Regulation 338/97;
- e) document, evidencing the specimens legal origin according to Appendix B of Regulation 338/97, provided that they are acquired in the territory of the European Community;
- f) permit under Art. 49 for the species according to Appendixes No.3 and No.4;
- g) assessment protocol under Art. 110, par. 1, item 3 of the Regulation for application of the Hunting and Game Protection Act or a payment protocol under Art. 112, par. 1, item 2 of the same Regulation;
- h) documents under the Fisheries and Aquaculture Act, provided that the specimens are acquired through fishing;
- i) copy of a document of registration of the activity under Art. 97, par. 1;
- k) purchase invoice for the raised in a closed area or cultivated specimens, provided that the trader is not a producer, and in the remaining cases producers declaration, that he sold specimens have been raised in a closed area or are cultivated;
- l) document under Art. 108.

(4) In cases of par. 3, item (c) respective documents under par. 3, item (a) or (b) must be presented, too.

(5) In case of non-presenting of documents under par. 2 and 3 the control body shall retain the copies and shall forward them to a rescue center under Art. 71, par. 2, requiring from the seller to submit relevant documents within 10 days after the inspection, whereas:

1. in case of non-submission of documents within 10 days the specimens shall be seized in favour of the state;

2. in case of submission of documents of par. 1 the specimens shall be provided back to the owner, after the latter has covered the expenses, incurred by the rescue center with regard to their accommodation and keeping.

## **Section VI.**

### **Disposing of specimens seized in favour of the state**

Art. 103. (1) (prev. Art. 103 SG 94/07) The disposing of specimens of species of Art. 70, seized in favour of the state according to Art. 129, Para 1 shall be carried out by the Minister of Environment and Waters.

(2) (new SG 94/07) Paragraph 1 shall apply to cases of seized in favour of the state specimens in compliance with the requirements of the Customs Act, the Veterinary Practice Act and the Plants Protection Act.

(3) (new SG 94/07) Paragraph 2 shall not apply in cases of submitted valid document of Art. 80.

Art. 104. (1) (amend., SG 88/05; amend. SG 94/07) until the enactment of the penal provision for seizing the specimens in favour of the state the Minister of Environment and Waters or accredited by him/her person shall order:

1. (suppl. SG 101/15, in force from 22.12.2015) accommodation of the living specimens in the rescue centres of the types under Art. 70, Item 1, determined for this purpose;

2. (amend. and suppl. SG 101/15, in force from 22.12.2015) storing in appropriate places of dead specimens, foodstuffs and medicines or of specimens under Art. 70, Item 2.

(2) The foreign specimens for which customs formalities have not been fulfilled shall be placed under a regime of customs storing.

Art. 105. (1) The specimens shall be returned to the owner upon revoking of the penal provision by court order within 7 days after the enforcement of the court decision.

(2) Within 15 days from the enactment of a court decision rejecting the complaint against the penal provision for seizing the specimens in favour of the state after customs procedures the Minister of Environment and Waters shall dispose of them according to Art. 106.

Art. 106. (1) In case of seizing live specimens in favour of the state the Minister of Environment and Waters shall order:

1. (revoked SG 94/07);

2. (amend. SG 94/07; suppl. SG 101/15, in force from 22.12.2015) their return to the state of export in the cases of Art. 16, Para 3, item (b) of Regulation 338/97 and for the types under Art. 70, Item 2;

3. (suppl. SG 101/15, in force from 22.12.2015) their submitting to a zoo or botanical garden or to rescue centres in the country or other member states of CITES, where exist suitable conditions for their raising;

4. letting them free when the specimens are taken from natural habitats within the country in case that there are no obvious obstacles for their survival;

5. their sale;

6. (new SG 101/15, in force from 22.12.2015) their provision to national or international organisations or institutions implementing programmes for reintroduction to countries, in which the respective species are naturally present;

7. (new SG 101/15, in force from 22.12.2015) elimination of specimens, if they are of the types under Art. 70, Item 2.

(2) In case of seizing dead specimens in favour of the state the Minister of Environment and Waters shall order:

1. their gratuitous submission to higher schools or centres for training specialists for implementation of the Convention - for completion of educational collections;

2. their gratuitous submission to natural science museums and, when there is an artistic value - to art museums;

3. their sale.

(3) In case of seizing foodstuffs or medicines in favour of the state the Minister of Environment and Waters shall order:

1. their return to the country of export;

2. their submission to higher schools or centres of training specialists for implementation of the Convention - for completion of educational collections;

3. their destruction.

4. (new SG 88/05) their termination.

Art. 107. (1) (amend. and suppl. SG 94/07; amend., SG 15/13, in force from 01.01.2014) The expenses related to the statements and inspections of Art. 84 and Art. 87, par. 1 and to the disposal of Art. 102b, par. 5, item 1 and Art. 104 in cases of applying Art. 105, Para 1 shall be for the account of the budget of the Ministry of Environment and Waters.

(2) The expenses of Para 1 shall be reimbursed to the budget of the Ministry of Environment and Waters from the resources received in the cases of sale of Art. 106.

(3) (suppl. SG 94/07) The expenses related to the orders of Art. 102b, par. 5, item 1, Art. 104 and 106 shall be for the account of the offender. For securing their payment the bodies establishing the offence can retain commodities or sums.

Art. 108. For sale of Art. 106 the specimens shall be considered lawfully obtained upon presentation of the documents by which they have been bought.

## **Chapter five.**

### **PRESERVATION OF VENERABLE AND UNIQUE TREES**

Art. 109. (1) Individual venerable or unique trees inside or outside the populated areas shall be declared protected in coordination with the individual or corporate body - owner of the real estate where the tree is located.

(2) The director of the respective regional inspectorate of the environment and waters and the person of Para 1 shall sign written records stating the location and the characteristics of the tree - species, age, height and other particularities, its state and the necessary maintaining measures, as well as the obligations of the owner to protect the site.

(3) The written records of Para 2 and a scheme of the location of the tree shall be sent to the Ministry of Environment and Waters.

Art. 110. The Minister of Environment and Waters shall issue an order for declaring the tree protected, which shall be promulgated in the State Gazette.

Art. 111. (1) (previous Art. 111 SG 88/05) The owners of trees declared protected shall be obliged:

1. to protect them against destruction or damaging;

2. to inform the respective regional inspectorate for the environment and waters about occurred changes in the state of the site;

3. to coordinate with the respective regional inspectorate of the environment and waters the activities necessary for maintaining or restoration of the state of the site;

4. to provide access of representatives of the regional inspectorate of the environment and waters to the real estate for carrying out inspections of the state of the protected trees.

(2) (new SG 88/05) Shall be prohibited activities leading to termination, harming or deterioration of the physiological status of the trees announces as protected.

Art. 112. (1) The Ministry of Environment and Waters can finance maintaining or restoration activities necessary for the preservation of the protected trees.

(2) The owners shall present to the Ministry of Environment and Waters proposals for financing activities of Para 1 through the respective regional inspectorate for the environment and waters.

Art. 113. (1) The declared protected trees shall be entered in registers of the Ministry of Environment and Waters and of the respective regional inspectorate for the environment and waters.

(2) Destroyed, withered or irrevocably damaged protected trees shall be deleted by the order of Art. 109, Para 2 and Art. 110.

(3) (new SG 19/11, in force from 09.04.2011) The registers, mentioned in para 1, shall be publicly accessible.

## **Chapter six.**

### **BODIES OF MANAGEMENT AND CONTROL**

Art. 114. The Ministry of Environment and Waters and other state bodies and their divisions, within the framework of their competence, shall carry out the management and control of preserving the biological diversity in the Republic of Bulgaria.

Art. 115. (1) (previous Art. 115 amend., SG 88/05) The Minister of Environment and Waters shall:

1. carry out the state policy regarding the preservation and maintaining of the biological diversity;

2. work out, with the participation of the branch administrative bodies and non-governmental organisations and present to the Council of Ministers National Strategy for preservation of the biological diversity;

3. work out, with the participation of the branch administrative bodies and non-governmental organisations and present to the Council of Ministers National Strategy for preservation of the biological diversity, organise and report on the fulfilment of the plan;

4. create and maintain the National Ecological Network;

5. assign the working out and approve the plans for management of the protected zones and plans for actions for the species;

6. coordinate the activities of the other ministries, administrative bodies, municipalities, public organisations, scientific and academic institutes for preservation of the biological diversity;

7. (amend. SG 19/11, in force from 09.04.2011) organise control over the activities of the owners or users of lands, forest areas and water areas included in the National Ecological Network;

8. finance activities related to the implementation of this Act;



9. work out and apply mechanisms for stimulation of the activities of the owners or users, non-governmental organisations, associations and others aiming at the preservation, maintaining and restoration of the biological diversity;

10. (amend., SG 88/05) organise a National system of monitoring of the state of the biological diversity and create database and geographic informational systems for registration of the state and establishing the changes of the biological diversity, provide access and exchange of data related to the preservation of the biological diversity;

11. work out annual report on the state of the biological diversity and on the activities related to its preservation;

12. represent the Republic of Bulgaria on the issues of preservation of the biological diversity;

13. (suppl. SG 94/07) organise and maintain state public registers stipulated by this Act;

14. issue orders, lists, permits and licences stipulated by this Act;

15. (amend. SG 94/07) publish lists and their changes for the species of Art. 47a, item 1 and 2;

16. (new SG 101/15, in force from 22.12.2015) grants permission to access genetical resources of the natural flora and fauna;

17. (new SG 101/15, in force from 22.12.2015) monitors, within the limits of his competence, the compliance of the users of genetical resources and traditional knowledge related to genetical resources with the exercise of the due care in accordance with Regulation (EU) No 511/2014 of the European Parliament and of the Council of 16 April 2014 on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union (OPJ, L 150/59 of 20 May 2014), referred to hereinafter as (Regulation (EC) No 511/2014);

18. (new SG 101/15, in force from 22.12.2015) is the competent authority for implementation of Regulation (EC) No 1143/2014, except for Art. 15 thereof.

(2) (new SG 88/05) The conditions and order of establishment and functioning of the National system of monitoring of the state of the biological diversity shall be determined by an ordinance of the Minister of Environment and Waters.

Art. 116. (1) Created in National Biodiversity Advisory Council as a consultative body of the Minister of Environment and Waters.

(2) The members of the National Biodiversity Advisory Council shall be appointed by an order of the Minister of Environment and Waters, and it shall include representatives of the interested ministries and administrative bodies, scientific and academic institutes, non-governmental and nature protecting organisations.

(3) the activity of the National Biodiversity Advisory Council shall be settled by regulations approved by the Minister of Environment and Waters.

Art. 117. The directors of the regional inspectorates for the environment and waters and the directors of the national parks shall:

1. (amend. SG 19/11, in force from 09.04.2011) control the observance of the requirements for preservation of the biological diversity in carrying out the activities of the owners or users of lands, forest areas and water areas included in the National Ecological Network;

2. coordinate and control the implementation of the plans for management and plans and projects stipulated by this Act, including their integration in the municipal plans and programmes;

3. control the preservation of the vegetation and animal species subject of this Act;

4. maintain the regional registers stipulated by this Act;

5. sanction offenders in the cases stipulated by this Act.

Art. 118. (1) (amend. SG 94/07; amend. SG 80/09; amend. SG 66/13, in force from 26.07.2013; amend. SG 98/14, in force from 28.11.2014; prev. text of Art. 118 SG 101/15, in force from 22.12.2015, amend. SG 58/17, in force from 18.07.2017) The Ministry of Agriculture, Foods and Forestry, the Ministry of Regional Development and Public Works and other state bodies and their divisions, as well as the municipalities, in the sphere of their competence, shall:

1. carry out activities related to the preservation of the biological diversity;
2. integrate the preservation of the biological diversity and the sustainable management of the biological resources in all plans, projects, programmes, policies and strategies in the respective sector, including in them, most of all, activities related to the preservation of the biological diversity, in compliance with the priorities of this Act, of the National Strategy and of the National Plan for preservation of the biological diversity;
3. work out and implement plans for management of the protected zones and plans for action for priority vegetation and animal species;
4. collaborate with other competent bodies when the activities have inter-related or accumulated effect on the biological diversity or when their competence regards one and the same object or territory;
5. organise branch systems of monitoring of the state of the biological diversity and of the protected zones and create database and geographic informational systems for their characteristics, submitting to the Ministry of Environment and Waters information coordinated in type and period of presentation;
6. finance with priority scientific studies and activities related to the preservation of the biological diversity and the sustainable management of the biological resources;
7. use the results from the study of the biological diversity in working out plans, projects, programmes and policies in the sector or among the sectors;
8. (amend. SG 19/11, in force from 09.04.2011) control the activity of the owners or users of lands, forest areas and water areas included in the National Ecological Network;
9. sanction offenders in the cases stipulated by this Act;
10. carry out international cooperation on issues of common concern, related to the preservation of the biological diversity and protected zones.

(2) (new SG 101/15, in force from 22.12.2015, amend. SG 58/17, in force from 18.07.2017) The Minister of Agriculture, Foods and Forestry shall grant permission to access agricultural and forest genetic resources.

(3) (new SG 101/15, in force from 22.12.2015) The Minister of Economy shall grant permission to access genetic resources from industrial microorganisms, viruses and cell cultures.

(4) (new SG 101/15, in force from 22.12.2015) The competent authorities under Para 2 and 3:

1. monitors, within the limits of his competence, the compliance of the users of genetical resources and traditional knowledge related to genetical resources with the exercise of the due care in accordance with Regulation (EU) No 511/2014;
2. may assign to officials authorised by them their functions related to access to genetical resources.

Art. 119. (1) (amend. SG 94/07; amend. SG 80/09; amend. SG 19/11, in force from 09.04.2011, amend. SG 58/17, in force from 18.07.2017) The Ministry of Environment and Waters, the Ministry of Agriculture, Foods and Forestry, the municipalities, as well as the individuals and corporate bodies - owners and users of forest areas, lands and water areas in the National Ecological Network shall carry out their using and guarding according to the provisions of this Act and of the other special laws.

(2) (suppl., SG 88/05; amend. SG 19/11, in force from 09.04.2011) The owners of collections of species under Art. 37 and 70, as well as the owners and the users of forest areas, lands and water areas shall be obliged to provide free access to their real estates for the purposes of the

activities and the control according to this Act, in compliance with the requirements of the other special laws.

(3) (new SG 88/05) The Ministry of Environment and Waters may provide to the non-governmental and other organizations and entities the right to organize marinating, directing, regulating, recreating or other activities of environmental protection in the protected zones also concerning the protected species following an order as defined by an ordinance of the Minister of Environment and Waters.

Art. 120. Agency "Customs" shall exercise customs control over the import and export of specimens of the species of Art. 70 according to the requirements of this Act, of the Customs Act and of the other normative acts related to the customs control.

## **Chapter seven.**

### **COMPULSORY ADMINISTRATIVE MEASURES AND ADMINISTRATIVE PENAL PROVISIONS (title amended SG 88/05)**

#### **Section I.**

#### **Compulsory administrative measures**

Art. 121. (1) (previous Art 121 amend., SG 88/05; amend. SG 94/07) For prevention and stopping administrative offences according to this Act and of the harmful consequences from them the competent bodies or persons accredited by them shall impose compulsory administrative sanctions by the order of this section.

(2) (new SG 88/05) The bodies of Art. 122 shall impose compulsory administrative measures under this Act in the cases of arising of direct danger of damaging or termination of protected zones or parts of them.

Art. 122. (1) (suppl. SG 77/18, in force from 01.01.2019) The Minister of Environment and Waters or an official appointed from the staff of the ministry shall:

1. suspend orders of bodies of the executive authorities violating this Act;
2. stop the fulfilment of plans and projects started or approved in violation of this Act;
3. close down zoo gardens or parts of them which do not function in compliance with the requirements of this Act;
4. revoke licences of zoo gardens in the cases of Art. 62, Para 4;
5. (new SG 101/15, in force from 22.12.2015) revokes authorisations granted under Regulation (EC) No 1143/2014 in cases of breach of the conditions and requirements specified therein or in Art. 8 of the Regulation, and/or stays actions in breach of the said Regulation.

(2) The directors of the regional bodies of the Ministry of Environment and Waters shall:

1. (amend., SG 88/05; amend. SG 19/11, in force from 09.04.2011) stop the activities of using the forests, the lands and the water areas and of other resources, as well as the construction in protected zones in violation of the orders for their declaring or of the approved, by the respective order, plans of management, development, technical and forest economy plans and projects;
2. (amend., SG 88/05) stop activities or sites which harm or pollute the environment above the admissible norms in protected;
3. (amend., SG 88/05; amend. SG 43/08) stop orders of the regional directorates of the forests, the state forest management, the state game husbandry and of the directors of the nature parks and of the municipal bodies in violation of this Act;
4. issue instructions for measures for prevention and/or removal of offences.

(3) (amend., SG 88/05; amend. SG 43/08; amend. SG 19/11, in force from 09.04.2011) The directors of the regional directorates of the forests, directors of the state forest management, of the state game husbandry and the directors of the nature parks and as well as the mayors of the municipalities shall stop activities and construction in forests, lands and water areas - state, municipal and private property, carried out in violation of the approved plans for management and development and technical plans and projects.

Art. 123. (amend., SG 88/05) (1) The application of the compulsory administrative measures shall be executed by a reasoned order of Art. 122, where shall be pointed the grounds for imposing, the type and the manner of imposing of the respective compulsory administrative measure.

(2) (amend. SG 30/06, in force from 12.07.2006) The order under Para 1 and Art. 122, Para 1 may be appealed under the order of the Administrative procedure code.

(3) The appeal of the order under Para 1 shall not stop its execution.

## **Section II. Administrative Offences and Penalties**

Art. 124. (amend., SG 88/05) For violations of the prohibitions and the limitations defined under the order of Art. 12, Para 6, Art. 19 and Art. 29, as well as in event of offending the regimes and conditions determined in the orders under Art. 42, the natural persons shall be punished by a fee of 100 to 1000 BGN, and the legal persons and the sole entrepreneurs by a property sanction of 200 to 5000 BGN.

(2) For violation the conditions of the permit issued under the order of this Act, as far as the deed does not construct other administrative offence, the natural persons shall be punished by a fee of 100 to 2000 BGN, and the legal persons and the sole entrepreneurs by a property sanction of 300 to 6000 BGN.

(3) For violation of the compulsory administrative measures under Art. 122, the natural persons shall be punished by a fee of 100 to 1000 BGN, and the legal persons and the sole entrepreneurs by a property sanction of 200 to 5000 BGN.

Art. 125. (amend., SG 88/05) (1) For violation of Art. 38, Art. 39, Para 1, Art. 40, Art. 41, Para 3, Art. 44, 46, Art. 47, Para 1, Art. 60, Para 2 and 3, Art. 100, Art. 102, Para 1 and Art. 111, Item 1 the natural persons shall be punished by a fee of 100 to 5000 BGN, and the legal persons and the sole entrepreneurs by a property sanction of 500 to 10 000 BGN.

(2) A certified hunter who has committed violation under Art. 38, Art. 41 Para 3 and Art. 44 shall be punished by a fee under Para 1 and shall be deprived form right to hunt for a period form one to two years.

(2) In the cases of Para 2, where the violation is committed against world-wide or European endangered species, the deprival of the right to hunt shall be for a period of three years.

(4) For violations under Art. 38, Art. 41, Para 3, Art. 44 and 46, committed in protected territories or concerning world-wide protected animal species, the fees under Para 1 shall be imposed in doubled amount.

Art. 126. (amend., SG 88/05) For carrying out activity without a licence of Art. 62, Para 1, breaking Art. 62a and Art 67, Para 4 or without permit of Art. 67, Para 3 and Art. 38, Para 2 the individuals shall be punished by a fine of 1000 to 10 000 levs and the corporate bodies and sole entrepreneurs - by a proprietary sanction of 2000 to 25 000 levs.

Art. 127. (amend. SG 94/07) (1) For violations under Art. 16, items (b), (c), (d) and (e) of Regulation 338/97 the natural bodies shall be punished by a fine of 700 to 4 000 levs and the corporate bodies and sole entrepreneurs - by a proprietary sanction of 1500 to 10 000 levs.

(2) For violations under Art. 16, items (k), (l) and (m) of Regulation 338/97 the natural bodies shall be punished by a fine of 1000 to 6 000 levs and the corporate bodies and sole entrepreneurs - by a proprietary sanction of 2500 to 12 000 levs.

(3) For carrying out activity in cases of Art. 16, items (a), (f), (g), (h), (i) and (j) of Regulation 338/97 the natural bodies shall be punished by a fine of 2000 to 10 000 levs and the corporate bodies and sole entrepreneurs - by a proprietary sanction of 5000 to 30 000 levs.

Art. 127a. (new SG 101/15, in force from 22.12.2015) For deliberate failure to provide or provision of incorrect information under Art. 4 and 7 of Regulation (EC) No 511/2014 to the competent authorities under Art. 115, Para 1 and Art. 118, Para 2 and 3 the natural persons shall be imposed a fine between BGN 1000 and 6000, and the legal persons and sole entrepreneurs shall be imposed a property sanction between BGN 5000 and 20 000.

Art. 127b. (new SG 101/15, in force from 22.12.2015) (1) For violation of Art. 7, Para 1, Letters (b), (c), (d), (e), (f) and (g) of Regulation (EC) No 1143/2014 the natural persons shall be imposed a fine between BGN 1000 and 6000, and the legal persons and sole entrepreneurs shall be imposed a property sanction between BGN 5000 and 20 000.

(2) For violation of Art. 7, Para 1, Letters (a) and (h) of Regulation (EC) No 1143/2014 the natural persons shall be imposed a fine between BGN 1500 and 8000, and the legal persons and sole entrepreneurs shall be imposed a property sanction between BGN 8000 and 25 000.

(3) For violation of the requirements of the authorisation under Art. 8, Para 2 and 3 of Regulation (EC) No 1143/2014 the natural persons shall be imposed a fine between BGN 1000 and 5000, and the legal persons and sole entrepreneurs shall be imposed a property sanction between BGN 6000 and 20 000.

Art. 128. (amend., SG 88/05; amend. SG 94/07) For violation of Art. 41a, Para 2, Art. 92, Para 1, Art. 94, Para 1, Art. 102, par. 4 and Art. 102b, par. 5 the individuals shall be punished by a fine of 50 to 2000 levs, and the corporate bodies and sole entrepreneurs - by a proprietary sanction of 100 to 5000 levs.

Art. 128a. (new SG 88/05; suppl. SG 94/07; suppl. SG 62/10, in force from 10.08.2010) For violation of Art. 43D°, Para 1, 2 and 3, Art. 73, Para. 2, Art. 90, Para 1, Art. 102, Para 2, Art. 102D°, Para 1 and 2 and Art. 119, Para 2 the natural persons shall be punished by a fee of 500 to 10000 BGN, and the legal persons and the sole entrepreneurs by a property sanction of 1000 to 20 000 BGN.

Art. 128b. (new SG 88/05) (1) (amend. SG 52/07) For violation of Art. 31, Para 14, the natural persons shall be punished by a fee of 500 to 10000 BGN, and the legal persons and the sole entrepreneurs by a property sanction of 1000 to 20 000 BGN.

(2) (amend. SG 52/07; amend. SG 32/12, in force from 24.04.2012) For breach of Art. 31, Para 14 and Para 17 the official shall be punished by a fee from 1000 to 5000 BGN.

Art. 128c. (new SG 88/05; suppl. SG 94/07; amend. SG 101/15, in force from 22.12.2015) For other violations of this Act, of regulation 338/97 and Regulation 865/2006, Regulation (EC) No 511/2014 and Regulation (EC) No 1143/2014, if the committed does not construct a crime, the natural persons shall be punished by a fee of 50 to 2000 BGN, and the legal persons and the sole entrepreneurs by a property sanction of 100 to 5000 BGN.

Art. 129. (1) (amend., SG 88/05; suppl. SG 94/07) The objects subject of violation and the objects, including the live animals and plants, having served as an instrument for it shall be seized in favour of the state, not depending on which ownership they are.

(2) (amend. SG 105/05, in force from 01.01.2006) The sale of objects of Art. 1 shall be carried out by the order of the Tax-insurance Procedure Code.

(3) (new SG 88/05; amend. SG 94/07; amend. SG 101/15, in force from 22.12.2015) Para 2 shall not be applied in case of seizing in favour of the state of specimens of the species under Art. 37 of this Act and under Appendix A of Regulation 338/97, as well as of specimen of species under Art. 70, Item 2 - objects of the violation. In these cases the disposition shall be preformed respectively under the order of Art. 39, Para 2 and 3 or of chapter four, section VI.

Art. 129a. (1) For damages, caused to definite species plants and animals, included in the Appendix No. 3, the guilty persons shall pay compensation.

(2) The amount of the compensation shall be determined by a tariff, adopted by the Council of Ministers.

Art. 130. (1) (amend., SG 88/05; amend. SG 64/07; amend. SG 94/07; amend. SG 80/09, amend. SG 58/17, in force from 18.07.2017) The violations according to Art. 124, Para 1 and 3, Art. 125 and 128c shall be established by an act of an official appointed by the Minister of Environment and Waters or by the Executive Director of the Executive Agency of Forests, by the regional governor or by the mayor of the municipality. The penal provisions shall be issued respectively by the Minister of Environment and Waters or by the Minister of Agriculture, Foods and Forestry, by the regional governor or by the mayor of the municipality or by persons accredited by them.

(2) (new SG 88/05; amend. SG 94/07) The violations under Art. 124, Para 2 shall be found by and act of an official appointed by the body, which has issued the permit, and the punitive decrees shall be issued by the respective body, issued the permit or by an accredited by him/her person.

(3) (previous Para 2 SG 88/05; amend. SG 64/07; amend. SG 94/07; amend. SG 80/09, amend. SG 58/17, in force from 18.07.2017) The violations of Art. 126 shall be established by an act of an official appointed by the Minister of Environment and Waters or by the Executive Director of the Executive Agency of Forests, and the penal provisions shall be issued respectively by the Minister of Environment and Waters or by the Minister of Agriculture, Foods and Forestry or by persons accredited by them.

(4) (previous Para 3 - amend., SG 88/05; amend. SG 94/07) The violations of Art. 127, 128, 128a and 12b shall be established by an act of an official appointed by the Minister of Environment and Waters and the penal provisions shall be issued by the Minister of Environment and Waters or by persons accredited by him.

(5) (previous Para 4 SG 88/05) The establishment of the violations, the issuance, the appeal and the fulfilment of the pnal provisions shall be carried out by the order of the Administrative Violations and Penalties Act.

(6) (new SG 88/05; amend. SG 64/07; revoked SG 77/12, in force from 09.10.2012)

(7) The punitive decrees by which a fee up to 100 BGN, inclusive is imposed, shall not be subject to appeal.

### **Additional provisions**

§ 1. In the context of this Act:

1. "Favourable state of the species" exists when:

a) the data for the dynamics of the populations of the species show that this species will remain a vital element of the natural habitat;

- b) the natural region of habitation of these species is not decreasing and there is no tendency toward decreasing;
- c) present is sufficient habitat providing the living of the populations of these species.
2. "Favourable state of a natural habitat" exists when:
- a) the area of its natural size is permanent or expanding;
- b) its structure and specific functions provide its long-term existence;
- c) the state of the species characteristic of it is favourable.
3. "Botanical garden" is an institution keeping collections of live plants for the needs of the experimental botanical studies, the natural scientific and nature protecting education and training and which is open for visits in a period longer than five months during the year.
- 3a. (new SG 88/05; prev. item 41, amend. SG 94/07) "Floristically important place" is a territory of international significance for preservation of plant species, described as per the standard method of the Plant Life International.
4. "Vivarium" is an artificial place of raising wild animals.
5. "Species" is a group of morphologically similar organisms of common origin, which are potentially capable of exchanging genetic material in natural conditions.
- 5a. (new SG 94/07) "Species of Community interest" means species which, within the European territory of the Member States, are endangered, except those whose natural range is marginal on that territory and which are not endangered or vulnerable in the western palearctic region or vulnerable (i.e. believed likely to move into the endangered category in the near future if the casual factors continue operating), or rare (i.e. with small populations that are not at present endangered or vulnerable, but are at risk - they are located within restricted geographical areas or are thinly scattered over a more extensive range) or endemic and requiring particular attention by reason of the specific nature of their habitat and/or the potential impact of their exploitation on their habitat and/or the potential impact of their exploitation on their conservation status.
6. "Humid area" is a region including lakes, marshes, bogs, peat-bogs or other water areas, regardless of whether they are natural or artificial, permanent or temporary, with water which is static or flowing, fresh, semi-salted or salted, including sea water whose depth or ebb-tide does not exceed 6 m.
7. "Import" is the introduction to the customs territory of the Republic of Bulgaria of a specimen, including specimen caught in the sea, which is not under the jurisdiction of either country.
8. (amend. SG 19/11, in force from 09.04.2011) "Water areas" are the forest areas, the land fund and the continental shelf and of the exclusive economic zone flooded with water.
9. "Restoration" is the recreation in natural conditions of cohabitations of organisms, ecological systems and complexes of them according to a model of the naturally existing or creation of conditions for repeated generation or increase of the number of the natural populations.
10. (amend. SG 94/07) "Genetic material" are materials of vegetation, animal or fungous origin containing functional units of heredity.
11. "Genetic resources" are a genetic material of real or potential value.
12. (amend. SG 19/11, in force from 09.04.2011) "Forests" are the forest areas in the context of the Forestry Act.
- 12a. (new SG 101/15, in force from 22.12.2015) (Forest genetic resources) means natural genetic resources of the tree, bush and hunting species.
13. "Date of obtaining" is the date on which the specimen taken from the wild nature, born in a closed premises or artificially reproduced, obtained by trade relations or exchange.
14. "Dendrarium" is a live collection of trees and bushes on a definite territory, organised in schematic, geographic or other scientific principle.
- 14a. (new SG 88/05) "Small leather article" are small industrial articles of leather such as belts, straps, seats for velocipedes, cases for documents, ear-rings, pockets for keys, notebooks, cases for tobacco, cigarette cases, wallets and strings for watches and other of similar type.
15. "Specimen" is every animal or plant, dead or living, every easily distinguishable part of the body or every product obtained from the animal or plant, as well as any other commodity which, on

the grounds of an accompanying document, packing, marking, label or other circumstance, can be identified as a part or derivative of an animal or a plant.

16. "Specimen raised in closed premises" is a specimen of an animal species born, hatched and raised in closed premises, or a specimen of a vegetation species artificially reproduced. Artificially reproduced specimen is the one obtained by reproduction in an environment created or modified by people and under their control which, regarding the animals, is at least second generation raised by people without adding a genetic material of the wild nature.

16a. (new SG 88/05) "Specimen in helpless status" is alive specimen of animal species, physically weak or immobilized as a consequence of long starvation or parasites presence.

17. "Ecological system" is a dynamic complex of vegetation, animal and micro-organism cohabitations and their environment, which interact as a functional unit of specific interrelated processes and specific general aspect.

18. "Endemic species" is the one met only in a definite geographic region.

18a. (new SG 101/15, in force from 22.12.2015) (Natural genetic resources) means all georesources of the Republic of Bulgaria of its natural flora, fauna, micota and microorganisms, incl. pathogenic.

19. "Endangered species" are those which are threatened of extinction in their entire aril or to its great extent.

20. (amend. SG 61/15) \* "Lands" are the agricultural lands in the context of the Law for the ownership and tenure of agricultural lands.

20a. (new SG 94/07) "Site of Community importance" means a territory, in the biogeographical region or regions to which it belongs, contributes significantly to the maintenance or restoration at a favourable conservation status of a natural habitat type in Annex I or of a species of Annex II and contributes significantly to the coherence of the network of protected zones referred to in Art. 3, and/or contributes significantly to the maintenance of biological diversity within the biogeographic region or regions concerned. For animal species ranging over wide areas, sites of Community importance shall correspond to the places within the natural range of such species which present the physical or biological factors essential to their existence.

21. "Zoo garden" is a permanent establishment where animals of wild species are kept for the purpose of showing them to the public during more than 7 days throughout the year, with exception of circuses, pet shops and other establishments which do not show to the public a considerable number of animals or species.

22. "Export" is taking out of the customs territory of the Republic of Bulgaria of a specimen.

23. (amend. SG 94/07) "Collection" is a collection of specimens of vegetation, animal and fungous species (including seeds or other reproductive materials), raised or stored in conditions controlled by man, and designated for scientific and educational purposes or for the purposes of preservation and restoration of the species.

24. "CORINE place" is a territory described by the standard international methodology of the Council of Europe "CORINE biological types".

25. "Landscape" is a territory whose specific appearance and elements have occurred as a result of actions and interactions between natural and/or human factors.

25a. (new SG 88/05) "Innuite nations" shall be ethnic groups populating the border north territories of Canada, Alaska, Scandinavia and Siberia, known also as Eskimos, part of main living of which is the tulle hunting .

26. "Habitat of species" is the region determined by specific abiotic and biotic factors where these species are to be found permanently or temporarily in some of the stages of their life cycle.

26a. (new SG 88/05) "Non-selective traps" shall be the step-, bait-, the pressing traps and the loops.

26b. (new SG 88/05; amend. SG 19/09, in force from 10.04.2009) "Museum" shall be a cultural and scientific organization oursuant to the provisions of the Cultural Heritage Act.



26c. (new SG 88/05) "Mutation" shall be a natural or obtained through selection change of the characteristics of the individuals of a definite biological kind, upon which the colour or the form of body is changed.

26d. (new SG 94/07) "Mycota" are all fungous species within a particular region.

27. "Organism" is every live body consisting of coordinated active organs and existing independently. The organism is an individual of a population of individual species.

28. "Ornithological important place" is a territory of international importance for preservation of the birds, described by the standard international methodology of Bird Life International.

28a. (new SG 52/07) "Plans, programmes and investment offers" are the plans, programmes and investment offers and their extensions and amendments within the meaning of the Environmental Protection Act.

29. "Population" is a territorially separated combination of individuals of the same species which can freely exchange genetic material.

30. "Potentially endangered species" are those for which the latest transition to the category of the endangered species is possible, if the factors causing the danger continue to exist.

31. "Natural habitat" are the natural or close to the natural land or aquatic regions characterised by a characteristic geographic, abiotic and biotic particularities giving them specific appearance.

31a. (new SG 88/05) "Object of protected zones" shall be the natural habitats and the habitats of the species which shall be protected in the concrete protected zone.

31b. (new SG 52/07 amend. SG 62/10, in force from 10.08.2010; amend. SG 19/11, in force from 09.04.2011) "Projects" are the district plans for development of forest areas, forest economy projects and other projects, with which are envisaged activities out of the scope of Appendix No 1 and 2 of the Environmental Protection Act, except for projects which are required under the Spatial Planning Law.

31c. (new SG 94.07) "Natural habitat types of Community interest" means those habitats of the European territory of the Member States, which, are in danger of disappearance in their natural range or have a small natural range following their regression or by reason of their intrinsically restricted are or present outstanding examples of typical characteristics of one or more of the nine following biogeographical regions: Alpine, Atlantic, Black-Sea, Boreal, Continental, Macronesian, Mediterranean, Panonian and Steppe.

32. "Primary public interest" is the one related to the public health, the national security, exceptionally favourable effect on the environment, as well as to specific publicly important obligations regarding transport, energy and communication systems.

33. "Ramsar place" is a humid area which meets the criteria of the Convention for the humid areas of international importance, especially as habitats of water abiding birds (Ramsar Convention) (SG 56/1992).

34. "Rare species" are those whose populations are small in number, scattered or dependant on specific factors and, if not directly, than indirectly is endangered or potentially endangered in the context of Item 19 and 30.

34a. (new SG 101/15, in force from 22.12.2015) (Agricultural genetic resources) means the plants and animals of the culture flora and fauna subject to farm breeding.

35. "Rescue centre" is a corporate body or individual appointed by the Minister of Environment and Waters caring for confiscated live specimens.

36. (amend. SG 94/07) "Preservation" is all measures necessary for preservation or restoration of the natural habitats and populations of wild vegetation, animal and fungous species in favourable state.

36a. (new SG 88/05) "World wide endangered species" shall be species, included in the categories "disappeared in the nature", "critically endangered", "endangered" or "vulnerable" of the updated Red List of the International Union for Protection of the Nature.

37. "Taxon" is the general name of the classification units related to which are the sub-species, species and the higher units of the species level.

37a. (new SG 94/07) "Third country" means a country, which is not a European Union Member State.

38. "Sustainable management" is a management of the using, development and preservation of the natural resources in a way and in degree enabling the present generations and habitations to provide social, economic and structural and cultural wealth without:

a) reducing the possibility for the future generations and cohabitations to satisfy social, economic and cultural needs;

b) violating the ability of the ecological systems to fulfil their soil protecting and climate regulating functions;

c) reducing considerably the biological diversity.

38a. (new SG 88/05) "Tutorial collection" is a collection of compounds, herbariums and stuff animals in schools, which shall serve education of pupils, students and PhD students.

39. "Fauna" are all species of animals in a definite region.

40. "Flora" are all species of plants in a definite region.

41. (new SG 94/07) "Breeding and keeping centers for protected animal species" means a legal entity, holding a permit granted by the Minister of Environment and Waters for keeping and breeding protected animal species for the purposes of preservation and/or re-introduction into the nature.

### **Transitional and concluding provisions**

§ 2. Within 4 years from the enactment of this Act the Minister of Environment and Waters shall present to the Council of Ministers the list of Art. 10, Para 3.

§ 3. Within 6 months from the enactment of this Act the Minister of Environment and Waters shall present to the Council of Ministers a draft ordinance of Art. 66, Para 6.

§ 4. Within one year from the enactment of this Act all individuals and corporate bodies possessing specimens of species of Art. 70, Item 1 and 2, shall register them by the order of chapter four, section IV.

§ 5. Within one year from the enactment of this Act all individuals and corporate bodies of Art. 60, Para 1 shall submit the necessary information for entry in the registers of Art. 63.

§ 6. Within one year from the enactment of this Act the persons of Art. 96, Para 1 shall present the lists of Art. 96, Para 2.

§ 7. Within 4 years from the promulgation in the State Gazette of the ordinance of Art. 61, Para 1 the owners of zoo gardens shall be obliged to bring them in compliance with the requirements of the ordinance and to file applications for issuance of licence.

§ 8. (1) The buffer zones around reservations and maintained reservations, without those included in national parks declared by the order of the revoked Environmental Protection Act, shall retain their boundaries and regimes, unless they have been changed by the order of chapter two, section IV of this Act.

(2) The buffer zones around reservations included in national parks shall be deleted by this Act.

(3) The venerable trees declared protected by the order of the revoked Environmental Protection Act shall retain their regimes unless they are deleted by the order of chapter five of this Act.

§ 9. This Act revokes the Environmental Protection Act.

§ 10. The following amendments are introduced to the Hunting and Game Protection Act in the Appendix to Art. 5, Para 2, Item 1 and Para 5:

1. Item 6. bear (*Ursus arctos* L.) is revoked.
2. Item 23. *Phalacrocorax carbo* L. is revoked.

§ 11. The following amendments and supplements are introduced to the Protected Areas Act:

1. The following amendments and supplements are introduced to Art. 17:  
a) in Para 1, Item 5 the words "over 25 percent" are deleted;  
b) added in Para 4 at the end is "and a positive decision of the National Biodiversity Advisory Council."

2. The following supplements are introduced to Art. 38:  
a) in Para 3, after the work "taken" is added "by a common majority";  
b) created are Para 4 and 5:  
"(4) Members of the commission who do not agree with the taken decision for accepting the proposal and have signed the records with reserves shall motivate it in writing within 3 days. The reserves shall be attached to the records.

(5) In the cases of Para 4 the Minister of Environment and Waters shall take the final decision for declaring the protected territory or for rejection of the proposal."

3. In Art. 39, Para 1 the words "according to the proposal of the commission of Art. 38" are replaced by "upon positive decisions of Art. 38, Para 3 and 5".

4. Para 6 is created in Art. 42:

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

5. Para 3 is created in Art. 67:

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

6. The following amendments are introduced to Art. 74:

a) in Para 1, Item 1 and 4 are revoked;  
b) in Para 3 the words "approved by the Council of Ministers" are replaced by "determined by the Minister of Environment and Waters".

7. Art. 75 is revoked.

8. In Art. 79, Para 3, after the word "forestry" is added "and the directorates of natural parks".

9. Art. 86 is revoked.

10. In Appendix No 1 the fourth column of the table and the text after the table are deleted.

22. In Appendix No 2 the fourth column of the table is deleted.

§ 12. In the Forestry Act, in Art. 3, Para 2 at the end is added "except in the cases of Art. 67, Para 3 of the Protected Areas Act".

§ 13. (amend. SG 64/07; amend. SG 80/09; amend. SG 66/13, in force from 26.07.2013; amend. SG 98/14, in force from 28.11.2014, amend. SG 58/17, in force from 18.07.2017) The implementation of the Act is assigned to the Minister of Environment and Waters, the Minister of Agriculture, Foods and Forestry, the Minister of Regional Development and Public Works, the Minister of Finance and the mayors of the municipalities.

The Act was adopted by the 39th National Assembly on July 10, 2002 and on August 2, 2002 and was affixed with the official seal of the National Assembly.

## **Transitional and concluding provisions TO THE ACT AMENDING AND SUPPLEMENTING THE BIOLOGICAL DIVERSITY ACT**

(PROM. SG 88/05; AMEND. SG 52/07)

§ 70. The prohibition for hunting with nets shall enter one year after this Act enters in force.

§ 71. Paragraph 12 regarding Art. 31 shall enter in force from the date of the Agreement on accession of the Republic of Bulgaria to the European Union enters in force.

§ 72. (1) Till entering into force of §12 regarding Art. 31, at conduction of procedures of AIE of investment offers and of AE of plans and programmes as per the Environmental Protection Act, concerning potential protected zones, about which at the Ministry of Environment and Waters documentation under Art. 8, Para 1 is submitted, the competent body may set also other specific requirements to the assigner regarding the range of information related with the subject and purposes of the respective protected zone.

(2) In the cases of Para 1, where the information regarding the degree of damaging of the potential protected zone is not sufficient or contradictive, the competent body under the Environmental Protection Act shall terminate the procedure of AIE or EA, about which shall notify the assignor.

§ 73. (1) (prev. text of § 73 SG 52/07) In the cases where the plan, the programme or the investment offer concern a territory, which has at the same time status of a protected territory under the Protected Areas Act and of protected zone under the Biological Diversity Act, Art. 31 shall be applied.

(2) (new SG 52/07) In the cases referred to in Para1 coordination with the Ministry of Environment and Waters as per Art. 13, Para2 and Art. 66, Para2, Item 2 of the Protected Areas Act shall not be carried out.

§ 74. (revoked SG 52/07)

§ 75. The prohibitions under Art. 38 regarding the species "Wild goat" and "European wild cat" shall enter in force from the date on which the Agreement on accession of the Republic of Bulgaria to the European Union enters in force.

§ 76. The prohibition to possess, transport, carry, exhibit at public places and exchange specimens under Art. 38, Para 1, Item 7 shall not be applied to the specimens obtained before this Act enters in force, which are part of museum or tutorial collections.

(2) Exchange of specimens under Para 1 may be performed only between museums and scientific organizations or schools.

(3) The specimens under Para 1, as well as the newly obtained specimens shall be marked and kept under report in the respective museum, scientific organization or school.

§ 77. The ordinance under Art. 31, Para 1 shall be issued within one year from this Act enters in force.

§ 78. (1) Within one year from this Act enters in force, all the buffer zones, announced under the Biological Diversity Act and under the Environmental Protection Act shall be re-categorized as protected areas under the Protected Areas Act and shall save their range, borders and regimes. The re-categorization shall be executed by an order of the Minister of Environment and Waters without coordination under Art. 42, Para 2 of the Protected Areas Act.

(2) Till the re-categorization under Para 1, for breaches of the regimes of the buffer zones, the offenders shall be punished under the Protected Areas Act.

(3) The procedures of announcement of new buffer zones, which are not finished to the date this Act enters in force, shall be finished under the order of Chapter Three of the Protected Areas Act and the objects shall be announced as protected areas.

### **Transitional and concluding provisions TO THE TAX-INSURANCE PROCEDURE CODE**

(PROM. SG 105/05, IN FORCE FROM 01.01.2006)

§ 88. The code shall enter in force from the 1st of January 2006, except Art. 179, Para 3, Art. 183, Para 9, § 10, Item 1, letter (e) and Item 4, letter (c), § 11, Item 1, letter (b) and § 14, Item 12 of the transitional and concluding provisions which shall enter in force from the day of promulgation of the code in the State Gazette.

### **Transitional and concluding provisions TO THE ADMINISTRATIVE PROCEDURE CODE**

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

§ 142. The code shall enter into force three months after its promulgation in State Gazette, with the exception of:

1. division three, § 2, Item 1 and § 2, Item 2 with regards to the repeal of chapter third, section II "Appeal by court order", § 9, Item 1 and 2, § 15 and § 44, Item 1 and 2, § 51, Item 1, § 53, Item 1, § 61, Item 1, § 66, Item 3, § 76, items 1 - 3, § 78, § 79, § 83, Item 1, § 84, Item 1 and 2, § 89, items 1 - 4 § 101, Item 1, § 102, Item 1, § 107, § 117, items 1 and 2, § 125, § 128, items 1 and 2, § 132, Item 2 and § 136, Item 1, as well as § 34, § 35, Item 2, § 43, Item 2, § 62, Item 1, § 66, items 2 and 4, § 97, Item 2 and § 125, Item 1 with regard to the replacement of the word "the regional" with the "administrative" and the replacement of the word "the Sofia City Court" with "the Administrative court - Sofia", which shall enter into force from the 1st of May 2007;

2. paragraph 120, which shall enter into force from the 1st of January 2007;

3. paragraph 3, which shall enter into force from the day of the promulgation of the code in State Gazette.

**Transitional and concluding provisions  
TO THE COMMERCIAL REGISTER ACT**

(PROM. SG 34/06, IN FORCE FROM 01.10.2006)

§ 56. This Act shall enter into force from the 1st of October, with the exception of § 2 and § 3, which shall enter into force from the day of the promulgation of the Act in State Gazette.

**Transitional provisions**

ACT  
TO THE ACT AMENDING AND SUPPLEMENTING THE BIOLOGICAL DIVERSITY

(PROM. SG 52/07)

§ 14. (1) The assessment as per Art. 31 shall also apply to plans, programmes, projects and investment offers, which by the moment of entry into force of this Act have not been approved according to the procedures laid down in a special Act or by-law, on the basis of which they are being developed, or they have been approved, but have not entered into force, regardless whether they fall within the scope of the Environmental Protection Act and whether procedure of assessment of the influence on the environment or of ecological assessment pursuant to Chapter Six of the Environmental Protection Act has been completed or has started with regard to them.

(2) The assessment as per Art. 31 shall not be implemented in case § 72 of the Act Amending and Supplementing the Biological Diversity Act (SG 88/05) has not been applied with regard to the plans, programmes, projects and investment offers.

(3) In the cases referred to in Para1 where a procedure of assessment of the influence on the environment has been carried out and there is a decision entered into force or a procedure for ecological assessment with a decision which has entered into force pursuant to Chapter Six of the Environmental Protection Act, the assessment as per Art. 31 shall be carried out according to Art. 31, Para5.

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

(PROM. SG 64/07)

§ 30. In the Biological Diversity Act (prom. SG 77/02; amend. SG 88 and 105/05; SG 29, 30 and 34/06; SG 52/07) the following amendments and supplements shall be introduced:

.....

6. Everywhere in the Act the words:

a) "the head of the National Forests Department" shall be replaced with "the Chairman of the State Agency of Forestry"

b) "the National Forests Department" shall be replaced with "the State Agency of Forestry";

c) "the Minister of Agriculture and Forestry" and "the Ministry of Agriculture and Forestry" shall be replaced respectively with "the Chairman of the State Agency of Forestry" and "the Chairman of the State Agency of Forestry".

**Additional provisions  
TO THE ACT AMENDING AND SUPPLEMENTING THE BIOLOGICAL DIVERSITY ACT**

(PROM. SG 94/07)

§ 68. This Act shall introduce the provisions of Directive 92/43/EEC of the Council on the conservation of natural habitats of wild flora and fauna, Directive 79/409/EEC of the Council on the conservation of wild birds and Directive 2006/105/EC of the Council, adapting Directives 73/239/EEC, 74/557/EEC and 2002/83/EC in the field of environment by reason of the accession of Bulgaria and Romania.

§ 69. Everywhere in this Act the words "authorized" shall be replaced with "accredited", and the words "Ministry of Agriculture and Forests" and the "Minister of Agriculture and Forests" shall be replaced respectively with "Ministry of Agriculture and Food Supply" and "Minister of Agriculture and Food Supply".

**Transitional and concluding provisions  
TO THE ACT AMENDING AND SUPPLEMENTING THE BIOLOGICAL  
DIVERSITY ACT**

(PROM. SG 94/07)

§ 70. Within one year after the enforcement of this Act the owners of hunters trophies of a wild goat and a wild cat, acquired prior to entering into force of restrictions under Art. 38, shall announce them in the respective regional inspection office of environment and waters. Trophies of a wild cat shall be registered following the procedure of Art. 91.

§ 71. Within one year after the enforcement of this Act the owners of Vipera ammodytes farms shall announce the available quantities in the respective regional inspection office of environment and waters. The available quantities shall be deemed legally acquired.

§ 72. The prohibition of usage of lead shots in wet zones shall enter into force from 1 June 2008.

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

(PROM. SG 43/08)

§ 78. Everywhere in the Biological Diversity Act (prom. SG 77/02; amend. SG 88 and 105/05, SG 29, 30, 34 and 80/06, SG 52, 53, 64 and 94/07) the words "departments of", "floristries" and "state game-breeding stations" shall be replaced respectively with "directorates of", "forests management" and "state game husbandry".

**Transitional and concluding provisions  
TO THE CULTURAL HERITAGE ACT**

(PROM. SG 19/09, in force from 10.04.2009)

§ 24. The following amendments are made to the Biological Diversity Act (prom. SG 77/02, amend. SG 88 and 105/05, SG 29, 30 and 34/06, SG 52, 64 and 94/07, SG 43/08):

....

2. Everywhere in the Act the words "cultural monuments" and "The Act on Cultural Monuments and Museums" shall be replaced respectively with "the cultural valuables" and "the Cultural Heritage Act".

**Transitional and concluding provisions  
TO THE CULTURAL HERITAGE ACT**

(PROM. SG 19/09, in force from 10.04.2009)

§ 44. The Act shall enter into force from 10 April 2009, except for Art. 114, par. 2 and Art. 126, which shall enter into force from 10 April 2010.

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

(PROM. SG 80/09)

§ 64. In the Biological Diversity Act (prom. SG 77/02; amend. SG 88 and 105/05, SG 29, 30, 34 and 80/06; SG 52, 53, 64 and 94/07, SG 43/08 and SG 19/09) shall be made the following amendments:

.....

8. Everywhere in the Act the words:

a) "Ministry of Agriculture and Food Supply" and "Minister of Agriculture and Food Supply" shall be replaced respectively by "Ministry of Agriculture and Food" and "Minister of Agriculture and Food";

b) "State Agency of Forests" and "the Chairman of the State Agency of Forests" shall be replaced respectively by "Executive Agency of Forests" and "the Executive Director of the Executive Agency of Forests".

**Transitional and concluding provisions  
TO THE ACT AMENDING AND SUPPLEMENTING THE BIOLOGICAL  
DIVERSITY ACT**

(PROM. SG 62/10, IN FORCE FROM 10.08.2010)

§ 10. Started before this Act enters into force procedures under Art. 31. Para 1 shall be finished under the current procedure.

§ 11. Council of Ministers shall bring the ordinance envisaged in Art. 31 a in accordance with the requirements of this Act in a term up to 30 September 2010

§ 12. This Act shall enter in force from the day of its promulgation in the State Gazette, except for § 5, which shall enter in force from 30 September 2010.



**Transitional and concluding provisions  
TO THE ACT AMENDING AND SUPPLEMENTING THE PENAL CODE**

(PROM. SG 33/11, IN FORCE FROM 27.05.2011)

§ 46. This Act shall enter in force in one month after its promulgation in the State Gazette, except for § 21 and § 22, which shall enter in force in three months after its promulgation in the State Gazette.

**Transitional and concluding provisions  
TO THE ACT AMENDING AND SUPPLEMENTING THE ENVIRONMENTAL  
PROTECTION ACT**

(PROM. SG 32/12, IN FORCE FROM 24.04.2012)

§ 98. This Act shall enter into force from the date of its promulgation in the State Gazette except for the provisions of:

1. paragraphs 20-42, § 75 and § 91 which shall enter into force from 1 January 2013;
2. paragraphs 43-58, § 87 and § 88 which shall enter into force on 7 January 2014 for operators:
  - a) of installations put into operation and holding a complex permit before 7 January 2013 and performing activities in Annex â,,– 4:
    - aa) item 1.1 - for operations with a rated thermal input exceeding 50 MW;
    - bb) paragraphs 1.2, 1.3, 1.4 (a), 2.1 - 2.6 3.1 - 3.5;
    - cc) 4.1 - 4.6 - for activities relating to production by chemical treatment;
    - dd) 5.1, (a), (g), and (k) and 5.2 (a) - only for municipal waste; dd) sections 5.3.1, letters (a) and (b), 5.4, 6.1, letter (a) and (b), 6.2, 6.3, 6.4.1, 6.4.2 (a), and 6.4.3 6.5 - 6.9;
  - b) whose application for a complex permit is approved no later than 7 January 2013 and the facilities - subject of the application will be put into operation no later than 7 January 2014

**Concluding provisions  
TO THE ACT ON THE AMENDMENT OF THE ADMINISTRATIVE VIOLATIONS  
AND PENALTIES ACT**

(PROM. SG 77/12, IN FORCE FROM 09.10.2012)

§ 19. This Act shall enter into force from the day of its promulgation in the State Gazette.

**Transitional and concluding provisions  
TO THE PUBLIC FINANCE ACT**

(PROM. SG 15/13, IN FORCE FROM 01.01.2014)

§ 123. This Act shall enter into force on 1 January 2014 with the exception of § 115, which enters into force on January 1, 2013, and § 18, § 114, § 120, § 121 and § 122, which came into force on 1 February in 2013.

**Transitional and concluding provisions  
TO THE SPATIAL DEVELOPMENT ACT**

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

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

**Transitional and concluding provisions  
TO THE ACT ON AMENDMENT AND SUPPLEMENTATION OF THE ACT ON  
THE PURITY OF THE ATMOSPHERE**

(PROM. SG 101/15, IN FORCE FROM 22.12.2015)

§ 36. This Act shall enter into force from the day of its promulgation in the State Gazette, except for:

1. paragraph 8 regarding Art. 17c, Para 3, 4, 5 and 6, which shall enter into force from 1 January 2017;
2. paragraph 20 regarding Art. 34i, Para 7, which shall enter into force from 1 January 2018.

**Transitional and concluding provisions  
TO THE SPATIAL DEVELOPMENT ACT**

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

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

**Concluding provisions  
TO THE ACT AMENDING THE ACT ON BULGARIAN FOOD SAFETY AGENCY**

(PROM. SG 58/17, IN FORCE FROM 18.07.2017)

§ 8. Everywhere in the text of Biological Diversity Act words "Minister of Agriculture and Food" and "Ministry of Agriculture and Food" shall be replaced with words "Minister of Agriculture, Food and Forestry" and "Ministry of Agriculture, Food and Forestry".

.....

§ 76. This Act shall enter into force on the day of its promulgation in the State Gazette.

**Transitional and concluding provisions  
TO THE ACT AMENDING AND SUPPLEMENTING THE ENVIRONMENTAL  
PROTECTION ACT**

(PROM. SG 76 FROM 2017)

§ 7. Administrative cases, initiated before the entry into force of this act, under Art. 27, 88, 93 and 99 of the Environmental Protection Act and under Art. 31 of the Biodiversity Act shall be completed under the order prevailing hitherto.

**Transitional and concluding provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE ADMINISTRATIVE**  
**PROCEDURE CODE**

(PROM. SG 77/18, IN FORCE FROM 01.01.2019)

§ 156. The Act shall enter into force on 1 January 2019, with the exception of:

1. paragraphs 4, 11, 14, 16, 20, 30, 31, 74 and § 105 item 1 on the first sentence, and item 2 which shall enter into force on 10 October 2019;
2. paragraphs 38 and 77, which shall enter into force two months after the promulgation of this Act in the State Gazette;
3. paragraph 79, items 1, 2, 3, 5, 6 and 7, § 150 and 153, which shall enter into force on the day of the promulgation of this Act in the State Gazette.

**Transitional and concluding provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE ENVIRONMENTAL**  
**PROTECTION ACT**

(PROM. SG 98/18, IN FORCE FROM 27.11.2018)

§ 49. The Act shall enter into force on the day of its promulgation in the State Gazette with the exception of:

1. paragraph 3, items 1 and 3 concerning Art. 94 para. 1, item 9 and para. 4, § 4, item 2, § 5, 6, § 7, item 2, § 8, 10-12, § 15, item 2, § 16, 17, 21 - 26, 30 and 31, which shall enter into force nine months after its promulgation;
2. paragraph 40, item 24, which shall enter into force on 11 August 2006.

**Appendix No 1 to Art. 6, Para 1, Item 1 (amend. SG 88/05)**

The code in column 1 corresponds to the symbol of the type habitat in Appendix 1 of Directive 92/43/EEC.

(amend. SG 94/07)

The sign "\*" in column 2 denotes priority types of natural habitats to be preserved.

The name in column 3 corresponds to the name of the type of habitat in Appendix 1 of Directive 92/43/EEC.

Code of Directive(* 1)ve 92/43/Ď•Ď•Ďĭ(1)	Pri- ori- ty	Name
1	2	3
1110		Permanently covered by sea water sand and mud flats
1130		Estuaries
1140		Mudflats and sandflats not covered by seawater at low tide
1150	*	Coastal lagoons
1160		Vast shallow bays
1170		Communities with brown, red and green algae on rock sea bottoms (Reefs)
1210		Annual vegetation on sea coastal alluvium
1240		Steep sea cliffs overgrown with endemic species Limonium
1310		Salicornia and other annual plants colonizing mud and sand terrains

1340	*	Inland salt meadows
1410		Mediterranean salt meadows
1530	*	Pannonian salt steppes and salt marshes
2110		Emerging moving dunes
2120		Moving dunes with <i>Ammophila arenaria</i> on the coastal strip (white dunes)
2130	*	Immovable coastal dunes with grass vegetation (grey dunes)
2180		Afforested dunes
2190		Humid dune-slacks
2340	*	Pannonic inland dunes
3130		Oligotrophic to mesotrophic standing waters with vegetation of <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i>
3140		Hard oligitrophic to mesotrophic waters with benthos formations of <i>Chara</i>
3150		Natural eutrophic lakes with vegetation of type Magnopotamion or Hydrocharition
3160		Natural dystrophic lakes
3260		Flatland or mountain rivers with vegetation of <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i>
3270		Rivers with mud banks with <i>Chenopodion rubri</i> and <i>Bidention p.p.</i>
4030		European dry ericoid communities
4060		Alpine and boreal ericoid communities
4070	*	Bush communities with <i>Pinus mugo</i>
4080		Sub-arctic bushes of <i>Salix</i> spp.
4090		Endemic oro-mediterranean communities of spinescent low bushes
40A0	*	Sub-continental peri-Pannonic bush communities
40B0		Rhodope communities of <i>Potentilla fruticosa</i>
40C0	*	Pontic-sarmat deciduous bushes
5130		Communities of <i>Juniperus communis</i> on limestone
5210		Bushes with <i>Juniperus</i> spp.
6110	*	Open calcifilic or basifilic grass communities of <i>Alyso-Sedion albi</i>
6150		Silicate Alpine and boreal grass communities
6170		Alpine and sub-Alpine limestone grass communities
6210		Semi-natural dry grass and bush communities on limestone ( <i>Festuco Brometalia</i> ) (*important habitats of orchids)
6220	*	Pseudo-steppes with grain and annual plants of class Thero Brachypodietea
6230	*	Species-rich <i>Nardus</i> grasslands, on silicious substrates in mountain areas
6240	*	Sub-Pannonic steppe grass communities
6250	*	Pannonic loess steppe grass communities
6260	*	Pannonic sand steppes
62C0	*	Ponto-Sarmatic steppes
62A0		East sub-Mediterranean grass communities
62D0		Oro-moesic acidophilic grass communities
6410		Meadows with <i>Molinia</i> on carbonate, turf or clay soils ( <i>Molinion caeruleae</i> )

6420		Mediterranean humid communities of high grasses Molinio-Holoschoenion
6430		Hydrophilic communities of high grasses in planes and in the mountain to Alpine belt
6440		Alluvial meadows of community Cnidion dubii in river valleys
6510		Lowland haymaking meadows
6520		Mountain haymaking meadows
7140		Transitional marshes and sailing movable peat bogs
7210	*	Carbonate marshes with Cladium mariscus and species of community Caricion davallianae
7220	*	Springs with hard water with tuff formations (Cratoneurion)
7230		Alkaline swamps
8110		Silicate talus from mountain to snow belt
8120		Talus on lime terrains and calcium schists in high mountains
8210		Hasmophitic vegetation on limestone rock slopes
8220		Hasmophitic vegetation on silicate rock slopes
8230		Silicate rocks with pioneer vegetation of communities Sedo-Scleranthion or Sedo albi-Veronicion dillenii
8310		Undeveloped caves
8330		Subaquatic or partially subaquatic sea caves
9110		Beech forests of type Luzulo-Fagetum
9130		Beech forests of type Asperulo-Fagetum
9150		Thermophilic beech forests (Cephalanthero-Fagion)
9170		Oak-hornbeam forests of type Galio-Carpinetum
9180	*	Mixed forests of community Tilio-Acerion on talus and steep slopes
91D0	*	Marsh forests
91E0	*	Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Pandion, Alnion incanae, Salicion albae)
91F0		Riverside mixed forests of Quercus robur, Ulmus laevis and Fraxinus excelsior or Fraxinus angustifolia by big rivers (Ulmenion minoris)
91G0	*	Pannonic forests with Quercus petraea and Carpinus betulus
91D□0	*	Pannonic forests with Quercus pubescens
91I0	*	Euro-Siberian steppe forests with Quercus spp.
91Dœ0		Balkan Pannonic hornbeam durmast forests
91S0	*	West Pontic beech forests
91W0		Moesian beech forests
91Z0		Moesian silver lime woods
91AA	*	East Quercus pubescens forests
91BA		Moesian fir forests
91CA		Rila-Rhodope and Balkanic wild pine forests
9260		Forests of Castanea sativa
9270		Hellenic beech forests with Abies borisii-regis
92A0		Riverside galleries of Salix alba and Populus alba
92C0		Forests of Platanus orientalis

92D0		Southern riparian galleries and thickets (Nerio-Tamaricetea and Securinegion tinctoriae)
9410		Acidophilic forests of Picea in mountain to Alpine belt (Vaccinio-Piceetea)
9530	*	Sub-Mediterranean pine forests with endemic subspecies of Austrian Pine
9560	*	Endemic forests of Juniperus spp.
95A0		Forests of white and lack fir

(\*1) Corresponding to the code of Nature 2000

**Appendix No 2 to Art. 6, Para 1, Item 2 (amend. SG 88/05)**  
(amend. SG 94/07)

The sign "!" before the name of species denotes that the species are included in the Appendix to Resolution No 6 (1998) of the Standing Committee of the Bern Convention. The sign "\*" before the name of species denotes that the species require priority preservation of its habitat.

The abbreviation "spp." designates all the species belonging to that taxon available in the territory of the Republic of Bulgaria.

1. VERTEBRATES		Canidae
MAMMALIA	! *	Canis lupus
CHIROPTERA		Ursidae
Rhinolophidae	! *	Ursus arctos
! Rhinolophus blasii		Mustelidae
! Rhinolophus euryale	!	Lutra lutra
! Rhinolophus ferrumequinum		Mustela eversmanii
! Rhinolophus hipposideros		Vormela peregusna
! Rhinolophus mehelyi		Felidae
Vespertilionidae		Lynx lynx(Felis lynx)
! Barbastella barbastellus		Phocidae
Miniopterus schreibersii	! *	Monachus monachus
Myotis bechsteinii		CETACEA
Myotis blythii		Phocoenidae
! Myotis capaccinii	!	Phocoena phocoena
! Myotis emarginatus		Delphinidae
! Myotis myotis	!	Tursiops truncatus
RODENTIA		ARTIODACTYLA
Cricetidae		Bovidae
! Mesocricetus newtoni	!	Rupicapra rupicapra balcanica
Gliridae		AVES
Myomimus roachi		GAVIIFORMES
Sciuridae		Gaviidae
! Spermophilus citellus (Citellus citellus)		Gavia stellata
Zapodidae		Gavia arctica
Sicista subtilis		PODICIPEDIFORMES
CARNIVORA		Podicipedidae
		Podiceps auritus

<hr/>			
	PELECANIFORMES	!	Aquila heliaca
	Phalacrocoracidae	!	Aquila pomarina
!	Phalacrocorax pygmeus	!	Buteo rufinus
!	Phalacrocorax aristotelis desmarestii	!	Circus aeruginosus
	Pelecanidae	!	Circus cyaneus
!	Pelecanus crispus	!	Circus macrourus
!	Pelecanus onocrotalus	!	Circus pygargus
<hr/>		!	Gypaetus barbatus
	CICONIIFORMES	!	Gyps fulvus
	Ardeidae	!	Haliaeetus albicilla
!	Ardeola ralloides	!	Hieraaetus fasciatus
!	Ardea purpurea	!	Hieraaetus pennatus
!	Botaurus stellaris	!	Milvus migrans
!	Egretta alba	!	Milvus milvus
!	Egretta garzetta	!	Neophron percnopterus
!	Ixobrychus minutus	!	Pernis apivorus
!	Nycticorax nycticorax		Falconidae
	Ciconiidae		Falco cherrug
!	Ciconia ciconia	!	Falco columbarius
!	Ciconia nigra	!	Falco eleonora
	Threskiornithidae	!	Falco eleonora
!	Plegadis falcinellus	!	Falco biarmicus
!	Plegadis falcinellus	!	Falco naumanni
<hr/>		!	Falco peregrinus
	ANSERIFORMES		Falco vespertinus
	Anatidae	<hr/>	
!	Anser erythropus	GALLIFORMES	
!	Aythya nyroca	Phasianidae	
!	Branta ruficollis	Alectoris graeca graeca	
!	Cygnus bewickii (Cygnus columbianus bewickii)	Tetraonidae	
!	Cygnus cygnus	!	Bonasa bonasia
!	Mergus albellus	!	Tetrao urogallus
!	Oxyura leucocephala	<hr/>	
!	Tringa ferruginea	GRUIFORMES	
<hr/>			Gruidae
	FALCONIFORMES	!	Grus grus
	Pandionidae		Otididae
!	Pandion haliaetus	!	* Otis tarda
	Accipitridae		Rallidae
!	Accipiter brevipes	!	Crex crex
!	Aegypius monachus	!	Porzana porzana
!	Aquila chrysaetos	!	Porzana parva
!	Aquila clanga	!	Porzana pusilla
<hr/>		CHARADRIIFORMES	

	Burhinidae		Caprimulgidae
!	Burhinus oedicnemus	!	Caprimulgus europaeus
	Charadriidae		CORACIIFORMES
	Charadrius alexandrinus	!	Alcedinidae
	Eudromias morinellus		Alcedo atthis
!	Pluvialis apricaria	!	Coraciidae
	Hoplopterus spinosus		Coracias garrulus
	Scolopacidae		PICIFORMES
	Limosa lapponica	!	Picidae
!	Numenius tenuirostris	!	Dendrocopos leucotos
!	Philomachus pugnax	!	Dendrocopos medius
	Gallinago media	!	Dendrocopos syriacus
!	Tringa glareola	!	Dryocopus martius
	Xenus cinereus	!	Picoides tridactylus
	Recurvirostridae	!	Picus canus
!	Himantopus himantopus		PASSERIFORMES
!	Recurvirostra avoseta	!	Alaudidae
	Phalaropodidae	!	Calandrella brachydactyla
!	Phalaropus lobatus	!	Lullula arborea
	Glareolidae	!	Melanocorypha calandra
!	Glareola pratincola	!	Motacillidae
	Lariidae	!	Anthus campestris
!	Larus genei	!	Laniidae
!	Larus melanocephalus	!	Lanius collurio
	Larus minutus	!	Lanius minor
	Sternidae		Lanius nubicus
!	Chlidonias hybridus		Muscicapidae
!	Chlidonias niger		Turdinae
!	Geochelidon nilotica		Oenanthe pleshanka
!	Sterna albifrons		Sylviinae
!	Sterna caspia	!	Acrocephalus melanopogon
!	Sterna hirundo	!	Acrocephalus paludicola
!	Sterna sandvicensis	!	Hippolais olivetorum
	STIGIFORMES	!	Sylvia nisoria
	Strigidae		Muscicapinae
!	Aegolius funereus	!	Ficedula albicollis
!	Asio flammeus	!	Ficedula parva
!	Bubo bubo	!	Ficedula semitorquata
!	Glaucidium passerinum		Emberizidae
!	Strix uralensis	!	Emberiza hortulana
	CAPRIMULGIFORMES		REPTILIA
			CHELONIA (TESTUDINES)



Testudinidae	!	Romanogobio albipinatus (Gobio albipinatus)
! Testudo graeca	!	Romanogobio uranoscopus (Gobio uranoscopus)
! Testudo hermanni boettgeri	!	Rhodeus amarus (Rhodeus sericeus amarus)
Emydidae		Leuciscus souffia
! Emys orbicularis		Pelecus cultratus
Mauremys rivulata (Mauremys caspica rivulata)		Cobitidae
<hr/> OPHIDIA <hr/>		Cobitis elongata
Viperidae		Cobitis elongatoides (Cobitis taenia elongatoides)
Vipera ursinii		Cobitis strumicae (Cobitis taenia strumicae)
Colubridae		!
! Elaphe situla (Zamenis situla)		Misgurnus fossilis
! Elaphe quatuorlineata		! Sabanejewia balcanica (Sabanejewia aurata balcanica)
! Elaphe sauromates		Sabanejewia bulgarica (Sabanejewia aurata bulgarica)
<hr/> AMPHIBIA <hr/>		<hr/> PERCIFORMES <hr/>
<hr/> CAUDATA <hr/>		Percidae
Salamandridae		Gymnocephalus baloni
! Triturus cristatus (T. cristatus cristatus)		! Gymnocephalus schraetzer
Triturus dobrogicus (T. cristatus dobrogicus)		! Zingel spp.
Triturus karelinii (T. cristatus karelinii)		<hr/> CLUPEIFORMES <hr/>
<hr/> ANURA <hr/>		Clupeidae
Discoglossidae		Alosa spp.
! Bombina bombina		<hr/> SCORPAENIFORMES <hr/>
! Bombina variegata		Cottidae
<hr/> PISCES <hr/>		! Cottus gobio
<hr/> PETROMYZONIFORMES <hr/>		<hr/> 2. INVERTEBRATES <hr/>
Petromyzonidae		<hr/> ARTHRODOPA <hr/>
Eudontomyzon spp.		<hr/> CRUSTACEA <hr/>
<hr/> ESOCIFORMES <hr/>		<hr/> DECAPODA <hr/>
Umbridae		Astacidae
Umbra krameri		* Austropotamobius torrentium
<hr/> CYPRINIFORMES <hr/>		<hr/> INSECTA <hr/>
Cyprinidae		<hr/> ODONATA <hr/>
! Aspius aspius		Coenagrionidae
Barbus meridionalis petenyi		Coenagrion mercuriale
Barbus tauricus (Barbus plebejus tauricus)		Coenagrion ornatum
Barbus cyclolepis (Barbus cyclolepis tauricus)		Gomphidae
Chalcalburnus chalcoides		

Ophiogomphus cecilia	Geometriade
Cordulegastridae	Lignyoptera fumidaria
Cordulegaster heros	Noctuidae
Libellulidae	Dioszeghyana schmidtii
Leucorrhinia pectoralis	MOLLUSCA
ORTHOPTERA	GASTROPODA
Catantopidae	ARCHAEOGASTROPODA
Odontopodisma rubripes	Neritidae
Paracaloptenus caloptenoides	Theodoxus transversalis
COLEOPTERA	BASOMMATOPHORA
Geotrupidae	
Bolbelasmus uniconis	Planorbidae
Rhysodidae	Anisus vorticulus
Rhysodes sulcatus	STYLOMMATOPHRA
Carabidae	Vertiginidae
Carabus hungaricus	Vertigo moulinsiona
Carabus variolosus	Vertigo angustior
Lucanus cervus	BIVALVIA
* Rosalia alpina	Unionoidae
Scarabaeidae	! * Unio crassus
* Osmoderma eremite	3. PLANTES
Cerambycidae	POLYPODIOPHYTA
Cerambyx cerdo	(PTERIDOPHYTA)
Morimus funereus	Marsileaceae
LEPIDOPTERA	! Marsilea quadrifolia
Arctiidae	MAGNOLOPHYTA
Callimorpha quadripunctaria	(ANGIOSPERMAE)
Pieridae	Alismataceae
Colias myrmidone	! Caldesia parnassifolia
Leptidea morsei	Asteraceae (Compositae)
Lycaenidae	Centaurea immanuelis- loewii
Lycaena dispar	Centaurea jankae
Maculinea nausithous	! Ligularia sibirica
Polyommatus eroides	Boraginaceae
Nymphalidae	Echium russicum
Coenonympha oedipus	Brassicaceae (Cruciferae)
Euphydryas aurinia	Crambe tataria
Hypodryas maturna (Euphydryas maturna)	Caryophyllaceae
* Nymphalis vaualbum	Moehringia jankae
Lasiocampidae	Cyperaceae
Eriogaster catax	! Eleocharis carniolica
	Droseraceae

!	Aldrovanda vesiculosa	Violaceae
	Iridaceae	Viola delphinantha
	Gladiolus palustris	
	Orchidaceae	<hr/> BRYOPHYTA <hr/>
!	Cypripedium calceolus	! Buxbaumia viridis
	Dactylorhiza kalopissii	! Dicranum viride
	Himantoglossum caprinum (H. hircinum)	Hamatocaulis (Drepanocladus) vernicosus
!	Liparis loeselii	Leocobrium glaucum
	Rosaceae	Meesia longiseta
!	Potentilla emili-popii	<hr/> MARCHANTIOPHYTA <hr/>
	Scrophulariaceae	! Mannia triandra
	Tozzia alpina ssp. carpatica (T. carpatica)	

**Appendix No 2a to Art. 35a (amend. SG 88/05)**  
(new SG 94/07)

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1. VERTEBRATES

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AVES

---

ANSERIFORMES

---

Anatidae

Anser albifrons

---

CORACIIFORMES

---

Ææeropidae

Merops apiaster

---

2. PLANTES

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MAGNOLOPHYTA (ANGIOSPERMAE)

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Chenopodiaceae

Bassia hirsuta

Cyperaceae

Carex buxbaumii

Carex disticha

Carex elata

Carex ferruginea

Carex fuliginosa

Carex hartmanii

Carex limosa

Carex pirinensis

Carex punctata

Carex rupestris

Cladium mariscus

Dichostylis mishelianus

Isolepis supina

Kobresia myosuroides (Elyna bellardii)

Scirpus litoralis (Schoenoplectus litoralis)

Scirpus triqueter

Elatinaceae

Elatine alsinastrum

Elatine triandra

Fabaceae (Leguminosae)

Hedysarum grandiflorum

Hedysarum tauricum

Hippocrepis unisiliquosa

Lathyrus alpestris

Lathyrus montanus

Lathyrus palustris

Lathyrus pancicii

Lathyrus saxatilis

Lathyrus transsylvanicus

Lens ervoides

Lotus uliginosus

Lupinus albus

Medicago carstiensis

*Medicago littoralis*  
*Medicago rhodopaea*  
*Oxytropis urumovii*  
*Oxytropis kozhuharovii*  
*Tetragonolobus maritimus*  
*Trifolium ligusticum*  
*Trifolium phleoides*  
*Trifolium physodes*  
*Trifolium rubens*  
*Trigonella spicata*  
*Trifolium spumosum*  
*Trifolium squamosum*  
*Trifolium squarrosum*  
*Vicia abbreviata*  
*Vicia amphicarpa*  
*Vicia truncatulla*  
Fagaceae  
*Quercus hartwissiana*  
Juncaceae  
*Juncus ranarius*  
*Luzula deflexa*  
Orchidaceae  
*Orchis laxiflora*  
Poaceae (Gramineae)  
*Aegilops comosa*  
*Aegilops geniculata* (A. lorentii)  
*Aegilops markgrafii* (A. dichasians)  
*Aeluropus littoralis*  
*Alopecurus thracicus*  
*Apera interrupta*  
*Bromus lanceolatus*  
*Bromus moesiacus*  
*Bromus parilicus*  
*Corynephorus divaricatus*  
*Elymus picnanthus* (Agropyron litorale)

*Festuca pirinica*  
*Parvotrisetum myrianthum*  
*Perydiction sanctum* (*Brachypodium sanctum*)  
*Poa aitosensis*  
*Poa jordanovii*  
*Poa palustris*  
*Poa pirinica*  
*Secale rhodopaeum*  
*Sesleria korabensis* (S. klasterskii)  
*Danthoniastrum compactum*  
*Imperata cylindrica*  
*Parapholis incurva*

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## 2. MYCOTA

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*Amylocystis lapponica*  
  
*Boletus dupainii*  
*Boletus permagnificus*  
*Boletus roseoalbidus*  
*Phylloporus pelletieri*  
  
*Catathelasma imperiale*  
*Leucopaxillus compactus*  
  
*Clathrus archeri*  
  
*Cortinarius praestans*  
  
*Suillus sibiricus*

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## BRYOPHYTA

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*Leucobrium glaucum*  
*Sphagnum* spp.

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### Appendix No 3 to Art. 37

(amend. SG 88/05; amend. SG 94/07; amend., SG 33/11, in force from 27.05.2011)

For the species marked with the sign "(\*)" shall be applied the provisions of Art. 278e of the Penal Code

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## 1. VERTEBRATES

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### MAMMALIA

---

#### INSECTIVORA

---

Erinaceidae

Erinaceus concolor

Soricidae

Suncus etruscus

---

#### CHIROPTERA

---

Rhinolophidae

Rhinolophus blasii

Rhinolophus euryale

Rhinolophus ferrumequinum

Rhinolophus hipposideros

Rhinolophus mehelyi

Molossidae

Tadarida teniotis

Vespertilionidae

Barbastella barbastellus

Eptesicus nilssoni

Eptesicus serotinus

Hypsugo savii

Miniopterus schreibersi

Myotis alcaethoe

Myotis aurescens

Myotis bechsteini

Myotis blythi

Myotis brandti

Myotis capaccinii

Myotis dasycneme

Myotis daubentoni

Myotis mystacinus

Myotis emarginatus

Myotis myotis

Myotis nattereri

Nyctalus lasiopterus

Nyctalus leisleri

Nyctalus noctula

Pipistrellus pipistrellus

Pipistrellus pygmaeus

Pipistrellus nathusii

Pipistrellus kuhlii

Plecotus auritus

Plecotus austriacus

Vespertilio murinus

---

#### RODENTIA

---

Gliridae

Myomimus roachi

Muscardinus avellanarius

Dipodidae

Sicista subtilis

Cricetidae

Mesocricetus newtoni

Cricetulus migratorius

Cricetus cricetus

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#### CARNIVORA

---

Ursidae

Ursus arctos (\*)

Mustelidae

Lutra lutra (\*)

Martes martes

Mustela nivalis

Mustela eversmanni

Vormela peregusna

Felidae

Felis lynx (\*)

Felis silvestris

Phocidae

Monachus monachus (\*)

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#### ARTIODACTYLA

---

Bovidae

Rupicapra rupicapra (\*)

---

#### CETACEA

---

Phocoenidae

Phocoena phocoena

Delphinidae

Delphinus delphis (\*)

Tursiops truncatus (\*)

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#### AVES

---

#### GAVIIFORMES

---

Gaviidae

Gavia stellata

Gavia arctica

Gavia immer

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PODICIPEDIFORMES

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Podicipedidae

Podiceps auritus

Podiceps cristatus

Podiceps grisegena

Podiceps nigricollis

Tachybaptus ruficollis

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PROCELLARIIFORMES

---

Procellariidae

Calonectris /Procellaria/ diomedea

Puffinus yelkouan

---

PELECANIFORMES

---

Phalacrocoracidae

Phalacrocorax aristotelis

Phalacrocorax pygmeus (\*)

Pelecanidae

Pelecanus crispus (\*)

Pelecanus onocrotalus

Sulidae

Diomedea bassanus

---

CICONIIFORMES

---

Ardeidae

Ardeola ralloides

Ardea purpurea

Ardea cinerea

Botaurus stellaris

Bubulcus ibis

Egretta alba

Egretta garzetta

Ixobrychus minutus

Nycticorax nycticorax

Ciconiidae

Ciconia ciconia

Ciconia nigra

Threskiornithidae

Plegadis leucorodia

Plegadis falcinellus

Phoenicopteridae

Phoenicopus ruber

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ANSERIFORMES

---

Anatidae

Anas falcata

Anas strepera

Anser erythropus

Anser fabalis

Anser anser

Anser caerulescens

Aythya nyroca

Aythya ferina

Aythya marila

Branta ruficollis

Bucephala clangula

Clangula hyemalis

Cygnus bewickii

Cygnus olor

Cygnus cygnus

Tringa maronetta angustirostris

Tringoides fusca

Tringoides nigra

Mergus albellus

Mergus merganser

Mergus serrator

Netta rufina

Oxyura leucocephala

Somateria mollissima

Querquedula ferruginea (\*)

Querquedula tadorna

---

FALCONIFORMES

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Pandionidae

Pandion haliaetus (\*)

Accipitridae

Accipiter brevipes

Accipiter gentilis

Accipiter nisus

Aegypius monachus (\*)

Aquila chrysaetos

Aquila clanga

Aquila heliaca

Aquila pomarina

Aquila rapax

Buteo buteo

Buteo lagopus

Buteo rufinus

Circus gallicus  
Circus aeruginosus  
Circus cyaneus  
Circus macrourus  
Circus pygargus  
Elanus caeruleus  
Gypaetus barbatus (\*)  
Gyps fulvus (\*)  
Haliaeetus albicilla (\*)  
Hieraetus fasciatus  
Hieraetus pennatus  
Milvus migrans  
Milvus milvus  
Neophron percnopterus  
Pernis apivorus  
Falconidae  
Falco biarmicus (\*)  
Falco cherrug (\*)  
Falco columbarius  
Falco eleonora  
Falco naumanni  
Falco peregrinus (\*)  
Falco subbuteo  
Falco tinnunculus  
Falco vespertinus

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#### GALLIFORMES

Phasianidae  
Bonasa bonasia

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GRUIFORMES

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Gruidae  
Anthropoides virgo  
Grus grus  
Rallidae  
Crex crex (\*)  
Gallinula chloropus  
Porzana porzana  
Porzana parva  
Porzana pusilla  
Rallus aquaticus  
Otididae  
Otis tarda  
Tetrax tetrax

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#### CHARADRIIFORMES

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Burhinidae  
Burhinus oedicnemus  
Charadriidae  
Arenaria interpres  
Charadrius alexandrinus  
Charadrius dubius  
Charadrius hiaticula  
Eudromias morinellus  
Haplopterus spinosus  
Pluvialis apricaria  
Pluvialis squatarola  
Vanellus vanellus  
Vanellus leucurus  
Haematopidae  
Haematopus ostralegus  
Scolopacidae  
Actitis hypoleucos  
Calidris alba  
Calidris alpina  
Calidris canutus  
Calidris ferruginea  
Calidris minuta  
Calidris temminckii  
Gallinago media  
Limicola falcinellus  
Limosa limosa  
Limosa lapponica  
Lymnocyptes minimus  
Numenius arquata  
Numenius phaeopus  
Numenius tenuirostris  
Philomachus pugnax  
Tringa erythropus  
Tringa glareola  
Tringa nebularia  
Tringa ochropus  
Tringa stagnatilis  
Tringa totanus  
Xenus cinereus  
Recurvirostridae  
Himantopus himantopus

Recurvirostra avosetta  
Phalaropodidae  
Phalaropus lobatus  
Phalaropus fulicarius  
Glareolidae  
Glareola pratincola  
Glareola nordmanni  
Lariidae  
Chlidonias hybridus  
Chlidonias leucopterus  
Chlidonias niger  
Geochelidon nilotica  
Larus canus  
Larus fuscus  
Larus genei  
Larus marinus  
Larus melanocephalus  
Larus minutus  
Larus ridibundus  
Rissa tridactyla  
Sterna albifrons  
Sterna caspia  
Sterna hirundo  
Sterna sandvicensis  
Sterna paradisaea  
Stercorariidae  
Stercorarius pomarinus  
Stercorarius parasiticus  

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COLUMBIFORMES  

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Pteroclididae  
Syrrhaptes paradoxus  
Columbidae  
Columba livia livia  
Columba oenas  

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CUCULIFORMES  

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Cuculidae  
Clamator glandarius  
Cuculus canorus  

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STIGIFORMES  

---

Tytonidae  
Tyto alba  
Strigidae

Aegolius funereus  
Asio otus  
Asio flammeus  
Athene noctua  
Bubo bubo  
Glaucidium passerinum  
Nyctea scandiaca  
Otus scops  
Strix aluco  
Strix uralensis  
Surnia ulula  

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CAPRIMULGIFORMES  

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Caprimulgidae  
Caprimulgus europaeus  

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APODIFORMES  

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Apodidae  
Apus apus  
Apus melba  
Apus pallidus  

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CORACIIFORMES  

---

Alcedinidae  
Alcedo atthis  
Coraciidae  
Coracias garrulus  
Ææropidae  
Merops persicus  
Upopidae  
Upupa epops  

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PICIFORMES  

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Picidae  
Dryocopus martius  
Dendrocopos major  
Dendrocopos syriacus  
Dendrocopos medius  
Dendrocopos leucotos  
Dendrocopos minor  
Jynx torquilla  
Picoides tridactylus  
Picus canus  
Picus viridis  

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PASSERIFORMES  

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Alaudidae



Alauda arvensis  
Calandrella brachydactyla  
Calandrella rufescens  
Eremophila alpestris  
Galerida cristata  
Lullula arborea  
Melanocorypha calandra  
Melanocorypha leucoptera  
Hirundinidae  
Delichon urbica  
Hirundo rustica  
Hirundo daurica  
Ptyonoprogne rupestris  
Riparia riparia  
Motacillidae  
Anthus campestris  
Anthus trivialis  
Anthus pratensis  
Anthus cervinus  
Anthus spinoletta  
Motacilla citreola  
Motacilla flava  
Motacilla cinerea  
Motacilla alba  
Bombycillidae  
Bombycilla garrulus  
Cinclidae  
Cinclus cinclus  
Troglodytidae  
Troglodytes troglodytes  
Prunellidae  
Prunella modularis  
Prunella collaris  
Turdidae  
Cercotrichas galactotes  
Erithacus rubecula  
Luscinia luscinia  
Luscinia megarhynchos  
Luscinia svecica  
Monticola saxatilis  
Monticola solitarius  
Oenanthe deserti

Oenanthe finschii  
Oenanthe hispanica  
Oenanthe isabellina  
Oenanthe leucura  
Oenanthe oenanthe  
Oenanthe pleschanka  
Phoenicurus ochruros  
Phoenicurus phoenicurus  
Saxicola rubetra  
Saxicola torquata  
Turdus torquatus  
Turdus merula  
Turdus ruficollis  
Turdus pilaris  
Turdus philomelos  
Turdus iliacus  
Turdus viscivorus  
Sylviidae  
Acrocephalus agricola  
Acrocephalus arundinaceus  
Acrocephalus dumetorum  
Acrocephalus melanopogon  
Acrocephalus paludicola  
Acrocephalus palustris  
Acrocephalus schoenobaenus  
Acrocephalus scirpaceus  
Cettia cetti  
Cisticola juncidis  
Hippolais pallida  
Hippolais olivetorum  
Hippolais icterina  
Locustella naevia  
Locustella fluviatilis  
Locustella luscinioides  
Phylloscopus bonelli  
Phylloscopus proregullus  
Phylloscopus sibilatrix  
Phylloscopus collybita  
Phylloscopus trochilus  
Sylvia cantillans  
Sylvia melanocephala  
Sylvia hortensis

Sylvia nisoria  
Sylvia curruca  
Sylvia communis  
Sylvia borin  
Sylvia atricapilla  
Sylvia rueppelli  
Regulus regulus  
Regulus ignicapillus  
Muscicapidae  
Muscicapa striata  
Ficedula parva  
Ficedula albicollis  
Ficedula semitorquata  
Ficedula hypoleuca  
Timaliidae  
Panurus biarmicus  
Aegithalidae  
Aegithalos caudatus  
Paridae  
Parus palustris  
Parus lugubris  
Parus montanus  
Parus cristatus  
Parus ater  
Parus caeruleus  
Parus major  
Sittidae  
Sitta europaea  
Sitta neumayer  
Tichodromadidae  
Tichodroma muraria  
Certhiidae  
Certhia familiaris  
Certhia brachydactyla  
Remizidae  
Remiz pendulinus  
Oriolidae  
Oriolus oriolus  
Laniidae  
Lanius collurio  
Lanius minor  
Lanius excubitor

Lanius senator  
Lanius nubicus  
Corvidae  
Corvus corax  
Nucifraga caryocatactes  
Pyrrhocorax graculus  
Sturnidae  
Sturnus roseus  
Ploceidae  
Montifringilla nivalis  
Passer hispaniolensis  
Passer montanus  
Petronia petronia  
Fringillidae  
Carduelis cannabina  
Carduelis carduelis  
Carduelis chloris  
Carduelis flammea  
Carduelis flavirostris  
Carduelis spinus  
Carpodacus erythrinus  
Coccothraustes coccothraustes  
Fringilla coelebs  
Fringilla montifringilla  
Loxia curvirostra  
Pyrrhula pyrrhula  
Serinus serinus  
Emberizidae  
Calcarius lapponicus  
Emberiza leucocephalos  
Emberiza citrinella  
Emberiza cirlus  
Emberiza cia  
Emberiza hortulana  
Emberiza rustica  
Emberiza pusilla  
Emberiza schoeniclus  
Emberiza melanocephala  
Miliaria calandra  
Plectrophenax nivalis

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REPTILIA

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CHELONIA (TESTUDINES)

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Cheloniidae  
Chelonia mydas  
Caretta caretta  
Testudinidae  
Testudo graeca  
Testudo hermanni (\*)  
Emydidae  
Emys orbicularis  
Mauremys rivulata (Mauremis  
caspica rivulata)  

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LACERTILIA (SAURIA)  

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Scincidae  
Ablepharus kitaibeli  
Lacertidae  
Lacerta agilis  
Lacerta trilineata  
Lacerta viridis  
Lacerta vivipara (Zootoca  
vivipara)  
Ophisops elegans  
Podarcis erhardii  
Podarcis muralis  
Podarcis taurica  
Gekkonidae  
Cyrtopodion kotschy  
(Gymnodactylus kotschy)  
Anguidae  
Anguis fragilis  
Ophisaurus apodus  

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OPHIDIA  

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Typhlopidae  
Typhlops vermicularis  
Boidae  
Eryx jaculus  
Colubridae  
Coluber najadum (Platyceps  
najadum)  
Coluber caspius (Coluber jugularis  
caspius)  
Coluber rubriceps (Platyceps  
collaris) (\*)  
Coronella austriaca  
Elaphe situla (Zamenis situla) (\*)

Elaphe quatuorlineata  
Elaphe sauromates  
Elaphe longissima (Zamenis  
longissimus)  
Malpolon monspessulanus  
Natrix tessellata  
Telescopus fallax  
Viperidae  
Vipera ammodytes  
Vipera ursinii  

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AMPHIBIA  

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CAUDATA  

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Salamandridae  
Salamandra salamandra  
Triturus alpestris  
Triturus cristatus  
Triturus carnifex (Triturus  
cristatus carnifex)  
Triturus dobrogicus  
Triturus karelinii (Triturus  
cristatus karelinii)  
Triturus vulgaris  

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ANURA  

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Bufonidae  
Bufo viridis  
Bufo bufo  
Discoglossidae  
Bombina bombina  
Bombina variegata  
Hylidae  
Hyla arborea  
Pelobatidae  
Pelobates fuscus  
Pelobates syriacus balcanicus  
Ranidae  
Rana graeca  

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PISCES  

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ACIPENSERIFORMES  

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Acipenser nudiventris  
Acipenser sturio  

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PERCIFORMES  

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Percidae

Gymnocephalus baloni

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2. INVERTEBRATES

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ARTHRODOPA

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INSECTA

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ODONATA

Gomphidae

Ophiogomphus cecilia

Cordulegastridae

Cordulegaster heros

Libellulidae

Leucorrhinia pectoralis

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ORTHOPTERA

Tettigoniidae

Saga pedo

Catantopidae

Odontopodisma rubripes

Paracaloptenus caloptenoides

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COLEOPTERA

Carabidae

Carabus hungaricus

Carabus variolosus

Lucanus cervus

Rosalia alpina

Scarabaeidae

Osmoderma eremita

Cerambycidae

Cerambyx cerdo

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LEPIDOPTERA

Papilionidae

Parnassius apollo

Parnassius mnemosyne

Zerynthia polyxena

Pieridae

Leptidea morsei

Colias balcanica

Colias myrmidone

Lycaenidae

Lycaena dispar

Polyommatus eroides

Maculinea arion

Maculinea nausithous

Nymphalidae

Erebia rhodopensis

Coenonympha oedipus

Apatura metis

Hypodryas maturna (Euphydryas maturna)

Lophinga achine

Nymphalis vaualbum

Lasiocampidae

Eriogaster catax

Geometriade

Lignyoptera fumidaria

Sphingidae

Psoserpinus proserpina

Noctuidae

Dioszeghyana schmidtii

Saturniidae

Perisomena caesigema

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HYMENOPTERA

Formicidae

Formica rufa

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MOLLUSCA

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GASTROPODA

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ARCHAEOGASTROPODA

Neritidae

Theodoxus transversalis

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BASOMMATOPHORA

Planorbidae

Anisus vorticulus

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BIVALVIA

Unionoidae

Unio crassus

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PLANTÆS

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LICOPODIOPHYTA

Isoetaceae

Isoetes lacustris

Lycopodiaceae

Diphasiastrum alpinum

Diphasiastrum complanatum

Lycopodiella inundata (Lepidotis inundata)

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POLYPODIOPHYTA

(PTERIDOPHYTA)

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Adiantaceae  
Adiantum capillus-veneris  
Aspleniaceae  
Asplenium cuneifolium  
Asplenium lepidum  
Cryptogrammaceae  
Cryptogramma crispa  
Dryopteridaceae  
Cystopteris alpina  
Dryopteris villarii  
Marsileaceae  
Marsilea quadrifolia  
Ophioglossaceae  
Botrychium matricariifolium  
Osmundaceae  
Osmunda regalis  
Polypodiaceae  
Polypodium cambricum ( P.  
australe)  
Salviniaceae  
Salvinia natans  
Sinopteridaceae  
Cheilanthes persica  
Thelypteridaceae  
Thelypteris palustris

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PINOPHYTA

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Cupressaceae  
Juniperus excelsa  
Juniperus sabina  
Ephedraceae  
Ephedra campylopoda  
Ephedra distachya  
Pinaceae  
Pinus brutia  
Taxaceae  
Taxus baccata

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MAGNOLIOPHYTA  
(ANGIOSPERMAE)

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Acanthaceae  
Acanthus spinosus  
Aceraceae  
Acer heldreichii ssp. visianii

Alismataceae  
Caldesia parnasifolia  
Amarylidaceae  
Galanthus elwesii  
Galanthus nivalis  
Pancratium maritimum  
Apiaceae (Umbeliferae)  
Apium nodiflorum  
Apium repens  
Astrodaucus littoralis  
Bunium ferulaceum  
Bupleurum longifolium  
Bupleurum ranunculoides  
Cachrys alpina  
Cicuta virosa  
Eryngium maritimum  
Eryngium palmatum  
Ferula orientalis  
Laserpitium archangelica  
Oenanthe tenuifolia  
Opopanax hironium ssp.  
bulgaricum  
Pastinaca argyrophylla  
Peucedanum palustre  
Peucedanum ruthenicum  
Pleurospermum austriacum  
Prangos ferulacea  
Seseli bulgaricum  
Seseli degenii  
Sium sisarum  
Stefanoffia daucoides  
Trinia glauca ssp. carniolica  
Turgeniopsis foeniculacea  
Apocynaceae  
Trachomitum venetum  
Aquifoliaceae  
Ilex aquifolium  
Ilex colchica  
Araceae  
Acorus calamus  
Arum alpinum  
Dracunculus vulgaris

Aristolochiaceae  
Aristolochia rotunda  
Asteraceae  
Achillea kotschy (Achillea  
urumoffii)  
Achillea leptophylla  
Achillea ochroleuca  
Achillea thracica  
Anthemis argyrophylla  
Anthemis jordanovii  
Anthemis gaudium-solis  
Anthemis macrantha  
Anthemis orbelica  
Anthemis regis-borisii  
Anthemis rumelica  
Anthemis sancti-johannis  
Anthemis stribnyi  
Anthemis virescens  
Artemisia chamaemelifolia  
Artemisia eriantha  
Artemisia lerchiana  
Artemisia pedemontana  
Carduus rhodopaeus (C. adpressus  
ssp. rhodopaeus)  
Carduus thracicus  
Centaurea achtarovii  
Centaurea arenaria  
Centaurea atropurpurea  
Centaurea bovina  
Centaurea gracilenta  
Centaurea immanuelis-loewii  
Centaurea inermis  
Centaurea jankae  
Centaurea kernerana  
Centaurea mannagetae ssp.  
pirinica  
Centaurea marshaliana  
Centaurea nigrescens  
Centaurea parilica  
Centaurea pichleri  
Centaurea pseudoaxillaris  
Centaurea rumelica  
Centaurea rupestris  
Centaurea wagenitziana  
Chondrilla urumoffii  
Cirsium bulgaricum  
Cicerbita pancicii  
Cicerbita plumieri  
Cirsium stojanovii  
Crepis bithynica  
Crepis schachtii  
Crepis stojanovii  
Dittrichia viscosa (Inula viscosa)  
Erigeron vichrensis  
Helichrysum plicatum  
Hieracium belogradcense  
Inula spiraeifolia  
Jurinea ledebourii  
Jurinea tzar-ferdinandii  
Lactuca tatarica  
Leontopodium alpinum  
Ligularia glauca  
Ligularia sibirica  
Onopordon bracteatum  
Otanthus maritimus  
Pallenis spinosa  
Petasites kablikianus  
Reichardia picroides  
Saussurea discolor  
Scorzonera parviflora  
Senecio subalpinus  
Serratula bulgarica  
Sonchus palustris  
Tragopogon floccosus  
Tragopogon stribnyi  
Urospermum picroides  
Berberidaceae  
Epimedium pubigerum  
Boraginacerae  
Alkanna jordanovii  
Alkanna stribnyi  
Alkanna tinctoria  
Anchusa davidovii  
Anchusa gmelinii

<i>Anchusa macedonica</i>	<i>Pritzelago alpina</i> ssp. <i>brevicaulis</i>
<i>Anchusa stylosa</i>	( <i>Hutchinsia alpina</i> )
<i>Anchusa velenovskyi</i>	<i>Schivereckia doerfleri</i>
<i>Argusia sibirica</i>	<i>Sisymbrium polymorphum</i>
<i>Buglossoides glandulosa</i>	<i>Subularia aquatica</i>
<i>Cynoglossum germanicum</i>	Callitrichaceae
<i>Cynoglossum rotatum</i>	Callitrichae <i>brutia</i>
<i>Echium russicum</i>	Campanulaceae
<i>Onosma rhodopaea</i>	<i>Campanula euxina</i>
Brassicaceae (Cruciferae)	<i>Campanula jordanovii</i>
<i>Aethionema arabicum</i>	<i>Campanula lanata</i>
<i>Alyssum borzaeanum</i>	<i>Campanula latifolia</i>
<i>Alyssum cuneifolium</i> ssp.	<i>Campanula orph<math>\text{\AA}</math>nidea</i>
<i>piranicum</i>	( <i>Petkovia orphanidea</i> )
<i>Alyssum orbelicum</i>	<i>Campanula transsilvanica</i>
<i>Alyssum stribrnyi</i>	<i>Campanula versicolor</i>
<i>Arabis collina</i>	<i>Edraianthus serbicus</i>
<i>Arabis ferdinandi-coburgii</i>	<i>Jasone bulgarica</i>
<i>Arabis nova</i>	<i>Trachelium rumelianum</i> (T.
<i>Aubrieta gracilis</i> ssp. <i>Scardica</i>	<i>jacquinii</i> )
<i>Aurinia uechtritziana</i>	Capparidaceae
( <i>Lepidotrichum uechtritzianum</i> )	<i>Cleome ornithopodioides</i>
<i>Brassica nivalis</i> ssp. <i>jordanoffii</i>	Caprifoliaceae
<i>Capsella thracica</i>	<i>Sambucus deborensis</i>
<i>Cardamine parviflora</i>	Caryophyllaceae
<i>Cardamine penzesii</i>	<i>Arenaria ciliata</i>
<i>Crambe tatarica</i>	<i>Arenaria cretica</i>
<i>Draba korabensis</i>	<i>Arenaria gypsophylloides</i>
<i>Erysimum comatum</i>	<i>Arenaria pirinica</i>
<i>Erysimum quadrangulum</i> ( <i>Syrenia</i>	<i>Arenaria rhodopaea</i>
<i>cana</i> auct.)	<i>Arenaria rigida</i>
<i>Erysimum slavjankae</i>	<i>Dianthus carthusianorum</i>
<i>Hesperis sylvestris</i>	<i>Dianthus kladovanus</i> (D.
<i>Hesperis theophrasti</i>	<i>pontederacae</i> ssp. <i>kladovanus</i> )
<i>Hymenolobus procumbens</i>	<i>Dianthus drenowskyanus</i>
( <i>Hornungia procumbens</i> )	<i>Dianthus nardiformis</i>
<i>Iberis saxatilis</i>	<i>Dianthus pallidiflorus</i>
<i>Malcolmia orsiniana</i> ssp.	<i>Dianthus stribrnyi</i>
<i>angulifolia</i>	<i>Dianthus urumoffii</i>
<i>Malcolmia s<math>\text{\AA}</math>urbica</i>	<i>Gypsophylla tekirae</i>
<i>Maresia nana</i>	<i>Gypsophylla trichotoma</i>
<i>Matthiola odoratissima</i>	<i>Minuartia diljanae</i>

Minuartia rumelica	Sempervivum ciliosum
Minuartia stojanovii	Cyperaceae
Moehringia jankae	Eleocharis carniolica
Petrorrhagia alpina	Dipsacaceae
Petrorrhagia thessala	Knautia byzantina
Saponaria stranjensis	Knautia dinarica
Silene alpina	Droseraceae
Silene caliacrae	Aldrovanda vesiculosa
Silene cretica	Drosera rotundifolia
Silene euxina	Elaeagnaceae
Silene graeca	Hippophae rhamnoides
Silene lydia	Elatinaceae
Silene velcevii	Elatine alsinastrum
Chenopodiaceae	Elatine triandra
Bassia hirsuta	Empetraceae
Halimione pedunculata	Empetrum nigrum
Halimione portulacoides	Ericaceae
Petrosimonia brachiata	Arbutus andrachne
Sueda heterophylla	Arbutus unedo
Cistaceae	Calluna vulgaris
Cistus salvifolius	Erica arborea
Convolvulaceae	Rhododendron myrtifolium
Calystegia soldanella	Rhododendron ponticum
Convolvulus althaeoides (C. elegantissimum)	Vaccinium arctostaphylos
Convolvulus boissieri ssp. parnassicus (C. compactus)	Euphorbiaceae
Convolvulus boissieri ssp. suendermannii	Euphorbia aleppica
(C. suendermannii)	Euphorbia lucida
Convolvulus holosericeus	Euphorbia peplis
Convolvulus lineatus	Fabaceae (Leguminosae)
Convolvulus persicus	Anthyllis aurea
Cressa cretica	Astracantha aitosensis
Crassulaceae	Astracantha thracica (Astragalus thracicus)
Crassula tillaea	Astragalus alopecurus
Rhodiola rosea	Astragalus corniculatus
Sedum kostovi	Astragalus dasyanthus
Sedum magellense	Astragalus exscapus
Sedum stefco	Astragalus physocalix
Sedum tschernokolevii	Astragalus pubiflorus
Sedum zollikoferi	Astragalus wilmottianus
	Caragana frutex
	Chamaecytisus kovacevii



Chamaecytisus neicheffii  
Chamaecytisus ratisbonensis  
Cicer montbretii  
Genista germanica  
Genista pilosa  
Glycyrrhiza glabra  
Ononis repens  
Fagaceae  
Quercus coccifera  
Quercus mestensis  
Quercus thracica  
Quercus trojana  
Frankeniaceae  
Frankenia pulverulenta  
Gentianaceae  
Blackstonia perfoliata  
Centaurium littorale  
Centaurium maritimum  
Gentiana acaulis  
Gentiana frigida  
Gentiana lutea  
Gentiana punctata  
Gentianella amarella  
Gentianella crispata  
Gentianella engadinensis  
Swertia punctata  
Geraniaceae  
Erodium absinthoides  
Geranium aristatum  
Geranium bohemicum  
Geranium macrostylum  
Geranium palustre  
Gesneriaceae  
Haberlea rhodopensis  
Ramonda serbica  
Globulariaceae  
Globularia trichosantha  
Guttiferae  
Hypericum androsaemum  
Hypericum boissieri  
Hypericum calycinum  
Hypericum setiferum  
Hypericum thasium  
Hippocastanaceae  
Aesculus hippocastanum  
Hyppuridaceae  
Hippuris vulgaris  
Hydrocharitaceae  
Stratiotes aloides  
Iridaceae  
Crocus olivieri  
Crocus tommasinianus  
Gladiolus palustris  
Iris aphylla  
Romulea bulbocodium  
Romulea linairesii ssp. graeca  
Juncaceae  
Juncus ranarius  
Juncus triglumis  
Luzula deflexa  
Juncaginaceae  
Triglochin maritima  
Lamiaceae  
Micromeria frivaldszkyana  
Micromeria juliana  
Nepeta parviflora  
Nepeta ucranica  
Salvia forskahlei  
Salvia pinnata  
Salvia scabiosifolia  
Sideritis syriaca (S. taurica)  
Stachys arenariaeformis  
Stachys balcanica  
Stachys maritima  
Stachys scardica  
Teucrium botrys  
Teucrium lamifolium  
Thymus bracteosus  
Thymus perinicus  
Thymus stojanovi  
Lentibulariaceae  
Utricularia australis (U. neglecta)  
Utricularia minor  
Liliaceae

*Allium angulosum*  
*Allium jubatum*  
*Allium montanum*  
*Allium stojanovii*  
*Bellevalia ciliata*  
*Colchicum bivonae*  
*Colchicum borisii*  
*Colchicum davidovii*  
*Colchicum diampolis*  
*Colchicum rhodopaeum*  
*Fritillaria drenovskii*  
*Fritillaria gussichiae*  
*Fritillaria meleagroides*  
*Fritillaria orientalis*  
*Fritillaria pontica*  
*Fritillaria sibirnyi*  
*Gagea chrysantha*  
*Gagea heldreichii*  
*Lilium albanicum*  
*Lilium jankae*  
*Lilium rhodopaeum*  
*Lloydia serotina*  
*Merendera rhodopaea*  
*Scilla bithynica*  
*Scilla bulgarica*  
*Tulipa aureolina*  
*Tulipa australis*  
*Tulipa pirinica*  
*Tulipa rhodopaea*  
*Tulipa splendens*  
*Tulipa thracica* (T. hageri)  
*Tulipa urumoffii*  
 Linaceae  
*Linum elegans*  
*Linum extraaxilare*  
 Lythraceae  
*Ammania verticillata*  
*Lythrum thymifolia*  
*Middendorfia borystenica*  
*Peplis alternifolia*  
 Menyanthaceae  
*Menyanthes trifoliata*

*Nymphoides peltata*  
 Morinaceae  
*Morina persica*  
 Nymphaeaceae  
*Nuphar lutea*  
*Nymphaea alba*  
 Onagraceae  
*Circaea alpina*  
*Ludwigia palustris*  
 Orchidaceae  
*Anacamptis pyramidalis*  
*Cephalanthera epipactoides*  
*Cypripedium calceolus*  
*Dactylorhiza incarnata*  
*Dactylorhiza kalopissii*  
*Epipactis greuterii*  
*Epipactis leptochila*  
*Epipactis palustris*  
*Epipactis purpurata*  
*Epipogium aphyllum*  
*Goodyera repens*  
*Hammarbia paludosa*  
*Herminium monorchis*  
*Himantoglossum caprinum* (H. hircinum)  
*Limodorum abortivum*  
*Liparis loeseli*  
*Listera cordata*  
*Ophrys apifera*  
*Ophrys argolica*  
*Ophrys cornuta* (O. scolopax ssp. cornuta)  
*Ophrys insectifera*  
*Ophrys mammosa* (O. sphegodes ssp. mammosa)  
*Orchis laxiflora*  
*Orchis militaris*  
 Orchis papilionaceae  
*Orchis provincialis*  
*Orchis spitzelii*  
*Traunsteinera globosa* (Orchis globosa)

Serapias vomeraceae	Primula frondosa
Spiranthes spiralis	Primula halleri
Paeoniaceae	Primula vulgaris ssp.sibthorpii
Paeonia mascula	Soldanella chrysostricta
Paeonia tenuifolia	Soldanella pirinica
Papaveraceae	Pyrolaceae
Papaver degenii	Pyrola rotundifolia
Plantaginaceae	Raflesiaceae
Plantago cornuti	Cytinus clusii
Plantago maxima	Ranunculaceae
Plumbaginaceae	Adonis volgensis
Goniolimon besseranum	Anemone narcissiflora
Goniolimon collinum	Anemone pavonina
Goniolimon dalmaticum	Anemone sylvestris
Goniolimon tataricum	Aquilegia aurea
Limonium asterotrichum	Aquilegia nigricans (A. vulgaris )
Limonium bulgaricum	Clematis alpina
Limonium gmelinii	Delphinium fissum ssp.
Limonium latifolium	Albiflorum
Limonium meyeri	Eranthis bulgaricus
Limonium vulgare	Nigella orientalis
Poaceae (Gramineae)	Pulsatilla halleri
Erianthus ravennae	Pulsatilla pratensis
Festuca vaginata	Pulsatilla slavjankae
Polygalaceae	Pulsatilla vernalis
Polygala acarnanica	Ranunculus fontanus
Polygala alpestris	Ranunculus sphaerospermus
Polygala amarella	Ranunculus stojanovii
Polygala sibirica	Thalictrum foetidum
Polygonaceae	Trollius europaeus
Rheum rhaponticum	Rhamnaceae
Potamogetonaceae	Rhamnus alpina
Groenlandia densa	Rosaceae
Potamogeton friesii	Alchemilla achtarovii
Potamogeton trichoides	Alchemilla asteroantha
Primulaceae	Alchemilla bandericensis
Androsace obtusifolia	Alchemilla jumrukczalica
Cortusa matthioli	Alchemilla mollis
Cyclamen coum	Alchemilla pirinica
Hottonia palustris	Amygdalus webbii
Lysimachia thyrsoiflora	Crataegus microphylla
Primula deorum	Crataegus stevenii

Eriolobus trilobata  
Geum bulgaricum  
Geum rhodopaeum  
Potentilla chrysantha  
Potentilla emili-popii  
Potentilla fruticosa  
Potentilla montenegrina  
Potentilla nicicii  
Potentilla palustris  
Pyrus bulgarica  
Sibbaldia parviflora  
Spiraea crenata  
Spiraea hypericifolia  
Spiraea salicifolia  
Rubiaceae  
Asperula involucrata  
Asperula suberosa  
Galium demissum  
Galium procurrens  
Galium rhodopaeum  
Galium rubioides  
Rutaceae  
Haplophyllum balcanicum  
Haplophyllum thesioides  
Ruta graveolens  
Salicaceae  
Salix pentandra  
Salix retusa  
Salix rosmarinifolia  
Salix xanticola  
Saxifragaceae  
Ribes nigrum  
Saxifraga aizoides  
Saxifraga androsacea  
Saxifraga marginata  
Saxifraga mollis  
Saxifraga retusa  
Scrophulariaceae  
Digitalis laevigata  
Lathraea rhodopaea  
Linaria brachyphylla  
Linaria peloponesiaca  
Lindernia procumbens  
Pedicularis palustris  
Rhynchosorys elephas  
Tozzia alpina ssp. carpathica (T. carpathica)  
Verbascum adrianopolitanum  
Verbascum anisophyllum  
Verbascum boevae  
Verbascum bugulifolium  
Verbascum davidoffii  
Verbascum decorum  
Verbascum dieckianum  
Verbascum eriophorum  
Verbascum jankaeanum  
Verbascum jordanovii  
Verbascum juruk  
Verbascum lagurus  
Verbascum minutiflorum  
Verbascum pseudonobile  
Verbascum purpureum  
Verbascum rupestre  
Verbascum spathulisepalum  
Verbascum thracicum  
Verbascum tzar-borisii  
Verbascum urumovii  
Veronica baumgartenii  
Veronica euxina  
Veronica glauca  
Veronica grisebachii  
Veronica multifida  
Veronica turrilliana  
Sparganiaceae  
Sparganium angustifolium  
Sparganium minimum  
Tamaricaceae  
Myricaria germanica  
Theligonaceae  
Theligonum cynocrambe  
Tymeleaceae  
Daphne blagayana  
Daphne laureola  
Daphne pontica

Trapaceae  
 Trapa natans  
 Typhaceae  
 Typha shuttleworthii  
 Urticaceae  
 Parietaria rhodopaea  
 Valerianeceae  
 Centranthus kellererii  
 Valeriana simplicifolia  
 Violaceae  
 Viola balcanica  
 Viola delphinantha

Viola gracilis  
 Viola grisebachiana  
 Viola orbelica  
 Viola palustris  
 Viola parvula  
 Viola perinensis  
 Viola persicifolia  
 Viola pumila  
 Viola pyrenaica  
 Viola speciosa  
 Viola stojanovii

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**Appendix No 4 to Art. 41, Para 1**  
 (amend. SG 88/05; amend. SG 94/07)

The sign "\*" denotes all species of the respective class without those included in Appendix No 3. The sign "(I)" indicates that the provisions of Art. 70, Item 1 (b) with regard to the species.

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1. VERTEBRATES

---

MAMMALIA

---

CARNIVORA

---

Canidae

Canis aureus

Canis lupus

Mustelidae

Mustela putorius

Phocidae

Cystophora cristata

Phoca groenlandica

---

AVES

---

ANSERIFORMES

---

Anatidae

Anas platyrhynchos

Anas querquedula

Anas crecca

Anas penelope

Anas clypeata

Anas acuta

Anser albifrons

Aythya fuligula

---

GALLIFORMES

---

Phasianidae

Alectoris graeca graeca

Alectoris chukar

Coturnix coturnix

Perdix perdix

Phasianus colchicus

Tetrao urogallus

---

GRUIFORMES

---

Fulica atra

---

CHARADRIIFORMES

---

Scolopacidae

Gallinago gallinago

Scolopax rusticola

---

COLUMBIFORMES

---

Columbidae

Columba palumbus

Streptopelia decaocto

Streptopelia turtur

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PASSERIFORMES

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Sturnidae  
Sturnus vulgaris  
Corvidae  
Corvus monedula  
Corvus frugilegus  
Corvus corone  
Pica pica  
AMPHIBIA  
ANURA  
Ranidae  
Rana ridibunda  
Rana temporaria  
Rana esculenta  
PISCES  
ACIPENSERIFORMES  
Acipenseridae  
Acipenser guÐuldenstaedti  
Acipenser ruthenus  
Acipenser stellatus  
Huso huso  
CLUPEIFORMES  
Clupeidae  
Alosa pontica  
Alosa caspia nordmani  
Alosa caspia bulgarica  
Alosa maeotica  
Alosa fallax  
CYPRINIFORMES  
Cyprinidae  
Aspius aspius  
Barbus meridionalis petenyi  
Barbus tauricus (Barbus plebejus tauricus)  
Barbus cyclolepis (Barbus cyclolepis tauricus)  
Pelecus cultratus  
PERCIFORMES  
Percidae  
Gymnocephalus schraetser  
Zingel zingel  
2. INVERTEBRATES  
MOLLUSCA

GASTROPODA  
Helicidae  
Helix pomatia  
Helix lucorum  
ANNELIDA  
Hirudinidae  
Hirudo medicinalis  
ARTHROPODA  
CRUSTACEA  
Astacidae  
Astacus astacus  
Astacus leptodactylos  
3. PLANTES  
POLYPODIOPHYTA  
Aspidiaceae  
Dryopteris sp. div.  
Polystichum sp. div.  
MAGNOLIOPHYTA  
Amaryllidaceae  
Leucojum aestivum  
Apiaceae  
Bupleurum sp. div.\*  
Smyrniium perfoliatum  
Asteraceae  
Echinops sp. div.\*  
Helichrysum arenarium  
Caryophyllaceae  
Gypsophylla glomerata  
Gypsophylla paniculata  
Iridaceae  
Crocus sp. div.\*  
Gladiolus sp. div.\*  
Liliaceae  
Asparagus sp. div.\*  
Asphodelus albus  
Erytronium dens-canis  
Lilium martagon  
Polygonatum officinale  
Ruscus aculeatus  
Ruscus hypoglossum  
Scilla bifolia  
Orchidaceae

Dactylorhiza sp. div.\*  
Orchis sp. div.\*  
Paeoniaceae  
Paeonia peregrina  
Plumbaginaceae  
Goniolimon sp. div.\*  
Limonium sp. div.\*  
Poaceae  
Stipa sp. div.\*

Primulaceae  
Cyclamen neapolitanum  
Primula veris  
Primula vulgaris  
Ranunculaceae  
Pulsatilla sp. div.\*  
Salicaceae  
Salix caprea

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**Appendix No 4a to Art. 41a  
(new SG 94/2007)**

The "+" sign indicates the Member States in which the listed species may be hunted

	BE	CZ	DK	DE	EE	GR	ES	FR	IE	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK
<i>Cygnus olor</i>				+														+								
<i>Netta rufina</i>							+	+																		
<i>Aythya marila</i>	+		+	+		+		+	+			+					+				+					+
<i>Somateria mollissima</i>			+		+			+	+															+	+	
<i>Clangula hyemalis</i>			+		+			+	+			+												+	+	+
<i>Melanitta nigra</i>			+	+	+			+	+			+												+	+	+
<i>Melanitta fusca</i>			+	+				+	+			+												+	+	+
<i>Bucephala clangula</i>			+		+	+		+	+			+	+		+			+			+			+	+	+
<i>Mergus serrator</i>			+						+							+								+	+	
<i>Mergus merganser</i>			+						+															+	+	
<i>Bonasa bonasia</i>					+			+				+						+	+		+		+	+	+	
<i>Francolinus francolinus</i>											+															
<i>Rallus aquaticus</i>								+		+						+										
<i>Gallinula chloropus</i>	+					+		+		+						+					+	+				+
<i>Haematopus ostralegus</i>			+					+																		
<i>Pluvialis apricaria</i>	+		+			+		+	+							+	+			+						+
<i>Pluvialis squatarola</i>			+					+								+										+
<i>Vanellus vanellus</i>	+		+			+	+	+	+	+						+										
<i>Calidris canutus</i>			+					+																		
<i>Philomachus pugnax</i>								+		+						+										
<i>Limosa limosa</i>			+					+																		
<i>Limosa lapponica</i>			+					+																		+
<i>Numenius phaeopus</i>			+					+																		+
<i>Numenius arquata</i>			+					+	+																	+
<i>Tringa erythropus</i>			+					+																		
<i>Tringa totanus</i>			+					+		+																+
<i>Tringa nebularia</i>			+					+																		
<i>Larus ridibundus</i>	+		+	+	+		+								+			+					+		+	
<i>Larus canus</i>			+	+	+																			+	+	
<i>Larus fuscus</i>			+	+																					+	+
<i>Larus marinus</i>			+	+	+																			+	+	
<i>Columba oenas</i>						+	+	+			+									+	+					



Alauda arvensis						+		+			+	+												+							
Turdus merula						+		+		+	+						+					+									+
Turdu spilaris						+	+	+	+		+	+					+			+	+							+	+		
Turdu sphilomelos						+	+	+		+	+					+				+	+										
Turdus iliacus						+	+	+		+	+					+				+	+										
Turdus viscivorus						+	+	+			+					+				+	+										
Garrulus glandarius		+			+	+				+					+	+			+			+	+	+	+			+	+		

AT = Austria, BE = Belgium, CY = Cyprus, CZ = Czech Republic, DE = Germany, DK = Denmark, EE = Estonia, ES = Spain, FI = Finland, FR = France, GR = Greece, HU = Hungary, IE = Ireland, IT = Italy, LT = Lithuania, LU = Luxemburg, LV = Latvia, MT = Malta, NL = Nederland, PL = Poland, PT = Portugal, RO = Romania, SE = Sweden, SI = Slovenia, SK = Slovakia, UK = Great Britain

**Appendix No 5 to Art. 44 (1)**  
**(amend. and suppl. SG 88/2005, amended. and suppl. SG 94/2007)**

PROHIBITED METHODS AND MEANS OF CAPTURE AND KILLING AND MODES OF TRANSPORT

(a) Non-selective means

MAMMALS

- Blind or mutilated animals used as live decoys
- Tape recorders
- Electrical and electronic devices capable of killing or stunning
- Artificial light sources
- Mirrors and other dazzling devices
- Devices for illuminating targets
- Sighting devices for night shooting comprising an electronic image magnifier or image converter
- Explosives
- Nets which are non-selective according to their principle or their conditions of use
- Traps which are non-selective according to their principle or their conditions of use
- Crossbows
- Poisons and poisoned or anaesthetic bait
- Gassing or smoking out
- Semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition
- Dead animals or parts thereof as decoy in bear habitats
- Hunting with birds of prey
- Use of lead shots during hunting in wetlands

BIRDS

- Snares, limes, hooks, live birds which are blind or mutilated used as decoys,
- Tape recorders, electrocuting devices capable of killing or stunning
- Artificial light sources, mirrors, devices for illuminating targets, sighting devices for night shooting comprising an electronic image magnifier or image converter,
- explosives,
- nets, traps, poisoned or anaesthetic bait,
- semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition;
- Use of permanent hides during waterfowl hunt
- Hunting with birds of prey
- boats driven at a speed exceeding five kilometres per hour, and in Black Sea with a speed over 18 kilometres per hour.
- Use of lead shots during hunting in wetlands and on 200 m distance around them

## FISH

### Poison

- Explosives
- Electricity and other stunning devices
- Fising with line bottom hooks
- Trawl and dredge gears

## MODES OF TRANSPORT

### Aircraft

### Moving land motor vehicles

### **Appendix No 6 to Art. 47 (2)**

#### AVES

#### ANSERIFORMES

##### Anatidae

Anas platyrhynchos

Anas acuta

Anas clypeata

Anas crecca

Anas penelope

Anser albifrons

Aythya fuligula

#### GALLIFORMES

##### Phasianidae

Alectoris chukar

Perdix perdix

Phasianus colchicus

Tetrao urogallus

#### GRUIFORMES

Fulica atra

#### CHARADRIIFORMES

Scolopacidae

Gallinago gallinago

Scolopax rusticola

#### COLUMBIFORMES

Columbidae

Columba palumbus

Columba livia forma domestica

**Appendix No 7 to Art. 75, Para 1**  
(revoked SG 94/07)

**Appendix No. 8 to Art. 78, Para 1**  
(new SG 88/05; revoked SG 94/07)

### **Editor`s note**

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