The purpose of the Act is to contribute to the preservation and restoration of the natural balance in the landscape, to the conservation of the diversity of all forms of life, natural values and beauty, and to the management of natural resources.

2) The conservation of nature and landscape shall be ensured in particular by:

a) The conservation and establishment of territorial systems of the ecological stability of the landscape;

b) The general conservation of wild plant and animal species, and the particular conservation of those species that are rare or endangered, by positively influencing their natural development and creating the conditions for their preservation, and also by using special growing and breeding facilities;

c) The conservation of selected mineral deposits, palaeontological finds, and geomorphologic and geological phenomena, as well as by the particular conservation of selected minerals;

d) The conservation of wood species growing outside of forests;
e) The establishment of a network of specially protected areas and their care;
f) Participation in the establishment and approval of forestry plans, with the aim of ensuring environmentally appropriate forestry management;
g) Participation in the process of territorial planning and building proceedings, with the aim of promoting an environmentally balanced and aesthetically valuable landscape;
h) Participation in the conservation of land resources, particularly in the landscaping of land;
i) Influence of water management in the landscape, with the aim of maintaining natural conditions for life in water and wetland ecosystems, while preserving the natural character and appearance of water courses, areas, and wetlands;
j) The restoration and establishment of new, naturally valuable ecosystems, e.g., in the reclamation and making of other changes of the structure and utilisation of the landscape;
k) Protection of the landscape for ecologically appropriate forms of economic utilisation, tourism, and recreation.

Sec. 3
Definition of Terms

For the purposes of this Act, certain basic terms shall be defined as follows:

a) A territorial system of the ecological stability of the landscape (hereinafter referred to as a "system of ecological stability") shall mean a mutually integrated complex of natural and altered, although nearly natural, ecosystems, which maintain a natural stability. Systems of ecological stability shall be distinguished as local, regional, and supra-regional systems.

b) A significant landscape component, as an environmentally, geomorphologically, or aesthetically valuable part of the landscape, shall mean that which gives the landscape its characteristic appearance, or contributes towards its stability. Significant landscape components shall mean forests, peat lands, water courses, ponds, lakes, and floodplains. Other landscape components shall also mean parts of a landscape that the nature conservation authorities register as a significant landscape component, under Sec. 6, particularly wetlands, steppe grasslands, game refuges, continuous grass areas, mineral and fossil deposits, artificial and natural rock formations, and geological outcrops and exposures. A landscape component may also mean valuable growths in settlement formations, including historical gardens and parks. Specially protected parts of nature shall be exempted from this definition (see subsection f)).

c) A wild plant (hereinafter referred to as a "plant") shall mean a single plant or a colony of plant species, including fungi, the population of which is sustained spontaneously and naturally. A plant shall mean all of its subterranean and above-ground parts.

d) A wild animal (hereinafter referred to as an "animal") shall mean a specimen of an animal species, the population of which is sustained spontaneously and naturally, even if it is kept in captivity, unless otherwise determined by this Act. An animal shall mean all of the development stages of the given species.

e) An animal or plant species shall also mean a systematic unit of a lower order.
f) A specially protected part of nature shall mean a very significant and unique part of animate and inanimate nature; it can be a part of the landscape, a geological formation, tree, animal, plant, or mineral, declared to be specially protected by a state authority, under Part Three or Four of this Act.

g) A wood species, growing outside the forest (hereinafter referred to as a "wood species") shall mean a tree or shrub growing individually or in groups in the open landscape or in settlement formations, on land outside forests. 1)

h) A palaeontological find shall mean something that constitutes significant evidence, or the remains, of life from the geological past;

i) A biotope shall mean a complex of all of the animate and inanimate mutually affecting factors that form the environment of a certain specimen, species, population, or community. A biotope shall mean a local environment that meets the requirements that are characteristic for plant and animal species;

j) An ecosystem shall mean a functional complex of animate and inanimate environmental components that are mutually connected by metabolism, energy flow, and the transfer of information, and which mutually influence each other, and develop in a certain area or time;

k) A landscape shall mean a part of the Earth's surface, with a characteristic relief, formed by a complex of functionally integrated ecosystems and elements of civilisation.

PART TWO

General Conservation of Nature and Landscape

Sec. 4

Basic Obligations of General Nature Conservation

1) The specification of a system of ecological stability, ensuring the preservation and reproduction of natural wealth, a favourable effect on the surrounding less stable part of the landscape, and the establishment of a foundation for the multilateral utilisation of the landscape, shall be determined and assessed by the territorial planning and nature conservation authorities, in co-operation with the authorities for water management, agricultural land resource protection, and the state forestry administration. The conservation of a system of ecological stability is the obligation of every owner or user of land that forms this system; the establishment of such a system is a public interest shared by the owners of the land, by the municipality and by the State. The Ministry of the Environment of the Czech Republic (hereinafter referred to as the "Ministry of the Environment") shall specify the details for defining and assessing a system of ecological stability, and the details for the plans, projects, and measures in the process of its establishment, by means of a generally binding regulation.

2) Significant landscape components must be conserved against damage and destruction. They shall be solely used in a manner that does not impair their renewal and does not endanger or weaken their stabilising function. Whosoever intends to carry out any intervention that might lead to the damaging or destruction of a significant landscape component, or could endanger or weaken its ecologically stabilising function, must procure a binding statement from the nature conservation authorities. Such interventions include the placing of buildings, landscaping, changes of cultures, land drainage, regulation of water
courses and reservoirs, and mineral extraction. The particulars of the conservation of significant landscape components shall be specified by the Ministry of the Environment in a generally binding regulation.

3) A binding statement of the nature conservation authorities with regard to this Act is also required for the approval of forestry plans and forestry lay-outs, 2) for the deforestation and afforestation of and exceeding 0.5 ha, for the building of forest roads and down-drives, and for forest drainage systems. A binding statement of the nature conservation authorities is not required for cultivation and timber production in forests, carried out in accordance with the forestry plans, and for random felling. 3)

Sec. 5

General Conservation of Plants and Animals

1) All plant and animal species must be protected from destruction, damage, collection or catching, which leads or could lead to the endangered existence of these species, or to their degeneration, the impairment of their reproductive ability, the extinction of a population of species, or the destruction of the ecosystem of which they are a part. Should these conditions of protection be violated, the nature conservation authorities shall be authorised to prohibit or limit interfering activities.

2) Protection, under subsection 1, does not apply to the eradication of plants and animals, specified in a separate regulation. 3) Endangered or rare plant and animal species are specially protected in accordance with Sections 48 to 50 of this Act.

3) In the execution of agricultural, forestry and building work, in water management and regulation, transport and power engineering, physical and legal persons must proceed in a manner which will not cause an excessive destruction of plants, or injury to or death of animals, nor the destruction of their biotopes, and which can be prevented with the use of technical or economically accessible means. Should the liable person not do so himself, the nature conservation authorities shall order the procurement or use of such means.

4) The intentional dispersion of geographically non-indigenous plant and animal species in the landscape shall be possible only with the permission of the nature conservation authorities; this will not be applied for non-indigenous plants in case of management according to the approved forestry plan or the by owner accepted forestry lay-out. A geographically not original plant or animal species is a species that is not a part of the natural communities in a certain area.

5) The intentional cross-breeding and the subsequent dispersion of plant and animal cross-breeds in the landscape shall only be possible with the permission of the nature conservation authorities.

6) The export and import of endangered plants and animals, protected by the international conventions that bind the Czech Republic (hereinafter referred to as "international conventions"), is subject to the permission of the nature conservation authorities, with the exception of the export and import of those endangered species of wild fauna and flora that are subject to a special regulation. 4a)

Sec. 6

Registration of Significant Landscape Components
1) The registration of significant landscape components shall be carried out by the nature conservation authorities, which shall simultaneously provide notice of this registration to the owner or tenant of the concerned land, the building authority having territorial jurisdiction, and municipality. Should a greater number of landowners be involved, this notification may be made in the form of a public notice.

2) The notification, under subsection 1, must always include a specification of the significant landscape component, and notice of the legal consequences of registration (Sec. 4(2)).

3) The owners of the concerned lands shall be entitled to raise written objections to the registration of a significant landscape component, and send them to the nature conservation authority that made the registration, within 30 days of the date on which they received notification thereof, or within 30 days of the date on which the public notice was issued. This nature conservation authority must discuss the objections with the owners and decide whether to confirm or cancel the registration.

4) The nature conservation authority that made the registration may cancel the registration of a significant landscape component, should this cancellation not be pursuant to subsection 3, and only should it be in the public interest to do so.

Sec. 7
Conservation of Wood Species

1) According to this provision, wood species must be conserved against damage or destruction, if they are not subject to stricter protection (Sections 46 and 48), or to protection according to separate regulations. 5)

2) Taking care of wood species, particularly their tending and maintenance, is the duty of their owners. Should wood species be infected by an epidemic or other serious diseases, the nature conservation authorities may order the owners to take certain steps, including the felling of the infected wood species.

Sec. 8
Permission to Fell Wood Species

1) Unless hereinafter determined otherwise, the felling of wood species requires the permission of the nature conservation authorities. Permission may be granted for serious reasons after the assessment of the functional and aesthetic significance of the wood species.

2) No permission shall be required to fell wood species for growing and cultivation purposes, i.e., for reproducing or culling the growths, and for reasons of health, or in the exercise of an authorisation pursuant to separate regulations. 6) Felling for these reasons must be reported to the nature conservation authorities 15 days in advance. The nature conservation authorities may stop, limit, or prohibit the felling, should it be in conflict with the requirements of the protection of wood species, or should it exceed the limits of a special authorisation.

3) No permission shall be required for felling wood species on lands in the possession of physical persons, should they be using the lands, and should this concern trees of a prescribed size or other characterisation. This size or characterisation shall be specified by the Ministry of the Environment in a generally binding regulation.

4) No permission shall be required for felling wood species, should their condition evidently and imminently endanger human life or health, or should there be a threat of extensive
damage. Whosoever fells wood species under these conditions shall report it to the nature conservation authorities, within 15 days of the date on which the woods species were felled.

5) The Ministry of the Environment shall specify the particulars of the protection of wood species and the conditions for their permitted felling in a generally binding regulation.

Sec. 9
Compensatory Planting and Payments

1) In the permission it grants to fell wood species, a nature conservation authority may order the applicant to plant compensatory wood species, in order to make up for the environmental detriment caused by the felling of the wood species. It may also order the subsequent care of the wood species, for a period not exceeding 5 years.

2) Compensatory planting, under subsection 1, may be ordered on land that is not in the possession of the applicant for permission to fell, only with the prior approval of the owner of the land. Municipalities shall maintain records of the lands within their territory that are suitable for compensatory planting, after prior discussion with the owners of the lands.

3) Should the nature conservation authorities not order compensatory planting, under subsection 1, whosoever fells wood species for reasons having to do with construction work and with the permission of the nature conservation authorities, must make a payment to the municipality, which shall use it for the improvement of its environment. Whosoever fells species illegally must make a payment to the State Environment Fund of the Czech Republic. 7) The amount of the payments, the conditions for their imposition, and their possible remittance, shall be specified by a separate act.

4) Compensatory planting, under subsection 1, or the payment of a payment, under subsection 3, is simultaneously the fulfilment of the order for compensatory measures, under Sec. 86(2), and the order for the compensation of an environmental detriment. 8)

Sec. 10
Protection and Utilisation of Caves

1) Caves shall mean an underground space caused by the effects of natural forces. For the purposes of this Act, caves shall also be understood to be natural phenomena on the surface of the Earth and underground, which are in direct causal nexus with caves.

2) It shall be prohibited to damage or destroy caves. The approval of the nature conservation authorities shall be required for having access to caves or their utilisation, according to separate regulations. 9)

Sec. 11
Protection of Palaeontological Finds

1) Whosoever makes a palaeontological discovery, which he himself recognises, must ensure its protection from destruction, damage, and theft, and record data on the circumstances of its discovery, and particularly the place of discovery. Upon a written invitation, issued by the nature conservation authorities, he must also inform them of the circumstances of the discovery and enable access to, and submit documentation concerning, the discovery, to persons authorised by a nature conservation authority.
2) The owner of the land on which a palaeontological discovery was made, or the person who carries out activities, in the course of which the discovery was made, must, upon the request of a nature conservation authority, enable persons, authorised by this authority, to carry out palaeontological salvage research, and during this period (within 8 days of the date of discovery, if not agreed upon otherwise by both parties), he must refrain from carrying out any activities at the place of discovery, such as could lead to its destruction or damage. When the palaeontological salvage research is completed, persons authorised by the nature conservation authority must be allowed to carry out professional palaeontological supervision of further work.

3) The export of palaeontological finds shall be permitted only with the approval of the nature conservation authorities.

Sec. 12

Protection of the Character of the Landscape and Natural Parks

1) The landscape character of a place or area shall be its natural, cultural, and historical character, and it must be protected from activities that reduce its aesthetic and natural values. Interference in the character of a landscape, especially the approval and placing of buildings, may be carried out only with regard to the preservation of significant landscape components, specially protected areas, and cultural landscape landmarks, and for harmonious standards and relations within the landscape.

2) The approval of the nature conservation authorities shall be required for the approval and placement of buildings that could impair or alter the character of the landscape. The particulars of protecting the character of the landscape may be specified by the Ministry of the Environment, by means of a generally binding regulation.

3) For the purpose of protecting the character of a landscape with a significant concentration of aesthetic and natural values, and which is not specially protected under Part Three of this Act, the nature conservation authorities may, by a generally binding regulation, establish a natural park, and limit such use of the area as could result in its destruction, damage, or disturbance.

Sec. 13

Temporarily Protected Areas

1) The nature conservation authorities may proclaim an area with a temporary and unforeseen occurrence of significant plant and animal species, minerals, or palaeontological discoveries, to be a temporarily protected area. A temporarily protected area may also be proclaimed for other serious reasons, such as for scientific, research, or informative purposes. A temporarily protected area may be proclaimed for a previously determined period, or for a recurring period, such as the nesting period. In its decision on the proclamation of such an area, the nature conservation authority shall limit such use of the area as could result in its destruction, damage, or in the disturbance of the development of the subject of protection.

2) Should the consequences of the conditions of a temporarily protected area not be insignificantly detrimental to its owner or tenant, he shall be entitled to financial compensation from the nature conservation authority that proclaimed the temporarily protected area. When deciding on the amount of the compensation, this authority may request
PART THREE
Specially Protected Areas

Chapter One
Sec. 14
Categories of Specially Protected Areas
1) Naturally, scientifically, or aesthetically significant or unique areas may be proclaimed specially protected areas. When so done, the conditions of their protection must also be specified.
2) The categories of specially protected areas shall be the following:
   a) National parks;
   b) Protected landscape areas;
   c) National nature reserves;
   d) Nature reserves;
   e) National natural monuments;
   f) Natural monuments.

Chapter Two
Sec. 15
National Parks
1) Extensive territories that are unique according to a national or international standard, a considerable part of which are natural ecosystems or ecosystems little affected by human activities, where plants, animals and inanimate nature are of an exceptional scientific and educational significance, may be proclaimed national parks.
2) All utilisation of national parks must be subsidiary to the preservation and improvement of the natural conditions, and must be in conformity with the scientific and educational aims sought after in the proclamation of national parks.
3) National parks, their mission, and the detailed conditions of their protection shall be proclaimed by an act of law.

Sec. 16
Basic Conditions of the Protection of National Parks
1) Throughout the entire territory of a national park, it shall be prohibited to:
   a) Farm the land in a manner requiring the use of intensive technology, in particular, means and activities that could cause fundamental changes in the biological diversity, structure, and function of the ecosystems, or could irreversibly damage the soil surface;
   b) Dispose of waste originating outside the territory of a national park, or to neutralise other waste elsewhere than at the place assigned for this purpose with the approval of the nature conservation authorities;
   c) Camp and light fires elsewhere than in places assigned for this purpose by the nature conservation authorities;
d) Drive motor vehicles and trailers (caravans) except on roads and local thoroughfares and places assigned for this purpose with the approval of the nature conservation authorities, with the exception of vehicles belonging to state administrative bodies, vehicles necessary for forestry and agriculture, the defence of the country, the protection of state borders, fire protection, medical and veterinary services, and vehicles belonging to water-management organisations;

e) Organise and arrange mass sports, tourist, and other public events, and to carry out water sports elsewhere than at places assigned for this purpose with the approval of the nature conservation authorities;

f) Undertake rock climbing and flying on parachutes and paragliders, and to ride bicycles, except on roads, local thoroughfares, and places assigned for this purpose with the approval of the nature conservation authorities;

g) Pick plants, with the exception of forest fruit, or catch animals, unless otherwise stipulated by this Act, in the detailed conditions of protection, or in the Visitors Rules of the national park;

h) Permit or carry out the intentional dispersion of geographically non-indigenous plant and animal species;

i) Introduce intensive breeding of game, for instance, in game enclosures, breeding farms and pheasantry, with the exception of rescue breeding, and to use poisoned bait in the exercise of huntsman’s rights;

j) Build new motorways, roads, railways, industrial buildings, residential formations, navigation channels, extra-high tension transmission lines and long-distance product pipelines;

k) Alter the existing water conditions of the land;

l) Spread chemicals on the thoroughfares;

m) Extract minerals, rocks, and hummollites, with the exception of building stone and sand for construction works within the territory of the national park;

n) Carry out sightseeing flights, by means of airborne motorised transport;

o) Alter the preserved natural environment, contrary to the detailed conditions for the protection of national parks.

2) Within the territory of the first zone of a national park (Sec. 17(1)), it shall also be prohibited to:

a) Approve and place new buildings;

b) Step off the paths marked with the approval of the nature conservation authorities, with the exception of owners or tenants of the land;

c) Alter the present composition and areas of cultivated plant life, unless this alteration arises from the care plan of a national park;

d) Fertilise the land, or use farm-sewage, silage juice, and other liquid waste.

Sec. 17

Territorial Zoning of National Parks

1. The methods and manners of protection of national parks shall usually be graded according to the division of their territory into three zones of nature conservation, demarcated with regard to natural values. The strictest protection regime is set down for the first zone. A
detailed characterisation and regime of the zones is specified in the generally binding regulation which proclaims a national park.

2. The demarcation and changes of the individual zones of nature conservation shall be determined by the nature conservation authorities in agreement with the Federal Ministry of Defence and the Ministry of Agriculture of the Czech Republic (hereinafter referred to as the "Ministry of Agriculture"), and after discussing them with the respective central state administrative bodies, district authorities, and municipalities, and shall be recorded in suitably scaled maps, which shall be maintained by all the authorities with which the zones were discussed. The nature conservation authorities shall mark the boundaries of the first zone in an appropriate manner.

Sec. 18
Care Plans for National Parks and Their Protective Zones

1) The nature conservation authorities shall propose and approve a plan for the care of every national park and its protective zones (hereinafter referred to as a "care plan"), usually for a period of 10 years. The basis for this plan shall be the zoning of the territory of the national park into individual zones (Sec. 17), and the contents of the plan shall be a specification of the long-term and short-term tasks for the protection of plants and animals, for forest and soil care, the appearance of the landscape, the ecological limits of settlement, transport, tourism and management within the territory of a national park.

2) The care plan shall also contain tasks concerning the guard and information service, and the principal internal tasks for the nature conservation authorities. The plan shall serve as a binding foundation for other documents and for the activities of the nature conservation authorities.

3) The care plan may be divided into detailed sub-plans, and for shorter periods, and may be elaborated for parts of a national park.

Sec. 19
National Park Visitors Rules

1) The entry, access with vehicles, free passage of people outside the built-up areas of municipalities, and the recreational and tourist activities of persons within the territory of a national park shall be limited. The conditions of this limitation, and the enumeration of prohibited tourist and recreational activities, shall be specified by this Act and by the Visitors Rules.

2) The Visitors Rules shall be issued by the nature conservation authority of a national park, in the form of a generally binding public notice; persons permanently residing or working in a national park may be exempted from the effect of this public notice, to a specified extent. Visitors Rules may also be issued for part of the territory of a national park.

3) The Visitors Rules shall contain certain provisions on the social, educational, and cultural utilisation of a national park.

Sec. 20
National Park Councils
1) The nature conservation authority of a national park shall establish a council for the national park (hereinafter referred to as a "council") for the assessment and discussion of all important documents concerning the protection and management of the national park and its protective zones, particularly the division of the territory of a national park into nature conservation zones, as well as of the care plans, Visitors Rules, forestry and territorial plans, as an initiating and consultative authority for matters pertaining to the national park.

2) Members of the council shall be delegated representatives of municipalities, district authorities and, in mountainous areas, representatives of the Mountain Rescue Service for the territory within which the national park and its protective zones are located. Other council members shall be appointed by the nature conservation authority of the national park, from among the most prominent legal and physical persons with business undertakings within the territory of the national park, particularly in the sphere of forestry, agriculture, trade, and tourism, and specialists from scientific and specialised institutions, or from other state administrative bodies.

3) Prior to approving the national park zones (Sec. 17), the Visitors Rules (Sec. 19), and the care plan (Sec. 18), the nature conservation authority must agree on a draft of these documents with the representatives of the municipalities who were delegated to the council, under subsection 2.

4) Should no agreement be reached, under subsection 3, the council shall submit this statement of dissent, along with its own binding statement, to the Ministry of the Environment, which shall decide the matter after discussing it with the municipalities concerned.

Sec. 21
Hunting and Fishing Rights in National Parks

The nature conservation authorities may limit or bar the exercise of hunting and fishing rights, under separate regulations, in certain parts of a national park or throughout its entire territory.

Sec. 22
National Park Forests

1) Forests in national parks cannot be categorised as plantation forests; provisions on interventions against pests, in cases of exceptional circumstances and unforeseen damage, may be applied only with the approval of, and to the extent determined by, the nature conservation authorities.

2) The authorisation to manage forests, forest land resources, and other forest property in the possession of the State, which are within the territory of a national park and its protective zones, shall be transferred to the respective administration of a national park by the legal persons executing their right of utilisation, within one year of the date on which this Act shall come into legal force and effect, and in the case of national parks proclaimed after this Act shall come into legal force and effect, within one year of the date on which the national park was proclaimed.

3) With regard to transferred property, according to subsection 2, the respective national park administration shall exercise rights of usage directly or through a legal person, whom it shall appoint for this purpose.
4) The period specified for the transfer of property under subsection 2, shall be prolonged to two years in the case of Krkonoše National Park.

Sec. 23
Property Rights to Certain Property in National Parks

Forests, forest land resources, water courses and water areas within the territory of national parks, which are state owned as at the date on which this Act shall come into force and effect, cannot be alienated. This shall not affect the rights of physical or legal persons under regulations on the restitution of property. 13)

Sec. 24
Fees in National Parks

1) The nature conservation authorities may collect fees from the drivers of motor vehicles who drive them into and stay within the territory of a national park, or from persons who enter specifically selected parts of national parks. This does not apply to persons permanently working or living within the territory of a national park, or to physical persons owning recreational facilities within the territory of a national park.

2) For driving within the territory of a national park with a motor vehicle, which is subject to fees according to subsection 1, the nature conservation authorities may also collect a one-time fee. The maximum amount and the manner of imposing this fee shall be defined by the Ministry of the Environment in a generally binding regulation.

3) The amount of the fees, under subsections 1 and 2, and the manner of collecting fees, shall be specified by the nature conservation authority of the national park in a public notice.

4) Fees in national parks shall constitute revenue for the respective nature conservation authority of a national park.

5) Should a nature conservation authority avail itself of its rights under subsections 1 and 2, no additional fees may be collected in these places in accordance with the Act on Local Fees. 14)

Chapter Three
Sec. 25
Protected Landscape Areas

1) Extensive territories having a harmoniously formed landscape, a characteristically developed relief, a significant share of natural ecosystems of forest and permanent grasslands, with abundant wood species, or with preserved monuments of historical settlement, may be proclaimed to be protected landscape areas.

2) The management of such territories for must be carried out according to the zones of graded protection, so as to preserve and improve their natural condition, and to preserve and create the optimum ecological function of these territories. Recreational use shall be admissible, provided that it does not damage the natural values of the protected landscape area.
3) Protected landscape areas, their mission, and particular conditions of protection, shall be proclaimed by the national government, by means of a decree.

Sec. 26

**Basic Conditions for the Protection of Protected Landscape Areas**

1) Throughout the entire territory of a protected landscape area it shall be prohibited to:
   a) Dispose of waste, other than in places assigned for this purpose with the approval of the nature conservation authorities;
   b) Camp and light fires, except in places assigned for this purpose with the approval of the nature conservation authorities;
   c) Drive motor vehicles and trailers (caravans) in the area, except on roads, thoroughfares, and places assigned for this purpose with the approval of the nature conservation authorities. This shall not apply to vehicles belonging to state administrative bodies, vehicles necessary for forestry and agriculture, the defence of the country and the protection of state borders, fire protection, and medical and veterinary services, and to vehicles belonging to water management organisations;
   d) Permit, or carry out the intentional dispersion of non-indigenous plant and animal species;
   e) Use poisoned bait in the exercise of hunting rights;
   f) Build new motorways, settlement formations and navigation channels;
   g) Organise automobile and motorcycle races;
   h) Spread chemicals on the thoroughfares;
   i) Alter the preserved natural environment contrary to the detailed conditions for the protection of protected landscape areas.

2) Within the territory of the first zone of a protected landscape area, it shall also be prohibited to:
   a) Permit the placing of, or place, new buildings;
   b) Permit a change to, or change, the utilisation of the territory;
   c) Alter the present composition and location of cultivated plant life, if this alteration does not arise from the care plan for protected landscape areas;
   d) Fertilise the land, or use farm-sewage, silage juice, and other liquid waste;
   e) Extract minerals and hummollites.

3) Within the territory of the first and second zones of a protected landscape area it shall also be prohibited to:
   a) Farm the land in a manner that requires the use of intensive technology, and in particular such means and activities as could cause fundamental changes in the biological diversity, structure and function of ecosystems, or could irreversibly damage the soil surface, use biocides, alter the water conditions, or carry out extensive adjustments (alterations) of the terrain;
   b) Introduce the intensive breeding of game, e.g., in game enclosures, breeding farms and pheasantry;
c) Organise bicycle races, except on roads, local thoroughfares, and places assigned for this purpose with the approval of the nature conservation authorities.

Sec. 27  
**Zones and Care Plans in Protected Landscape Areas**

1) For the detailed specification of the manner of protecting protected landscape areas, usually four, but at least three zones of graded nature conservation shall be demarcated; the first zone shall have the strictest rules of protection. The zones shall be demarcated by the nature conservation authorities, after discussing them with the relevant central state administrative bodies, district authorities, and municipalities. A detailed regime for the nature conservation zones in protected landscape areas shall be determined together with the proclamation or alteration of the detailed conditions of protection in protected landscape areas (Sec. 25(3)) in a generally binding regulation.

2) The nature conservation authorities shall propose and approve plans for the care of protected landscape areas (hereinafter referred to as "care plans") for a period of ten to fifteen years, to regulate and influence human activities with regard to the mission of protected landscape areas, and to set medium-term and long-term nature conservation tasks for these areas, particularly for the care of plants and animals.

3) The care plans shall arise from the conditions of protection in the nature conservation zones of protected landscape areas (subsection 1), and shall be the initial foundation for territorial planning documentation, forestry plans, water resources development plans, and other types of planning documentation.

Chapter Four

Sec. 28  
**National Nature Reserves**

1) Smaller territories of an exceptional natural value, where the natural relief, together with a typical geological structure, forms ecosystems, which are unique and significant on a national or international scale, may be proclaimed national nature reserves by the nature conservation authorities, which at the same time specify their conditions of protection.

2) The utilisation of national nature reserves is possible only if their hitherto natural environment is preserved or improved.

Sec. 29  
**Basic Conditions for the Protection of National Nature Reserves**

Throughout the territory of national nature reserves it shall be prohibited to:

a) Farm the land in such manner as to require the use of intensive technology, and in particular by means and activities that can cause fundamental changes in the biological diversity, structure, and functions of ecosystems, or can irreversibly damage the soil surface; use chemicals; alter the water conditions; or carry out alterations of the terrain;

b) Permit the placing of, and place, buildings;

c) Extract minerals and hummollites;
d) Step off marked paths, marked with the approval of the nature conservation authorities, with the exception of the owners or tenants of lands;

e) Permit or carry out the intentional dispersion of non-indigenous plant and animal species;

f) Practice rock climbing and flying with parachutes and suspension gliders, and ride bicycles, except on roads, local thoroughfares, and places assigned for this purpose by the nature conservation authorities;

g) Introduce the intensive breeding of game, for instance, in game enclosures, breeding farms and pheasantry, and use poisoned bait in the exercise of hunting rights;

h) Drive motor vehicles, with the exception of vehicles belonging to state administrative bodies, vehicles necessary for forestry and agriculture, the defence of the country and protection of state borders, fire protection, and for medical and veterinary services;

i) Pick plants or catch animals, should this not involve cases under Sec. 30;

j) Camp and light fires, except in places assigned for this purpose by the nature conservation authorities;

k) Alter the preserved natural environment, contrary to the detailed conditions for the protection of national nature reserves.

Sec. 30
Hunting and Fishing Rights in National Nature Reserves

The exercise of hunting and fishing rights in national nature reserves shall only be possible with the approval of the nature conservation authorities.

Sec. 31
National Nature Reserve Forests

Forests in national nature reserves cannot be categorised as plantation forests\(^{11}\); the provisions on interventions against pests\(^{12}\), in cases of exceptional circumstances and unforeseen damage\(^{3}\), may be applied only with the approval and to the extent determined by the nature conservation authorities.

Sec. 32
Property Rights to Certain Property in National Nature Reserves

Forests, forest land resources, water courses, water areas, and non-built-up land within the territory of national nature reserves, which are state owned as at the date on which this Act shall come into force and effect, cannot be alienated. This shall not affect the rights of physical and legal persons under regulations on the restitution of property\(^{13}\).

Sec. 33
Nature Reserves
1) Smaller territories of concentrated natural values with ecosystems, typical and significant for the geographical region concerned, may be proclaimed nature reserves by the nature conservation authorities, which shall, at the same time, determine the particular conditions of their protection.

2) Non-built-up land within the territory of nature reserves, which is state owned as at the date on which this Act shall come into force and effect, may be alienated only with the approval of the Ministry of the Environment. This shall not affect the rights of physical and legal persons under regulations on the restitution of property 13).

Sec. 34
Basic Conditions for the Conservation of Nature Reserves

1) Throughout the territory of a nature reserve it shall be prohibited to:
   a) Farm land in such manner as to require the use of intensive technology, and in particular by such means and activities as can alter the biological diversity, structure, and function of ecosystems, or irreversibly damage the soil surface;
   b) Use biocides;
   c) Permit the placing of, and place, new buildings;
   d) Permit or carry out the intentional dispersion of geographically non-indigenous plant and animal species;
   e) Pick plants or catch animals, with the exception of the exercise of hunting and fishing rights, or the picking of forest fruit;
   f) Alter the preserved natural environment, contrary to the particular conditions of protection in nature reserves.

2) The nature conservation authorities may limit the exercise of hunting and fishing rights, should they run contrary to the conditions of protection within nature reserve territory.

Chapter Five
Sec. 35
National Natural Monuments

1) A natural formation of a smaller extent, and in particular a geological or geomorphologic formation, mineral deposit, or rare or endangered species in fragments of ecosystems that are of national or international environmental, scientific, or aesthetic significance, as well as such formations as were formed by nature and human activities, may be proclaimed a national natural monument by the nature conservation authorities, which shall, at the same time, determine the particular conditions of its protection.

2) Altering or damaging national natural monuments and their utilisation shall be prohibited, to the extent that this could cause damage to them.

3) Forests, forest land resources, water courses, water areas, and non-built-up land within the territory of national natural monuments, which are state owned as at the date on which this Act shall come into force and effect, cannot be alienated. This shall not affect the rights of physical and legal persons under regulations on the restitution of property 13).
Sec. 36

Natural Monuments

1) A natural formation of a smaller extent, particularly a geological or geomorphologic formation, a mineral deposit or rare or endangered species in fragments of ecosystems, of regional environmental, scientific or aesthetic significance, as well as such formations as were formed by nature and human activities, may be proclaimed a natural monument by the nature conservation authorities, which at the same time shall determine the particular conditions of its protection.

2) Non-built-up lands within the territory of natural monuments, which are state owned as at the date on which this Act shall come into force and effect, may be alienated with the approval of the Ministry of the Environment. This shall not affect the rights of physical and legal persons under regulations on the restitution of property 13).

Chapter Six

Sec. 37

Protective Zones of Specially Protected Areas

1) Should it be necessary to safeguard specially protected areas from disturbing influences from the surroundings, a protective zone may be proclaimed for them, where it is possible to specify the activities and actions that are subject to the prior approval of the nature conservation authorities. A protective zone shall be proclaimed by the authority that proclaimed the specially protected area, and which shall do so in the same manner. Should a protective zone for a national nature reserve, national natural monument, nature reserve, or a natural monument not be proclaimed, then the area within a distance of 50 m of the border of a specially protected area shall become a protective zone.

Sec. 38

Care Plans for Selected Specially Protected Areas

1) The development of the natural conditions in national nature reserves, nature reserves, or in national natural monuments and natural monuments and their protective zones, shall be regulated on the basis of care plans. These plans shall contain instructions for the regulation of natural development and human activities, particularly for the execution of practical interventions in the related specially protected parts of nature.

2) The care plans shall be approved by the nature conservation authorities, usually for a period of ten years. They shall be used as a binding foundation for other types of planning documents, particularly for forestry plans and territorial planning documentation.

3) The Ministry of the Environment may specify details on the requisites of the care plans, by means of a generally binding regulation.

Sec. 39

Contractual Protection of Certain Specially Protected Parts of Nature

Nature conservation authorities may also establish nature reserves, natural monuments and noteworthy trees (Sec. 46), including their protective zones, on the basis of a written
agreement on the conditions of protection, concluded between the authority authorised to proclaim them and the owner of the land concerned, under the condition that a thus concluded agreement shall be permanently bound to the land concerned, as a burden on the land.

Sec. 40
Proclamation Procedures for Specially Protected Areas

1) The nature conservation authorities, authorised to proclaim specially protected areas, shall notify the owners and tenants of the lands concerned of their intention to do so. The nature conservation authorities shall notify the owners and tenants of the lands concerned, through the municipal authorities, of their intention to proclaim a national park or a protected landscape area, usually in the form of a public notice. The Ministry of the Environment shall specify the particulars of notification, pursuant to this subsection, by means of a generally binding regulation.

2) The owners of the lands concerned shall be entitled to raise objections to the intention to proclaim a specially protected area, under subsection 1, within 30 days of the date on which they received notification thereof, or of the date on which the public notice was issued, in the form of a written communication to the nature conservation authority that issued the notification.

3) The nature conservation authority, authorised to proclaim a specially protected area, must assess the objections, under subsection 2, and inform those who raised the objections of its conclusions, within 60 days.

4) From the date on which they were notified of the intention to proclaim a specially protected area, under subsection 1, until the final decision, but for a period no longer than two years, the owners of the land concerned must refrain from any interventions which could negatively alter or damage the preserved natural condition of the territory proposed for special protection.

Sec. 41
Discussion of Proclamation Intentions with the State Administrative Bodies

1) The nature conservation authorities shall discuss their intention to proclaim a national park, a protected landscape area, a national nature reserve, or national natural monument with the central state administrative bodies, according to separate regulations.

2) The state administrative bodies in question must deliver their opinion on the proposals and intentions, under subsection 1, within 30 days of the date on which they were submitted.

Sec. 42
Registering and Marking Specially Protected Areas

1) Specially protected areas shall be recorded in the central register of the nature conservation authorities (hereinafter referred to as "central register").

2) The central register shall be public, and anyone may examine them in the presence of an authorised person. The Ministry of the Environment shall determine the details for filing in a generally binding regulation, and in this regulation it shall also determine the legal person authorised to maintain the central register.
3) The nature conservation authorities shall notify the appropriate geodesic and cartographic authorities of every proclamation, change, or cancellation of a specially protected area under subsection 1.

4) The great seal of the Czech Republic shall be used to mark national parks, protected landscape areas, national nature reserves, and national natural monuments. The lesser seal of the Czech Republic shall be used to mark nature reserves and natural monuments.

5) The Ministry of the Environment shall specify the particulars for the manner of marking specially protected areas in maps and within the territory.

Sec. 43
Exceptions from Prohibitions in Specially Protected Areas

In cases where the public interest markedly outweighs the nature conservation interests, the nature conservation authority, authorised to proclaim protection, may permit exceptions from prohibitions under Sections 16, 26, 29, 34, and 35(2).

Sec. 44
Consent to Some Activities in Specially Protected Areas

1) Without the consent of the nature conservation authorities, no decision may be issued on the placing, permission, or change in the use of buildings, on a permission to treat water and for water-management works, a permission for certain activities, or on granting permission under the Water Act.

2) Activities and interventions that are subject to the prior consent of the nature conservation authorities may be specified in the particular conditions of protection for specially protected areas.

Sec. 45
Cancellation of Specially Protected Areas and Their Protective Zones

1) The authority that proclaimed an area and its protective zone as a specially protected area shall be authorised to cancel this protection by the same manner in which it was proclaimed, but only for reasons for which no exception from the particular conditions of protection (Sec. 43) can be granted, or should the reasons for special protection cease to exist.

2) The contractual special protection of an area, proclaimed under Sec. 39, may be cancelled on the basis of a written agreement between the owner of the land and the nature conservation authority authorised to proclaim it. Should the owner of the land not agree, the nature conservation authority that is authorised to conclude the agreement shall decide upon the cancellation itself.

PART FOUR
Noteworthy Trees, Specially Protected Plant, Animal, and Mineral Species
Chapter One
Sec. 46

Noteworthy Trees and Their Protective Zones

1) By virtue of a decision of the nature conservation authorities, exceptionally remarkable trees, groups of trees, and rows of trees, may be proclaimed to be noteworthy trees.

2) It shall be prohibited to damage and destroy noteworthy trees and to disturb their natural development; their tending shall be carried out with the approval of the nature conservation authority that proclaimed their protection.

3) Should it be necessary to safeguard noteworthy trees from the damaging influence of the surroundings, the nature conservation authority that proclaimed them shall demarcate a protective zone for them, where certain activities and interventions may be carried out only with the prior approval of the nature conservation authority. Should this authority not do so, every tree shall have a basic protective zone in the shape of a circle, with a radius equal to ten times the diameter of the tree trunk, measured 130 cm above ground level. No harmful activities, such as construction work, alterations of the terrain, drainage, or chemical applications shall be permitted within this zone.

4) The nature conservation authorities may cancel the protection of a noteworthy tree only for reasons for which an exception according to Sec. 56 is granted.

Sec. 47

Recording and Marking Noteworthy Trees

1) Noteworthy trees are recorded in the central register (Sec. 42(1-2)).

2) The lesser seal of the Czech Republic shall be used to mark a noteworthy tree.

3) The Ministry of the Environment shall specify the particular conditions for the manner of marking noteworthy trees in the open and in maps, by means of a generally binding regulation.

Sec. 48

Specially Protected Plants and Animals

1) Endangered or rare, scientifically or culturally significant plant and animal species may be proclaimed specially protected species.

2) According to the degree to which they are endangered, specially protected plant and animal species shall be divided into the following groups:
   a) Critically endangered species;
   b) Severely endangered species;
   c) Endangered species.

3) A list of specially protected plant and animal species and the degree of endangerment, according to subsections 1 and 2, shall be determined by the Ministry of the Environment, by means of a generally binding regulation.
Sec. 49

Basic Conditions for the Protection of Specially Protected Plants

1) Specially protected plants shall be protected in all their subterranean and above-ground parts, and at all stages of development; their biotope shall also be protected. It shall be prohibited to collect, pick, dig up, damage, destroy, or otherwise disturb the development of these plants.

2) Protection according to this Act shall not apply to plants, should they:
   a) Grow naturally within other cultivated plant life, and should they be destroyed, damaged, or disturbed in their natural development, in connection with the usual cultivation of this cultivated plant life;
   b) Be grown in cultured plant life that is acquired in a permitted manner,
   c) Originate from imported species and not be subject to protection according to international conventions.

3) Usual cultivation, according to subsection 2(a), must not be understood as an intervention that could cause changes in the hydrological soil conditions, soil surface, or chemical properties of the environment, except for interventions in the course of usual forestry work, in accordance with the forestry plans that are in force.

4) The provisions of subsection 2(a) shall not apply to critically and severely endangered species; in this case, the manner of usual cultivation requires the prior opinion of the nature conservation authorities, which may impose compensatory protective measures, e.g., the rescue transfer of the plants.

5) The particular conditions of the protection of specially protected plants shall be specified by the Ministry of the Environment, by means of a generally binding regulation.

Sec. 50

Basic Conditions for the Protection of Specially Protected Animals

1) Specially protected animals shall be protected in all their stages of development. The natural and artificial habitats they use, as well as their biotopes, shall be protected. Selected animals, which shall be protected even when having perished, shall be specified by the Ministry of the Environment in a generally binding regulation.

2) It shall be prohibited to harmfully intervene in the natural development of specially protected animals, especially to catch them, hold them in captivity, disturb, injure, or kill them. It shall not be permitted to collect, destroy, damage, or transfer them in any of their stages of development, nor the habitats they use.

3) Protection, according to this Act, shall not apply to cases when intervention in the natural development of specially protected animals is demonstrably necessary, in consequence of normal management and use on real or other property, or for hygienic reasons. In such cases, the manner and time of such interventions requires the prior opinion of the nature conservation authorities, which may impose compensatory protective measures, e.g., the rescue transfer of the animals.

4) The provisions of subsection 3 shall not apply to severely and critically endangered species.
5) The particular conditions of the protection of specially protected animals, especially should this concern zoological gardens, rescue breeding, care of injured animals, and authorised taxidermy, shall be determined by the Ministry of the Environment in a generally binding regulation.

Sec. 51

Special Protection of Minerals

1) Mineral species that are rare or scientifically or culturally valuable may be proclaimed specially protected minerals.

2) It shall not be permitted to damage or collect specially protected minerals in places in which they have been naturally deposited, without the approval of the nature conservation authorities.

3) A list of specially protected minerals, under subsection 1, and the particular conditions of their protection, shall be specified by the Ministry of the Environment in a generally binding regulation.

Sec. 52

Rescue Programmes for Specially Protected Species

All nature conservation authorities must establish rescue programmes for the protection of specially protected plant and animal species, with the aim of creating such conditions as would enable a bolstering of the population of these species, sufficient to lead to a lesser degree of their endangerment. Rescue programmes consist of a proposal for, and implementation of, special controlled development regimes, such as rescue breeding, introduction, reintroduction, rescue transfers, and other accessible methods suitable for achieving the pursued aim.

Sec. 53

Export

1) The export of specially protected animals, plants, and minerals shall be prohibited. In exceptional cases deserving of special consideration, the Ministry of the Environment may grant permission for the export of such species.

2) This permission shall not substitute for approval according to separate regulations.

Sec. 54

Evidence of Origin

1) Whosoever keeps, offers for sale, or processes specially protected plants, specially protected animals, or plants and animals protected in accordance with international conventions (Sec. 5(6)), must, upon the invitation of a nature conservation authority, prove the permissive manner of their acquisition (permitted import, permitted breeding or collection, permitted growing in cultures, etc.). It shall be prohibited to keep, offer for sale, or process specially protected plants and animals, or animals and plants protected according to international conventions, without evidence of their origin.
2) Whosoever keeps, offers for sale, or processes a plant or animal, under subsection 1, must prove his identity, if so requested by a nature conservation authority or nature guard (Sec. 81).

Chapter Two
Sec. 55
Discussion of Proclamation Intentions
1) The nature conservation authorities shall discuss their intention to proclaim noteworthy trees with the owners of such trees, and with the state administrative bodies concerned, according to separate regulations, \(21\) in accordance with Sec. 40.

2) Specially protected plant, animal, and mineral species shall be proclaimed by the nature conservation authorities in agreement with the Ministry of Agriculture, and after discussing them with the central state administrative bodies concerned, according to separate regulations. \(21\)

3) The central state administrative bodies concerned must state their opinion on the proposals and intentions, submitted according to subsection 1, within 30 days of the date on which they were submitted.

Sec. 56
Exceptions to Prohibitions Concerning Noteworthy Trees and Specially Protected Plant, Animal, and Mineral Species
1) In cases where other public interests significantly outweigh the nature conservation interests, the nature conservation authorities shall permit exceptions to prohibitions concerning noteworthy trees and specially protected plant, animal, and mineral species, under Sections 46(2), 49, 50, and 51(2).

2) In a decision to grant an exemption, the nature protection authority shall be authorised to establish the obligation to mark an animal of a specially protected species with an unambiguous and irremovable mark, or it may decide that such identification is not required.

Sec. 57
Approval of Some Activities Concerning Particularly Protected Plant, Animal, and Mineral Species
The activities and interventions that are subject to the prior approval of the nature conservation authorities may be specified in the detailed conditions for the protection of specially protected plant or animal species (Sec. 50(5)) or minerals (Sec. 51(3)).

PART FIVE

Chapter One
Sec. 58
Basic Obligations
Whosoever enjoys nature and landscape must suffer the limitations arising from this Act.

Sec. 59
Securing Lands
for Establishing Systems of Ecological Stability
1) To secure the conditions for establishing a system of ecological stability, measures, projects and plans according to Sec. 4(1), shall be carried out in agreement with the owner of the land.

2) Should the establishment of a system of ecological stability require a change in the utilisation of land, to which the owner of this land does not agree, the Land Office shall offer to exchange his land for land in the possession of the State, equivalent in area and quality to his original land, and, if possible, in the same municipality where the major part of the land is located.

3) Provisions on the protection of agricultural land resources shall not apply to lands required for the implementation of measures, projects, and plans for the establishment of systems of ecological stability, under Sec. 4(1).

Sec. 60
Expropriation and Obligatory Transfers of Management Rights
1) Real property, or the property rights to this property, may be expropriated for the conservation of nature and landscape, in cases specified by a separate regulation.

2) Procedures under the separate regulations on expropriation shall be applied in cases of expropriation made under subsection 1, and based on a proposal of the nature conservation authorities.

3) A nature conservation authority may transfer the management rights to state-owned property to itself, for the reasons, and to the extent, specified in subsection 1. The transfer of management rights shall be free of charge; it may only be charged when the transferor acquired the real property for a consideration.

4) The Ministry of the Environment shall specify the procedural details for transfers of management rights, under subsection 3, by means of a generally binding regulation.

Sec. 61
State Rights of First Refusal
and the Financing of Land Purchases
1) Owners of non-built-up land, which is located outside of settlement formations, within the territory of national parks, national nature reserves, or national natural monuments, and owners of caves, must, in the case of their intended sale, first offer the sale of these lands to the nature conservation authorities. Should these authorities not express a binding interest in this land, in writing, within 60 days of the date on which they received the offer, the owners may proceed with the intended sale of their land.
2) It shall be possible to provide a financial contribution from the State Environment Fund of the Czech Republic to ensure the purchase, by the State, of land in specially protected areas or significant landscape components.

Sec. 62
Admittance to Lands

1) All nature conservation authority employees, who in the course of their work prove their identity with an official identification card, shall be entitled to enter third party lands for the execution of tasks arising from this Act and from other nature and landscape protection regulations. When so doing, they may also perform necessary measurements, observation, and documentation, and may demand information necessary for determining the condition of the environment. When carrying out these activities, the nature conservation authority employees must spare the lands as much as possible, as well as all of the owner's rights.

2) The State shall be responsible for any damage caused by employees of the nature conservation authorities in the execution of their competencies, under subsection 1. The State cannot be exculpated from this obligation.

3) Admittance to premises and buildings that are used by the armed forces and armed corps shall be governed by separate regulations.

Sec. 63
Access to the Landscape

1) It shall not be permitted to establish or disestablish publicly accessible roads, trails, and paths outside the built-up area of a municipality, without the approval of the respective nature conservation authority. The municipal authorities shall maintain records of publicly accessible roads, trails, and paths within their territorial competence.

2) Everyone shall be entitled to free passage over lands in the possession or tenancy of the State, a municipality, or other legal persons, provided that he does not cause damage to the property or the health of another person, and does not transgress the rights to the protection of another person's public personality or neighbour’s rights. In so doing, everyone must respect the legitimate rights of the owner or tenant of the land, and the relevant generally binding regulations.

3) The rights under subsection 2 do not apply to built-up land or building sites, courtyards, gardens, orchards, vineyards, hop-gardens, and lands designated for animal husbandry. Arable soil, meadows, and grazing lands are exempted from the rights, under subsection 2, at such times as when damage may be caused to the growth or soil, or during the grazing of cattle. Separate regulations may restrict or alter the right, under subsection 2.

4) When enclosing or fencing in land that is not exempted from the right of free passage, under subsection 3, the owner or tenant of the land must ensure free passage over the land by technical or other means, and in a suitable place.

Sec. 64
Limitation of Access for Nature Conservation Reasons

Should there be danger of damage to the territory in national parks, national nature reserves, national natural monuments, and in the first zone of protected landscape areas, primarily by
an excessive inflow of visitors, the nature conservation authorities may, after discussing it with the municipalities concerned, limit or prohibit public access to these territories or to their parts. Prohibited or limited access must be properly marked on all of the access roads and paths, and in a suitable manner in other places as well.

Sec. 65

Affecting the Interests of Nature Conservation

A state administrative body, when issuing decisions in accordance with separate regulations, which could affect the interests protected by this Act, can do so only in agreement with the nature conservation authorities, provided that this Act does not prescribe another procedure.

Sec. 66

Limitation and Prohibition of Activities

The nature conservation authorities shall be entitled to impose upon physical and legal persons conditions for the execution of activities that could cause an unwarranted change in generally, or specially protected parts of nature, or they may prohibit such activities.

Chapter Two

Sec. 67

Obligations of Investors

1. Whosoever, within the framework of construction work or other use of the landscape, intends to carry out consequential interventions that could affect protected interests, under Parts Two, Three or Four of this Act (hereinafter referred to as an "investor"), must, at his own expense, arrange for a natural scientific study of the land concerned and procure a written assessment of the effect of the intended intervention on plants and animals (hereinafter referred to as a "biological assessment"), should this intervention be found to be necessary by the nature conservation authority that has jurisdiction over it. The physical or legal person who makes the biological assessment must, on the basis of a proposal made by the investor or participant of the particular procedure, be approved by the nature conservation authority, with regard to his qualifications. The Ministry of the Environment shall specify the particulars for biological assessments, by means of a generally binding regulation.

2. A biological assessment, under subsection 1, shall not be required should it already be a part of another environmental assessment, under other generally binding regulations and at the same time meet the requirements of a biological assessment.

3. The natural scientific study and the biological assessment, under subsections 1 and 2, shall be used as supporting material in decisions made by the nature conservation authorities.

4. Should this Act or other regulations, or the results of the biological assessment, under subsections 1 or 2, necessitate other compensatory nature protection measures (such as the building of technical barriers or the transfer of plants or animals), the investor must implement these measures at his own expense. The nature conservation authorities shall determine the extent and necessity of such measures.
Sec. 68

Measures for the Improvement of the Natural Environment

1) The owners and tenants of land shall, should it be within their power to do so, improve the condition of the preserved natural environment and landscape, for the purpose of preserving the diversity of natural species and systems of ecological stability.

2) Nature conservation authorities or municipal authorities may conclude written agreements with the owners or tenants of land, to take care of the land for nature conservation reasons.

3) The nature conservation authorities shall be entitled to improve the natural environment and landscape, under subsection 1, themselves, or through another person, should the owner or tenant of the land not respond to an invitation of the nature conservation authorities and not do so himself, especially if this involves the protection of specially protected parts of nature and significant landscape components.

4) The owners and tenants of the land must suffer interventions, under subsection 3, and enable the persons who are carrying them out to enter the land. The nature conservation authorities must inform the owners or tenants of the extent and date of the intervention, in advance. The nature conservation authority that ordered these interventions shall be responsible for any damage that the owners or tenants may suffer in connection with these interventions. This shall not affect the responsibility of persons carrying out these interventions.

Sec. 69

Financial Contributions

1) A financial contribution may be granted to owners or tenants of the lands concerned, for taking care of these lands, under Sec. 68(2), provided that they refrain from certain activities, or carry out agreed-upon work for the improvement of the natural environment.

2) A financial contribution may also be granted to a person who carries out compensatory protective measures, under Sec. 49 or 50.

3) The financial contribution, under subsection 1, may be granted by nature conservation or municipal authorities on the basis of a written agreement. The Ministry of the Environment shall specify the particulars concerning the conditions for granting a contribution, as well as the particulars of the agreement, by means of a generally binding regulation.

4) The contribution, under subsection 1, may also be granted from the State Environment Fund of the Czech Republic. 7)

Chapter Three

Sec. 70

Participation of Citizens

1) The protection of nature, under this Act, shall be carried out with the direct participation of citizens, through their civic associations 34) and voluntary groups or organisations associated with the nature conservation authorities.

2) The locally appurtenant organisational unit of a civic association, the main mission of which, according to its statutes, is the conservation of nature, provided that it is a legal entity, (hereinafter referred to as a "civic association") shall be entitled to demand that the respective
state administrative bodies inform it, in advance, of all the intended interventions and initiated administrative proceedings that could involve the nature and landscape protection interests protected under this Act.

3) Under the conditions and in cases under subsection 2, a civic association shall be entitled to participate in administrative proceedings, provided that it provides notice of its participation to the state administrative body that initiated the administrative proceedings, within 8 days of the date on which these proceedings were initiated; in such a case, the civic association’s standing is that of a participant in the proceedings. 35)

Sec. 71
Participation of Municipalities

1) Through their authorities, municipalities shall involve themselves in the conservation of nature and landscape in their territorial district. In particular, they shall advance their opinion on the establishment and disestablishment of specially protected areas, noteworthy trees, and their protective zones.

2) The nature conservation authorities must co-operate with municipalities, submit supporting materials and information to them, provide them with the necessary explanations for nature interventions and for methods of protecting the environment, particularly if these interventions could negatively effect the environment in the municipality or limit the exercise of the rights of the municipality’s inhabitants.

3) Municipal authorities shall be participants in administrative proceedings within their territorial district, under this Act, provided that they do not decide the same matter in the role of a state administrative body.

Sec. 72
Right to Information on Nature and Landscape Protection

1) The authorities which carry out the state administration of nature conservation under this Act must, within the scope of their competencies, maintain informational records, which must include:

a) Directive administrative acts in nature conservation;

b) Proposals for initiating administrative proceedings;

c) Issued decisions, including decisions made in appellate or revision proceedings;

d) All written and other supporting materials for the issued decisions, particularly minutes and records of meetings, testimony of witnesses, written evidence, and expert opinions;

e) Proposals for proclaiming specially protected components of nature, and the statements of the owners or tenants of the land concerned in regard to these intentions (Sections 40 and 55);

f) Other important information known to the authorities, related to the execution and management of nature conservation, and in particular information on the condition and development of the natural environment.
Sec. 73

Science and Research

1) The nature conservation authorities co-operate with professionally qualified legal and physical persons in the conservation of nature and landscape, particularly in the proclamation and protection of specially protected parts of nature, or in the cessation of their protection, or in the preparation of plans for the care of specially protected areas.

2) The nature conservation authorities may order or permit an expert opinion concerning the conservation of nature and landscape and the research of specially protected areas, to be carried out only by those physical or legal persons who are qualified to do so.

Sec. 74

Cooperation in Nature Conservation

1) The nature conservation authorities shall actively participate in international co-operation in nature conservation, meet the obligations ensuing from international conventions, programmes, and project adopted for the conservation of nature. Within the scope of its competencies, the Ministry of the Environment may issue a generally binding regulation to ensure the tasks arising from international obligations.

2) The nature conservation authorities shall pay particular attention to the proclamation and protection of territories adjoining specially protected areas in the Slovak Republic and in the neighbouring countries of the Czech Republic, as well as to the protection of animals that freely pass across state borders, and to natural trans-boundary resources in the Czech Republic.

PART SIX

Authorities and State Administration in Nature Conservation

Chapter One

Sec. 75

Nature Conservation Authorities

1) The nature conservation authorities shall be:

a) Municipal authorities;

b) District offices;

c) The administrative bodies of national parks and protected landscape areas;

d) The Czech Environmental Inspectorate; 37)


2) The nature conservation authorities shall carry out the state administration of nature and landscape protection under this Act.

Sec. 76

Scope of the Competencies of Municipalities
1) Municipal authorities shall:

a) Participate in the conservation of nature and landscape in their territorial districts, under Sections 68(2), 69(2), and 71;

b) With the exception of the territories of national parks, permit the felling of wood species, and be entitled to terminate, limit, or prohibit the felling of wood species, under Sec. 9, with the exception of the territories of national parks, and maintain records of lands suitable for compensatory planting, under Sec. 9(2);

c) Maintain records of publicly accessible roads, trails, and paths in their territorial district, under Sec. 63(1).

2) Authorised municipal authorities shall: 38)

a) Register significant landscape components, under Sec. 6;

b) Issue binding statements, under Sec. 4(2), with regard to interventions in registered landscape components;

c) Assess and demarcate local systems of ecological stability;

d) Proclaim noteworthy trees and their protective zones, under Sec. 46(1), and approve their tending, under Sec. 46(2);

e) Approve the establishment or disestablishment of roads, trails, and paths, under Sec. 63(1);

f) Impose fines for misdemeanours, under Sec. 87(1), and for illegal conduct, under Sec. 88(1) outside the territory of national parks and protected landscape areas.

3) The scope of the competencies of authorised district authorities, according to subsection 2, shall not extend to the territory of national parks, protected landscape areas, national nature reserves, nature reserves, national natural monuments, and natural monuments.

4) Statutory cities 38) shall carry out the state administration of nature conservation to the extent entrusted to municipalities, authorised municipal authorities, and district authorities (Sec. 77).

5) State administration in the City of Prague shall be carried out by:

a) The Municipal Authority of the City of Prague 39) within the scope of the competencies of district offices, under Sec. 77,

b) Municipal buroughs 39) within the scope of the competencies of municipal authorities, under Sec. 76(2)(a) to (d).

Sec. 77
Scope of the Competencies of District Offices

1) District offices shall prepare the policy for nature and landscape protection in the district and carry out the state administration of nature conservation in their territorial district, provided that another nature conservation authority is not authorised to do so (Sections 76, 79, and 80), and to the extent that it does not involve the territory of a national park or protected landscape area (Sec. 78).

2) District offices shall also maintain excerpts from the central register on nature conservation (Sections 42 and 47) within their territorial district. For important reasons they may extend the scope of their competencies to include municipal matters, under Sec. 76(1)(b), as well as
matters under Sec. 76(2), within the scope of the competencies of the authorised municipal authorities. They shall impose fines, under this Act, provided that another nature conservation authority is not authorised to do so (Sections 76(2)(f) and 78(2)).

3) District offices may issue a public notice, under Sec. 5(1) of this Act, to limit or prohibit disturbing activities; a public notice on the establishment of a natural park, under Sec. 12(3); a public notice on the establishment of a nature reserve, under Sec. 33; and a public notice on the establishment of a natural monument, under Sec. 36.

Sec. 78
Scope of the Competencies of the Administrative Bodies of National Parks and Protected Landscape Areas

1) The state administration of nature conservation and landscape protection within the territory of national parks and protected landscape areas, and their protective zones, shall be carried out by the administrative bodies of national parks and protected landscape areas, (hereinafter referred to as "administrations"), provided that a municipality, the Ministry of the Environment, or the Czech Environmental Inspectorate is not authorised to do so by this Act. A list of the administrations within the territory of the Czech Republic, and their seats, is set out in the Annex to this Act. The administration of the Sumava National Park shall also be, at the same time, the administration of the Sumava Protected Landscape Area.

2) Administrations maintain excerpts from the central register on nature conservation (Sections 42 and 47) within their territorial district. For important reasons they may extend the scope of their competencies to include municipal matters, under Sec. 76(1)(b) and (2)(c) to (e); they shall deliberate on and impose fines, under this Act, for misdemeanours and illegal conduct within the territory of national parks and protected landscape areas. They shall be authorised to issue a public notice on the establishment of nature reserves (Sec. 33) and natural monuments (Sec. 36).

3) Administrations also fulfil the tasks of professional nature conservation organisations within their territorial districts. These tasks shall include stock-taking and natural scientific surveys, the documentation and investigation of nature conservation activities, cooperation with research and scientific institutions, watch services, and informative and popular educational activities.

4) Within the territory of national parks, national park administrations shall also carry out activities, entrusted, under separate regulations, to district authorities, municipalities and authorised district authorities in the sphere of forestry, hunting, fishing, and the protection of agricultural land resources. 40)

5) National park administrations shall propose plans for the care of national parks (Sec. 18), and issue a public notice on the visitors. Rules for a national park (Sec. 19) and on fees in a national park (Sec. 24(3)), shall grant permission to carry out research activities in national parks (Sec. 73) and establish councils (Sec. 20).

Sec. 79
The Scope of the Competencies of the Ministry of the Environment

1) The Ministry of the Environment shall be the central state administrative body for nature conservation in the Czech Republic.
2) The Ministry of the Environment shall:

a) Prepare prognoses and policy for the nature conservation strategy in the Czech Republic
b) Coordinate the state scientific and research activities related to nature and landscape protection
c) Cooperate with the Ministry of Education of the Czech Republic in terms of nature and landscape protection.

3) The Ministry of the Environment shall also:

a) Demarcate and assess the supra-regional system of ecological stability;
b) Issue public notices by which it shall proclaim national nature reserves (Sec. 28) and national natural monuments (Sec. 35), specially protected plant and animal species (Sec. 48) and mineral species (Sec. 51), and which specify the particular conditions for their protection;
c) Demarcate the nature conservation zones of national parks (Sec. 17) and of protected landscape areas (Sec. 27);
d) Approve plans for the care of national parks (Sec. 18), national nature reserves, and national natural monuments (Sec. 38) and plans for the care of protected landscape areas (Sec. 27);
e) Ensure rescue programmes (Sec. 52) for critically endangered plant and animal species;
f) Grant exceptions from the conditions for protecting specially protected, critically and severely endangered plant and animal species, and exceptions from the conditions for protecting minerals (Sec. 56);
g) Approve certain activities in national nature reserves and national natural monuments (Sec. 44), should it not transfer this authority to a district council or administration;
h) Be the appellate authority for appeals against decisions made by a district council or administration;
i) Perform the function of a central state administrative body in matters concerning forestry and national parks and approve forestry plans within the territory of national parks and their protective zones;
j) Issue permissions for the export of palaeontological finds (Sec. 11(3)), the export of specially protected plants, animals, and minerals (Sec. 53), for research work in national nature reserves, national natural monuments, and for research on critically or severely endangered plant and animal species (Sec. 73);
k) Approve the export or import of plants and animals protected by international conventions (Sec. 5(6));
l) Carry out the competencies of a nature conservation authority on lands destined for state defence purposes, unless otherwise determined by this Act (Sec. 91);
m) Make known its intention to proclaim a national park, a protected landscape area, or a national nature reserve (Sec. 40(1));
n) Direct the activities of the administrations and carry out other tasks specified by this Act.

Sec. 80
Scope of the Competencies of the Czech Environmental Inspectorate
1) The Czech Environmental Inspectorate (hereinafter referred to as the "Inspectorate") shall supervise the manner in which the state administrative bodies and physical and legal persons observe the provisions of the legal regulations and decisions pertaining to the conservation of nature and landscape. The Inspectorate shall determine cases of the endangerment of, or damage to, nature and landscape, their causes, and the persons responsible for them. The Inspectorate, as well as the District Offices and Administrations, shall be authorised to request proof of origin, under Sec. 54; impose measures, under Sec. 66; and confiscate illegally held specimens, under Sec. 89.

2) In cases of imminent damage, the Inspectorate shall be entitled to order a limitation on, or cessation of, the harmful activities, until the result or causes of the harm shall be eliminated.

3) The Inspectorate shall impose a fine upon legal and physical persons for violating obligations pertaining to nature and landscape protection, under this Act. The Inspectorate may initiate proceedings on the imposition of fines, only if these proceedings were not initiated by an authorised municipal authority, a district council, or an administration. Should such proceedings be initiated by an authorised municipal authority, a district council, or an administration and by the Inspectorate, on the same day, the proceedings shall be conducted by the authorised municipal authority, district council, or administration. The Inspectorate and the authorised municipal authority, district council, or administration shall inform each other of the commencement of proceedings on the imposition of a fine. The Ministry of the Environment shall make a decision on appeals against decisions made by the Inspectorate.

4) The Inspectorate’s tasks shall be performed by inspectors, who shall prove their identity with an official identification card.

Sec. 81
Nature Guard

1) District councils and administrations shall appoint nature guards, primarily from among voluntary workers. The mission of the nature guard shall be to check the observation of regulations pertaining to nature and landscape protection.

2) The nature guard shall consist of guards and reporters, who shall appointed and recalled by the district council or administration having territorial competence.

3) The nature guard shall be entitled to:
   a) Establish the identity of persons who violate nature conservation regulations;
   b) Impose and collect (ticket) fines 42) for misdemeanours pertaining to nature conservation;
   c) Enter third party lands under the conditions specified in Sec. 62.

4) In cases of imminent danger to interests protected according to Part Two, Part Three, and Part Four of this Act, the nature guard shall be authorised to terminate the disturbing activities. The nature guard shall immediately inform the nature conservation authority having territorial competence, of the measure it took in so doing. The nature conservation authority shall confirm, alter, or cancel this measure within 15 days of the date on which it was issued.

Sec. 82
Uniforms and Identification of Nature Conservation Employees
1) Employees of administrations and the Inspectorate may wear nature conservation uniforms.

2) The Ministry of the Environment shall specify the particulars concerning the introduction and use of uniforms and the identification of nature conservation employees, by means of a generally binding regulation.

Chapter Two

Sec. 83

Proceedings in Matters of Nature Conservation

1) The nature conservation authorities shall invite all the participants known to them to attend oral proceedings. In cases when a decision of the nature conservation authority may affect the natural conditions in the territorial districts of several municipalities, the nature conservation authority shall also announce the date and subject of the oral proceedings in a public notice, posted in these municipalities.

2) Should oral proceedings be ordered, the nature conservation authorities must deliver the invitation to participate in these proceedings to the participants 15 days prior to, and in complicated cases 13 days prior to, the date on which the oral proceedings are to take place. The public notice of these oral proceedings must be posted on the same date.

3) Straight forward matters shall be decided by the nature conservation authority immediately. It shall decide other matters within 60 days of the date on which the proceedings were initiated, and, in particularly complicated cases, within 90 days of the date on which the proceedings were initiated.

Sec. 84

Amendment and Cancellation of Permissions

1) A nature conservation authority may, on its own initiative, or upon a submitted proposal, amend or cancel a permission it issued, after the proceedings were concluded:

a) Should there be a change in the facts that were decisive in issuing the permission;

b) Should it be so required by the interests of nature and landscape protected by this Act, particularly if there is danger of an imminent environmental detriment;

c) Should the holder of the permission repeatedly violate the conditions or obligations specified therein by the nature conservation authority;

d) Should the holder of the permission not make use of the permission for no special reason, for a period exceeding two years;

e) Should, in the course of the permitted activities, the provisions of this Act be violated, or should substantial damage to other authorised interests concerning the protection of the natural environment be caused by these activities.

2) The Ministry of the Environment may reserve its right to amend or cancel a permission, issued by a lower ranking nature conservation authority, for reasons specified in subsection 1(b) or (e).

Sec. 85

State Supervision in Nature Conservation

1) District councils and administrations shall supervise whether the interests of nature and landscape protection are endangered within their territorial district and the observance of this
Act and procedural regulations; and within the scope of their authority they shall impose measures to remedy the determined shortcomings. The authorities shall, in particular, supervise how the issued decisions and binding statements pertaining to nature and landscape protection are observed, as well as the fulfilment of the obligations of physical and legal persons arising from the regulations for the conservation of nature and landscape, the ensuring of the conditions for the protection of specially protected parts of nature, the observance of the protection of significant landscape components, and the preparation and implementation of plans, projects, and measures for the restoration of a system of ecological stability.

2) Within the scope of its supreme supervision in nature conservation, the Ministry of the Environment shall supervise how the district authorities, administrations, the nature guard, and physical and legal persons, carry out the provisions of this Act and procedural regulations. The Ministry of the Environment shall, in particular, supervise the observance of the decisions and binding statements made by the nature conservation authorities, the fulfilment of obligations arising from this Act on the Conservation of Nature and Landscape, the preparation and implementation of plans for the care of specially protected areas and plant and animal rescue programmes, and the observance of the conditions for the protection of national parks, protected landscape areas, national nature reserves, and national natural monuments. Should the Ministry of the Environment determine any shortcomings, it shall impose the necessary measures to remedy them.

PART SEVEN
Responsibility in the Sphere of Nature Conservation

Sec. 86
The Removal of the Consequences of Unauthorised Interventions

1) Whosoever damages, destroys, or unwarrantedly alters parts of nature or the landscape, protected under this Act, must restore them to their original condition, should this be possible and purposeful. The possibility of, and conditions for, restoring the original conditions shall be determined by the nature conservation authorities.

2) Should the restoration to the original conditions not be possible or purposeful, the nature conservation authorities may order the liable person to carry out an appropriate compensatory remedy. The purpose of this remedy shall be to at least partly compensate for the consequences of the unwarranted behaviour.

3) The imposition of an obligation to restore parts of nature to their original condition, or the compensatory remedy, shall not affect the liability for damages under other regulations, nor punishment for misdemeanours, illegal acts, or criminal offences.

Sec. 87
Misdemeanours

1) The nature conservation authorities shall impose a fine of up to CZK 5,000 upon a physical person who commits a misdemeanour, should he:

a) Unwarrantedly alter or disturb the preserved condition of nature in a specially protected area, or unwarrantedly alter the condition of a noteworthy tree;
b) Unwarrantedly intervene in the natural development of specially protected plant species;

c) Injure, or hold without permission, specially protected animals, or otherwise unwarrantedly intervene in their natural development;

d) Not enable persons, authorised under Sections 62 or 68(4), and 81, to enter land he owns or uses;

e) Not fulfil the obligation of notification prescribed by this Act;

f) Carry out activities prohibited in a protective zone designed to protect specially protected parts of nature;

g) Not prove in the prescribed manner, under Sec. 54(1), the origin of a specially protected plant or animal or a plant, or an animal protected under international conventions or a special legal regulation 4a);

h) Not carry out the imposed compensatory planting of wood species, under Sec. 9;

i) Not observe a limited or prohibited entry, declared under Sec. 64;

j) Not fulfil one of the obligations concerning a palaeontological find, under Sec. 11(1).

2) The nature conservation authorities shall impose a fine of up to CZK 10,000 upon a physical person who commits a misdemeanour, should he:

a) Destroy a part of nature in a specially protected area, or destroy facilities serving in the protection, marking, and equipment of a specially protected area;

b) Destroy specially protected plants listed in the category of endangered species, or cause them to perish by an unwarranted intervention in their environment;

c) Kill specially protected animals listed in the category of endangered species, cause them to perish by an unwarranted intervention in their environment, or catch specially protected animals;

d) Endanger beyond the necessary extent specially protected parts of nature, in the course of exterminating pests;

e) Damage or unwarrantedly fell wood species growing outside forests;

f) Carry out a harmful intervention in a significant landscape component without the approval of the nature conservation authorities;

g) Impair the nature of the landscape by violating the obligations specified in Sec. 12(2);

h) Damage or destroy a cave or its part;

i) Violate the provisions of the Visitor Rules of a national park, issued under Sec. 19.

3) The nature conservation authorities shall impose a fine of up to CZK 50,000 upon a physical person who commits a misdemeanour, should he:

a) Damage or destroy a noteworthy tree or a specially protected area or its part;

b) Kill a specially protected animal of a critically or severely endangered species, or cause it to perish by intervening in its environment;

c) Destroy a specially protected plant of a critically or severely endangered species, or cause it to perish by intervening in its environment;

d) Without permission, fell or seriously damage a group of wood species growing outside a forest;
e) Not restore a damaged part of nature, protected under this Act, to its original condition, or not remedy this condition, under Sec. 86, nor carry out compensatory measures, under Sec. 67(4);

f) Not fulfil the obligation as owner or tenant of land to refrain from negative interventions on land being prepared to be proclaimed specially protected, under Sec. 40(4);

g) Not proceed in a manner that would prevent the excessive perishing of plants and animals, under Sec. 5(3);

h) Violate the limitation or prohibition of activities declared under Sec. 66;

i) Unwarrantedly trade in specimens of species, the trade of which is limited or prohibited under international conventions, or illegally export specially protected species; should a misdemeanour be committed under a special regulation, 4a) this provision shall not be employed;

j) Unwarrantedly collect or damage specially protected minerals;

k) Violate the conditions prescribed for the protection of temporarily protected areas (Sec. 13);

l) Not meet the conditions for an exception, granted according to Sections 43 and 56, or the conditions for an approval, under Sections 44 and 57;

m) Seriously damage or destroy a significant landscape component.

4) A fine of up to double the amount may be imposed for misdemeanours in regard to the protection of specially protected plants and animals, wood species, and noteworthy trees, if they were committed in specially protected areas.

5) The proceeds from fines imposed by an authorised municipal authority or district council shall constitute income for the budget of the authority that imposed the fine. The proceeds from fines imposed by administrations and the Inspectorate shall be divided in accordance with the provisions of a separate Act. 7)

Sec. 88

Fines Imposed Upon Physical and Legal Persons
in the Execution of their Business Activities

1) The nature conservation authorities shall impose a fine of up to CZK 500,000 upon legal or a physical persons who, in the execution of their business activities, commit an illegal act, should they:

a) Damage a part of nature in a specially protected area, or unwarrantedly alter or endanger its preserved condition;

b) Damage or destroy a noteworthy tree;

c) Without permission, damage or destroy a wood species, or a group of wood species, growing outside of a forest;

d) Unwarrantedly interfere with the natural development of specially protected plant species;

e) Injure, or hold without permission, specially protected animals, or otherwise unwarrantedly interfere with their natural development;
f) Carry out activities prohibited in a protective zone designed to secure specially protected parts of nature;

g) Not enable persons, authorised according to Sections 62 or 68(4) and 81, to enter lands they own or use;

h) Not fulfil the obligation of notification, under this Act, or not fulfil the obligation of compensatory planting, under Sec. 9;

i) Harmfully interfere with a significant landscape component, without the approval of the nature conservation authorities;

j) Violate the conditions determined for the protection of temporarily protected areas;

k) Violate the limitations or prohibition on entry, according to Sec. 64, or violate the provisions of the Visitors Rules of a national park;

l) Damage or destroy a cave or its part;

m) Not fulfil an obligation concerning palaeontological finds, under Sec. 11(1);

n) Not demonstrate in a prescribed fashion, under Sec. 54, the origin of a specially protected plant or animal, or a plant or an animal protected under international conventions or a special regulation. 4a)

2) The nature conservation authorities shall impose a fine of up to CZK 1,000,000 upon legal or physical persons who commit an illegal act in the execution of their business activities, should they:

a) Impair the character of the landscape by not fulfilling the obligations set out in Sec. 12(2);

b) Seriously damage or destroy a significant landscape component;

c) Destroy a part of nature in a specially protected area, or destroy facilities serving in the protection, marking, and equipping of specially protected areas;

d) Directly destroy a specimen of a plant or a specially protected plant species, or unwarrantedly interfere in their development;

e) Directly kill specially protected animals or cause their death by an unwarranted interference in their environment;

f) Beyond the necessary extent, endanger specially protected parts of nature during interventions against pests, plant diseases, and weeds, and during hygienic measures;

g) Not restore a damaged part of nature, protected under this Act, to its original condition, or not carry out a remedy, under Sec. 86; or adequate compensatory measures, under Sec. 67(4);

h) Not fulfil the obligations of an owner or tenant of the land to refrain from negative interference with land being prepared to be proclaimed specially protected, under Sec. 40(4);

i) Not proceed in a manner that would prevent the excessive perishing of plants and animals, under Sec. 5(3), or unwarrantedly collect or damage specially protected minerals;

j) Violate the limitation or prohibition of activities defined in Sec. 66;

k) Unwarrantedly trade in specimens of species, the trade of which is limited or prohibited according to international conventions, or illegally export specially protected species; should a misdemeanour be committed according to a special regulation, 4a) this provision shall not be employed;
l) Not ensure the protection of palaeontological finds against damage, destruction, or theft, under Sec. 11;

m) Exceed the unavoidable extent of damage they cause in generally or specially protected parts of nature, within territories serving the interests of the defence of the state, under Sec. 90(2).

3) When establishing the amount of a fine, the seriousness of the illegal act and the extent of imminent or caused impairment to nature and landscape protection shall be taken into account.

4) A fine under subsections 1 and 2 may be imposed, at the latest, within three years of the day when the offence was committed.

5) A fine shall be payable within 30 days of the date on which the decision to impose a fine came into legal force and effect.

6) The imposition of a fine upon a legal person does not affect his responsibility, nor the responsibility of his employees, under separate regulations.

7) The proceeds from fines, imposed by an authorised municipal authority, shall constitute income for the budget of the authority that imposed the fine. The proceeds from fines imposed by administrations or the Inspectorate shall be divided in accordance with the provisions of a separate act.

Sec. 89
Withdrawal of Unwarrantedly Held Specimens of Specially Protected Species

1) The nature conservation authorities may withdraw unwarrantedly held specimen plants or animals of specially protected species. A specimen of a specially protected plant or animal, or a plant or animal protected under international conventions, may be also confiscated, should the holder of such a specimen fail to demonstrate the origin of such specimen, under Sec. 54(1), or should trade in such specimens be limited or prohibited under international conventions. In the case of a confiscation on the basis of a special legal regulation this provision shall not be employed.

2) The nature conservation authorities must issue the decision on a withdrawal, under subsection 1, within 15 days of the date on which the withdrawal was made. Should they not do so, the withdrawal shall be invalid.

3) The State shall become the owner of a withdrawn plant or animal. The Ministry of the Environment may specify the particulars related thereto, by means of a generally binding regulation.

PART EIGHT
Common, Temporary, and Final Provisions

Sec. 90
Common Provisions

1) The general regulations on administrative proceedings shall not apply to proceedings under Sections 11(3), 17, 18, 24, 27, 38, 40, 46(2), 52, 53, and 69 of this Act. The suspensory effect of an appeal shall be excluded in the case of a decision on the establishment of a
temporarily protected area, under Sec. 13; on the limitation and cessation of activities, under Sec. 66; and on the withdrawal of specimen plants and animals of specially protected species, under Sec. 89.

2) The provisions of Sections 4(2) and (3), 6, 8, 12, 40(4), 49(1), 63, 68(3), and 70 of this Act shall not apply to territories serving the interests of the defence of the country. In such cases, any damage to nature for reasons of national defence must not exceed an unavoidable extent.

3) In mining activities, carried out in the extraction area of exclusive mineral deposits, the obligations defined in Sections 10, 11(1) and (2), and 51(2), may be applied only in agreement with the person authorised to carry out mining activities, under separate regulations.

4) The Act on the Conservation of Nature and Landscape, and the regulations issued for the execution of this Act, shall be special regulations in relation to regulations on forests, water, territorial planning and the building code, the protection of mineral wealth, and the protection of agricultural land resources, hunting, and fishing.

5) State nature reserves, proclaimed under Sec. 4(3) of Act No. 40/1956, on State Nature Conservation, shall be transferred to the category of national nature reserves (Sec. 28), nature reserves (Sec. 33), national natural monuments (Sec. 35), or natural monuments (Sec. 36). The Ministry of the Environment shall define the categorisation of these territories, by means of a generally binding regulation.

6) Protected locales, protected parks and gardens, and protected research areas, proclaimed according to Sec. 5 of Act No. 40/1956, shall be proclaimed national natural monuments or natural monuments (Sections 35 and 36). The Ministry of the Environment shall define the categorisation of these territories, by means of a generally binding regulation.

7) Protected natural formations and protected natural monuments, proclaimed under Sec. 6 of Act No. 40/1956, shall be herewith proclaimed natural monuments (Sec. 36), should they not be classified in the category of national nature reserves (Sec. 28), nature reserves (Sec. 33), or national natural monuments (Sec. 35), by the Ministry of the Environment, by means of a generally binding regulation.

8) Trees and groups of trees, proclaimed to be protected natural formations or protected natural monuments, under Sec. 6 of Act No. 40/1956, shall be herewith proclaimed to be noteworthy trees (Sec. 46).

9) National parks and protected landscape areas, proclaimed under Sec. 8 of Act No. 40/1956, shall continue to be protected as national parks (Sec. 15) and protected landscape areas (Sec. 25).

10) Areas of quiet, proclaimed by generally binding regulations issued by the former District National Committees, shall be herewith proclaimed to be natural parks (Sec. 12).

Sec. 91

Temporary Provisions

In the extent defined in Sec. 78(4), the Administration of the Sumava National Park shall carry out the state administration of forestry in military forests within the territory of the Sumava National Park, where the reasons for proclaiming them to be military forests have passed.
Sec. 92
Cancellation Provisions

The following legal regulations shall hereby be abolished:


2) Sec. 2(1)(f) of Czech National Council Act No. 68/1990, on the Use of the Great Seal and State Flag of the Czech Republic.

3) Sections 3, 5(1), and 7 of Czech Government Regulation

4) Sections 3, 5(1), and 7 of Czech Government Regulation No. 164/1991, which establishes the Podyji National Park and specifies the conditions for its protection.

5) Sections 3, 5(1), and 7 of Czech Government Regulation No. 165/1991, which establishes Krkonoše National Park and specifies the conditions for its protection.

6) Regulation No. 142/1980, which specifies the particulars for the protection of trees growing outside forests, the proceedings for their exceptional felling, and the manner of utilising the wood from these trees.

7) Regulation No. 131/1957 of the Gazette, concerning the voluntary workers of the state nature conservation authorities (conservators and reporters).

8) Regulation No. 228/1959 of the Gazette, concerning the records on protected parts of nature and compensation for property damage caused by limitations specified in the conditions for protection.

Sec. 93
Force and Effect

This Act shall come into force and effect on 1 July 1992.

Buresova m.p.
Pithart m.p.

ANNEX to Act No. 114/1992
Schedule of National Parks and Protected Landscape Areas in the Czech Republic, Related to the Provisions of Sec. 78(1), of the Act

[See the original Czech version]

2) Sec. 2 of Act No. 96/1977 Coll., on Forestry and the State Administration of Forestry.
3) Sec. 21 of Act No. 96/1977 Coll.
4) E.g., Act No. 61/1964 Coll., on the Development of Plant Production; Act No. 87/1987 Coll., on Veterinary Care, as amended by Act No. 239/1991 Coll.; Act No. 20/1966 Coll., on Care for the Health of the People, as amended; Act No. 23/1962 Coll., on Hunting, as


5) Act No. 61/1964.

Regulation No. 62/1964 Coll., which publishes the Procedural Regulations for Act No. 61/1964 Coll.


Regulation No. 7 of the Czech Mining Authority, dated 18 August 1987, which publishes regulations on the safety and protection of health, and regulations for operational safety during work in accessing natural caves and their maintenance in safe conditions (registered under No. 18/1987 Coll.).


Act No. 102/1963 Coll.

Act No. 61/1977 Coll.

Act No. 96/1977 Coll.

12) Sec. 20 of Act No. 96/1977 Coll.


14) Sec. 10 of Act No. 565/1990 Coll., on Local Fees.


Act No. 46/1971 Coll., on Geodesy and Cartography.

Act No. 36/1973 Coll., on Geodesic and Cartographic Authorities.
17) Act No. 50/1976 Coll.
18) Sections 8 to 10 of Act No. 138/1973 Coll.
20) E.g., Act No. 87/1987 Coll.
24) Sec. 108(2)(e) of Act No. 50/1976 Coll.
Act No. 102/1971 Coll., on the Protection of State Secrets, as amended.
27) Act No. 135/1961 Coll., on Roads (the Road Act), as amended by Act No. 27/1984 Coll. (consolidated version under No. 55/1984 Coll.).
29) Sec. 127(a) of the Civil Code.
31) E.g., Sec. 16 of Act No. 96/1977 Coll., and Regulation No. 99/1989 Coll.
34) Sec. 2 of Act No. 83/1990 Coll., on the Association of Citizens.
40) Act No. 96/1977 Coll.
Act No. 23/1962 Coll.
Act No. 102/1963 Coll.
Act No. 53/1966 Coll.
41) Act No. 169/1949 Coll.

43) Act No. 71/1967 Coll.

44) Sec. 11 of Act No. 44/1988 Coll.

45) Sections 15 to 19 of Act No. 44/1988 Coll.

Act No. 61/1988 Coll., on Mining Activities, Explosives and State Mining Administration, as amended.


47) Sec. 24(a) of Act No. 67/1969 Coll., on National Committees, as amended (consolidated version under No. 31/1983 Coll.).

48) Sec. 25 of Act No. 61/1977 Coll.