

**Act of 8 July 1987 governing the ocean space
of the People's Republic of Bulgaria**

CHAPTER 1
GENERAL PROVISIONS

PURPOSE
ARTICLE 1.

The present Act establishes the legal regime governing the ocean space in the Black Sea over which the People's Republic of Bulgaria exercises sovereignty, sovereign rights, jurisdiction and control in accordance with its internal laws and the international agreements to which it is a party, as well as the universally recognized principles and norms of international law.

OCEAN SPACE OF THE PEOPLE'S REPUBLIC OF BULGARIA
ARTICLE 2.

- (1) The ocean space of the People's Republic of Bulgaria includes its internal waters, territorial sea, contiguous zone, continental shelf and exclusive economic zone.
- (2) The internal waters, territorial sea and the airspace over them, the sea-bed and the subsoil are part of the territory of the People's Republic of Bulgaria over which it exercises sovereignty.
- (3) The People's Republic of Bulgaria exercises sovereign rights, jurisdiction and control as defined by the present Act over the contiguous zone, the continental shelf and the exclusive economic zone.

AIMS
ARTICLE 3.

The aims of the present Act are: to protect the rights and legitimate interests of the People's Republic of Bulgaria in the ocean space, as well as its sovereignty and security; to use the Black Sea for peaceful purposes and in the interest of co-operation with coastal and other States; to facilitate maritime communications and guarantee the safety of navigation; to develop scientific research, exploit marine resources, protect the marine environment and maintain the ecological balance.

**MONITORING OF COMPLIANCE WITH THE LEGAL REGIME GOVERNING THE
OCEAN SPACE OF THE PEOPLE'S REPUBLIC OF BULGARIA**
ARTICLE 4.

Monitoring of compliance with the legal regime governing the ocean space of the State shall be organized and carried out by the competent authorities pursuant to the provisions of the present Act and other regulations.

CHAPTER 2
INTERNAL WATERS

SCOPE
ARTICLE 5.

The internal waters of the People's Republic of Bulgaria include:

1. The waters between the coastline and the baselines from which the breadth of the territorial sea is measured;
2. The waters of ports, bounded on the seaward side by the line joining the outermost points of the mooring grounds, water supply installations and other permanent port facilities;
3. The waters of:
 - (a) Varna Bay between the coastline and the straight line linking the cape of St. Konstantin to the cape of Ilandjik;
 - (b) Burgas Bay between the coastline and the straight line linking the cape of Emine to the cape of Maslen Nos;
4. The waters between the coastline and the straight baselines linking the cape of Kaliakra to the cape of Tuzlata, the cape of Tuzlata to the cape of Ekrene and the cape of Maslen Nos to the cape of Rohi.

VISIT BY A FOREIGN SHIP OPERATED FOR COMMERCIAL OR HUMANITARIAN PURPOSES
ARTICLE 6.

A foreign ship operated for commercial or humanitarian purposes may freely enter the internal waters and may visit the open ports and roadsteads.

VISIT BY A FOREIGN WARSHIP OR SUBMARINE
ARTICLE 7.

- (1) A foreign warship or submarine may enter the internal waters and may visit the open ports and roadsteads with the authorization of the Council of Ministers, unless otherwise agreed by the People's Republic of Bulgaria and the flag State.
- (2) The authorization must be requested at least 30 days in advance in the case of ships of Black Sea coastal States and 45 days in advance in the case of ships of other States, unless otherwise agreed by the People's Republic of Bulgaria and the flag State.

VISIT BY A FOREIGN GOVERNMENT SHIP OPERATED FOR NON-COMMERCIAL PURPOSES
ARTICLE 8.

A foreign government ship operated for non-commercial purposes may enter the internal waters and may visit the open ports and roadsteads with the authorization of the Council of Ministers or a body to which it has delegated authority; such authorization shall be requested at least 30 days in advance, unless otherwise agreed by the People's Republic of Bulgaria and the flag State.

VISIT BY A FOREIGN NUCLEAR-POWERED SHIP
ARTICLE 9.

- (1) A foreign nuclear-powered ship may enter the internal waters and may visit the open ports and roadsteads in accordance with the provisions of article 7.
- (2) Before the ship enters the port area, the competent authorities shall conduct an inspection of its safety records, a dosimetric inspection and other inspections relating to the protection of the environment. The place of inspection shall be determined by the services of the Ministry of Transport.
- (3) Additional inspections may be performed while the ship is lying in port or the roadstead.
- (4) If the inspection reveals that the presence of the ship may have dangerous consequences, the services of the Ministry of Transport shall order the ship to leave the internal waters or the territorial sea within a specified period. The People's Republic of Bulgaria shall not be liable for any damages resulting from the ship's early departure.
- (5) The foregoing paragraphs shall also apply to ships carrying nuclear, radioactive, toxic or other dangerous substances.

VISIT BY A FOREIGN NUCLEAR-POWERED WARSHIP
ARTICLE 10.

- (1) A foreign nuclear-powered warship may enter the internal waters and may visit the open ports and roadsteads in accordance with the provisions of article 7. The services of the Ministry of National Defence shall inspect the ship's safety records, conduct a dosimetric inspection and an inspection relating to the protection of the environment at a place to be determined by them.
- (2) The provisions of article 9, paragraphs 3 and 4, shall also apply to foreign nuclear-powered warships. In such cases, the inspection shall be conducted, and the order to leave issued, by the Ministry of National Defence.

ENTRY INTO INTERNAL WATERS WITHOUT PRIOR AUTHORIZATION
ARTICLE 11.

Prior authorization for entry into internal waters in accordance with articles 7-10 shall not be required:

1. For official visits by a ship carrying a head of State, head of Government or the head of an administrative division in charge of external affairs, and the ships escorting it;
2. When a ship is damaged, or in order to avoid a storm at sea or other accident. In such instances, the captain of the ship shall be required to report the matter, immediately and by every possible means, to the harbour-master of the nearest port, and to execute his orders.

EXEMPTION FROM TAXES
ARTICLE 12.

Foreign warships and the ships referred to in article 11, paragraph 1, shall be exempt from taxes while visiting ports, but shall pay for services rendered.

USE OF RADIO EQUIPMENT

ARTICLE 13.

- (1) Foreign ships lying in the internal waters and in ports and roadsteads shall be prohibited from using radionavigational aids, hydro-acoustical and radiocommunication equipment or electronic and optical surveillance systems except for the purpose of ensuring the safety of navigation and of the anchorage. They may use their ultra short-wave radio stations only for communicating with the port authority.
- (2) Ships having on board earth stations of the satellite telecommunications system may use them on a basis of reciprocity, while lying in the internal waters and the territorial sea.

REGIME GOVERNING VISITS AND STAYS

ARTICLE 14.

- (1) The regime governing the visits and stays of ships in ports and roadsteads and the loading and unloading of goods and crews, passengers or other persons, and the regime governing communications between ship and shore shall be determined by the laws of the People's Republic of Bulgaria.
- (2) The regime governing visits and stays in open ports and nautical bases, as well as navigation by Bulgarian and foreign yachts, boats and other pleasure craft in the internal waters and the territorial sea shall be determined by the regulations concerning the application of the present Act.

CLOSED PORTS AND ROADSTEADS

ARTICLE 15.

The ports and roadsteads which are closed to visits by foreign ships shall be designated by the Council of Ministers and duly published in the bulletin "Notice to Mariners".

CHAPTER 3

TERRITORIAL SEA

SCOPE

ARTICLE 16.

- (1) The territorial sea of the People's Republic of Bulgaria includes the zone contiguous to the coast and internal waters having a breadth of 12 nautical miles, measured from the baselines.
- (2) The baselines shall be: the low-water line along the coast or the straight baselines joining the outermost points of the bays and spaces referred to in article 5.

DELIMITATION OF THE TERRITORIAL SEA OF BORDERING STATES

ARTICLE 17.

The territorial sea of the People's Republic of Bulgaria shall be delimited from the territorial sea of bordering States by the parallel passing through the point where the land frontier meets the sea-coast.

NATIONAL MARITIME FRONTIER
ARTICLE 18.

The external and lateral limits of the territorial sea shall constitute the national frontier of the People's Republic of Bulgaria.

RIGHT OF INNOCENT PASSAGE
ARTICLE 19.

- (1) Ships of all States shall enjoy the right of innocent passage through the territorial sea in accordance with the provisions of the Act and international law.
- (2) Ships of all States shall enjoy the right of innocent passage in order to traverse the territorial sea without calling in internal waters, to enter internal waters or to proceed therefrom. The ship must traverse without interruption the zones open to navigation at a speed not less than the normal speed for the type of ship in question and must use established sea lanes, traffic separation schemes, navigable channels and recommended sea lanes without disturbing the peace or good order or breaching the security of the People's Republic of Bulgaria.
- (3) Stopping or anchoring in the course of innocent passage shall not be authorized, save in the interest of navigation, in case of damage, casualty, force majeure, or for the purpose of rendering assistance to persons, vessels or aircraft.

VIOLATION OF THE PROVISIONS REGARDING INNOCENT PASSAGE
ARTICLE 20.

Passage of a foreign ship through the territorial sea shall be prejudicial to the peace, good order and security of the People's Republic of Bulgaria when the ship engages in any of the following activities:

1. Any threat or use of force against the sovereignty, territorial integrity or political independence of the People's Republic of Bulgaria, or any other action in violation of the principles of international law embodied in the Charter of the United Nations;
2. Any practice or exercise involving the use of weapons of any kind;
3. Any act aimed at collecting information to the prejudice of the defence or security of the People's Republic of Bulgaria;
4. Any act of propaganda aimed at affecting the defence or security of the People's Republic of Bulgaria;
5. The launching, landing or taking on board of any aircraft;
6. The launching, landing or taking on board of any military device;
7. The loading or unloading of any commodity, currency or persons contrary to customs, fiscal, sanitary or immigration regulations;
8. Any act of wilful and serious pollution of the marine environment;
9. Any fishing activities;

- 10 Any exploratory or survey activities;
- 11 Any activity that might interfere with any systems of communication or any other radio equipment or installations of the People's Republic of Bulgaria;
- 12 Any other activity not having a direct bearing on passage of the ship.

EXEMPTION FROM CHARGES RELATING TO PASSAGE

ARTICLE 21.

Foreign ships shall be exempt from any charges relating to their passage through the territorial sea save in the case of payment for services rendered to the ship.

SUSPENSION OF INNOCENT PASSAGE

ARTICLE 22.

In the interest of the security of the People's Republic of Bulgaria, including weapons exercises, the Ministry of National Defence, in co-ordination with the Ministry of Transport and the Ministry of the Interior, may temporarily suspend innocent passage in certain areas of the territorial sea and prohibit navigation in areas of the internal waters. These measures shall be duly published in the bulletin "Notice to Mariners".

OBLIGATIONS OF FOREIGN SHIPS

ARTICLE 23.

- (1) Foreign ships exercising the right of innocent passage through the territorial sea and stopped in internal waters, ports and roadsteads shall be required to respect the rules of navigation as well as immigration, customs, financial, health, phytosanitary, veterinary and port regulations and any regulations relating to protection of the environment.
- (2) While exercising their right of innocent passage through the territorial sea and while stopping in internal waters, foreign ships shall be required to show their State flag; ships other than warships shall also show the flag of the People's Republic of Bulgaria.
- (3) In the territorial sea and in internal waters, foreign ships may not:
 1. Use their boats, save in the event of a casualty, for research and for the rescuing of persons;
 2. Carry out underwater operations;
 3. Maintain their fishing gear in working order;
 4. Transmit sound or light signals, other than those established under international regulations for the prevention of collisions at sea;
 5. Take photographs, samples or measurements in coastal zones and ports;
 6. Be run aground or scuttled deliberately;
 7. Carry out activities capable of breaking or injuring cables and pipelines that have been laid or other installations and equipment related to navigation and the exploitation of marine resources.

**OBLIGATIONS OF FOREIGN NUCLEAR-POWERED SHIPS
AND SHIPS CARRYING DANGEROUS SUBSTANCES**
ARTICLE 24.

Foreign nuclear-powered ships and ships carrying nuclear, radioactive, toxic or other dangerous substances shall, when passing through the territorial sea, carry the necessary documents and observe precautionary measures established for such ships by international agreements.

OBLIGATIONS OF FOREIGN SUBMARINES
ARTICLE 25.

- (1) In the territorial sea and internal waters, foreign submarines shall be required to navigate on the surface.
- (2) Foreign submarines navigating under water shall be invited to surface. Should a submarine be prevented from doing so because of damage, it shall be required to communicate this by all possible means.

USE OF RADIO EQUIPMENT
ARTICLE 26.

Foreign ships passing through the territorial sea shall use radio equipment solely to maintain contact with Bulgarian coastal stations and shall use radionavigational, hydro-acoustical, optical, electronic and other equipment solely for navigational purposes.

UNDERWATER ACTIVITIES
ARTICLE 27.

All underwater activity in internal waters and the territorial sea shall be regulated by the Ministry of National Defence, the Ministry of the Interior and the Ministry of Transport.

NOTIFICATION IN THE EVENT OF DISTRESS OR FORCE MAJEURE
ARTICLE 28.

Foreign ships obliged to stop or anchor in the event of distress or force majeure shall be required to report the matter, immediately and by every possible means, to the harbour-master of the nearest port.

PROTECTION OF THE NATIONAL MARITIME FRONTIER
ARTICLE 29.

- (1) Protection of the national maritime frontier and the monitoring of compliance with the regime governing the frontier in the territorial sea and internal waters shall be carried out by the services of the Ministry of the Interior.
- (2) The regime governing navigation in internal waters and the territorial sea shall be consistent with the rules relating to the security of the People's Republic of Bulgaria.

MEASURES WITH RESPECT TO FOREIGN NON-MILITARY SHIPS
ARTICLE 30.

- (1) To the extent that they are competent to do so, the services of the Ministry of the Interior, the Ministry of National Defence and the Ministry of Transport may, in respect of a foreign non-military ship within the limits of the internal waters or the territorial sea:

1. Require it to show its flag;
 2. Request appropriate information if there is reason to suspect that the ship has breached the rules of innocent passage;
 3. Propose an alternate route if the ship is travelling towards a zone closed to navigation;
 4. Stop the ship and inspect it or arrest it if the ship fails to respond to the request and violates the provisions of article 19, paragraph 2, and articles 20, 22, 23 and 24, or if provision is made for such measures in an international agreement to which the People's Republic of Bulgaria is a party;
 5. Stop the ship and arrest it in the cases specified in article 31, paragraphs 3 and 4;
 6. Remove the perpetrators of the crimes specified in article 32 from the ship, arrest them and hand them over to the investigating authorities, with notification given to the public prosecutor within 24 hours.
- (2) If the foreign non-military ship refuses to stop, resists arrest or resorts to the use of force, the services of the Ministry of the Interior and the Ministry of National Defence may take coercive measures, including the use of force.

CIVIL JURISDICTION

ARTICLE 31.

- (1) In the case of damage caused by an act of quasi delicti occurring in internal waters or in the territorial sea as well as in the case of damage resulting from a violation of the rights and jurisdiction of the People's Republic of Bulgaria in the contiguous zone, on the continental shelf or in the exclusive economic zone, national jurisdiction shall be applicable and the Bulgarian courts shall be competent in matters of litigation.
- (2) A foreign non-military ship passing through the territorial sea may not be stopped or diverted for the purpose of exercising civil jurisdiction in relation to a person on board the ship.
- (3) Execution may be levied or the ship arrested in the case of a foreign non-military ship lying in internal waters, at anchor or passing through the territorial sea after leaving internal waters.
- (4) Execution may be levied against a foreign non-military ship passing through the territorial sea or such ship arrested only in respect of obligations incurred by the ship in the course of its voyage through the territorial sea, as well as in respect of the damage specified in paragraph 1.

CRIMINAL JURISDICTION

ARTICLE 32.

- (1) The criminal jurisdiction of the People's Republic of Bulgaria shall not extend to crimes committed on board foreign non-military ships passing through the territorial sea, save in the case of:
 1. Crimes committed by Bulgarian nationals;
 2. Crimes which disturb the peace of the People's Republic of Bulgaria or the good order of the territorial sea;
 3. Crimes of ordinary law which are prejudicial to the interests of the People's Republic of Bulgaria or its nationals;

4. Illicit trafficking in narcotic drugs or psychotropic or radioactive substances;
5. Unlawful detention;
6. Crimes against peace and mankind.

(2) The criminal jurisdiction of the People's Republic of Bulgaria shall extend to any crime committed on board a foreign non-military ship lying in a Bulgarian port or in internal waters. This jurisdiction shall extend to the ship even after it leaves internal waters and enters the territorial sea.

PROCEDURES WITH RESPECT TO OTHER CRIMES IN THE TERRITORIAL SEA
ARTICLE 33.

The competent Bulgarian authorities may, at the request of the master of the ship, a diplomatic agent or consular officer of the flag State, conduct a preliminary investigation and take coercive measures in connection with crimes other than those set out in article 32, paragraph 1, committed on board a foreign non-military ship passing through the territorial sea.

NOTIFICATION OF A DIPLOMATIC AGENT
ARTICLE 34.

The competent services of the People's Republic of Bulgaria shall notify a diplomatic agent or consular officer of the flag State, if the master so requests, of the initiation of criminal proceedings under the circumstances set out in article 2, paragraph 1, as well as when the investigation is opened under the terms of the preceding article at the request of the master of the ship.

MEASURES WITH RESPECT TO WARSHIPS OR OTHER GOVERNMENT SHIPS
OPERATED FOR NON-COMMERCIAL PURPOSES
ARTICLE 35.

Foreign warships or other government ships operated for non-commercial purposes which, lying in the internal waters or in the territorial sea, violate this Act or another normative instrument and disregard all other established rules, shall be required to leave the internal waters and the territorial sea immediately.

COMPENSATION FOR DAMAGE
ARTICLE 36.

The flag State shall bear responsibility for damage caused by one of its warships or government ships operated for non-commercial purposes passing through the territorial sea or lying in internal waters.

CHAPTER 4
CONTIGUOUS ZONE

SCOPE
ARTICLE 37.

The contiguous zone of the People's Republic of Bulgaria shall comprise the marine area adjacent to the territorial sea and extending a distance of 24 nautical miles from the baselines from which the breadth of the territorial sea is measured.

RIGHTS OF THE PEOPLE'S REPUBLIC OF BULGARIA IN THE CONTIGUOUS ZONE

ARTICLE 38.

In the contiguous zone, the People's Republic of Bulgaria shall exercise the control necessary to prevent infringement of its laws and its customs, financial, sanitary and immigration regulations within its borders, including in its territorial sea, and shall also exercise its criminal jurisdiction with a view to prosecuting the perpetrators of violations of such regulations.

MEASURES WITH RESPECT TO VIOLATIONS IN THE CONTIGUOUS ZONE

ARTICLE 39.

When it is reported that a foreign non-military ship lying in the contiguous zone has violated or intends to violate the provisions of the preceding article, the services of the Ministry of the Interior and the Ministry of National Defence shall have the right to stop the ship, conduct the necessary inspection and take the necessary steps to prevent the violation or arrest the ship with a view to prosecuting the perpetrators of the violation.

CHAPTER 5
CONTINENTAL SHELF

SCOPE

ARTICLE 40.

The continental shelf of the People's Republic of Bulgaria shall comprise the sea-bed and subsoil of the marine area that constitute a natural prolongation of its land territory and extend beyond the territorial sea to the limits established by the continental shelf of other States with adjacent or opposite coasts.

DELIMITATION OF THE CONTINENTAL SHELF OF BORDERING STATES

ARTICLE 41.

The external limits of the continental shelf shall be established by an agreement between States with adjacent or opposite coasts on the Black Sea on the basis of international law, in order to achieve an equitable solution.

RIGHTS OF THE PEOPLE'S REPUBLIC OF BULGARIA OVER THE CONTINENTAL SHELF

ARTICLE 42.

- (1) The People's Republic of Bulgaria shall exercise over the continental shelf sovereign rights of exploration, development, exploitation, conservation and management of its natural resources, including the energy, mineral and other non-living resources of the sea-bed and subsoil together with living organisms belonging to sedentary species.
- (2) The People's Republic of Bulgaria shall exercise exclusive rights over the continental shelf in respect of:
 1. The execution, authorization and regulation of drilling for all purposes;
 2. The construction and authorization of the construction of artificial islands, installations and structures and the regulation of their construction and use.

EXPLORATION, DEVELOPMENT AND EXPLOITATION

ARTICLE 43.

The Geological Committee of the Council of Ministers, in co-ordination with the Ministry of National Defence and the Environmental Protection Committee, shall authorize Bulgarian scientific or economic organizations to carry out the exploration, development and exploitation of natural resources, as well as any other activity relating to the continental shelf.

LAYING OF CABLES AND PIPELINES

ARTICLE 44.

- (1) Other States shall be entitled to lay cables and pipelines provided that the interests of the People's Republic of Bulgaria pertaining to the exploration, development and exploitation of the natural resources of the continental shelf and the protection of the marine environment are not prejudiced.
- (2) The delineation of the course for the laying of such cables and pipelines shall be determined by an agreement between the People's Republic of Bulgaria and the State concerned.

MEASURES WITH RESPECT TO VIOLATIONS ON THE CONTINENTAL SHELF

ARTICLE 45.

- (1) When it is reported that a foreign non-military ship situated within the limits of the continental shelf has violated or intends to violate the sovereign rights and jurisdiction of the People's Republic of Bulgaria, the services of the Ministry of the Interior, the Ministry of National Defence and the Ministry of Transport shall take the necessary steps to prevent or stop the violation. They may carry out inspections on board and arrest the ship with a view to prosecuting the guilty parties.
- (2) In the event that measures are taken under the preceding paragraph, a diplomatic agent or consular officer of the flag State shall be duly notified thereof.

CHAPTER 6

EXCLUSIVE ECONOMIC ZONE

SCOPE

ARTICLE 46.

The exclusive economic zone of the People's Republic of Bulgaria shall extend beyond the limits of the territorial sea to a distance not greater than 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.

EXTERNAL LIMITS

ARTICLE 47.

The external limits of the exclusive economic zone shall be established by an agreement between States with adjacent or opposite coasts on the basis of international law, in order to achieve an equitable solution.

RIGHTS OF THE PEOPLE'S REPUBLIC OF BULGARIA

ARTICLE 48.

In the exclusive economic zone, the People's Republic of Bulgaria shall exercise:

1. Its sovereign rights for the purpose of exploring, developing, exploiting, protecting and managing the living, mineral and energy resources of the sea-bed, its subsoil and the waters superjacent to the sea-bed, and with regard to other activities for the exploration and exploitation of the zone;
2. Its exclusive rights and its jurisdiction with regard to:
 - (a) The construction and use of artificial islands, installations and structures;
 - (b) Marine scientific research;
 - (c) The protection of the marine environment;
3. Other rights which are provided for in the international agreements to which the People's Republic of Bulgaria is a party and derive from universally recognized principles and rules of international law.

RIGHTS OF OTHER STATES

ARTICLE 49.

In the exclusive economic zone, all States shall enjoy the freedoms of navigation, overflight, the laying of cables and pipelines and other internationally lawful procedures related to the use of the sea for such purposes.

REGIME GOVERNING FISHING

ARTICLE 50.

- (1) Foreign ships may not engage in commercial fishing in the exclusive economic zone of the People's Republic of Bulgaria, save in the case of an agreement between the People's Republic of Bulgaria and the flag State.
- (2) Foreign ships passing through the exclusive economic zone may not maintain their fishing gear in working order.

**MEASURES WITH RESPECT TO VIOLATIONS OF THE
REGIME GOVERNING THE EXCLUSIVE ECONOMIC ZONE**

ARTICLE 51.

When it is reported that a foreign non-military ship situated within the limits of the exclusive economic zone has violated or intends to violate the sovereign rights and jurisdiction of the People's Republic of Bulgaria, the relevant provisions of article 45 shall be applicable.

MONITORING OF COMPLIANCE WITH THE REGIME

ARTICLE 52.

Monitoring of compliance with the regime governing the exclusive economic zone shall be carried out in accordance with the conditions and rules established by the Council of Ministers.

CHAPTER 7
MARINE SCIENTIFIC RESEARCH

SCIENTIFIC RESEARCH CONDUCTED BY BULGARIAN ORGANIZATIONS

ARTICLE 53.

Scientific research and exploration in the ocean space of the People's Republic of Bulgaria shall be conducted by Bulgarian organizations on the basis of co-ordinated programmes approved by the competent authorities.

**SCIENTIFIC RESEARCH CONDUCTED BY FOREIGN NATIONALS AND AGENCIES
IN INTERNAL WATERS AND THE TERRITORIAL SEA**

ARTICLE 54.

Foreign nationals and agencies may conduct scientific research and exploration only with the authorization of the Council of Ministers, in accordance with the conditions decided on by the Council.

**SCIENTIFIC RESEARCH CONDUCTED BY FOREIGN NATIONALS AND AGENCIES
ON THE CONTINENTAL SHELF AND IN THE EXCLUSIVE ECONOMIC ZONE**

ARTICLE 55.

(1) Foreign nationals and agencies may conduct scientific research and exploration on the continental shelf and in the exclusive economic zone with the authorization of the Council of Ministers. Such research shall be authorized provided that it is intended exclusively for peaceful purposes and to increase knowledge of the marine environment. Such research shall be conducted by non-dangerous methods and means, without interfering with the exercise of the sovereign rights and jurisdiction of the People's Republic of Bulgaria.

(2) When requesting such authorization, foreign nationals and agencies shall submit, through official channels, full information concerning the nature, purpose and location of the proposed research, the methods and means to be used and other relevant data.

(3) The Council of Ministers may deny authorization in the following cases:

1. When the scientific research relates directly to the exploration and exploitation of the natural wealth of the continental shelf and of the exclusive economic zone;
2. When the scientific research involves drilling into the sea-bed or the use of explosives or of substances harmful to the marine environment;
3. When the scientific research involves the construction or use of artificial islands, installations and structures;
4. When the information submitted is inaccurate or if obligations arising from previously authorized projects have not been honoured.

**OBLIGATIONS OF FOREIGN NATIONALS AND AGENCIES
DURING THE EXECUTION OF SCIENTIFIC RESEARCH ACTIVITIES
ON THE CONTINENTAL SHELF AND IN THE EXCLUSIVE ECONOMIC ZONE**

ARTICLE 56.

During the execution of scientific research activities foreign nationals and agencies shall be bound:

1. To ensure the right of Bulgarian organizations to participate in the execution of the scientific research project;
2. To ensure that Bulgarian organizations have access to the preliminary data, final results and conclusions of the research and to samples and other findings derived from the research and to information which concerns them;
3. To inform the Council of Ministers immediately of any major change in the research programme;
4. Unless otherwise agreed, to dismantle and remove within a reasonable period the equipment utilized for the scientific research activities once they are completed.

SUSPENSION OR CESSATION OF SCIENTIFIC RESEARCH ACTIVITIES

ARTICLE 57.

The Council of Ministers or a body authorized by it may order the suspension or cessation of scientific research activities carried out by foreign nationals and agencies if such activities do not comply with the conditions set forth in the authorization granted.

CHAPTER 8

PROTECTION OF THE MARINE ENVIRONMENT

PROHIBITION REGARDING POLLUTION OF THE MARINE ENVIRONMENT

ARTICLE 58.

- (1) The discharge, introduction and dumping of any kind of solid or liquid waste and of substances harmful to human health or to the living resources of the sea by vessels, aircraft, platforms or other artificial structures, or from land-based sources, shall be forbidden, as shall any other pollution of the marine environment in the internal waters and the territorial sea.
- (2) It shall be forbidden to pollute the marine environment in the exclusive economic zone in a way that interferes with the interests of the People's Republic of Bulgaria, or to deposit and discharge the waste and substances referred to in the preceding paragraph in amounts exceeding the international standards recognized by the People's Republic of Bulgaria.

**MEASURES WITH RESPECT TO NON-MILITARY VESSELS
IN THE EVENT OF POLLUTION OF OCEAN SPACE**

ARTICLE 59.

- (1) If there are clear grounds for believing that a non-military vessel navigating through the internal waters, territorial sea and exclusive economic zone has violated the provisions of this Act, or any other regulation or international agreement concerning the prevention of pollution of the marine environment, the relevant sections of the Environmental Protection Committee, the Ministry of Transport and the Committee on the Peaceful Utilization

of Atomic Energy may take appropriate steps, including:

1. Requesting the master of the vessel to provide necessary information for purposes of investigating the incident;
 2. Inspecting the vessel, if there is reason to believe that the information was incomplete;
 3. Seizing the vessel for purposes of prosecution.
- (2) The bodies referred to in the preceding paragraph may, if necessary, request the collaboration of the services of the Ministry of the Interior and the Ministry of Defence.

**LEGAL ASSISTANCE IN THE EVENT OF POLLUTION
OF THE MARINE ENVIRONMENT OF ANOTHER STATE**
ARTICLE 60.

- (1) In the event of serious pollution of the marine environment in the internal waters, territorial sea or exclusive economic zone of another State, the People's Republic of Bulgaria shall provide legal assistance at the request of that other State by undertaking interrogations and inspecting the documents or technical condition of the vessel responsible for the pollution when it is lying in a port or in the internal waters of that country. Such assistance shall also be provided at the request of the flag State.
- (2) The legal assistance referred to in the preceding paragraph shall be provided on the basis of reciprocity.

MEASURES IN THE EVENT OF MARITIME CASUALTIES
ARTICLE 61.

In the event of a breakdown, damage or other maritime casualty in the ocean space of the People's Republic of Bulgaria which presents a danger of pollution of the marine environment or coastline or which might harm related interests, the Ministry of Transport, in collaboration with the organizations concerned, shall take all necessary steps to prevent, reduce or eliminate the danger.

**PROHIBITION OF VESSELS WHICH RISK POLLUTING THE MARINE ENVIRONMENT FROM
SAILING**
ARTICLE 62.

The services of the Ministry of Transport shall prohibit a vessel lying in internal waters, in a port or roadstead from sailing if the vessel's technical condition is such that compliance with the standards for the prevention and reduction of pollution of the marine environment adopted by the People's Republic of Bulgaria cannot be guaranteed.

MONITORING OF THE PREVENTION OF DAMAGE AND RELEASE OF POLLUTANTS
ARTICLE 63.

In the course of drilling operations, exploratory work or other activities relating to the development and exploitation of natural resources in the ocean space of the People's Republic of Bulgaria, the Environmental Protection Committee and the Ministry of Transport shall monitor compliance with the measures adopted for the prevention of damage or release of oil or other pollutants and for the immediate elimination of their effects.

NOTIFICATION IN THE EVENT OF POLLUTION
ARTICLE 64.

Where there is a real danger that pollution in the ocean space of the People's Republic of Bulgaria might spread into

the waters of another coastal State on the Black Sea, that State shall be informed thereof through the diplomatic channel.

CHAPTER 9
SAFETY AT SEA

SEA LANES AND TRAFFIC SEPARATION SCHEMES

ARTICLE 65.

In the interest of safety of navigation and in accordance with national security regulations and generally accepted international regulations, the Council of Ministers shall establish the regime governing the designation, substitution or cancellation of traffic separation schemes, recommended navigational lanes, navigable channels and navigation lanes established in the territorial sea for transit passage and for calling at open ports, which shall be mandatory for ships and shall be published in the bulletin "Notice to Mariners".

SAFETY OF NAVIGATION

ARTICLE 66.

- (1) Safety of navigation shall be ensured by the Ministry of National Defence in internal waters and the territorial sea and by the Ministry of Transport in ports and canals.
- (2) The Ministry of National Defence and the Ministry of Transport may authorize other departments to build water-supply or navigational facilities.

DISPOSAL OF LOADS OF EARTH AND OF SEDIMENT

ARTICLE 67.

The disposal of loads of earth and of sediment in ocean space shall be authorized solely in places designated by the Ministry of National Defence in co-ordination with the Ministry of Transport and the Environmental Protection Committee.

**GUARANTEEING SAFETY OF NAVIGATION DURING THE CONSTRUCTION OF
ARTIFICIAL ISLANDS AND OTHER STRUCTURES**

ARTICLE 68.

- (1) Artificial islands, installations and structures may be constructed on the continental shelf and in the exclusive economic zone outside sea lanes of essential importance to international navigation. Their location shall be marked by lighted or other signals.
- (2) Safety zones shall be established around artificial islands, installations and structures at a distance of no more than 500 metres from their outer edge. These zones shall include the water column between the surface of the sea and the sea-bed. They may extend further if their dimensions conform to generally accepted international standards.
- (3) Installations no longer in use must be dismantled and removed within a reasonable time by the organization which operates them, in such a way as to ensure safety of navigation.

NOTIFICATION OF CHANGES IN NAVIGATIONAL CONDITIONS

ARTICLE 69.

Any changes in navigational conditions in internal waters, the territorial sea and the exclusive economic zone in the

cases provided for in the preceding article shall be published in the bulletin "Notice to Mariners".

ORGANIZATION OF RESCUE EFFORTS
ARTICLE 70.

In the search and rescue zone for which the People's Republic of Bulgaria is responsible, the Ministry of Transport shall organize efforts to rescue individuals, ships and aircraft in distress.

CHAPTER 10
RIGHT OF HOT PURSUIT

CONDITIONS
ARTICLE 71.

A foreign non-military ship may be pursued and arrested if the competent bodies of the People's Republic of Bulgaria consider that there is sufficient reason to take appropriate measures, in the following cases:

1. Violation of national laws while a ship is lying in the internal waters or territorial sea of the People's Republic of Bulgaria;
2. Violation or attempt to violate financial, customs, health and immigration regulations in the contiguous zone;
3. Violation of regulations regarding the protection of the marine environment from pollution and the legal status of the continental shelf and the exclusive economic zone, including safety zones around artificial islands and other structures.

ORDER TO UNDERTAKE HOT PURSUIT
ARTICLE 72.

- (1) Hot pursuit may be commenced when a foreign ship or one of its boats is: within the internal waters or the territorial sea, in the case of the violation referred to in article 71, subparagraph 1; within the contiguous zone, in the case of the violation referred to in article 71, subparagraph 2; within the exclusive economic zone or above the continental shelf, in the case of the violation referred to in article 71, subparagraph 3.
- (2) Hot pursuit shall be commenced when the foreign ship does not obey a signal to stop which has been given to it.
- (3) The right of hot pursuit shall be exercised by ships and aircraft of the Ministry of the Interior and the Ministry of National Defence or by other government ships and aircraft authorized to that effect and bearing the appropriate external markings. The pursuit shall continue until the ship pursued enters the territorial sea of its own State or of a third State.

ESCORT INTO A BULGARIAN PORT
ARTICLE 73.

In accordance with the provisions of this chapter, the ship arrested may be escorted into the nearest Bulgarian port for the purposes of an inquiry.

COMPENSATION FOR DAMAGE

ARTICLE 74.

Where a foreign non-military ship has been arrested without justification outside the territorial sea, it shall be compensated for any damage sustained.

CHAPTER 11

ADMINISTRATIVE AND PENAL PROVISIONS

MONETARY PENALTIES WITH RESPECT TO THE SCUTTLING OR ABANDONMENT OF VESSELS

ARTICLE 75.

- (1) The master of a foreign non-military vessel who scuttles or abandons a vessel in the territorial sea or in internal waters shall be fined between 20,000 and 1,000,000 leva.
- (2) The same penalty shall apply to a shipowner who orders or permits the scuttling of such a vessel or its abandonment on shore.

MONETARY PENALTIES WITH RESPECT TO POLLUTION AND COMMERCIAL FISHING

ARTICLE 76.

- (1) A fine of between 500 and 100,000 leva shall be imposed on:
 1. Anyone committing or permitting a violation of the provisions of article 58, paragraph 2;
 2. The master of a foreign non-military vessel who orders or permits commercial fishing in the exclusive economic zone.
- (2) The penalty provided for in the preceding paragraph shall be imposed on the master of a foreign non-military nuclear-powered vessel or of a foreign non-military vessel transporting nuclear or radioactive substances or other hazardous or toxic substances who enters into internal waters without authorization or does not submit to the inspection of documents, to dosimetric inspection or to any other inspection on board the vessel in connection with protection of the environment.

**MONETARY PENALTIES FOR VIOLATIONS COMMITTED
IN INTERNAL WATERS DURING INNOCENT PASSAGE
AND IN THE COURSE OF MARINE SCIENTIFIC RESEARCH**

ARTICLE 77.

- (1) A fine of between 200 and 50,000 leva shall be imposed on the master of a foreign non-military vessel who:
 1. Enters into a closed port or roadstead;
 2. Keeps a submarine submerged in internal waters or the territorial sea;
 3. Orders or permits a violation of the provisions of article 13 and article 20, subparagraphs 5, 6 and 11;
 4. Commits a violation of the provisions of article 19, paragraph 2, article 23, paragraph 3, subparagraphs 1 to 5

and 7, article 24 and article 26;

(2) The penalty provided for in the preceding paragraph shall be imposed on any person conducting scientific research or activities of exploration in the ocean space of the People's Republic of Bulgaria without due authorization or in violation of the authorization granted.

MONETARY PENALTIES FOR OTHER VIOLATIONS

ARTICLE 78.

Any violation of other provisions of this Act or of the regulation giving effect to this Act shall be punishable by a fine of between 50 and 5,000 leva, and is subject to a heavier penalty.

SPECIAL REGULATIONS GOVERNING ADMINISTRATIVE AND PENAL PROCEDURE

ARTICLE 79.

(1) Violations of the provisions of this chapter shall be recorded in reports drawn up by officials of the ministries and other departments responsible for investigations with respect to the ocean space of the State.

(2) A report thus drawn up shall be issued to the offender, who may, before or after signing it, submit objections to it to the appropriate administrative and penal body within 48 hours after the issuance of the report. The report, together with the written objections and the evidence gathered, shall be transmitted to the administrative and penal body, which must make a decision on the case within 24 hours of the expiry of the time-limit set for entering objections. If the case is factually or legally a complicated one or if further evidence is needed, the administrative and penal body may take more time to make a decision.

(3) Rulings imposing penalties for violations with respect to protection of the marine environment shall be handed down by the Chairman of the Environmental Protection Committee or the Minister of Transport or by officials authorized by them. Penalties for all other violations shall be imposed by the Minister of Transport or by officials authorized by him.

(4) A ruling may provide for monetary compensation covering the entire amount of any damage caused.

(5) The part of the ruling relating to compensation may be appealed by the shipowner. The date on which the ruling is delivered to the master of the vessel shall be considered to be the date it is delivered to the shipowner.

(6) A ruling imposing an administrative penalty consisting of a fine or of compensation exceeding 20,000 leva may be appealed before the appropriate departmental tribunal. In such a case, the decision of the departmental tribunal is, in turn, subject to appeal before the Supreme Court within a time-limit of one year from the date on which it was handed down. The Supreme Court shall also rule on any proposal to review the case.

APPLICATION OF GENERAL LEGISLATION

ARTICLE 80.

The official recording of violations, the handing down of rulings, the apportionment of monetary compensation for damage caused, the appeal of rulings and their enforcement shall be regulated by the Administrative Violations and Penalties Act, unless otherwise provided in the present Act.

INTERIM PRECAUTIONARY MEASURES

ARTICLE 81.

(1) A foreign non-military vessel, regardless of its legal ownership, may be arrested at the time an official report is drawn up regarding a violation committed, in order to guarantee recovery of the fine or compensation provided for in

this chapter.

(2) A foreign non-military vessel may be arrested also in order to guarantee recovery of the sum due by reason of an act of quasi delicti under article 31, paragraph 1. The arrest shall be made by the National Navigation Inspection Service and shall end within 72 hours unless, upon expiry of that period, the competent tribunal at the place where the vessel is being held takes interim precautionary measures.

(3) In the cases referred to in the preceding paragraphs, a vessel shall be released after having deposited with a Bulgarian bank a monetary or bank guarantee equivalent to the amount determined by the ruling and corresponding to the claim giving rise to the interim precautionary measures.

SUPPLEMENTARY PROVISIONS

(1) The provisions of article 9, paragraphs 2 to 5, article 23, paragraph 3, subparagraphs 4 to 7, and articles 24, 26, 28, 30, 39, 58, 59, 62 and 65 shall apply also to Bulgarian vessels.

(2) For the purposes of the Act:

1. "Warship" means a ship belonging to the armed forces of a State bearing the external marks distinguishing its nationality, under the command of an officer duly commissioned by the Government of the State and whose name appears in the appropriate service list or its equivalent, and manned by a crew which is under regular armed forces discipline;

2. "Government ship operated for non-commercial purposes" means a ship belonging to the State whose flag it flies and intended for activities of exploration or other non-economic activities;

3. "Non-military ship" means any ship other than those referred to in subparagraphs (1) and (2);

4. "Submarine" means a ship intended to navigate under water;

5. "Nuclear-powered ship" means a ship as referred to in subparagraphs (2), (3) and (4) which is equipped with nuclear-powered devices;

6. "Nuclear-powered warship" means a ship as referred to in subparagraph (1) which is equipped with nuclear-powered devices or nuclear weapons.

(3) For the purposes of this Act:

1. "Port" means a coastal zone with a contiguous area of water, equipped with facilities for berthing ships and for loading and unloading operations and with other structures; a port is operated by a port authority;

2. "Roadstead" means a given area of ocean space situated outside a port, in which ships can lie at anchor;

3. "Maritime base" means a guarded area of the sea coast with the contiguous area of water, equipped with facilities and structures where ships can anchor and be protected;

4. "Underwater dive" means each penetration by man under water involving the use of respiratory equipment and lasting longer than one held respiration;

5. "Sedentary species" means organisms which, at the harvestable stage, either are immobile on or under the

sea-bed or are unable to move except in constant physical contact with the sea-bed or the subsoil;

(4) For the purposes of this Act, "pollution of the marine environment" means the introduction by man, directly or indirectly, of substances or energy into the marine environment, including estuaries, which results or is likely to result in deleterious effects on living marine resources and hazards to human health, and which hinders the legitimate use of the sea, including impairment of quality of water and deterioration of conditions for tourism and leisure activities.

(5) For the purposes of this Act, a nautical mile equals 1,852 metres.

FINAL PROVISIONS

(6) This Act shall enter into force on 1 September 1987 and shall replace the Decree on the territorial sea and the internal waters of the People's Republic of Bulgaria, published in the newspaper Izvestiya (No. 85 of 1951), with amendments published in the Official Gazette (No. 7 of 1978).

(7) The regulation giving effect to this Act shall be published by the Council of Ministers.

(8) The Council of Ministers shall be responsible for the application of this Act.

This Act has been adopted by the ninth National Assembly at the second meeting of its fifth session, held on 8 July 1987, and it has been sealed with the State seal.