

1999 Bulgaria Law on Waters

Chapter one - General Provisions

Art. 1.

This law shall provide the ownership and management of waters on the territory of the Republic of Bulgaria as a national indivisible natural resource and the ownership of the water economic systems and facilities.

Art. 2.

The law has as objective to ensure unified and balanced water management in the interest of society, protection of public health and sustainable development of the country through:

1. complex, multiple and effective use of water resources;
2. development and protection of water resources for satisfaction the needs for water of the present and future generation;
3. restoration of water quality and their protection from pollution, depletion and other unfavourable impact over their regime]
4. preservation and protection of the water ecosystems and the components of environment connected with them;
5. encouragement of the organised use of waters;
6. prevention or liquidation of the consequences of the harmful impact of waters.

Art. 3.

Waters on the territory of the country shall be:

1. the surface waters and the waters of river mouths;
2. the ground waters, including the mineral waters;
3. the internal sea waters and the territorial sea.

Art. 4.

Water site shall be permanent or temporary aggregation of waters with the respective boundaries, volume and water regime, in the earth bowels and in natural or artificially created relief forms together with the adjacent land.

Art. 5.

The use of waters shall be implemented through water economic systems including facilities for extraction, preservation, conveyance, distribution, discharge and treatment of waters, for utilisation of the water energy and for protection from the harmful impact of waters.

Art. 6.

The waters, the water sites and the water economic systems and facilities on the territory of the country shall be possible to be ownership of the state, the municipalities, individuals and corporate bodies.

Art. 7.

The provision of the relations connected with the ownership of waters, the water objects and the water economic systems and facilities shall be based on the following principles:

1. public importance of water as valuable natural resource;
2. multipurpose use of waters and the water objects with regard to satisfaction of economic interests without damaging the public interests and the existing rights;
3. protection of the right of ownership in waters, water objects and water economic systems as far as exercising it is not damaging the entity and the unity of the hydrologic cycle and of the natural water system;
4. exercising of the right of ownership so that not be impaired the technological unity of the water economic system.

Art. 8.

(1) The common use of water and of the water objects and the use of water for satisfaction of own needs shall be gratuitous.

(2) For use of water and water objects for economic activity shall be paid a fee for the use of the natural resource as a guarantee for creating equal legal conditions for economic activity for all citizens and corporate bodies.

(3) The persons implementing the activities of para 1 and 2 shall be obliged to protect the environment.

Art. 9.(1) The waters of art. 3 shall be managed at national and at basin level.

(2) The management of waters at national level shall be exclusive right of the Council of Ministers exercised through the Ministry of Environment and Waters.

(3) For assisting the activity of para 2 at the Ministry of Environment and Waters shall be established Supreme consultative water council.

(4) The Supreme consultative water council shall include representatives of the Ministry of Environment and Waters, Ministry of Regional Development and Public Works, Ministry of Agriculture, Forests and Agrarian Reform, Ministry of Industry, Ministry of Transport, Ministry of Health, Ministry of Finance, Civil defence, the State agency for energy and energy resources, the Bulgarian Academy of Sciences, the municipalities, the non-government organisations directly related with waters etc.

(5) The Minister of Environment and Waters shall issue a Regulation for the structure and the activity of the Supreme consultative water council.

(6) The management at basin level within one or several watersheds shall be implemented by basin water management bodies.

Art. 10.(1) The state policy connected with the activities exploitation, construction, re-construction and modernisation of the water economic facilities shall be implemented by:

1. the Minister of Regional Development and Public Works – for water supply and sewerage systems and facilities of the settlements and for protection from the harmful impact of waters within the settlements;

2. the Minister of Agriculture, Forests and Agrarian Reform – for hydromeliorative systems and facilities and for protection from the harmful impact of waters out of the settlements;

3. the State agency for power engineering and energy resources – for hydro-energy systems and objects;

4. the Minister of Environment and Waters – for the water obtaining facilities for mineral water, public state property.

(2) The policy connected with the activities for exploitation, construction, reconstruction and modernisation of water economic systems and facilities – municipal ownership, shall be implemented by the mayor of the municipality.

Chapter two

RIGHT OF OWNERSHIP IN WATERS, WATER OBJECTS AND WATER ECONOMIC SYSTEMS AND FACILITIES

Section I

State ownership in the waters, the water objects and the water economic systems and facilities

Art. 11. Public state ownership shall be the following waters and water objects:

1. the waters of rivers and the adjacent land as well as the water in the reservoirs including these in dams and micro-dams;
2. natural lakes, lagoons, firths, swamps and marshy areas when they are located on land – state ownership;
3. the underground waters except the mineral waters regardless of whether they are located under state, municipal or private property.
4. the natural waterfalls and the adjacent strips depending on the natural landscape but not narrower than 10 meters on both sides of the waterfall;
5. the waters, in this number waste waters when they flow out of properties, public or private property and flow into waters – public state ownership.

Art. 12.(1) Public state property shall be the isles and the lands formed as a result of natural processes occurred in the rivers, the reservoirs and the isles in the internal sea waters and the territorial sea.

(2) Public state property shall be the continental shelf within the boundaries of the internal sea waters and the bank flooded strip of river Danube.

Art. 13. Public state property shall be the following water economic systems and facilities:

1. the complex and significant dams including their reservoirs and the collecting derivations, according to a list of appendix No 1 which shall be inseparable part of this law;
2. facilities and structures – immovable properties for measuring the quantity and the quality of the waters – public state ownership;
3. systems and facilities for protection from the harmful impact of waters, constructed with state funds – protection dikes, corrections of rivers and drainage systems except these of art. 19, item 4, item d;

4. the inspection drillings constructed with state funds.

Art. 14. Exclusive public state ownership which cannot be transformed in private shall be:

1. the internal sea waters and the territorial sea;

2. the mineral waters according to the list of appendix No 2 which shall be inseparable part of this law.

Art. 15. Public state ownership shall also be the land taken by the most internal belt of the sanitary – protection zones of the water sources and the facilities for drinking domestic water supply, public state ownership, and of the water sources of mineral waters of art. 14, item 2.

Art. 16.(1) The state ownership in waters announced as public under this law shall not be possible to be announced as private state ownership.

(2) Out of the ownership announced as public state ownership under this law the state shall be able to own or to acquire also right of ownership in waters, water objects and water economic systems and facilities for which the law provides that they could be subject to private ownership.

(3) The owners of farm lands and forests on which dams and water economic facilities have been constructed, which have not been indemnified for this by the due order, shall be indemnified by the order of art. 10b and art. 35 of the Law for ownership and use of farm land and of the Law for restoration of the ownership in forests and the land of forest entirety.

Art. 17.(1) The waters, the water objects and the water economic facilities – state ownership, shall be registered according to the requirements of the Law for the state ownership.

(2) The mineral waters shall be registered on the basis of information conceded by the Ministry of Environment and Waters.

(3) Copy of the acts for waters, water objects and the water economic facilities, compiled according to the provided order, shall be sent to the Ministry of Environment and Waters in two months term after the compiling of the acts.

(4) Para 3 shall be applied also for implemented corrections of the acts for state ownership.

(5) The Law for state ownership shall be applied for the waters, the water objects and the water economic systems and facilities – state ownership, as far as in this law other has not been provided.

Section II

Municipal ownership in waters, water objects and water economic systems and facilities

Art. 18.(1) The ownership of the municipality in the waters, water objects and water economic systems and facilities shall be public and private municipal ownership.

(2) The public municipal ownership in waters shall not be possible to be announced private municipal ownership.

Art. 19. Public municipal ownership shall be:

1. the waters and the water objects, in this number natural springs, lakes and swamps when they are located on lands – municipal ownership, and are not waters and water objects of art. 11;
2. the waters, in this number the waste waters flowing out of properties, public or private property, and are flowing in waters – public municipal ownership;
3. the mineral waters, without these of art. 14, item 2;
4. the water economy systems and facilities on the territory of the municipality except these included in the assets of commercial companies and these being constructed with funds or credits of the commercial companies:
 - a) the facilities and the systems for water supply of the settlements in the municipality, including the water treatment stations for drinking water;
 - b) the facilities and the systems for drainage and treatment of waters from the settlements;
 - c) the dams and the micro-dams except these of art. 13, item 1 and those included in the assets of the commercial companies by the date this law enters into force, without the waters contained;
 - d) the protection dikes and the facilities and the systems for fostering the river beds within the settlements;
 - e) water transfer and distribution networks for mineral waters;
 - f) the lands of the most internal belt of the sanitary – protection zones of the water sources and the facilities except these of art. 15.

Art. 20.(1) At concluding a concession contract for waters, water objects, water economic systems and facilities – public municipal ownership, the municipal council shall determine:

1. the places for common use of waters and water objects;
2. the existing rights for use of the waters in the water reservoir.

(2) If the municipal council does not fulfil the conditions of para 1 the concessionaire shall not be able to prohibit the exercising of the rights pointed out.

(3) The facilities – public municipal ownership of art. 19, item 4, item c) shall be granted to concession without a tender or a competition with priority to water users associations of organised water users, owners of at least 50 percent of the irrigated lands.

(4) For objects of art. 19, item 4, item c) the subject of concession granted with the decision of art. 72, item 1 of the Law for the municipal ownership shall be coordinated in advance with the Ministry of Environment and Waters with regard to the compliance with the river basin management plan.

(5) To the person concluded concession contract shall not be possible to be imposed more strict conditions for the water use and/or use than these pointed out at the coordination.

Art. 21. At granting right to use the waters of art. 19, item 3 the owner of the property where is located the water source shall have priority at equal other terms.

Art. 22.(1) Private municipal ownership shall be properties, waters, water objects and water economy systems and facilities acquired by the municipality apart from the properties described in art. 19.

(2) Regarding waters, water objects and water economy systems and facilities – municipal property, shall be applied the Law for the municipal ownership as far as in this law other has not been provided.

Section III

Private property of waters, water objects and water economy systems and facilities

Art. 23. The owner of the land shall be the owner of the waters and water objects on the property unless they are property of the state or municipality.

Art. 24. Private property shall be:

1. the waters springing in the boundary of the private property except the mineral waters, while flowing in it if they are not part of water supply systems;
2. the lakes not fed by or through which do not flow state or municipal public property waters;
3. the precipitation waters collected within the boundaries of the property and the facilities constructed for that purpose;
4. waters flowing out of the water objects of items 1, 2 and 3, up to their inflow point into public state or public municipal ownership waters;
5. the beds of the waters of items 1, 2, 3 and 4;
6. the wells in the real estate;
7. the facilities and systems for use, transport and treatment of the waters which serve the respective property, as well as the facilities for prevention and mitigation of the consequences of the harmful effect of waters.

Art. 25.(1) The municipalities shall keep a register of the wells on the territory of the municipality.

(2) The mayors of municipalities shall every year send information about the changes in the register of para 1 to the Ministry of Environment and Waters.

Art. 26. The ownership, use and disposition with the waters, the water objects and the water economy systems and facilities – private property, shall be implemented according to the general provisions about ownership as far as in this law other has not been provided.

Section IV

Ownership in waters, the water objects and the water economy systems and facilities

Art. 27. The right of ownership in water object, water economy system or facility shall be possible to belong also in common to two or more persons when these objects are located in a co-owned property. In this case the ownership of the water object, the water economy system or facility shall follow the ownership of land unless other has not been provided.

Art. 28.(1) At implementing of subdivision of a co-owned property in which there is water object the detachment of real parts of the water object shall not be admitted.

(2) At implementing of subdivision of a co-owned property in which there is water object the co-owner who has right to bigger share of the property shall have priority for assigning the water object.

(3) The other owners shall receive the money equivalent of their shares in 14 days term after the subdivision contract is concluded, respectively after the court decision about the subdivision enters into force.

Art. 29. For the issues not provided in this law shall be applied the corresponding provisions of the Law for the ownership.

Section V

Acquisition of rights of ownership in water objects, water economy systems and facilities

Art. 30.(1) The acquisition of the right of ownership in water objects, water economy systems and facilities shall be implemented through a legal transaction for the land in which they are located or as inheritance.

(2) No acquisition in prescription shall be admitted for water objects, water economy systems and facilities – public state and municipal ownership.

Art. 31.(1) When the waters of the river as a result of natural processes, in this number natural disasters, form a new bed and leave the old one the newly taken place shall become public state property and the left place shall remain public state property.

(2) In this case the affected owner shall be obliged to inform the body of art. 10, para 1, item 1 or 2, which shall in 6 months term on the basis of a technical – economic analysis undertake activities for correction of the occurred changes.

(3) In case the undertaken measures lead to returning of the river to the old bed the affected owner of land shall restore the right of ownership in the parcel. If this is technically impossible or economically unfavourable, the affected land owners shall be substituted with equal land from the state or the municipal land entirety by the order of art. 10b of the Law for the ownership and use of farm land and / or with compensation vouchers under art. 35 of the Law for the ownership and use of farm land.

Art. 32. The owner of private water object shall not acquire the ownership in the land which the water covers in extraordinary floods.

Section VI

Restrictions of the right of ownership

Art. 33.(1) The exercising of the right of ownership shall be possible to be restricted in the following cases:

1. at implementing investigation and obtaining of underground waters and taking of spring waters in a private property as well as in properties located within the boundaries of the most internal and the intermediate belt of the sanitary – protection zones around the sources of mineral waters;

2. at construction of new sites connected with the use, preservation or with the protection from the harmful impact of waters as well as for more expedient utilisation of the water resources.

(2) If the implementation of the measures of para 1 deprives durably the owner from the use of the whole property or part of it, the property shall be compulsorily alienated by the order of the Law for the state ownership.

(3) The orders of the competent body issued on the ground pointed out in this section shall not be implemented before the act ordering the alienation of the affected property enters into force and before the payment of the defined remuneration.

Art. 34.(1) Exploring and obtaining of underground waters and taking spring waters in a private property shall be possible to be implemented only on the basis of regular permit for accomplishing the corresponding activity.

(2) The activities of para 1 shall be implemented on the ground of a written contract with the owner where are defined the conditions for accomplishing the activity and the due indemnification.

(3) The competent body according to the provisions of this section shall offer to the owner a draft contract which shall obligatory contain:

1. the necessary exploration and / or construction – mounting activities;

2. the part of the property which will be at disposal to the contractor for implementing the exploration of the construction;

3. the part of the property which will remain taken by the constructed facilities after the finish of the exploration or the construction;

4. the term for finishing the exploration or the construction;

5. the necessary works for reclamation of the terrain after accomplishing the exploration or the construction;

6. the money indemnification if during the exploration or the construction the owner is deprived from the opportunity to use his property as well as the order for payment of the indemnification;

7. annual money indemnification if part of the property remains taken by the constructed facilities after finishing the exploration or the construction; the money indemnification of this item shall be terminated after the restoration of the property in its original state;

8. other conditions which could create a guarantee for protection of the property and the calmness of the owner of the property.

(4) The affected owner shall be able to answer in one month term after receiving the proposal.

(5) If the affected owner does not accept the proposal within the term of para 4 shall be applied the rules for restriction of ownership and indemnification provided in this section.

Art. 35.(1) When there is no other opportunity shall be necessary water taking of spring waters in a property which is not state or municipal property to satisfy the drinking and domestic water supply of the region, the Minister of Regional Development and Public Works shall, on the basis of technical and economic investigations, issue an order for implementing the necessary activities for accomplishing the water intake.

(2) With an order of the Minister of Regional Development and Public Works shall obligatory be determined the circumstances pointed out in art. 34, para 3.

(3) The Minister of Regional Development and Public Works shall issue the order of para 1.

(4) The contractor of the construction shall be responsible for the damages caused to the owner of the affected property at non observing the rules for construction and of the conditions of the order of the Minister of Regional Development and Public Works.

(5) The person in which property is accomplished the water intake shall have right to gratuitous water use in extent 0.2 l/s but not more than 10 cubic m per 24 hours regardless of the received indemnification.

Art. 36.(1) For accomplishing of exploration of underground waters in a private property the Ministry of Environment and Waters shall issue an order with which are obligatory determined the circumstances of art. 34, para 3.

(2) The exploration of the underground waters shall be implemented accounting at maximum the interests of the owner.

(3) The person implemented the exploration shall bear responsibility for the caused damages in detraction from the conditions of the order of the Minister of Environment and Waters and from the special normative acts regulating the exploration of underground waters and the implementation of the reclamation works on the affected areas.

Art. 37.(1) The obtaining of underground waters in a private property shall be implemented only for waters with guaranteed drinking qualities, used for drinking and after accomplishing the construction works determined by the Minister of Regional Development and Public Works under the conditions and by the order of art. 35.

(2) The existing in the region of other opportunity for obtaining underground waters for drinking and domestic water supply from a property – state or municipal ownership, shall be ground for repealing the order of the Minister of Regional Development and Public Works.

Art. 38.(1) When is necessary the construction of new sites connected with the preservation of waters, or with the protection from the harmful impact of waters, as well as for satisfaction of such state or municipal needs that cannot be satisfied in another way, shall be admitted compulsory alienation of private properties, parts thereof or existing water economic facilities after preliminary and equal in value indemnification.

(2) In the cases of para 1 the Minister of Regional Development and Public Works or the Minister of Agriculture, Forests and Agrarian Reform depending on their competence shall make request for compulsory alienation of the affected immovable property by the order of the Law for the state ownership.

(3) Basis for the compulsory alienation shall be the approved water economic plans containing technical and economic research, proving that the state or the municipal need cannot be satisfied in another way.

Chapter three

USE OF WATERS AND WATER OBJECTS

Art. 39. The use of waters and water objects shall include water use and use of the water object.

Art. 40. The use of waters and the water objects shall be:

1. common and individual according to whether the titularies of the right are unlimited number of persons or individually defined persons;
2. with permission or without permission according to whether the law provides issuing of individual administrative act as prerequisite for creating the right to use or the right to use is created by force of another legal fact;
3. special when the ground for creating the right is contract for granting a concession.

Art. 41.(1)The common water use and use of water object shall be the right of the citizens to use the waters and / or the water objects – public state or municipal ownership, for personal needs, recreation and water sports, watering of animals and bathing.

(2) The conditions and the order for use of para 1 of the waters and the water objects shall be determined for public state ownership by the regional governor and for public municipal ownership – the municipal council, in compliance with the issued permits for water use and use of water objects and in the way guaranteeing the preservation of the life and health of the population and of the environment.

(3) The regional governor – for the public state ownership, and the mayor of the municipality – for the public municipal ownership, shall be obliged to announce:

1. the water objects, conceded for common water use and use determining the places for this purpose;
2. the requirements, the conditions or the prohibition for certain kind common water use or use;
3. the permitted found individual rights to use as well as the rights to use which are forthcoming to be conceded;
4. the scope and the designation of the adjacent land of the water objects of item 1 with regard to implement certain kinds common water use or use, respectively restriction or prohibitions of other kinds of use as well as requirements to objects and activities compatible with the common water use and use;
5. the places for passing through private properties in the cases when for the common water use and / or use the access to the water object is implemented through such properties after preliminary coordination with the owner of the property; if there is no consent the provisions of the Law for the territorial and urban development shall be applied.

(4) The announcement of para 3, items 1, 2 and 5 shall be implemented also by putting boards at the defined places, and of items 3 and 4 – by a public register.

Art. 42. The owner of a water object the water in which is public ownership as well as the owner of a private water object, shall be obliged to announce the restrictions for the common water use or use, respectively the prohibition for this, through a publication or in another way. The restrictions and the prohibitions shall be possible to be imposed due to technological and sanitary considerations.

Art. 43.(1) The individual use of the waters and the water objects shall exist when the corresponding right is implemented by certain titular.

(2) The owner or the user of an immovable property shall have the right to gratuitous water use of the surface or underground waters on or under the property in quantity less or equal to 0.2 l/s but not more than 10 cubic meters per 24 hours.

(3) Apart from the cases of para 2 for the individual use of the waters and the water objects fees shall be paid, determined with a tariff of the Council of Ministers.

(4) At proven breaches of para 2 the body of art. 52, para 1, item 3 shall be able to oblige the titular to mount measuring devices.

Art. 44.(1) Permit for water use shall be required in all cases except when water with flow up to 0.2 l/s is used but not more than 10 cubic meters per 24 hours for own needs.

(2) The water use shall include taking water from the water objects and / or detraction from them as well as the utilisation of water energy.

(3) For transformation of water energy into electric energy through turbines with power up to 20 kW without detraction from the water flows permit by the order of this law shall not be required.

(4) The construction of well for individual gratuitous water use shall take place without a permit being necessary but after the owner notifies the municipal administration.

(5) The owner or the user of the property where a well has been constructed under the conditions of para 4 shall be obliged in three months term after the construction announce it to the municipal administration for entering in the register of the wells.

(6) When the property is within the boundaries of the most internal or the intermediate belt of the sanitary – protection zones around the water sources and

the deposits of mineral waters as well as in the regions with liquidated geotechnological obtaining of uranium a permit for hydro – geological investigation, construction, repair and reconstruction of the water obtaining facilities for underground waters and for water use by the order of this law shall be required.

Art. 45.(1)The water users shall be persons, including owners of water objects who take water in compliance with the conditions and the requirements of the permit for water use as well as the persons of art. 44.

(2) The permit for water use shall be issued under the conditions and by the order defined in this law.

Art. 46.(1) Permit for use of water object shall be necessary for:

1. construction of new, reconstruction or modernisation of existing systems and facilities for:

a) adjusting the outflow;

b) linear infrastructure crossing water objects – aqueducts, bridges, transfer networks and conduits;

c) exploration and obtaining of underground waters;

d) protection from the harmful impact of waters;

e) discharge of waters;

f) obtaining of sand, ballast etc.;

g) recreation and water sports;

2. implementing of activities, in this number industrial fishing, fish breeding, obtaining and breeding of aqua-cultures and other biological resources when water use is not implemented;

3. other objectives out of the common use at the achieving of which is affecting the natural state of the water object including covering river sections, discharge of waters from the water object and into it.

(2) The water users shall be persons, including owners of the water objects who implement their activity of para 1 in compliance with the conditions and the requirements in the permit.

(3) The permit for the activities of para 1 shall be issued by the order of this law except in the cases when environmental impact assessment is required according to the Law for protection of environment, the decision about the environmental impact assessment containing all components of the permit for use of water object of art. 56.

(4) The presenting of the permit of para 1, respectively the positive decision about the environmental impact assessment – for the cases of para 3 shall be obligatory for approval of the project and for issuing construction permission.

Art. 47.(1) Special right to use water – exclusive state ownership, shall be possible to be granted with concession only for mineral waters when the water use is with commercial objective and is designated for:

1. bottling of natural mineral water and production of soft drinks;
2. extraction of valuable substances;
3. obtaining of hydro-thermal energy.

(2) Concession for mineral waters shall be granted accounting for the needs of the public health establishments and the common water use for drinking and filling.

(3) At granting of concession for mineral water – exclusive state ownership, one part, not less than 30 percent of the concession remuneration defined with the decision of the Council of Ministers by the order of the Law for concessions, shall be paid by the concessionaire to the municipality on which territory is established the concession right.

(4) Concession for the use of water objects and the water economy systems and facilities – public ownership, connected with them, shall be granted also for construction of new hydro-technical, hydro-energy, hydro-melioration, water supply and sewerage systems.

Art. 48.(1) The water users and the users of water objects shall have the obligation to:

1. use rationally the water resources, decrease the water losses, taking care of the preservation of the environment;
2. use the waters and the water objects in compliance with the objectives and the conditions of conceding;
3. maintain the necessary water quality in compliance with the normative requirements and the conditions of the permit;

4. not admit breaching of public interests and acquired rights;
5. determine with a project the sanitary – protection zones around the water sources and the facilities for drinking and domestic water supply and these for mineral waters, used for healing, prophylactic, drinking and hygiene needs and to maintain in the necessary status the defined most internal belt and the flooded strips along the banks in compliance with the normative requirements;
6. measure and keep account of the taken and used waters, the transported and discharged waters, the levels of the underground waters, and for hydro-technical support facilities – about the water levels up to the maximum level as well as about the polluting substances, according to the explicit conditions pointed out in the permit;
7. implement technological, hydro-technical, agro-technical, water preservation , sanitary and other measures when this is provided in the conditions at conceding the use;
8. ensure free access to the state and municipal bodies empowered to apply the provisions of the law ;
9. conclude contracts with the subscribers at conceding water services;
10. notify timely the subscribers about breach of the contracted regime of the water use.

(2) The water users and / or the users of water objects subject to integrated control of pollution shall be obliged to account for the level of the development and the best available technologies in the production process and the process of water treatment as well as the opportunities for decrease the quantity of the waste waters.

Art. 49.(1) In the sense of this law public interests are violated when as a result of water use or use of water object is created a danger of:

1. restriction of the common water use or use;
2. threatening the defence and the security of the country;
3. breaching the conditions of the river basin management plans;
4. negative impact over the banks, the facilities, the water quality or protected territories or lavish water use.

(2) Public interests are violated also with distribution in the commercial network bottled mineral waters without the corresponding certificate.

(3) Acquired rights shall be:

1. rights to water use and use for which permits have been issued and which are exercised by the force of this law

2. special rights to water use and use of water objects for which concession has been established;

3. real rights established according to the civil legislation.

Chapter four

PERMIT REGIME

Section I

General provisions

Art. 50.(1) Permit shall be issued for water use and for use of water object.

(2) For issuing the permits for water use and for use of water object fees shall be paid, determined with a tariff of the Council of Ministers.

(3) When the nature of the activity for which a permit is applied for includes simultaneous water use and use of the water object one common permit shall be issued, containing the conditions for water use and for use of the water object.

(4) At permitting the water use shall be observed the following order for satisfaction of the requirements:

1. drinking and domestic water supply;

2. healing and prophylactics – only for mineral waters;

3. agricultural water use;

4. other objectives, including industrial water use, recreation and hydro-power generation.

(5) The priorities of para 4 shall be applied observing the environmental requirements.

Art. 51. For implementing borehole and / or mining activity in regions with significant underground resources determined with an order of the Minister of Environment and Waters shall coordination with the Ministry of Environment and Waters with regard to the conditions for use of the water objects containing underground waters shall be required.

Art. 52.(1) Permit shall be issued by:

1. The Council of Ministers – for the needs of defence and the national security;
2. The Minister of Environment and Waters for:
 - a) water use and use of the dams of appendix No 1 of art. 13, item 1;
 - b) use of internal sea waters, of the territorial sea and of river Danube except their use for their use for the purposes of water transport;
 - c) transfer of waters between water basins by constructed derivations;
 - d) discharge of waste waters containing dangerous substances into earth bowels;
 - e) hydro-geological exploration and for construction, reconstruction of water intake facilities for underground waters;
 - f) filling of newly constructed water objects;
 - g) water use in the cases when mineral waters – exclusive state ownership, are not granted with concession;
 - h) the director of the basin directorate for all other cases of water use and use of water objects – public state ownership, out of these pointed out in item 2.

(2) Permits for use of water objects – parts of Danube river, the internal sea waters or the territorial sea, shall be issued by the Minister of Environment and Waters after consent by the Ministry of Defence and the Ministry of Transport.

Art. 53. The waters of the complex and important dams according to appendix No 1 shall be used by order and in a way established with an order of the Minister of Environment and Waters at a proposal by the interested water users.

Art. 54. The construction of derivations for transfer of waters between river basins shall be implemented with a decision of the National Assembly.

Art. 55. At issuing permits the bodies of art. 52, para 1 shall account for:

1. the existing water resources;
2. the needs of the candidate for water user, respectively user of water object;
3. the condition of the water object;
4. the acquired rights.

Art. 56.(1) The permit shall contain:

1. name, residence, citizenship of the water user – individual, company and headquarters of the corporate body;
2. unified civil number for the individuals and unified identification code for the corporate bodies;
3. purpose of the use;
4. water object, water economy system or facility for water use, locality, administrative – territorial unit, code of the unified classifier of the settlements;
5. place of the water intake, water quantity, place of the water use or the use;
6. limit of the used water;
7. scheme and spatial boundaries of the water object or the part of it conceded for use as well as the conditions for water use or use;
8. technical parameters for exploitation of the water economy systems and facilities;
9. place for discharge of the waste waters or way of transfer of the reversible waters pointing out the quantity and the quality of the discharged, respectively transferred waters;
10. individual emission restrictions and other conditions and requirements to the titular of the permit for protection of the waters, the water object and the environment;
11. term for starting and finishing of the construction;
12. initial and final term of effect of the permit;
13. obligation for mounting of the necessary measuring devices for measurement of the taken or discharged water quantities;

14. obligation for measuring the levels of the underground waters;
15. conditions for control and controlling body;
16. the places and the regime for common use of the waters in the reservoir;
17. other conditions.

(2) The conditions of para 1, item 10 shall be updated by the body of art. 52, para 1, items 2 and 3 every 3 years after the permit is issued.

(3) Inseparable part of the permit for water use from the complex and significant dams pointed out in appendix No 1 shall be the regime schedules approved by the Minister of Environment and Waters.

Art. 57.(1) The permit shall be issued for a term:

1. up to 35 years for backwatering of and water use from complex dams for hydro-energy and hydro-melioration objectives;
2. up to 25 years – for water use with objective drinking and domestic water supply;
3. up to 10 years – in the other cases.

(2) The terms of para 1 shall not affect the terms of art. 56, para 2.

Art. 58.(1) Permit shall not be required, but only 30 days preliminary written notification of the basin directorate is necessary, if the owner or the user of an immovable property has the intention to implement the following activities:

1. development, modernisation or technological renovation of the existing installations and technological processes leading to insignificant changes of the quantity and quality of the used waters, determined in the already issued permit;
2. use of surface waters putting temporary detracting facilities necessary for the construction of certain construction site if the taken water quantity is less than 10 l/s and the achieved outflow after the use influences insignificantly the quality of the waters.

(2) In the cases of para 1, items 1 and 2 the owner or the user of the immovable property where is implemented the use of waters and the water objects shall present information about the planned activities from which to be evident what is the amount and the character of the activity and what measures are provided for the preservation of waters.

(3) If the director of the basin directorate decides that the planned activity does not meet the requirements of para 1 he shall inform the owner within the term of para 1 about the necessity of issuing the permit.

Art. 59.(1) The permit shall be issued on the basis of documents prepared with official data of meteorologic, hydrologic, and other engineering – ecological investigations, and for underground waters – also at approved exploitation resources and approved project output.

(2) When such information is lacking and if it is of significance for the assessment of the circumstances of art. 55, the body of art. 52, para 1, items 2 and 3 shall be able to oblige the applicant to present for his account the necessary information.

Section II

Conditions and order for issuing the permit

Art. 60.(1) For opening the procedure for issuing a permit for water use and / or use the candidates shall submit an application containing the data required in art. 56, items 1 – 6.

(2) For issuing permits for water use of underground waters to the applications of para 1 shall also be attached:

1. report about the assessment of the exploitation resources;
2. project for obtaining of underground waters;
3. positive decision about the environmental impact assessment in the cases provided in the law for protection of environment.

Art. 61.(1) The application of art. 60 shall be submitted to:

1. the director of the corresponding basin directorate when the permit is issued by it as well as in the case of art. 52, para 1, item 2, items d) and e);
2. the Minister of Environment and Waters in the other cases.

(2) The body of para 1 shall check whether the contents of the application and of the attached documents meets the requirements of art. 60.

(3) When the requirements of art. 60 are not met the body of para 1 shall inform the applicant to remove the defects in 14 days term.

Art. 62.(1) The body of art. 61, para 1 shall assess the application considering:

1. the predictions of the National water economy plan and the river basin management plans entered into force;
2. the compatibility with the public interests, in this number the needs of the population in the region of the water intake;
3. the compliance with the requirements for protection of the environment regulated by international agreements and the internal legislation;
4. the opportunity for joint use of the existing facilities and those predicted for construction for the required water use and / or use;
5. the available water resources as quantity and quality according to the existing water economic relations and the planned estimates;
6. the compliance of the water quantity applied for with the purposes of the water use;
7. the existing of other opportunities for satisfaction of the requirement for water use and / or use.

(2) The assessment of para 1 shall be implemented in one month term after the receiving and filing of the applications, respectively after the removal of the defects of the application.

(3) At established impossibility for satisfaction of the requirement for water use and / or use the body of art. 61, para 1 shall be able to refuse the opening of a procedure for issuing of a permit.

(4) In 7 days term after the elapse of the one month term of para 2 and if there are no grounds for refusal the basin directorate shall send to the municipal administration a copy of the accepted declaration for public announcement putting them at the places determined for this purpose as well as data about the place for presenting applications and appeals by the interested persons.

(5) Under the conditions of para 4 and in the cases when the body accepted the application is the Minister of Environment and Waters the materials shall be promulgated in State Gazette.

Art. 63.(1) Announcement and promulgation under art. 62, para 4 and 5 shall not be done when:

1. the water use and / or use is required for the needs of the defence and of the national security;

2. the water use and / or use is required for private water object of for object – public municipal ownership for which a concession contract has been concluded;

3. is required a permit for construction of water intake facilities for underground waters by the titular of the permit for hydro – geologic exploration of the same terrain;

4. is required a permit for water use of underground waters.

(2) In the cases of para 1 the body accepted the application shall notify the applicant about the opportunity to submit an application under art. 66.

Art. 64.(1) In one month term after the announcement or the promulgation the interested persons shall be able to:

1. require the same or analogous permit;

2. appeal against the issuing of the permit;

3. propose conditions under which to be issued the permit with regard to be guaranteed personal or public interests.

(2) When a permit for hydro – geologic explorations of construction of water intake facilities for underground waters in a private property is required, the interested persons shall have only the rights of para1, items 2 and 3.

Art. 65.(1) After the elapse of the term provided in art. 64, para 1, item 1 all interested persons shall be able to get familiar with the received applications and appeals.

(2) In 7 days term after the elapse of the one month term the body accepted the application shall, having in mind the applications and the appeals, announce the water use and / or the use for which could apply the persons submitted applications under art. 64, para 1, item 1.

Art. 66.(1) In two months term after the announcement of art. 65, para 2 all persons submitted applications of art. 64, para 1, item 1 as well as the initial applicant shall be able to require a permit to be issued about the announced water use and/or use presenting a declaration containing the data required in art. 56, para 1, items 1 and 2 as well as:

1. preliminary investigation – only for the permits for water use and/or use of surface waters and water objects including:

a) the objective of the water use and/or use;

- b) hydrological report about the water source;
- c) grounds for the required water quantity;
- d) scheme and spatial boundaries of the water object or of its parts which are required for use; including the necessary mapping materials and drawings;
- e) rationale of the basic technical parameters of the designed facilities;
- f) the area of the land necessary for the construction and list of the lands that would be affected from the construction of the facilities;
- g) supposed term for starting of the construction and term for finishing, respectively entering of the facilities into operation;
- h) the place for discharge of the waste waters or the way of transfer of the reversible waters pointing out the quantity and the quality of the discharged waters;
- i) the needs of the other users;

2. project for hydro – geological exploration – only for permit for hydro – geological exploration;

3. report about the results of the implemented new or existing hydro – geological exploration and design for construction, reconstruction or modernisation of the water intake facilities or systems – only for a permit for construction, reconstruction and modernisation of water intake facilities or systems for underground waters.

(2) When the permit for construction of water intake facilities for underground waters is required by the titular of the permit for hydro – geologic exploration and the Law for preservation of environment provides obligatory environmental impact assessment to the declaration of para 1 shall be attached also the decision about the environmental impact assessment.

(3) When the titular of the permit for hydro – geologic exploration requires permit for activities and objects not subject to obligatory environmental impact assessment to the declaration of para 1 shall be attached also filled in cards about the information required in by-law normative act issued on the basis of art. 20, para 2 of the Law for preservation of environment.

(4) In order a selection of the applicant to be implemented all the persons submitted applications of art. 64, para 1, item 1 as well as the initial applicant shall present an ecological analysis to the application of para 1.

(5) The ecological analysis of para 4 shall be prepared by experts licensed by the Ministry of Environment and Waters and it shall contain:

1. general characteristic of the object or the activity: location, description of the object or the activity; technical parameters and boundaries; technology connected with the use of the object or with the implementation of the activity; infrastructure;
2. description and analysis of the components and the factors of environment which are expected to be subject to influence as a result of the declared activities: underground waters; surface waters; atmospheric air; geologic basis, relief and soils; flora and fauna, including protected territories; landscape; sanitary – hygiene conditions; cultural and historic heritage;
3. prognosis or the supposed impact over the affected components and factors of environment as a result of the activity;
4. measures for decrease of the harmful impact of the activity over the components of environment;
5. action plan in accident situations; measures and resources for prevention, restriction and removal of accident discharges of polluting substances;
6. plan for own monitoring of the components of environment affected as a result of implementing the activity;
7. a conclusion about the admissible pollution of environment in compliance with the norms and standards in effect in the country.

(6) When the body accepted the application is the Minister of Environment and Waters the term for submitting the application of this article shall be determined in the promulgation of art. 62, para 5.

(7) For considering the applications for issuing permits of art. 52, para 1, item 2, items d) and e) the basin directorate shall send the whole documentation of the application to the Ministry of Environment and Waters.

Art. 67.(1) In one month term after the elapse of the term for submitting Th applications, respectively after the submitting of the application for water use and/or use for which no publication is required the body of art. 52, para 1, items 2 and 3 shall issue a permit when the requirements provided by the law are observed.

(2) The body of art. 52, para 1, items 2 and 3 shall be able to appoint a commission for considering the applications which shall propose a decision. In this case the term for the decision shall be extended with one month.

(3) When for issuing of the permit is necessary coordination with the Ministry of Defence and the Ministry of Transport the term for taking the decision shall be three months.

Art. 68. The body of art. 52, para 1, items 2 and 3 shall refuse to issue the permit when:

1. are affected the common water use or individual water use and/or use for household needs and for irrigation from surface waters for individual farms with area up to 2 dka;
2. the application is not for private water object and for the water use and/or the use applies a water users' association under the conditions of art. 91, para 5;
3. over the water use and/or the use of the corresponding water object are imposed restrictions with which the objective of the application is incompatible;
4. the requirements pointed out in the law are not observed.

Art. 69. At competition of applicants for water use and/or use for one and the same objective priority shall be given to this application which is in greater extent compatible with the public interests and when this is not possible to be established, the equal applications if possible shall be proportionally satisfied imposing equal conditions and restrictions.

Art. 70. The decision of the body of art. 52, para 1, items 2 and 3 shall be sent in writing in one week term to the applicant, the corresponding municipal administration as well as to the interested persons participated in the procedure of issuing the permit.

Art. 71. The decision of the body of art. 52, para 1 shall be subject to appeal by the order of the Law for the administrative procedures.

Section III

Change and extension of the permit

Art. 72. Change of the permit shall be possible to be implemented officially by the body of art. 52, para 1, items 3 and 3 or at application by the person in favour of which it has been conceded.

Art. 73.(1) The body of art. 52, para 1 shall change the issued permit when in the status of the water source have occurred such changes that make impossible the implementation of the permitted activity.

(2) The body of art. 52, para 1 shall be able to change the issued permit also in case when regardless of the observed conditions of the permit contradictions with the public interests occur.

Art. 74.(1) Till the start of the procedure for change of the permit the body of art. 52, para 1 shall prescribe conditions and/or restrictions with regard to the water use and define terms for implementing the measures.

(2) The prescribed conditions or restrictions have to meet the following requirements:

1. proportionality of the imposed restrictions and the expected benefits;
2. least intervention in existing rights;
3. the restrictions shall be imposed pointing out their consequence in compliance with the changing water economic relations.

Art. 75.(1) The proposal for change of the permit shall be announced or promulgated by the order of art. 62.

(2) The announcement or the promulgation shall be implemented after the elapse of the terms of art. 74 if the prescribed measures are not fulfilled or started.

Art. 76.(1) In one month term after the announcement or the promulgation the body of art. 52, para 1 shall be able to change the issued permit.

(2) When coordination with or opinion of another body has to be required or an issue of its competence is to be solved the term of para 1 shall stop till the decision.

Art. 77.(1) Till the issuing of the decision about change of the permit the body of art. 52, para 1 shall consider the appeals of the person in favour of which it has been issued, the applications and the appeals as a results of the announcement or the promulgation of art. 75 presented in writing.

(2) The considering of the documents of para 1 shall not lead to stopping of the term of art. 76, para 1.

(3) The decision about change of the permit shall be possible to be appealed against by the order of the Law for the administrative procedures.

Art. 78.(1) An application for renewal of the permit shall be submitted to the body that has issued it at earliest 3 years and at latest 6 months before the elapse of the term of the permit.

(2) When the application of para 1 has been submitted o time and there is no breach of normative provisions, plan predictions or public interests the body of art. 52, para 1 shall extend the term of effect of the initial permit.

Section IV

Termination of the effect of the permit

Art. 79.(1) The effect of the issued permit shall be terminated with a decision of the body of art. 52, para 1 or at:

1. termination of the right of ownership or the right to use of the water user and/or the user in the immovable property where is located the water object as well as at explicitly declared refusal from the right to use the corresponding water object;
2. expiry of the term of the issued permit;
3. death of the individual, respectively termination of the corporate body;
4. natural or artificial vanishing of the water object;
5. not exercising of the rights ensuing from the permit within certain term pointed out in the permit.

(2) In the cases of para 1, items 1 and 3 to the persons acquired the rights of ownership or use of the immovable property, respectively the legal successors of the persons of item 3 shall be given one month term to declare before the body of art. 52, para 1, items 2 and 3 whether they wish to use the rights of the issued permit. If the applicants meet the requirements for issuing the permit it shall be issued on their behalf.

(3) The body of art. 52, para 1 shall be able to rule taking away the permit for water use or use of the water object if at least one of the following conditions exists:

1. not use of a constructed water economy system for a term of one year;
2. implementing water use and/or use out of the objectives pointed out in the permit;
3. systematic or significant breach of the conditions of the water use.

(4) Taking away could refer to a part of the water use and/or the use in which case the body of art. 52, para 1 shall determine this part.

Art. 80.(1) In the cases of taking away the permit the body of art. 52, para 1 shall be able to define a term for titular of the permit to remove the facilities and to restore the status of the water source or the water object.

(2) In 7 days term the decision of para 1 shall be sent to the corresponding regional governor.

(3) After the elapse of the term of para 1 the regional governor shall be able to order the implementation of the prescribed activities for the account of the water user.

(4) If the preservation of the facilities for water use is in public interests the body of art. 52, para 1, items 2 and 3 shall make motivated requirement for alienation of the property by the order of the Law for state ownership.

Art. 81. in case of termination of the right of water use and/or use the corresponding easement rights shall be terminated.

Art. 82. The decision of the body of art. 52, para 1, for taking away the right to water use and/or use shall be subject to appeal by the order of the Law for the administrative procedures.

Section V

Restriction of the rights ensuing from the permit

Art. 83.(1) The rights to water use ensuing from the permit could be additionally restricted after the permit is issued.

(2) The restriction of para 1 shall be admitted for preservation of the life and health of the population, the defence and security of the country and the cultural – historic heritage.

(3) The restriction of the water use and/or use shall be imposed regardless of the procedure of section III of this chapter.

Art. 84.(1) The restriction of the water use shall be implemented with a decision of the body issued the permit.

(2) The decision of para 1 shall change limits for water use for certain periods of time.

(3) The limits of para 2 shall be utmost admissible amounts of water abstraction which are determined for one or more water users.

(4) The term for the restriction shall not be possible to exceed the duration of the reasons imposing the restriction.

Art. 85. At determining the limits shall be accounted for the status of the water object, the priority of the drinking and household water supply, the declared water demands and the conditions in the corresponding permits.

Art. 86. At occurrence of circumstances threatening the life and the health of the population in separate regions of the country the Council of Ministers shall be able to determine restrictions for the use of waters affecting all water users and users in the region as well as their subscribers if there are such.

Art. 87. In the cases of this section the affected water users, users and their subscribers shall not be able to require responsibility from the state for the caused damages.

Chapter five

WATER USERS ASSOCIATIONS

Art. 88.(1) Water users association shall be voluntary association of individuals or corporate bodies who with mutual assistance and cooperation implement water economic activity.

(2) Water users associations shall be established for the following objectives:

1. water supply and sewerage, irrigation, hydropower, drainage;
2. construction, maintenance and utilisation of water economy systems or separate reservoirs, fisheries etc.;
3. fortification and maintenance of the river beds and banks in compliance with the normative requirements, afforestation of the river basins and other activities for influence over the water runoff and prevention of floods;
4. other activities directed to rational use and preservation of the waters, water objects, water ecosystems and the flooded strips along the rivers through construction, maintenance and operation of facilities for treatment of polluted waters;
5. carrying out measures and construction of facilities with objective preservation and protection of the water ecosystems.

(3) The water users association shall be established for or several of the objectives pointed out in para 2.

Art. 89. The water users association shall be a corporate body and shall be possible to exist in the form of a cooperative or commercial company.

Art. 90.(1) The members of the water users association with objective irrigation and drainage shall be possible to be individuals and corporate bodies, owners of farm land and/or facilities for use and measurement of waters as well as for protection of own properties from the harmful impact of waters who have interests in the activity or are affected by it.

(2) The founders of the water users association shall not be able to have more rights than the other members.

Art. 91.(1) Owners of water economy systems shall be able to concede right to use over the systems or technologically detached parts of them to water users association in connection with the subject of activity of the association for a term not longer than 10 years.

(2) The association received the right to use shall be able if necessary to implement reconstruction, completion and improvement works with the consent of the owner and if this does not impair the basic functions of the system.

(3) The association shall be responsible for the technical status and the security of the water economy system or the technically detached part of it for which right of use has been received.

(4) The users of the water economy system or facilities shall not have the right to concede them to other persons.

(5) In case several proposals have been submitted for concluding a contract with the owners of hydro – melioration systems the associations with members having land within these systems with objective irrigation and drainage shall have priority and the associations with other objectives shall have priority at equal other conditions.

(6) The conceded right to use of para 1 shall be against payment.

Art. 92. In implementation of the rights of this law the Minister of Environment and Waters and the Minister of the corresponding departmental ministry shall be able to require report about the operation of the association.

Chapter six

SPECIAL RIGHT TO WATER USE AND USE OF WATER ECONOMY SYSTEMS AND FACILITIES

Art. 93. The assessment of the expedience of opening a procedure for granting a concession for water economy systems and facilities shall be complied with:

1. water economy plans entered into force;
2. existing water economy relations within the considered range.

Art. 94. When the competent bodies start official procedure for granting concessions for existing or for construction of new water economy systems and facilities in State Gazette shall be promulgated a message where are pointed out:

1. the waters or the water objects connected with the subject of the concession;
2. the investment intention and the estimated value of the construction;
3. the extent of the state participation if such is provided.

Art. 95. When a procedure for granting a concession is opened for a water economy system with complex designation the preparatory activities shall be implemented in coordination and the proposals of art. 6, para 3 of the Law for the concessions by the competent ministers if they are different.

Art. 96.(1) To the proposal for granting concession for water economy systems and facilities shall additionally be attached water economy analysis containing:

1. predictions for the corresponding territories and water areas according to development and water economy plans entered into force;
2. data of the water economy cadastre about the subject of concession;
3. water and water economy balances;
4. schemes and options with the basic parameters of the subject of concession;
5. technical – economic rationale and assessments.

(2) The water economic analysis of para 1 and the draft decision for granting concession shall obligatory be coordinated with the Ministry of Environment and Waters before submitting the proposal to the Council of Ministers.

(3) To the proposal for granting concession for mineral waters – exclusive state ownership shall be attached also a statement of the municipality on which territory the mineral waters are located.

Art. 97. The person to whom special right to use water economy system and facility has been conceded shall not be able to hamper other activities within the range of the subject of the concession permitted under this law.

Art. 98.(1) At granting concession for use of mineral waters – exclusive state ownership and public municipal ownership the regional governors and the mayors of the municipalities shall undertake the necessary measures for realisation of the concession according to their competence.

(2) In the cases of para 1 the mayor of the corresponding municipality shall ensure the necessary terrain for construction of the facilities for common use of the mineral waters.

Art. 99. At establishing a concession for mineral waters the concessionaire shall have the right to concede water services under conditions provided in the concession contract.

Art. 100. At granting concession for mineral waters the titular of the permit for construction of water intake facility shall get concession with a competition with priority at equal other conditions if he is owner of the property where the water intake facility is located.

Art. 101.(1) The concessionaire shall have right to use free of charge the information determined with the decision of the Council of Ministers for granting concession.

(2) After the termination of the concession the whole information connected with the use of and protection of the waters and the water objects collected additionally by the concessionaire shall be conceded to the Ministry of Environment and Waters.

Art. 102. The decision for granting a concession for public state ownership connected with the operation, construction, reconstruction of the water supply, sewerage and hydro – melioration systems and facilities and for protection from the harmful impact of waters within and out of the settlements shall be taken after coordination with the Minister of Environment and Waters.

Chapter seven

LAND EASEMENTS CONNECTED WITH THE WATER OBJECTS

Section I

General provisions

Art. 103.(1) The land easement shall be the encumbrance imposed on an immovable property called subservient property in favour of another immovable property called dominant, belonging to another owner.

(2) The land easement shall ensue from the law or from a legal contract.

(3) Land easement shall be possible to be acquired in prescription after exercising it for 10 years.

Art. 104.(1) The easements provided by law shall have as subject public or private benefit.

(2) The easements established for public benefit shall refer to ensuring access for common use of the water objects – public ownership, and to construction of the infrastructure necessary for this, as well as for maintenance water economy systems and facilities designated for ensuring the service for the population.

Art. 105. The land easements for private benefit by law shall be these ensuing from the location of the land and the right of way and to transfer water.

Art. 106. At exercising the easements the following rules shall be observed:

1. the change of the ownership of a property shall not terminate the effect of the easements neither with regard to the dominant nor with regard to the subservient property;

2. if the owners of the subservient property are several persons an easement with legal transaction could be established only with the consent of all owners;

3. the easement granted with a legal transaction shall be obligatory for the legal successors of the owner of the subservient property;

4. the titular of the easement shall be obliged at implementing the activities necessary for exercising it to cause the possible least disturbance for the owner of the subservient property and to take the expenses necessary for this except otherwise agreed;

5. the easements shall be inseparable rights; they could be exercised entirely in favour of each part of the dominant property and shall encumber entirely each part of the subservient property even if the properties are separated;

6. the easement could be used only for the needs of the dominant property;

7. the owner of the subservient property shall not have the right to move the easement;

8. the easements established with a legal transaction shall be extinguished:

- a) at objective impossibility to be exercised;
- b) at amalgamation of the two properties as a result of a legal transaction;
- c) after the expiry of the term of the contract;
- d) after non exercising for a term of 10 years.

Art. 107.(1) The local suitability of the disputes about exercising the easements under this chapter shall be determined by the location of the dominant and the subservient property.

(2) The indemnifications under this law shall be determined according to the current market prices.

Section II

Easements ensuing from the location of the properties

Art. 108.(1) The owners of the properties located higher shall not have the right to hamper the natural runoff of waters and to encumber the restrictions suffered by the lower properties in connection with this.

(2) The owners of the lower properties shall be obliged to accept the water running off naturally from the upper properties.

Art. 109.(1) If the banks or the facilities for withholding water in the dominant property are in condition which does not ensure protection from the impact of waters its owner shall be obliged to make the necessary construction works in such way that the owner of the subservient property does not suffer any damage.

(2) If the obliged owner does not implement the necessary construction works the owners of the dominant property if suffering a damage shall be able to implement the necessary works in the subservient property for their account with preliminary permission by the court after listening to the interested persons.

(3) The rule of para 2 shall be implemented also when in a property as a result of the construction of a sludge pond or tailings pond or solid waste deposit occur accumulations changing the water flow and as a result of this the water causes or could cause damage to neighbouring immovable properties.

(4) The owners participated in the expenses for implementing the necessary works for fortification of banks, repair of facilities or cleaning up of sediments

shall have right to indemnification for damages from the person caused the demolishing of the banks or the facilities or the accumulation of sediments.

Art. 110.(1) The owner through which property runs a water flow shall be able to use it according to the requirements of the law without impairing the same right of the owner of the immovable property situated below.

(2) In the cases of para 1 the owner of the lower property shall be able to implement works with which is influenced the natural state of the water object according to the conditions of the water use permit and without causing damage to the owner of the higher situated property.

Art. 111. The owner of a water object shall dispose with its waters without causing damages to neighbouring immovable properties.

Section III

Right of water conveyance

Art. 112.(1) Each owner shall be obliged to grant water conveyance rights through his property to all who have permanent or temporary need to do this.

(2) If the construction of pipelines or facilities for transferring water is necessary to be constructed easement strips shall be determined with extent not bigger than the diameter of the pipeline increased with 60 cm on which shall not be permitted construction and planting of perennial plantations.

(3) The water conveyance right through other's property shall be established with an agreement of the owners of the dominant property and of the subservient property and if such an agreement cannot be reached – with an act of the body of art. 52, para 1, item 3 observing the procedure of art. 34 and 36 without ruling the alienation of the property concerned.

(4) The exercising of the rights of the act of the body of art. 52, para 1, item 3 shall be admissible only after the payment of the determined indemnification.

Art. 113.(1) The conveyance of water through other's property shall be implemented in a way corresponding to the terrain accounting for the existing buildings and perennial plantations

(2) The owner of the dominant property in the case of para 1 shall be obliged to pay the price of the land which will be occupied, increased with one fifth in addition to the direct damages and these ensuing from the subdivision of the land if surface water is conveyed. For the part of the land which will be taken by the gathering of the dug up land shall be paid half of the price increased with one fifth.

Art. 114. Unless otherwise agreed the following rules shall apply to the water conveyance right:

1. the titular of the water conveyance right shall be obliged after the expiry of the term to restore the initial state of the respective property;
2. In case it is necessary to carry out new works or to change the quantity of the flowing water due to a change in the water use permit, the changes in the encumbrance of the subservient property may not be carried out before payment of the sum due for this;
3. The owner of the subservient property has a right to require the determination of the water bed by placing permanent boundaries at the expense of the titular of the easement; the latter is obliged to construct the necessary facilities if the owner of the subservient property does not have free access to his property resulting from the water conveyance.

Art. 115. The owner of the property, through which other's waters flow as a result of the exercising of an easement may use them in accordance with the requirements of the law, thereby taking over part of the costs of construction and maintenance of the facilities if not agreed otherwise.

Chapter eight

PRESERVATION OF WATERS AND WATER OBJECTS

Art. 116.(1) All waters and water objects shall be preserved from depletion, pollution, and damage with objective to be maintained the necessary quantity and quality of waters and healthy environment, preservation of the ecosystems, preservation of the landscape and prevention of economic damages.

(2) The preservation from pollution and damage shall be the undertaking of measures for decrease of the negative impact over the natural physical, chemical and biological state of the waters and the water objects.

Art. 117.(1) For the protection of the water ecosystems and the humid zones shall be determined the minimum admissible flow in the rivers.

(2) The runoff of para 1 shall be determined in the water basins management plans in compliance with the methodology of art. 135, item 1.

(3) for the objective of para 1 shall be implemented the following measures:

1. restriction of the extent of regulation of the runoff;

2. determining obligatory water quantities to be discharged from the dams;
3. introduction of restrictions for transfer of water quantities from one river basin to another;
4. introduction of a prohibition for issuing new permits for water use and restriction of the already issued permits;
5. carrying out of afforestation measures.

(4) Developing the water economy balances the minimum water quantities for watering shall be provided with priority.

Art. 118.(1) The waters and the water objects shall be preserved from pollution and damage through:

1. prohibition of discharge of dangerous substances in quantities threatening the life and the health of people and the biological diversity in the water objects;
2. restriction the discharge of harmful substances;
3. determining sanitary – protection zones around the water sources and the facilities for drinking and household water supply and around the sources of mineral waters;
4. construction of water treatment stations for waste waters;
5. establishing of a regime for use and preservation of the flooded strips along the banks;
6. regulating prohibitions for depositing wastes and dangerous substances at places where could happen pollution of waters;
7. determining measures for not admitting artificial mixing of underground waters with different quantities.

(2) For the purpose of para 1 shall be developed and approved:

1. projects for categorisation of the surface and underground waters in the water objects or in parts of them;
2. programmes for decrease of the pollution of the waters and the water objects.

(3) The Minister of Environment and Waters and the Minister of Health shall determine the utmost admissible concentrations and emission standards for radio-nuclides in waters and water objects.

Art. 119.(1) The categorisation of waters in water objects containing surface waters shall be implemented according to their designation and with regard to maintain the water ecosystems taking in mind the existing rights of use and the existing burden.

(2) The categorisation of underground waters shall be implemented according to their designation taking into account the genetic factors for the formation of their characteristics as well according to their vulnerability.

Art. 120. At issuing permits for use of the water object for discharge of waste waters the entered conditions and requirements in the corresponding permits, in this number the individual emission restrictions, shall have as objective to be ensured the accepted categorisation of art. 119.

Art. 121.(1) For the waste waters of different production activities including the waste waters from the water treatment stations of the settlements shall be determined emission standards expressed as ultimate admissible concentrations or mass loads.

(2) The indices and the emission standards for them shall be determined with the ordinance of art. 135, item 12 on the basis of the kinds of activities from which are formed the waste waters accounting also for the requirements of the best techniques as far as this is possible and expedient.

Art. 122. The conditions and the requirements entered in the permit for use of water object, respectively in the concession contracts shall be possible to contain individual emission restrictions more strict than the emission standards when:

1. this is necessary for ensuring the requirements for the category of the water object;
2. there is obvious need his object to be used for water supply which has not been provided in the river basin management plan.

Art. 123. It shall not be admitted the emission standards to be reached diluting the waste waters before their discharge in the water objects.

Art. 124. For observing the imission and emission requirements the control bodies shall implement the necessary checks, analyses and other activities ensuring the reliability of the results from the observations and the checks.

Art. 125.(1) In the sewerage system shall not be possible to be discharged production waste waters containing substances in a breach of the conditions and the requirements of the issued permit for use of the water object for discharge of waste waters as well as when the conditions and the requirements are not

breached but are violated the security of the sewerage system and the effectiveness of the treatment facilities.

(2) The persons discharging production waste waters in the sewerage system of a settlement according to a contract with the person which has discharge permit shall be obliged to send a copy of the contracts to the basin directorate.

(3) The director of the basin directorate shall be able to prescribe change of the conditions of the contracts if he decides that the standards for discharge of production waste waters in the sewerage system of the settlements are violated as well as when these standards are not violated but there is a danger of demolishing of the sewerage system and pollution of the underground waters.

(4) When due to unlawful or obviously badly designed discharge of industrial waste waters in the sewerage system damages to the environment or to the person owner of the sewerage system are caused, the sewerage enterprise in favour of which the discharge permit has been issued and the person discharged the industrial waste waters shall be jointly responsible for the caused damages.

5) At proven breaches of the contractual conditions by the persons discharging production waste waters in the sewerage system of the settlement the titular of the discharge permit shall be able to require the one discharging of waste waters to carry out own monitoring for his own account after coordination with the director of the corresponding basin directorate.

Art. 126.(1) The persons implementing operation of the sewerage networks and the treatment facilities shall be obliged to maintain them in technical and operational fitness and to ensure continuously their normal operation.

(2) At implementing planned prophylactic repair works of the facilities pointed out in para 1 as well as at necessity for changes of the treatment technology the obliged persons shall inform in writing the basin bodies about these works at least 30 days before starting the works.

Art. 127.(1) At design, construction, reconstruction and modernisation and extension of production enterprises, sewerage systems of settlements and other sites shall be simultaneously designed, constructed, reconstructed and extended the necessary facilities for waste water treatment.

(2) Prohibited shall be the entering into operation of sites and the implementation of activities without treatment facilities being approved by the due order except in the cases when they are not necessary.

Art. 128.(1) At issuing permit for discharge of waste water the conditions and the requirements of the permit shall include the individual emission restrictions.

(2) the term of the permit for discharge of waste water shall be three years.

(3) The applicant for the permit shall present a plan for decrease of the pollution of the discharged waters when for the implementation of the conditions and the requirements of para 1 certain period is necessary, but not longer than two years.

(4) The plan of para 3 shall determine measures and terms for reaching the necessary individual emission restrictions.

(5) At non observing the terms of the plan of para 3 the issued waste water discharge permit shall be possible to be changed or taken away.

Art. 129.(1) Around the water sources and the installations for drinking-communal water supply and the sources of mineral waters used for healing, prophylactic, drinking or hygiene objectives shall be established sanitary-protection zones.

(2) The order and the way for determining the sanitary-protection zones shall be determined with the ordinance of art. 135, item 6.

Art. 130.(1) Th water treatment facilities and the sewerage systems shall be operated observing the requirements of this law.

(2) The persons owners or users of treatment facilities shall be obliged to implement laboratory analyses and monitoring of the functioning of the treatment facilities as well as to preserve the results of the analyses and the monitoring under the conditions of art. 174.

(3) The body issued the waste water discharge permit shall be able to determine and change the conditions of the activities of para 2.

Art. 131.(1) At emergency cases creating prerequisites for pollution of waters the owner or the person operating the site – source of the pollution, including tailings pond, sludge pond and solid waste deposits, shall be obliged to undertake the necessary measures for restriction or liquidation of the consequences of the pollution according to the preliminary prepared emergency plan and to inform immediately the basin directorates and the bodies of Civil defence.

(2) If an incidental pollution of the water downstream the river has occurred, the Director of the Basin Directorate and the local authorities, which have received the information about the pollution under para 1, shall be obliged to inform in time the water users and the users about the character of the pollution and the measures which might be taken for reducing the damage from the pollution.

Art. 132. The persons, from whose economic activities are generated waste waters, shall be obliged to construct the necessary treatment facilities in accordance with the requirements for discharge into the water object, when on the respective territory there is no sewerage system.

Art. 133.(1) The discharge of waste water, containing hazardous substances into the underground waters shall be forbidden or restricted depending on the degree of danger which they create. The degree of danger, as well as the procedure and the method for discharging, are determined by the regulation under art. 135, item 2.

(2) When carrying out drilling, mining, construction, etc. activities shall be forbidden the creation of prerequisites for artificial mixing of underground waters with different qualities.

(3) The construction of facilities or parts of them on the territory of unprotected, highly vulnerable aquifers, as well as the intervention into them shall be done only under the condition that is guaranteed the protection of the ground waters from pollution and depletion.

Art. 134. In the river bank and coastal flooded areas shall be forbidden:

1. the storage of pesticides, depositing and treatment of waste;
2. the construction of cattle-breeding farms;
3. the construction of economic and housing buildings;
4. the washing and maintenance of transport vehicles and equipment;
5. the planting of perennial vegetation with shallow root system.

Art. 135. In order to maintain the quantity and the necessary quality of the waters:

1. the Minister of Environment and Waters shall approve the methodology for determining the minimum allowable run-off in the rivers;
2. the Minister of Environment and Waters, the Minister of Regional Development and Public Works, the Minister of Health and the Minister of Industry shall issue a regulation on the investigation, use and protection of the underground water;
3. the Minister of Environment and Waters, the Minister of Health and the Minister of Regional Development and Public Works shall issue a regulation on the quality of water for drinking-communal purposes;
4. the Minister of Environment and Waters, the Minister of Health and the Minister of regional Development and Public Works shall issue a regulation on the qualitative requirements for the surface waters intended for drinking-communal water supply.

5. the Minister of Environment and Waters, the Minister of Health and the Minister of Agriculture, Forests and Agrarian Reform shall issue a regulation on the protection of waters from pollution by nitrates from agricultural sources;

6. the Minister of Environment and Waters, the Minister of Health and the Minister of Regional Development and Public Works shall issue a regulation for the conditions and the order for investigation, designing, approval and operation of sanitary-protection zones around the water sources and the installations for drinking-communal water supply and around the sources of mineral waters used for healing, prophylactic, drinking and hygiene needs;

7. the Minister of Environment and Waters and the Minister of Health shall issue a regulation on the quality of the waters for bathing;

8. the Minister of Environment and Waters, the Minister of Health and the Minister of Agriculture, Forests and Agrarian Reform shall issue a regulation on the quality of waters for breeding of fish, shell species;

9. the Minister of Environment and Waters shall issue a regulation on the categorisation of waters in the water objects;

10. the Minister of Environment and Waters, the Minister of Regional Development and Public Works and the Minister of Health shall issue a regulation on the quality of the coastal marine waters;

11. the Minister of Environment and Waters and the Minister of Regional Development and Public Works shall issue a regulation on the procedure and the method for determining of limits for discharge of industrial waste waters into the sewerage systems of the settlements;

12. the Minister of Environment and Waters, the Minister of Regional Development and Public Works, the Minister of Health and the Minister of Industry shall issue a regulation on the emission limits for the admissible concentration of harmful and dangerous substances in the waste waters, discharged into the water objects;

13. the Minister of Environment and Waters, the Minister of Regional Development and Public Works, the Minister of Health and the Minister of Industry shall issue a regulation on the issuing of permits for discharge of waste water into water objects and determining of the individual emission restrictions for point sources of pollution;

14. the Minister of Environment and Waters shall issue a regulation on the procedure and the method for establishing of the networks and the operation of the National Water Monitoring System.

Art. 136. The Ministers of art. 135, item 11 shall issue instructions for the parameters, which determine the best available technologies for water protection from the activities in the sectors for which they are responsible.

Chapter nine

PROTECTION FROM THE HARMFUL IMPACT OF WATERS

Art. 137. The protection from the harmful impact of waters includes:

1. protection from floods;
2. protection of icing;
3. protection of the river beds and banks from erosion;
4. protection of the banks and coasts from the action of the waves;
5. protection from dangerous increasing or decreasing of the level of the underground waters;
6. protection of the water catchment areas from water erosion;
7. protection from artificial self-discharge of ground waters.

Art. 138.(1) The protection activities under art. 137 shall be operational and permanent.

(2) The operational protection is carried out during floods, icing and natural disasters, caused by waters and shall be managed by the Civil Defence authorities.

(3) The operational protection shall be carried out in accordance with an emergency action plan. The emergency plans shall be prepared by the owners or the users of the water economic systems and hydro-technical installations and shall be coordinated with the Civil Defence authorities. The Civil Defence authorities shall be able to prescribe the updating of the emergency plans.

(4) The permanent protection includes:

1. construction and maintenance of dikes and other hydro-technical and protection facilities;
2. establishing and maintenance of observation, forecast and warning systems;
3. regulation of the level of the underground water at dangerous increase or decrease;

4. activities for protection of the water catchment areas from water erosion;
5. maintaining the flow capacity of the river beds.

Art. 139.(1) The hydro-technical and protection facilities of art. 138, para 4, items 1 and 3 shall be constructed and maintained by the owner or the user of the water object except if in the permit under art. 50 or the concession contract other has not been agreed.

(2) The persons of para 1 shall maintain also the river bed at a distance up to 500 m downstream from the facility.

(3) When other persons have benefits from the facilities of para 1 they shall owe a part of the costs in proportion with the received or expected benefits.

(4) When the permit for construction of the facilities of para 1 is issued after the actual identification of an activity, which bears damages from the construction and the operation of the facilities, their owner shall be obliged to indemnify the incurred damages.

Art. 140.(1) The systems of art. 138, para 4, item 2 shall be maintained by the state.

(2) The activities of art. 138, para 4, items 3 and 4 shall be controlled by the basin directorates.

(3) The activities of art. 138, para 4, items 4 and 5 shall be implemented with order by the corresponding regional governor.

Art. 141.(1) The owners and the users of water economic systems and hydro-technical facilities, including tailings ponds and slag ponds, shall be obliged to maintain them in technical order, as well as to provide them with the necessary measuring and control equipment for monitoring of their activity.

(2) The Minister of Environment and Waters, the Minister of Regional Development and Public Works, the Minister of Agriculture, Forests and Agrarian Reform and the chairman of the State agency for energy and energy resources shall in two years term issue an ordinance for the conditions and the order for implementing the technical operation of dam walls and the facilities thereof.

(3) The obligations of para 1 shall also be for the owners of water reservoirs which degree of clogging does not allow their further use according to their designation. In this case the owner shall prepare and carry out a project for reclamation.

Art. 142. At discharge of waters from the hydro-technical installations during the passing of high waves, at emergency conditions or during repair works, the owner or the user of the latter shall inform in advance the respective municipal administrations and the Civil Defence authorities, and for the border crossing rivers - also the border police.

Art. 143. For protection from the harmful impact of waters shall be forbidden:

1. To disrupt the natural state of the river beds and banks and the coastal and river bank flooded strips;
2. To reduce the flow capacity of the river beds, including through barrages and rapids, without the respective permit;
3. To use the river beds as disposal sites for waste, earth and rock mass;
4. To carry out construction over the covered river sections;
5. To preserve or store materials which can substantially increase the destructive force of water during floods.

Art. 144. On the dikes shall be forbidden:

1. to cross them with vehicles outside the designated for this purpose places;
2. to till or disrupt their surface;
3. to put poles or traffic signs;
4. to plant trees or bushes;
5. to allow the passing of domestic animals outside the designated for this purpose places;
6. to construct wells or fish-farms;
7. to dispose of waste and other materials and things.

Art. 145. When there is a danger of flooding, caused by the passing of large water quantities, as a result of unforeseen circumstances, the Minister of Environment and Waters or the Director of the respective Basin Directorate shall be able to order the respective water user and/or user to carry out the necessary works on the banks of the water objects, notwithstanding the conditions written down in the permit, if there is no other possibility to prevent of the harmful consequences.

Art. 146.(1) It shall be forbidden to locate new houses, villas and farm buildings in the flooded terraces of the rivers.

(2) The Basin Directorates shall inform the competent bodies, which issue the permits for construction of housing, recreation and farm buildings about the location and the range of the river bank flooded strips.

Chapter ten

WATER MANAGEMENT

Section I

General provisions

Art. 147. The waters on the territory of the Republic of Bulgaria shall be managed as a common national indivisible natural resource observing the following basic principles:

1. the river basin is determined as the basic unit for common management of the surface and underground waters as quantity and quality, in order to achieve sustainable water use and protection of the waters and the water ecosystems;
2. observing of the principle of solidarity and the public interest ensuring cooperation at all levels of management: state administration, municipal administration, water users and environmental organisations;
3. application of the "polluter pays" principle and other economic regulators for the use and the protection of the waters.

Art. 148. The water management shall be realised at national and basin level.

(2) The areas of the river basins are determined by the natural location of the watersheds between the catchment areas of one or several main rivers on the territory of Republic of Bulgaria.

(3) The river basins determined by the present law shall not follow the administrative-territorial division of the country and shall also be the basis for environmental management according to the basin principle.

(4) The management of the water economic systems shall be done on technological and basin principle, in accordance with the conditions of the permits for use and protection of the waters and the water objects.

Art. 149.(1) The management of the waters, the water objects and the water economic systems and installations shall be implemented on the basis of river basin management plans and the National Water Economic Plan.

(2) The plans of para 1 shall be public and related to other plans within the scope of the respective territorial level, including to the plans for regional development, the territory development, the forestry development, the park development and other plans.

(3) The plans, which do not comply with the present law and with the water economic plans shall be possible to be changed by the Council of Ministers following a proposal by the Minister of Environment and Waters.

Section II

Water management bodies

Art. 150. The water management bodies at national level shall be the Council of Ministers and the Minister of Environment and Waters, and the water management bodies at a basin level shall be the Directors of the Basin Directorates.

Art. 151. For the management at a national level:

1. the Council of Ministers shall:

a) approve the National Water Economic Plan;

b) grant concessions for waters which are exclusive state property;

c) approve national programmes in the sphere of protection and sustainable use of waters;

d) permit the use of waters for the purposes of the defence and the security of the country;

e) determine restrictions in the use of waters, in exclusive cases, concerning different districts of the country;

f) determine the quantity of mineral waters of art. 14, Item 2, to be used by public health care institutions at a grounded proposal by the Minister of Health;

g) determine the tariffs for the fees, collected on the grounds pointed out in this law;

2. the Minister of Environment and Waters shall:

- a) elaborate the policy of the state in the field of the use and protection of the waters and the protection from their harmful impact;
- b) elaborate the National Water Economic Plan;
- c) approve the river basin management plans;
- d) develop national programmes in the sphere of protection and sustainable use of waters;
- e) prepare the water and water economic balances of the country;
- f) issue permits for water use and/or use within the scope of the cases provided for in the present law;
- g) determine the order and the way for use of the waters of the complex and important dams, determined in appendix No 1 of the present law;
- h) establish the necessary organisation, ensure the financing and make proposal for granting of concessions in the cases, provided for in the present law;
- i) organise the maintenance of the water and water economic cadastre;
- j) organise and manage the National Water Monitoring System;
- k) elaborate the state policy for bilateral and multilateral cooperation in the field of use and protection of waters;
- l) publish a periodical bulletin about the status of the water resources of the Republic of Bulgaria;
- m) approve the design parameters and schemes for the water economic systems and installations;
- n) coordinate the starting of procedures for granting of concessions for water economic systems and installations, which are public state property;
- o) coordinate the implementation of the activities of art. 51.

Art. 152.(1) Determined shall be the following regions for basin management of the waters:

1. Danube region with centre Pleven – covers the water catchment areas of the rivers Iskar, Erma, Nishava, Ogosta and to the west of Ogosta river, Vit, Osam, Yantra and Roussenski Lom and the territory west of the underground watershed of the malm aquifer;

2. Black sea region with centre Varna – covers the territory east of the underground watershed of the malm aquifer and the water catchment areas of the rivers flowing into the Black Sea from the North to the South border including the internal sea waters and the territorial sea;

3. East Aegean Sea region with centre Plovdiv – for the water catchment areas of the rivers Toundzha, Marts and Arda;

4. West Aegean Sea region with centre Plovdiv – for the water catchment areas of the rivers Mesta and Strouma.

in the town of Blagoevgrad - for the water catchment areas of the rivers Mesta and Struma;

(2) The boundaries of the regions shall pass along the watersheds of the water catchment areas of the rivers within the national boundary and the underground watershed of the malm aquifer shall coincide with the western boundary of Shoumen and Dobrich regions and the eastern boundary of Razgrad and Silistra regions.

Art. 153. For the basin water management in the regions of art. 152 shall be established:

1. Basin Directorates under at Ministry of Environment and Waters;

2. Basin Councils.

Art. 154.(1) The Basin Directorates shall be established with an order by the Minister of Environment and Waters, which shall be published in State Gazette.

(2) The activities, organisation of work and the personnel of the Basin Directorates shall be determined with a Regulation issued by the Minister of Environment and Waters.

(3) The Director of the Basin Directorate shall present to the Minister of Environment and Waters annual report about the activities of the Directorate.

(4) The activity of the Basin Directorates shall be coordinated by the Chief Waters Directorate at the Ministry of Environment and Waters.

Art. 155. The Director of the Basin Directorate shall:

1. establish the boundaries of the waters and the water objects which are public state property, together with the technical services cadastre services of the municipalities;

2. organise the preparation of the management plans for the respective basin;

3. issue the permits under the present law;
4. realise the activity of the National Water Monitoring System at a basin level;
5. keep and maintain the water and water economic cadastre and the registers of the issued permits;
6. collect the fees for the permits which he issues;
7. control the observation of the conditions and the requirements of the issued permits and of the conditions of the granted concessions, regulated by the present law;
8. carry out supervision over the control and measurement devices of the hydro-technical installations and the systems for monitoring of their safety;
9. carry out supervision over the state of the water economic systems and installations, issue prescriptions and controls their observation;
10. manage the waters which are exclusive state property and were not granted as concession;
11. manage the installations for underground waters, which are public state property.

Art. 156.(1) (1) The Basin Council shall be a state public consultative commission for supporting the activities of the Basin Directorate.

(2) The Basin Council shall include representatives of the state administration, the municipal administration, the water users and the environmental organisations within the range of the basin as well as representatives of the scientific organisations connected with the water issues.

(3) The activities, the structure, the organisation of work and the staff number of the Basin Council shall be determined in a structural regulation, issued by the Minister of Environment and Waters.

(4) For their activity the members of the Basin Council shall not receive remuneration.

Section III

Water economic planning

Art. 157. (1) The water economic plans shall be the basis for water management at national and basin levels.

(2) The development of the water economic plans shall be with objective:

1. to analyse the state of the waters and the water resources and the opportunities for their development;
2. to optimise and estimate the present and future water demand;
3. to determine the requirements to the quantity and quality of the waters and to the monitoring networks;
4. to compare the water demand with the available water resources;
5. to propose alternatives for satisfaction of the water demand, for improving of the water quality and for protection from their harmful impact;
6. to argument the necessary investments and priorities.

(3) In order to achieve the objectives of para 2 shall be developed:

1. River Basin Management Plans;
2. National Water Economic Plan.

Art. 158.(1) At developing the water economic plans there shall be used estimates for the water demand for the different sectors of the economy and for the administrative-territorial units.

(2) For the purposes of para 1 all departments and scientific institutes at budget maintenance shall be obliged to provide the necessary available information for free.

Art. 159. The river basin management plans shall have term of validity 6 years and contain:

1. analysis and assessment of the hydro-graphic, hydrological, hydro-geological and other characteristics, as well as overall assessment of the water resources;
2. analysis and assessment of the demographic and economic factors, the degree of anthropogenic load and their influence on the condition of the waters and the environment;
3. long-term forecasts about the water needs for different variants of development;

4. assessment of the water economic balances for different variants of development, as well as of the necessity for common use of the water resources of neighbouring basins;
5. variant schemes for more rational use of the water resources, protection of the waters and from their harmful impact;
6. programme for protection and restoration of the water quality;
7. analysis and assessment of the risk of incidental pollution;
8. conditions, resulting from other enforced plans for the same territory;
9. reserve sources for drinking-communal water supply of the population;
10. the zones for protection of the water sources and the water ecosystems;
11. analysis and assessment of the operation of the monitoring networks and programme for development of the system for monitoring and control of the condition of the waters;
12. schemes for construction of new water economic systems and installations;
13. investment analysis and necessary investments for the realisation of the plan;
14. other requirements complied with the specific features of the river basin.

Art. 160.(1) The procedure for working out of the river basin management plan shall start with an order by the Minister of Environment and Waters, which shall be published in the State Gazette.

(2) With this order shall also be determined the terms and the place where the interested people can present their proposals for the contents of the plan.

Art. 161.(1) The Basin Directorate shall prepare the terms of reference for the elaboration of the river basin management plan complied with the requirements of art. 159.

(2) The terms of reference shall be sent for opinion to the Basin Council, to the interested departments, to the respective regional administrations and to the Supreme Consultative Water Council.

(3) The terms of reference shall be approved by the Minister of Environment and Waters.

Art. 162.(1) The river basin management plan shall be subject to public discussion, which is organised and held by the Director of the Basin Directorate.

(2) The date and the venue of the public discussion, as well as the time and the place for acquainting with the plan and presenting written comments and recommendations shall be announced at a visible place in the municipalities on the territory of the river basin.

(3) The plan shall be available to the interested people at least in the course of 6 months.

Art. 163.(1) After including the useful opinions and recommendations the plan shall be presented for opinion to the Basin Council.

(2) The plan shall be approved by the Minister of Environment and Waters after coordination with the interested departments and after being considered by the Supreme Consultative Water Council.

Art. 164. The National Water Economic Plan shall be developed in variants, for a term of duration 12 years and it shall contain:

1. analysis and assessment of the condition of the water and water economic balances according to river basins and total for the country;
2. forecast of the water and water economic balances for the term of validity of the plan;
3. necessity for reallocation of waters between the river basins;
4. programme for development of the National System for Monitoring and Control of the Condition of the Waters
5. schemes and conditions for the realisation of the plan;
6. coordination of the plans between the river basins;
7. measures for implementation of undertaken international commitments;
8. argumentation of the national priorities and the necessary investments;
9. monitoring and control of the implementation of the plan.

Art. 165.(1) The Ministry of Environment and Waters shall prepare the terms of reference for elaboration of the National Water Economic Plan.

(2) The terms of reference of para 1 shall be developed while taking into consideration the river basin management plans.

(3) For the preparation of the terms of reference, the Minister of Environment and Waters shall carry out discussions and consultations with the interested ministries, with the regional governors, with sector and environmental organisations, and if necessary with the mayors of the municipalities.

(4) The terms of reference shall be published in State Gazette.

Art. 166.(1) The Minister of Environment and Waters shall organise and conduct a public discussion of the National Water Economic Plan.

(2) The date and the venue of the public discussion, as well as the time and the place for acquainting of the plan and for presenting of written comments and recommendations shall be announced through publication in State Gazette.

(3) The plan shall have to be available for the interested people for the duration of at least 6 months.

Art. 167.(1) After reflecting the expedient opinions and recommendations, the plan shall be presented for opinion to the interested departments.

(2) The Supreme Consultative Water Council shall:

1. Review the prepared National Water Economic Plan and the opinions of para 1;

2. Propose to the Minister of Environment and Waters a variant for presenting to the Council of Ministers for approval.

(3) The Council of Ministers shall approve the National Water Economic Plan.

Art. 168. The changes of the plans of this section shall be implemented by the order of their compiling.

Section III

National water monitoring system

Art. 169.(1) The National Monitoring System shall be a complex of specific control and measuring, analytical and informational activities, which give the possibility for assessments and forecasts of the quantity and the quality of the waters.

(2) The system of para 1 shall have as objective the assessment of the current condition of the quantity and the quality of the waters, including the waste waters,

timely identification of the negative processes, forecasting of their development, prevention of the harmful consequences and determining the degree of effectiveness of the carried out measures for use and protection of the waters.

(3) The objective of para 2 shall be achieved through the permanent observation of the meteorological, hydro-geological, hydrological, hydro-biological and hydro-chemical parameters.

Art. 170.(1) The National Water Monitoring System shall include:

1. the National Network for Precipitation and Surface Waters, including the sediments;
2. the National Network for Ground Waters;
3. the control coastal network for the Black Sea;
4. the control and information system for the state of the waste waters;
5. the operation, maintenance, communications and the laboratory-informational backup under the previous items.

(2) The networks of para 1, items 1, 2 and 3 shall include points and/or stations.

(3) The procedure and the method for establishing the networks and carrying out of the activities of para 1 shall be determined with the ordinance of art 135, item 14.

Art. 171.(1) The Minister of Environment and Waters shall organise and manage the National Water Monitoring System.

(2) The measurements, observations and the laboratory analyses shall be carried out by the Basin Directorates according to the standardisation documents, and when there are no such documents – by the order of art. 170, para 3.

(3) The data para 2 shall be collected and stored by the Basin Directorates.

Art. 172. The Ministry of Environment and Waters and the Ministry of Transport shall establish and maintain the part of the National Water Monitoring System referring to Danube river.

Art. 173.(1) The assessments and the forecasts for the quantity and the quality of the waters under the criteria, determined by the present law shall be carried out as follows:

1. at basin level - by the Basin Directorates;

2. at national level - by the Ministry of Environment and Waters.

(2) The data, assessments, trends in the change and the forecasts for the quantity and the quality of the waters shall be published in a Bulletin for the state of the waters in the Republic of Bulgaria.

Art. 174.(1) The Minister of Environment and Waters shall be able to oblige the water users and/or the users of the water objects to carry out their own monitoring of the quantity and the quality of the waters according to the requirements of art. 171, para 2.

(2) The persons of para 1 shall preserve the information from the carried out measurements for a period of 6 years.

(3) The bodies of art. 52, para 1, items 2 and 3 shall at carrying out their control functions have the right to access at any time to the devices of para 1 and to the information of par 2.

(4) When the right to water use and/or use of the water object is terminated, the information of para 2 shall be submitted to the respective Basin Directorate for storing.

Art. 175. The data from the observations and the assessments, obtained as a result of the National Water Monitoring System, as well as from the own monitoring of the waters, shall form the basis for carrying out of control and imposing of sanctions at breach of the normative requirements.

Section V

Water Economic Cadastre

Art. 176. (1) The water economic cadastre shall ensure data about the ownership and the state of the water objects and the waters contained in them on the territory of the country, as well as for the existing water economic systems and installations.

(2) The cadastre of para 1 shall be is kept with the objective of ensuring the rational use of the water objects, their restoration and protection.

Article 177.(1) The data for the water economic cadastre shall characterise the state of the waters and the water objects according to qualitative and quantitative parameters, the degree of knowledge about them and degree of their utilisation.

(2) The data of para 1 shall be updated in conformity to the data from the monitoring of the previous section.

Art. 178. The water economic cadastre shall be kept by the Basin Directorates and shall be summarised by the Ministry of Environment and Waters.

Art. 179. The water objects shall be registered in the cadastre according to their characteristics, according to their elements.

Art. 180.(1) The water economic cadastre shall be public.

(2) The persons shall be able to use the data from the water economic cadastre against payment.

(3) The fees for the services of para 2 shall be determined by an act of the Council of Ministers.

Art. 181. On the basis of the data from the cadastre shall be compiled water economic balances and assessments of the state of the waters and the water bodies.

Section VI

Registers

Art. 182.(1) The registers under this section shall be kept by:

1. The Basin Directorates, for the permits of art. 52, para 1, item 3;
2. The departments of art. 10, para 1, items 1, 2 and 3, which conclude the contract for granting of concession;
3. The municipal administrations - under art. 25, para 1 and art. 41, para 4, item 2.

(2) The Basin Directorates shall register also the requests for the respective water uses and/or uses.

Art. 183. The Ministry of Environment and Waters shall:

1. keep register for the permits of art.52, para 1, items 1 and 2;
2. keep register for the granted concessions for waters - exclusive state property;
3. summarise the registers of art. 182, para 1.

Art. 184.(1) The registers of this section shall be public.

(2) For the use of the relevant information a fee shall be paid, determined with an act of the Council of Ministers.

Section VII

Control over the waters, water objects, water economic systems and installations

Art. 185.(1) The control under the present section shall be carried out by the competent bodies of art. 52, para 1, items 2 and 3 as regards the observation of the normative requirements and the plans, as well as of the conditions and the requirements of art. 56.

(2) The control of para 1 shall be carried out also at the request of the interested people.

(3) The costs for establishing the breaches by the order of para 2 shall be paid by the offender.

Art. 186. The control over the protection of the water objects, installations and systems shall be carried out by the competent bodies under art. 52, para 1, items 2 and 3 with regard to the observation of the normative requirements and the plans, as well as to the conditions and the requirements for carrying out of the water use.

Art. 187.(1) The Ministry of Environment and Waters shall control:

1. the quantity and the imission status of the waters;
2. the observation of the requirements of the permit for water use when it is issued by the Minister of Environment and Waters;
3. the observation of the conditions under the concession contracts for waters, which are exclusive state property.
4. the design parameters of the water economic installations and systems, elements of which are the complex and important dams, listed in appendix No 1, the condition of their control and measuring devices, the condition of the networks for quantitative and qualitative characteristics of the waters;
5. the observation of the prescribed regime for use of the waters of the complex and important dams, listed in appendix No 1 to the present law.

(2) The Minister of Environment and Waters shall issue:

1. methodologies for control of the water resources;
2. methodologies for preparation of the water balances of the water sources, of the water economic balances and the National Water Balance;

3. methodologies for distribution of the waters from the dams and for use of the water resources;

4. methodology for determining of the operational resources of the underground waters.

Art. 188.(1) The Basin Directorates shall control:

1. the condition and the flow capacity of the river beds and of the discharging installations into the water recipients;

2. the extraction of inert materials and other activities in the river beds;

3. the condition and the proper operation of:

a) the water intake installations, the installations for use of the surface and the underground waters and the facilities for measuring the water quantities;

b) the treatment installations for waste waters;

c) the sewerage systems;

d) the network for own monitoring of the waters;

e) the control and measuring devices of the hydro-technical installations, the tailings ponds, the slag ponds, the solid waste deposits and the systems for control of their safety;

4. the implementation of the requirements of the issued permits under the present law;

5. the imission status of the waters in the water objects;

6. the maintenance of the minimum admissible run-off in the rivers;

7. the pollution of the water recipients and the underground waters during emergency situations and volley discharges;

8. the waste water treatment plants.

(2) Information about the results of the implemented control activity of para 1 shall be sent montly to the Ministry of Environment and Waters.

Art. 189. The Minister of Health shall control:

1. the quality of the water, designated for drinking-communal needs;
2. the quality of the mineral water, designated for drinking or used for prophylactic, healing and hygienic purposes, including the bottled mineral waters in the retail trade network;
3. the quality of the water, designated for bathing.

Art. 190.(1) The Minister of Regional Development and Public Works, the Minister of the Agriculture, Forests and Agrarian Reform and the chairman of the State agency for energy and energy resources shall control the state of the water objects, the water economic systems and installations in the scope of their competence.

(2) The Minister of Transport shall control the use for transport purposes of the internal sea waters, the waters of the territorial sea and the waters of the Danube river.

(3) The Minister of Defence shall control the preparation of the emergency plans under the present law and the implementation of their requirements.

Art. 191. The mayor of the municipality shall control:

1. the construction, maintenance and the proper operation of the sewerage networks and of the installations for treatment of household waste waters;
2. the construction, maintenance and operation of the water economic systems of art. 19, item 4;
3. the construction and the registration of the wells for individual water use from the underground waters on the territory of the municipality.

Chapter eleven

FINANCIAL ORGANISATION AND ECONOMIC REGULATION

Art. 192. The economic regulation of the activities for the use, protection and restoration of the waters and water objects shall be done along the following principles:

1. protection of the interests of the population at the use of water for drinking-communal purposes and mineral waters for drinking, healing – prophylactic and recreation purposes;
2. payment depending on the volume, the quantity and the quality of the used and discharged waters;

3. the offender pays for the incurred damages, disruptions, pollution and other to the waters and the water objects;

4. economic stimulation for rational use, protection and restoration of the waters and water objects.

Art. 193.(1) The prices of the services for supply, collection and treatment of the waters shall cover the expenditures for construction, operation, maintenance and reconstruction of the installations and the systems, necessary for the provision of the respective services.

(2) At the formation of the prices of para 1 shall be included the fee for water use only for the really used quantities by the subscribers.

(3) When the total water losses of the water supply companies and associations are above 25 percent they shall not be calculated in the price of the water service.

Art. 194.(1) For the right to water use and/or permitted use of a water object of art. 46, items 2 and 3 a fee shall be paid.

(2) No fee shall be paid for water use for anti-fire needs as well as for water use below 0.2 l/s but not more than 10 cubic meters per 24 hours under art. 43, para 2 as well as for water use from surface waters out off the own property for irrigation of individual farms with area up to 2 dka in quantity not bigger than 300 cubic meters monthly.

(3) The fees of para 1 shall be determined with a tariff by the Council of Ministers.

Art. 195.(1) The payment for the special right to use waters, which are exclusive state property and water objects, which are public state property, shall include:

1. fee for registration;

2. concession remuneration.

(2) The conditions as regards the concession remuneration - amount of the installments, terms for their payment, etc., are determined in the concession contract.

Art. 196. In a special account of the National Environmental Protection Fund shall be collected:

1. the fees for water use and/or use of the water bodies;

2. the fees for issuing of permits under the present law;
3. the fees for services of art. 180 and of art. 184, para 2;
4. the receipts from the repayment of expenditures of art. 199;
5. the fines, imposed for violating the provisions of the present law;
6. the redemptions and the interest under loans granted by the Fund;
7. funds, provided under international agreements and programmes;
8. donations by local and foreign individuals and corporate bodies;
9. receipts from interest;
10. indemnifications, received by individuals and corporate bodies for damages caused by them under art. 202;
11. other receivables on the basis of a normative act.

Art. 197.(1) The funds in this account shall be spent for:

1. the construction, maintenance and operation of the National Water Monitoring System of art. 170;
2. the elaboration and the updating of the National Water Economic Plan and of the river basin management plans of art. 149, para 1;
3. the activities for control over the waters, water objects, water economic systems and installations under section of Chapter ten;
4. studies and applied scientific investigations according to themes within the scope of the effect of the law;
5. direct financing or co-financing of capital costs for acquiring of material long-term assets and for non tangible long term assets and for major repair, related to activities and measures within the scope of the effect of the present law;
6. direct financing or co-financing of activities or measures within the scope of the the effect of the present law, which are not capital costs;
7. construction of installations for improving the drinking-communal water supply to the population, for collection and treatment of the communal waste waters;

8. payment for services of scientific and technical character, expert statements and assessments, assigned by the competent bodies of art. 52, para 1, items 2 and 3;

9. supporting of the operational costs of the Basin Directorates, as well as the costs, related to the material-technical ensuring and the current activities of the Basin Councils;

10. other activities, related to the achieving of the objectives of art. 2.

(2) The funds from this account shall be spent in accordance with the Ordinance for collecting, spending and control of the funds of the National Environmental Protection Fund at the Ministry of Environment and Waters.

Art. 198.(1) The financing of projects, sites and measures within the scope of the effect of the present law with funds from the state budget shall be done also through the granting of purposed subsidies.

(2) Projects, sites and measures with local importance shall also be financed with funds from the municipal budgets or with municipal off-budget funds.

Chapter twelve

ADMINISTRATIVE-PUNITIVE AND CIVIL RESPONSIBILITY

Art. 199.(1) The Minister of Environment and Waters shall be able to order compulsory administrative measures, in the cases of:

1. emergency or disaster situations, caused by the action or inaction of water users and/or users in the process of water use and/or use of the water objects and the operation of the water economic systems and installations;

2. arising of immediate danger from pollution, damage or destruction of the environment, of people or property of the state, the municipalities, individuals or corporate bodies as a result of the action or inaction of water users and/or users of water objects.

(2) In the order of para 1 shall be determined the argumentation and the amount of the costs of carrying out the necessary activities and measures.

(3) The costs are covered by the persons who are obliged under the force of the law or the permit to carry out the activities and the measures under para 2.

(4) The costs of this article shall be possible to be paid in advance using funds from the National Environmental Protection Fund and after the enforcement of the order of para 1, the liable person shall be obliged to repay them.

(5) If the responsible person does not do so the claim shall be subject to compulsory execution by the order of the Law for collecting of the state receivables.

(6) The order of para 1 shall be possible to be appealed against by the affected persons by the Law for the administrative procedures.

Art. 200.(1) With a fine shall be punished, respectively proprietary sanction, if not subject to more severe penalty, the individual or the corporate body that:

1. uses waters without the necessary justification or in detraction from the provided conditions and requirements in the permit or the contract:

a) for quantity up to 1 l/s - from 150 levs to 1000 levs;

b) for quantity from 1 l/s to 10 l/s - from 500 levs to 5,000,000 levs;

c) for quantity from 10 l/s to 100 l/s - from 1000 levs to 10 000 levs;

d) for quantity over 100 l/s or waters under article 14, item 2 - from 10 000 levs to 25 000 levs.

2. uses water objects, water economic facilities and systems or constructs such without the necessary justification, or in violation of the provided conditions and requirements in the permit - from 1000 levs to 10 000 levs;

3. pollutes the waters, destroys the water beds or the river banks in violation of the bans, contained in art. 132, 134, 143 and 144 - from 5000 levs to 15 000 levs.

4. violates the rules for declaring, accounting and control during the implementation of the water use - from 150 levs to 1000 levs;

5. breaks water economic and hydro-metric installations and devices or violates the proper operation and the regulated regimes of their operation - from 500 levs to 5000 levs.

6. discharges waste waters into the water objects and the sewerage system violating the emission and/or the imission standards and requirements - from 1000 levs to 5000 levs.

7. uses the lands adjacent to the water objects or the lands of the flooded coastal or river bank areas not for their designation - from 2000 levs to 10 000 levs.

8. misrepresents information about emergency situations in the water objects - from 500 levs to 5000 levs.

9. misrepresents design documentation about the facilities which can affect the natural state of the waters - from 5000 levs to 10 000 levs.

10. does not provide access of the control bodies for carrying out measurements and analyses - from 150 levs to 500 levs;

11. destroys or counterfeits data and information - from 1000 levs to 10 000 levs.

12. does not execute an obligation to inform the control bodies about circumstances being important for the water protection - from 200 levs to 2 000 levs.

13. damages or destroys points or stations from the national monitoring networks - from 10 000 levs to 25 000 levs.

14. does not execute the obligation for announcing the restrictions and the bans of art. 42 - from 200 levs to 2 000 levs.

15. does not execute the prescriptions of art. 134, para 3 - from 500 levs to 5 000 levs.

16. for all remaining cases of violation of bans or non-execution of obligations under the present law - from 150 levs to 1 500 levs.

(2) With the penalty of para 1 shall also be punished the individual or the representative of the corporate body ordered or assigned the carrying out of activities of para 1 when the activities themselves represent an administrative violation.

(3) When the violation of para 1, items 2,3, 7 and 13 is construction, the fine or the sanction shall be from 10 000 levs to 25 000 levs.

(4) For a second violation of para 1 and 2 the fine or the sanction shall be from 1000 to 50 000 levs.

Art. 201.(1) The acts for establishing the violations of art 200, para 1 shall be compiled by officials, assigned by the Minister of Environment and Waters.

(2) The punitive decisions shall be issued by the Minister of Environment and Waters or a person authorised by him.

(3) The acts about the violations of art 200, para 1, items 2, 5 and 7 shall also be compiled by officials authorised by the bodies of art. 190, para 1 and 2.

(4) The punitive decisions of para 3 shall be issued by the Minister of Regional Development and Public Works, the Minister of Agriculture, Forests and Agrarian Reform, the Minister of Transport and the chairman of the State agency for energy and energy resources.

(5) Acts about the breaches of art. 200, para 1, item 15 shall be also compiled by officials authorised by the body of art. 190, para 3.

(6) The punitive decisions of para 5 shall be issued by the Minister of Defence.

(7) Acts about the breaches of art. 200, para 1, item 16 shall also be compiled by officials authorised by the body of art. 189.

(8) The punitive decisions of para 7 shall be issued by the Minister of Health.

(9) The establishing of the violations, the issuing, the appealing against and the execution of the punitive decisions shall be implemented by the order of the Law for the administrative breaches and penalties.

Art. 202.(1) Everybody shall be obliged to remedy the damages, which he has guiltily incurred to other persons in violation of the existing provisions for the use and protection of the waters and of the conditions of the issued permits.

(2) The responsibility for damages of para 1 shall not exempt the person from paying for the water use, as well as from the costs for restoration of the previous status.

(3) In the cases when is damaged the vegetation and the fauna in the water objects which are public state property, the authorised body for laying the claims for remedy of the damages shall be:

1. the Minister of Environment and Waters, if the damages have occurred on the territory of more than one region.

2. the regional governor, if the damages have occurred on the territory of more than one municipality.

3. the mayor of the municipality, if the damages have occurred on the territory of one municipality.

(4) The claims of para 2 and 3 shall be also possible to be laid by non profit organisations, whose subject of activity is the environmental protection. In this case the court shall officially implement art. 31 of the Civil Procedure Code.

ADDITIONAL PROVISIONS

§1. (1) Under the present law:

1. "water regime" is a complex of parameters characterising the quantitative and qualitative state of the waters in the water objects and its change in time and space;
2. "water balance" is the ratio between the precipitation, the run-off, the evaporation and the filtration, characterising the quantitative condition of the waters in the river basins;
3. "water resources" are the surface and underground waters, contained in the water objects, which are used or can be used;
4. "water economic balance" is the correlation between the available water resources and the needs for water according to time and place, determined with objective to be identified the possibilities for meeting the water demand;
5. "water economic relations" are the relations which have arisen in the process of activities of the persons, related to the use, restoration and protection of the waters and the water objects;
6. "aquifer" is a separate, homogenous and hydraulically united part of the earth bowels such as: aquifer, aquiferous complex, water foundation, crack system, karst system, etc., as well as the artificially created ones, in which are formed, or temporary or permanently are concentrated the underground waters;
7. "water use" includes all activities related to the abstraction of waters from the water objects;
8. "recycled water" is that part from the waters granted for use, which is returned back to the water objects;
9. "admissible abstraction" is the abstraction within the admissible decrease of the water level, the admissible temperature changes, the admissible water quality and the admissible impact on the environment;
10. "operational resources of the underground waters" is the admissible and technically possible average annual abstraction of underground waters;
11. "emission restriction" is the mass, expressed by some specific parameters, concentration and/or emission level, which should not be exceeded during certain period of time;

12. "water pollution" is the direct or indirect introduction, as a result of the human activities, of substances, vibrations and heat into the waters, which can be harmful for the human health, the water ecosystems or for the water quality;

13. "earth bowels" is that part of the Earth crust, accessible for the human activities;

14. "springs" are the natural, ascending or descending, under pressure or non-pressure flow of underground waters at the earth surface;

15. "imission state of the waters" is the condition of the waters in the water objects or parts of them, regarding the requirements for the respective category;

16. "river bank flooded strips" are the lands which are flooded: within the boundaries of the corrections of the rivers in the settlements and between the river and the dikes, if there are dikes and at flowing of water quantities with repetition once in 20 years - within the boundaries of the settlements, in which have not been not constructed river corrections, and within the boundaries of the lands of the agriculture and forestry entireties;

17. "mineral waters" are the waters from the deposits pointed out in appendix No 2 to the present law and in the other cases - for which has been issued a certificate and/or complex balneological assessment by the Ministry of Health and/or the Ministry of Environment and Waters ;

18. "monitoring of waters" are measurements, observations and assessments for determining the quantitative and qualitative characteristics of the waters;

19. "solid waste deposits" are the piled up technological wastes from the investigation, extraction and/or the preliminary processing of mineral resources, with the exception of tailings ponds and slag ponds;

20. "unforeseen circumstances" are the circumstances, whose occurring is possible, however the moment of the occurring cannot be determined;

21. "level of average waters" is the level of the water surface corresponding to the average run-off, flowing through the river bed for a long period of time;

22. "second" is the violation which was done within one year term after the punitive decision with which the offender has been punished for a violation of the same kind;

23. "surface waters" are all standing and flowing on the surface of the earth waters upstream of the boundary of the fresh waters;

24. "underground waters" are all waters, located in the earth bowels under the surface of the earth and within the boundaries of the continental shelf;

25. "use" of the water object is any activity, which while not connected with abstraction of its waters, has the potential to influence the regime of waters;

26. "adjacent lands of reservoirs" are the lands which are flooded at maximum filling up of the reservoir;

27. "adjacent lands to rivers" are the lands from the river beds which are flooded during the level of average waters;

28. "river basin" is the water catchment area of any river which flows into the sea, in Danube river or crosses the state border;

29. "transborder rivers" are the rivers which cross the state border;

30. "water management" includes the activities for use, protection and restoration of the waters, as well as the activities for prevention of their harmful impact;

31. "river mouth" is the transitional area between the surface fresh waters and the coastal waters, which is formed at the inflow of a river into the sea;

(2) The definitions of the terms "internal sea waters", "territorial sea" and "continental shelf" in the present law are in the sense of the Law for the sea areas of the Republic of Bulgaria.

§ 2. In the cases when the present law requires informing or announcement and when explicit rules or the implementation of an explicitly determined procedure are not provided for that, the informing, respectively the announcement shall be done by the order provided in the Civil Procedures Code.

TRANSITIONAL AND CONCLUDING PROVISIONS

§3. The protection of the coastal waters, the internal sea waters and the territorial sea from pollution from other sources, besides these located on the coast, shall be regulated by the Law for the sea areas of the Republic of Bulgaria.

§ 4. (1) The ministers and the heads of the state institutions, which exercise the right of ownership in the sole owned commercial companies with state property or in shares and stocks of commercial companies, in which the state is a partner or stockholder, shall undertake the necessary activities for decreasing the capital of the companies with the revalued value of the facilities of art. 13, para 1 of the present law.

(2) Within 6 months term after the law enters into force the facilities of art. 13, para 1 shall be conceded for use sole owned commercial companies with state assets and the state enterprises in the sense of art. 62, para 3 of the Commercial law whose capital has been reduced under para 1. The right of use shall be terminated at the transferring of shares by the companies under the present paragraph.

(3) The commercial companies, with the exception of these of para 2 for which has been applied the provision of para 1 shall acquire concession for the facilities of art. 13, para 1 in compliance with the provisions of this law and by the order provided in the Law for the concessions, without a tender or a competition.

(4) For the long-term assets of the facilities of para 3 shall be calculated depreciation deductions by the order of art. 20 of the Law for accounting.

(5) Until the implementation of the provisions of para 2 and 3, the facilities shall be managed by the companies of para 1 whose capital was decreased.

(6) In the cases when the facilities of art. 13, item3 of the present law are not granted under concession, their maintenance shall be implemented with budget funds by the departments pointed out in para 1.

(7) At privatisation of commercial companies, in whose capital are included dams and small dams, except these of art. 13, item1 and art. 19, item 4, item c), the Minister of Agriculture, Forests and Agrarian Reform shall undertake the necessary activities for decreasing of the capital of the companies with their revalued value.

(8) Within two years term after the law enters into force the owners of art. 16 which have not been indemnified for the land and the forests on which have been constructed water economic facilities, shall be indemnified by the order of the Law for the ownership and use of farm land and the Law for restoration the ownership in forests and the forest land entirety.

§ 5.(1) The mineral water from the water sources of item 74 and 83 of appendix No 2 of art. 14, item 2 shall be gratuitously granted for use to the Capital municipality for a term of 15 years.

(2) At the use of the mineral water from the pointed out water sources the Capital municipality shall be obliged:

1. to manage and maintain fit the facilities, to ensure the use of the mineral water without breaching the public interests and in the interest of the population;

2. to implement activities for prevention f the harmful impact of the mineral water over the underground infrastructure and the surrounding buildings;

3. to conduct the necessary control over the quantity of the mineral water designated for common use and pouring by the population conceding annually information to the Ministry of Environment and Waters.

§6.(1) Within 3 months from the enforcement of the present law, the facilities of art. 13, items 2 and 4 shall be registered by the order of the Law for the state ownership.

(2) The Council of Ministers shall grants the facilities pointed out in para 1 to the Ministry of Environment and Waters for execution of its functions by the order of art. 13, para 3 of the Law for the state ownership.

§ 7.(1) In the cases when a public municipal property under this law is already granted as concession or the right over it are transferred to third persons, or contracts are concluded for the use of these facilities, the rights shall be brought in conformity adhering to the procedure, provided in art. 20 of the present law.

(2) When the rights over the public municipal property of para 1 include also a right to use waters which are public state property, the interested persons have to require the issuing of a permit for water use by the order of this law within 6 months after the law has entered into force.

§8.(1) In the cases when rights for use of mineral waters which are exclusive state property are granted, the already existing permits shall be brought in conformity with the present law and with the Law for the concessions, when the conditions of art. 47, para 1 from the present law are present, and in the other cases at request by the competent body of art. 52, para 1, item 2 of the present law or by any interested person, shall be started a procedure for issuing a new permit.

(2) The concession contracts for conceded special right to use mineral waters – exclusive state ownership, shall be reshaped in compliance with the provisions of this law within one year after the law enters into force.

§9. When the use of the waters is realised on the basis of issued permits or without any grounds, the person who uses the waters shall be obliged to pay the fees, provided for in the present law, starting from the enforcement of the tariffs, provided for by the present law, notwithstanding of the stage, at which is the procedure for issuing or reformatting of his permit.

§10.(1) The already existing permits shall be brought in conformity with the requirements of the law:

1. For water use:

a) over 1 m³/s for surface waters;

b) over 30 l/s for the underground waters - within 1 year from the enforcement of the present law, and for all other cases - within 3 years;

2. For discharging of waste waters over 5,000 m³ per 24 h - within 1 year from the enforcement of the present law, and for all other cases - within 2 years.

(2) The register of the issued permits shall be prepared within 1 year from the promulgation of the law;

§11. Unfinished production activities related to water use or use of water objects, water supply systems and installations, shall be finished under the present law.

§12. (1) For the preparation of the water economic cadastre in the Ministry of Environment and Waters shall be presented information by:

1. The Ministry of Agriculture, Forests and Agrarian Reform - for the hydro-melioration systems and installations, the dams for irrigation, including these which are former property of the Labour Collective Agricultural Farms and Agricultural Industrial Complexes, the fish farms for artificial breeding of fish;

2. The Ministry of Regional Development and Public Works - for the water supply systems, the drinking water sources, the sewerage collectors and the drinking and waste water treatment plants;

3. The State agency for energy and energy resources - for all hydro-energy facilities;

4. The municipalities:

a) for all sites, registered as municipal property, according to the Law for the municipal property;

b) for the hydro-melioration systems and installations, the dams for irrigation, including the ones which were formerly owned by the Labour Collective Agricultural Farms and Agricultural Industrial Complexes, the fish farms for artificial breeding of fish;

c) for the water intake systems and installations for underground waters, the systems and installations for drainage or drying, the systems and installations for artificial feeding of the underground waters and the systems and installation for discharge into the earth bowels the waste waters, containing hazardous substances, constructed on their territory until the enforcement of the present law, regardless of their ownership, their functional condition and their use.

(2) The information of para 1 shall be presented within 1 year after the law enters into force.

§13.(1) The Basin Directorates shall be established within 2 years after the law enters into force.

(2) Until the establishment of the Basin Directorates, their functions, with the exception of these of art. 155, item 3 shall be executed by one of the Regional Inspectorates for Environment and Waters within the respective basin, determined by an order of the Minister of Environment and Waters.

(3) Until the establishment of the Basin Directorates, the permits for water use and/or use under the present law shall be issued by the Minister of Environment and Waters.

(4) The Basin Councils are established within 6 months from the establishment of the respective Basin Directorate.

§14.(1) The river basin management plans shall be compiled within 5 years after the law enters into force.

(2) Until the preparation of the plans of para 1 shall be worked out general schemes for use of the waters, on the basis of which permits for water use shall be issued.

(3) The schemes of 2 shall be elaborated within 1 year from the promulgation of the law.

§15.(1) The owners of lands on which there are abandoned wells shall be obliged within 1 year from the enforcement of the present law to clean them and bring them in condition, suitable for use or to liquidate them.

(2) The rights of art. 112 for construction of water conveyance shall be arranged in two years term after the law enters into force.

§16.(1) Within 3 months from the enforcement of the present law, the mineral waters according to appendix No 2 to art. 14, item 2, registered as municipal property until the enforcement of the present law, shall be excluded from the register according to the Law for the municipal property.

(2) Within 3 months from the enforcement of the present law, the municipal administrations shall be obliged to prepare a form for registration of the wells on the territory of the municipality, which should contain data about the property, where is located the well, the names of the owner of the estate, the year of construction of the well declared by the owner, the purposes for which the water is used and the method for extraction of the water.

(3) Within 6 months from the enforcement of the present law, the owners or the users of estates, where there are constructed wells, shall be obliged to register them declaring data about the estate where is located the well, the names of the owner of the estate, the year of construction of the well, the purposes for which the water is used and the method for extraction of the water. The municipalities shall send every year a copy of the prepared register to the Ministry of Environment and Waters.

§17. Until the approval of the National Water Economic Plan the Minister of Environment and Waters shall develop and submit for approval to the Council of Ministers national programmes for construction, expansion, reconstruction and modernisation of facilities and/or systems for use and preservation of the waters.

§18. Until the passing of a law for regulation of the activities of Civil Defence, for the protection of the waters in emergency cases and for protection from their harmful impact:

1. The Minister of Defence shall determine the contents of the emergency plans of art. 131, para 1 and art. 138, para 3;
2. The owners or the users of water objects shall be obliged to provide forces and resources for the implementation of the emergency plans, to maintain in proper condition the roads and the communication links to the water objects, the dikes and the water economic systems;
3. The regional managers shall appoint committees for annual review of the technical and operational condition of the potentially dangers water bodies.

§19. The provision of art. 193, para 3 shall enter into force three years after the promulgation of this law.

§20. The by-law normative acts provided in this law shall be issued within one year term after the promulgation of the law.

§21. In art. 58, para 1 of the Law for the sea areas of the Republic of Bulgaria (prom. SG 55/87; amend, SG 11, 26/98 and SG 23/99), the words "and from coastal sources" shall be deleted.

§22. In the Law for protection of the waters and soils from pollution (prom. SG 84/63, amend. and suppl. SG 26/68, SG 29/69, SG 95/75, SG 3/77, SG 1/78, SG 26/88, SG 86/91, SG 100/92, SG 45/96, SG 85/97, SG 11/98) the following amendments shall be made:

1. In the title of the law the words "waters and" shall be deleted;
2. In art. 1 the words "waters and" shall be deleted;

3. Articles 2 and 3 are changed as follows:

"2. "Pollution of soils" means such deterioration of their composition, qualities and properties which renders them unsuitable or harmful for the people, animals and plants.

3. The Ministries, the departments and the municipalities shall undertake measures for protection of the soils from pollution.

The Minister of Environment and Waters shall exert control for protection of the soils from pollution.

The Minister of Health shall exert sanitary control over the condition of the soils. He shall issue, in coordination with the Minister of Environment and Waters, sanitary standards and rules which are obligatory for all departments, organisations and persons.

At the carrying out of the control of para q, 2 and 3 the Ministry of Environment and Waters and the Ministry of Health shall assign technically competent bodies and persons from other departments.

The Minister of Agriculture, Forests and Agrarian reform with the help of the Agriculture Academy shall issue standards and rules obligatory for all departments, organisations and persons in connection with the protection of the animals and the agricultural crops and shall also carry out supervision over their implementation."

4. Article 4 shall be repealed;

5. Articles 8 - 13 shall be repealed;

6. In art. 15 the words "the people's councils" shall be substituted by "the municipalities".

7. Article 17 shall be repealed;

8. In art. 20, item a) shall be repealed;

9. In art. 20a shall be made the following amendments:

a) in para 1 the words "the Ministry of Agriculture and Forests or of the municipal people's councils and when the breach is in connection with pollution of the sea waters, by the bodies of the Ministry of Environment and Waters or of the Ministry of Transport" shall be substituted by "the Ministry of Agriculture, Forests and Agrarian Reform or of the municipalities";

b) Para 2 shall be changed as follows:

"The punitive decisions shall be issued by the Minister of Environment and Waters."

10. In Article 21 the words "the Minister of Public Health and Social Care" shall be substituted by "the Minister of Health" and the words "the waters or" shall be deleted;

11. In art. 23 shall be made the following changes:

a) para 1 shall be changed as follows:

"For all already existing industrial plants, cattle-breeding farms and others of the kind, as well as for separate sites, polluting the soils with solid and liquid pollutants, shall obligatory be constructed treatment facilities with funds, provided for in the state and the municipal budgets, as well as in the perspective and annual plans of the enterprises and the other organisations.";

b) in para 2 the words "the Ministry of Economy and Planning" shall be deleted and the words "the Ministry of Environment and Waters and the Ministry of the Public Health and Social Cares" shall be substituted by "the Minister of Environment and Waters and the Minister of Health".

12. Everywhere in the law the words "the Ministry of the Public Health and Social Cares" and "the Minister of the Public Health and Social Cares" shall be substituted respectively by "the Ministry of Health" and "the Minister of Health", and the words "the Ministry of Agriculture and Forests" and "the Minister of Agriculture and Forests" shall be substituted respectively by "the Ministry of Agriculture, Forests and Agrarian Reform" and "the Minister of Agriculture, Forests and Agrarian Reform".

§23. In the Law for the municipal property (prom. SG 4/96; amend. SG 104/96, SG 55/97, SG 22, 93/98, SG 23, 56/99) shall be made the following changes and supplements:

1. In art. 2, para 1:

a) item 2 shall be changed to:

"2. the waters, water objects, water economic facilities and installations, determined by a law;"

b) in item 3 the words "the water reservoirs, the beaches adjacent to them and" shall be deleted.

2. In art. 57:

a) in item 4 the words "the territory of the water reservoir" shall be substituted by "the water objects – municipal ownership";

b) item 5 shall be created:

"5. the mineral waters - public municipal properties."

§24. In the Law for the concessions (prom. SG 92/95; SG 16/96 – Decision No 2 of the Constitutional Court of 1996; amend. SG 44/96, SG 61, 123/97, SG 93/98, SG 23, 56/99) in art. 4, para 1, item 7 shall be changed to:

§25. In the Law for public health (prom. SG /73, corr. SG 92/73; amend. and suppl. SG 63/76, SG 28/83, SG 66/85, SG 27/86, SG 89/88, SG 87, 99/89, SG 15/91; corr. SG 24/91; amend. SG 64/93, SG 31/94, SG 36/95, SG 12, 87, 124/97, SG 21, 70, 71, 93/98, SG 30, 62/99) the following amendments and supplements shall be made:

1. In art. 46:

a) in para 1 after the words "The mineral waters" shall be added "in the resorts announced under this law";

b) para 2 shall be repealed.

2. In art. 47, para 1 and 2 the words "the mineral waters and" shall be repealed.

3. In art. 48, para 1 the words "mineral waters" shall be repealed.

4. In the Additional Provisions §3 and 4 shall be repealed.

§26. In the Law for the state property (prom. SG 44/96; amend. SG 104/96, SG 55, 61, 117/97, SG 93, 124/98) in art. 68, para 7 the words "the mineral springs" shall be substituted by "the mineral waters – exclusive state property".

§27. In the Law for protection of environment (prom. SG 86/91; corr. SG 90/91; amend. SG 100/91, SG 31, 63/95, SG 13, 85, 86/97, SG 62/98, SG 12/99) art. 4a with the following content shall be created:

"Art. 4a.(1) The Council of Ministers shall approve Ordinance for the conditions and the order for implementation of the Protocol for protection of the environment of the Agreement for the Antarctic (SG 69/98).

(2) The implementing of activity in the Antarctic in breach of the provisions of the ordinance of para 1 shall constitute breach under art. 32, and for the administrative punitive procedure art. 35 shall be applied.”

§28. The Law for the waters (prom. SG 29/69; amend. SG3/77, SG 36/79, SG 44/84, SG 36/86, SG 24/87, SG 85/97, corr. SG 87/97).

§29. Until the issuing of the by-law normative acts provided in this law the by-law normative acts issued for implementation of the Law for the waters shall temporarily remain in force.

§30. The present law shall enter into force 6 months after its promulgation in State Gazette.

The law was passed by the 38Th National Assembly on July 13, 1999 and is affixed with the official seal of the National Assembly.

Chairman of the National Assembly: **Yordan Sokolov**

Appendix No 1 of art. 13, item 1

List of complex and important dams

1. Alexander Stamboliyski
2. Asenovets
3. Aheloy
4. Batak
5. Beglika
6. Beli Lom
7. Belmeken
8. Borovitsa
9. Vacha
10. Georgy Traikov
11. Golyam Beglik
12. Gorni Dubnik
13. Domlyan
14. Dospat
15. Dyakovo
16. Enitsa
17. Zhrebtchevo
18. Ivaylovgrad
19. Iskar
20. Yovkovtsi
21. Kalin
22. Kamtchiya
23. Karagyol
24. Kokalyane
25. Koprinka

26. Kritchim
27. Kula
28. Kurdzhali
29. Malko Sharkovo
30. Ognyanovo
31. Ogosta
32. Pancharevo
33. Poroy
34. Pchelina
35. Pyasutchnik
36. Rabisha
37. Rozov Kladenets
38. Sopot
39. Sretchenska Bara
40. Studen Kladenets
41. Studena
42. Saedinenie
43. Ticha
44. Topolnitsa
45. Toshkov Chark
46. Trakiets
47. Christo Smirnenski (Yantra)
48. Chaira
49. Shiroka Polyana
50. Yasna Polyana
51. Yastrebino

Appendix No 2 of art. 14, item 2

List of Mineral Waters which are Exclusive State Property

1. "Aytos" - Bourgas region, municipality of Aytos, town of Aytos
2. "Banite" - Smolyan region, municipality of Banite, village of Banite
3. "Bankya" - Capital region of Sofia, town of Bankya
4. "Banya" - Pazardzhik region, municipality of Panagyurishte, village of Banya
5. "Banya" - Plovdiv region, municipality of Karlovo, village of Banya
6. "Banya" - Sliven region, municipality of Nova Zagora, village of Banya
7. "Bedenski Bani" - Smolyan region, municipality of Devin, village of Beden
8. "Belovo" - Pazardzhik region, municipality of Belovo, town of Belovo
9. "Beltchinski Bani" - Sofia region, municipality of Samokov, village of Beltchin
10. "Blagoevgrad" - Blagoevgrad region, municipality of Blagoevgrad, town of Blagoevgrad
11. "Blagoevgrad - Struma river" - Blagoevgrad region, municipality of Blagoevgrad, village of Zeleni Dol
12. "Bratsigovo" - Pazardzhik region, municipality of Bratsigovo, town of Bratsigovo

13. "Bourgaski Mineralni Bani" - Bourgas region, municipality of Bourgas, village of Vetren
14. "Barziya" - Montana region, municipality of Berkovitsa, village of Burziya
15. "Varvara" - Pazardzhik region, municipality of Septenvri, village of Varvara
16. "Velingrad - Kamenitsa" - Pazardzhik region, municipality of Velingrad, town of Velingrad
17. "Velingrad - Ladzhene" - Pazardzhik region, municipality of Velingrad, town of Velingrad
18. "Velingrad - Chepino" - Pazardzhik region, municipality of Velingrad, town of Velingrad
19. "Voneshta Voda" - Veliko Turnovo region, municipality of Veliko Turnovo, village of Voneshta Voda
20. "Varshets" - Montana region, municipality of Vurshets, town of Vurshets
21. "Guliyana Banya" - Blagoevgrad region, municipality of Razlog, village of Banya
22. "Devin" - Smolyan region, municipality of Devin, town of Devin
23. "Dzhebel" - Kurdzhali region, municipality of Dzhebel, town of Dzhebel
24. "Dobrinishte" - Blagoevgrad region, municipality of Bansko, village of Dobrinishte
25. "Dolna Banya" - Sofia region, municipality of Dolna Banya, town of Dolna Banya
26. "Dolni Rakovets" - Pernik region, municipality of Radomir, village of Dolni Rakovets
27. "Draginovo" - Pazardzhik region, municipality of Velingrad, village of Draginovo
28. "Eleshnitsa - area St. Varvara - Mesta river" - Blagoevgrad region, municipality of Razlog, village of Banya
29. "Zamfirovo" - Montana region, municipality of Berkovitsa, village of Zamfirovo
30. "Izvorishte" - Bourgas region, municipality of Bourgas, village of Izvorishte
31. "Kazitchene - Ravno Pole" - Capital region of Sofia, municipality of Sofia, village of Kazitchene; Sofia region, municipality of Elin Pelin, village of Ravno Pole
32. "Kamenar" - Bourgas region, municipality of Pomorie, village of Kamenar
33. "Katuntsi" - Blagoevgrad region, municipality of Sandanski, village of Katuntsi
34. "Kirkovo" - Kurdzhali region, municipality of Kirkovo, village of Kirkovo
35. "Kiten" - Bourgas region, municipality of Tsarevo, village of Kiten
36. "Kostenets" - Sofia region, municipality of Kostenets, town of Kostenets
37. "Krasново" - Plovdiv region, municipality of Hisarya, village of Krasново
38. "Krushuna" - Lovech region, municipality of Letnitsa, village of Krushuna
39. "Kuklen" - Plovdiv region, municipality of Rodopi, village of Kuklen
40. "Kyustendil" - Kyustendil region, municipality of Kyustendil, town of Kyustendil
41. "Marash" - Shoumen region, municipality of Shoumen, village of Marash
42. "Marikostinovo" - Blagoevgrad region, municipality of Petrich, village of Marikostinovo
43. "Medovo" - Bourgas region, municipality of Pomorie, village of Medovo

44. "Merichleri" - Haskovo region, municipality of Dimitrovgrad, town of Merichleri
45. "Mihalkovo" - Smolyan region, municipality of Devin, village of Mihalkovo
46. "Momin Prohod" - Sofia region, municipality of Kostenets, town of Kostenets
47. "Nevestino - Barishteto" - Kyustendil region, municipality of Nevestino, village of Nevestino
48. "Nevestino - Topilata" - Kyustendil region, municipality of Nevestino, village of Nevestino
49. "Narechenski Mineralni Bani" - Plovdiv region, municipality of Assenovgrad, village of Narechenski Bani
50. "Obedinenie" - Veliko Turnovo region, municipality of Polski Trumbesh, village of Obedinenie
51. "Ovoshtnik" - Stara Zagora region, municipality of Kazanluk, village of Ovoshtnik
52. "Ovcha Mogila" - Veliko Turnovo region, municipality of Svishtov, village of Ovcha Mogila
53. "Ognyanovo - Gurmen" - Blagoevgrad region, municipality of Gurmen, villages of Gurmen and Ognyanovo
54. "Pavel Banya" - Stara Zagora region, municipality of Pavel Banya, town of Pavel Banya
55. "Pesnopoy" - Plovdiv region, municipality of Kaloyanovo, village of Pesnopoy
56. "Polikraishte" - Veliko Turnovo region, municipality of Gorna Oryahovitsa, village of Polikraishte
57. "Polski Trambesh" - Veliko Turnovo region, municipality of Polski Trumbesh, town of Polski Trumbesh
58. "Polyanovo" - Bourgas region, municipality of Aytos, village of Polyanovo
59. "Provadiya" - Varna region, municipality of Provadiya, town of Provadiya
60. "Pchelinski Bani" - Sofia region, municipality of Kostenets, village of Pchelin
61. "Resen" - Veliko Turnovo region, municipality of Veliko Turnovo, village of Resen
62. "Rudartsi" - Pernik region, municipality of Pernik, village of Rudartsi
63. "Rudnik" - Bourgas region, municipality of Bourgas, village of Rudnik
64. "Rupite - area Kozhuh" - Blagoevgrad region, municipality of Petrich, village of General Todorovo
65. "Razhena" - Stara Zagora region, municipality of Kazanluk, village of Ruzhena
66. "Sandanski" - Blagoevgrad region, municipality of Sandanski, town of Sandanski
67. "Sapareva Banya" - Kyustendil region, municipality of Sapareva Banya, town of Sapareva Banya
68. "Svishtov" - Veliko Turnovo region, municipality of Svishtov, town of Svishtov
69. "Simeonovgrad" - Haskovo region, municipality of Simeonovgrad, town of Simeonovgrad
70. "Simmitli" - Blagoevgrad region, municipality of Simmitli, town of Simmitli
71. "Slatina" - Montana region, municipality of Berkovitsa, village of Slatina
72. "Slivenski Mineralni Bani" - Sliven region, municipality of Sliven, village of Metchkarovo

73. "Sluntchev Bryag" - Bourgas region, municipality of Nessebar, town of Nessebar
74. "Sofia - Batalova Vodenitsa" - Capital region of Sofia
75. "Sofia - Gorna Banya" - Capital region of Sofia
76. "Sofia - Zheleznitsa" - Capital region of Sofia
77. "Sofia - Knyazhevo" - Capital region of Sofia
78. "Sofia - Lozenets" - Capital region of Sofia
79. "Sofia - Nadezhda" - Capital region of Sofia
80. "Sofia - Ovcha Kupel" - Capital region of Sofia
81. "Sofia - Pancharevo" - Capital region of Sofia, village of Pancharevo
82. "Sofia - Svoboda" - Capital region of Sofia
83. "Sofia - Centre" - Capital region of Sofia
84. "Starozagorski Mineralni Bani" - Stara Zagora region, municipality of Stara Zagora, village of Starozagorski Bani
85. "Stefan Karadzhovo" - Yambol region, municipality of Bolyarovo, village of Stefan Karadzhovo
86. "Straldzha" - Yambol region, municipality of Straldzha, town of Straldzha
87. "Streltcha" - Pazardzhik region, municipality of Streltcha, town of Streltcha
88. "Sudievo" - Bourgas region, municipality of Aytos, village of Sudievo
89. "Trojan" - Haskovo region, municipality of Simeonovgrad, village of Trojan
90. "Turgovishte - Boaza" - Turgovishte region, municipality of Turgovishte, village of Prolaz
91. "Harmanli" - Haskovo region, municipality of Harmanli, town of Harmanli
92. "Haskovski Mineralni Bani" - Haskovo region, municipality of Mineralni Bani, village of Mineralni Bani
93. "Hisarya" - Plovdiv region, municipality of Hisarya, town of Hisarya
94. "Hotovo" - Blagoevgrad region, municipality of Sandanski, village of Hotovo
95. "Chiflik" - Lovech region, municipality of Trojan, village of Chiflik
96. "Chirpan" - Stara Zagora region, municipality of Chirpan, town of Chirpan
97. "Shipkovo" - Lovech region, municipality of Trojan, village of Shipkovo
98. "Yagoda" - Stara Zagora region, municipality of Muglitzh, village of Yagoda
99. Region "Dolna Kamchiya" – iodine – bromine waters – Varna region, municipality Dolny Chiflik and municipality Avren.
100. Region "Northeastern Bulgaria" - underground waters from the malm aquifer with temperature higher than 20° C - Varna region, Dobrich region, Shoumen region
101. Region "Varna Basin" - underground waters from the eocenic aquifer with temperature higher than 20° C - Varna region, Dobrich region
102. Region "Sofia valley" - underground waters from the pre-neosoic plate and the neogenic sediment complex with temperature higher than 20° C, including the mineral waters from the deposits detached beforehand on the territory of Sofia region and region Sofia.