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## **ŠKOCJAN CAVES REGIONAL PARK ACT**

### **I. GENERAL PROVISION**

#### Article 1

In order to preserve and research its outstanding geomorphological, geological, and hydrological formations, rare and threatened plant and animal species, palaeontological and archaeological sites, ethnological and architectural characteristics and the cultural landscape, and to ensure conditions for adequate development, the region of the Škocjan Caves is hereby declared a regional park called Škocjanske jame (hereinafter "the Park").

### **II. PROTECTED AREAS AND IMPACT AREA**

#### Article 2

The boundary of the protected area of the Park shall run: to the south of Gradišče near Divača, immediately beneath the village, along the northern upper brink of the Lisičina and Sapendol collapse dolines toward the east, to the eastern edge of the Dol valley, and then along the brink of the rock cliffs beneath the village of Brežec to the eastern slope of Dol, where it shall climb up across the middle of the slope until reaching the upper brink of the right (northern) escarpment of the Reka river, thus encompassing the Jama nad Malni cave in the protected area; the boundary shall then proceed in the south-east direction along the northern brink of the gorge, immediately to the north of the Školj castle ruins, continue along the upper brink of the gorge until reaching the point to the south-west of the village Famlje, where it shall descend steeply to the cart track leading from the Famlje mill to the dam on the Reka river and proceed along this cart track all the way to the bridge across the Reka river between Vremški Britof and Škoflje; from there the boundary shall continue westward, along the upper brink of the Reka river gorge, thus embracing the lower part of the Sušica river gorge, and then advance northward to the village of Naklo, where it shall turn away from the brink, first to the west, to the karst plateau, and then to the south-west, encircling the collapse doline Sokolak and reaching the boundary of the Naklo cadastre municipality. Following this boundary, it shall intersect the cart track between Matavun and Dane, then turn north-west and north and encircle the collapse doline Globočak, thus embracing the caves Velika and Mala jama on Prevala and the Škrlica cave into the protected area; from there the boundary shall proceed to the cross-roads on the Matavun-Divača road and then 500 m westward to the Divača-Kozina trunk road,

continuing 300 m along its eastern edge in the north-west direction until reaching the boundary between the Naklo and Divača cadastre municipalities and intersect it in a straight north-north-west line of a length of 350 m, where near the road Divača-Dolnje Ležeče it shall turn east; from there the boundary shall then proceed in the south-east direction, immediately to the south of the settlement Dolnje Ležeče, along the northern and eastern brinks of the collapse sink holes Bušljevec, Lesendol and Jablanc. The boundary of the Park's protected area shall end when reaching the starting point immediately beneath the village Gradišče near Divača.

### Article 3

The boundary of the Park's impact area, which is in the Reka river basin, shall run from the north-western corner of the Park along the highway northward to the Divača-Pivka railway track. From there it shall follow the railway track to the turn beneath Čebulovica, where the track turns south-east, and continue north-east to the Na Gavgah peak (661 m). Here it shall make a sharp turn in the south-east direction and run along the ridge of Vremščica all the way to its top (1027 m). There it shall turn north-east, running over Žužovka (806 m) and Učičnik (726 m) until reaching the edge of the valley Sajevško polje. To the north of Sajevče it shall cross Sajevško polje and continue eastward over Hill 718, then at Hill 716 it shall turn south-east and run across Varda (726 m), Ostri vrh (693 m), Kaludernik (747 m), Osojnica (820 m) and Orlek (653 m). South of the Pivka river it shall intersect both the railway tracks and the road and climb up the slopes of Kerin (655m) and Primož (718 m). From here it shall descend along the ridge to the saddle and climb up along the ridge of Gjura (724 m). From Šilen tabor (715 m) it runs along the brink of a steep overthrust all the way to Bezgovica (738 m), east of Knežak. There it shall make a sharp turn toward the east, along the ridge of Vrh (777 m) and Rebro (729 m) to the north of Šembije, cross the Šembije-Knežak road, and climb up Stani hrib (674 m). From here all the way to the top of Snežnik it shall run eastward over the following mountain peaks: Milanka (948), Volovja reber (975 m, 993 m, 1030 m), Velika Milanja (1099 m), Suha reber (1051), Luknja (1147 m), Konj (1169 m), Jesenovc (1328 m), Kruljčev vrh (1367 m), Klešče (1308 m) and Mali Snežnik (1684 m). At the top of Snežnik the boundary of the Park's impact area shall turn southward, running east of the Grčovec depression to the top of Praprotnica (1432 m), where it shall turn westward to Bukov vrh (1437 m) and north-west to Lom (1483 m). Here it shall turn south-west to Peščina (1465 m), where it shall turn south-east, proceeding over Hill 1432 until reaching Mačkov vrh (1341) above Klanska polica. Here it shall once again turn south-west, reaching -- past Železna vrata and over the mountain tops of Orlovica (1299 m) and Petehovec (1241 m) -- the state border with Croatia on the Gomanška gora above Gomance. From here it shall follow the state border, over Katalina (1083 m) and Osterija, to the hill top of Kukulj (832 m), which is the south-eastern-most point of the Park's impact area. All the way to the Ajdovščina peak, east of Rodik, the boundary of the Park's impact area shall proceed along the hydrographic watershed of the Reka river and the streams flowing southward. The watershed is clearly delineated, running along the ridges between the following hill tops (from east to west): Stražnica (690 m), Belica (695 m), Zagnojavec (654 m), Hladno brdo (634 m) Trebež (660 m), Straža (607 m), Stražnica (577 m), Velika Reber (517 m), where it touches the state border, Hrbe (617 m), Vrh hriba (649 m), Gabrnica (599 m), Stari grad above Podgrad, Grmada (677

m) and Ušinje brdo (606 m). The boundary shall then reach the village of Pregarje on the ridge of Brkini and follow the road leading along the ridge all the way to the village of Tatre. There it shall turn south-west, running along the road until Arviže and from there on along the ridge to the hill tops of Križandrev (797 m) and Ajdovščina (804 m). There it shall descend in the south-west direction down to the village of Kačiče-Pared and follow the local road until it reaches the Kozina-Divača trunk road, proceeding along this road to the south-western corner of the Park.

#### Article 4

Because of their outstanding natural, cultural, historical and aesthetic value, individual parts of the Park's tangible natural and cultural heritage shall be afforded special protection by this Act.

#### Article 5

Because of their specific features as examples of particular natural phenomena, the following sections of the Park shall be protected as natural monuments:

1. Mala dolina and Velika dolina to the edge of the collapse doline;
2. the Okroglica Shaft;
3. the walls and banks of the Reka river's blind valley in the length and width of 150 m in front of the entrance to the Mahorčič's hall;
4. subterranean caves situated on the territory of the Park;
  - Škocjan Caves (the system of the Škocjan Caves);
  - Jama na Prevali II Cave;
  - Mala jama na Prevali Cave;
  - Škrlica Cave;
5. the stalactite in the Liplje Caves near Divača.

#### Article 6

On account of their outstanding value the following parts of the Park's immovable cultural heritage shall be proclaimed cultural monuments:

1. settlement monuments:
  - (1) village of Škocjan;
  - (2) village of Betanja;
2. archaeological monuments:
  - (3) Tominc's Cave;
  - (4) Ozka špilja Cave;
  - (5) Czoernig's Cave;
  - (6) Jama nad Jezerom Cave;
  - (7) Luknja v Lazu Cave beneath Matavun;
  - (8) Gradišče Škocjan;
  - (9) Necropolis Ponikve;
  - (10) Necropolis beneath Matavun;

- (11) rock face in Sapendol;
  - (12) Cave in Sokolak;
  - (13) Jama na Prevali II Cave;
  - (14) Mala Jama na Prevali Cave;
  - (15) Ledina Stojance near Betanja;
  - (16) Necropolis Za griči;
  - (17) Necropolis beneath Brežec;
  - (18) Gradišče near the village Naklo;
  - (19) Tabor above Škoflje;
3. cultural and historical monuments:
- (20) Škocjan, succursal church of St. Canzian;
  - (21) Famlje (Goriče), ruins of the Školj castle;
4. ethnological monuments:
- (22) Matavun, homestead, house no. 8;
  - (23) Matavun, homestead, house no. 10;
  - (24) Škocjan, homestead, house no. 4 and 5;
  - (25) Škocjan, homestead, house no. 7;
  - (26) Škocjan, former curacy;
  - (27) Škocjan, stone communal well;
  - (28) Betanja, homestead, house no. 2;
5. technical monuments:
- (29) Matavun, ice pit situated by the house no. 4;
  - (30) buildings in Malne, Brežec;
6. historical monuments:
- (31) Škocjan, cemetery and old tombstones in the cemetery;
  - (32) Škocjan, tombstone of J. Mahorčič by the church walls;
  - (33) Matavun, shrine in Tominčeva street dedicated to emperor August Franz I;
  - (34) Matavun, memorial plate in Schmidl's hall dedicated to explorers;
  - (35) Matavun, monument dedicated to fighters against and victims of Fascism;
  - (36) Škocjan, Hanke's grave;
  - (37) stone guide post at the cross-roads on the old Dolenje Ležeče-Lokev road.

## Article 7

The boundary of the Park as defined in Article 2 of this Act and the boundaries of the areas of natural and cultural monuments as defined in Articles 5 and 6 hereof shall be marked on a topographical map in a scale of 1:25,000 and on a survey cadastral map in a scale of 1:5,000.

The boundary of the Park's impact area as defined in Article 3 hereof shall be marked on a topographic map in a scale of 1: 25,000.

The originals of the maps referred to in the preceding two paragraphs shall be kept by the ministry responsible for environmental protection (hereinafter "the Ministry") and by the National Assembly of the Republic of Slovenia.

The administrative agency responsible for matters relating to geodesy shall draw the boundaries into the cadastral plans on the basis of the boundaries on the maps referred to in paragraphs 1 and 2 of this Article.

On the basis of the plans mentioned in the preceding paragraph the internal organisational unit of the administrative agency that is responsible for environmental protection by virtue of its office shall issue to the owners of real estate situated on the territory of the Park, in the course of an administrative procedure, declaratory administrative decrees on the status of natural monuments under this Act, and propose corresponding entries in the land register.

For technical reasons of reproduction and publication the content of Articles 2 and 3 of this Act shall be represented on maps in a scale of 1:25,000 and 1:100,000.

### **III. PROTECTION REGIMES**

#### Article 8

Within the Park's impact area any activities affecting the environment that could impair, directly or indirectly, the existing state of the environment in the Park shall be prohibited.

Within the Park's impact area the following shall be prohibited:

- all activities which are likely to alter the existing water regime of the Reka river and the quality of water, except in the cases of protection against floods;
- other activities affecting the environment which represent a risk or danger to the environment and the harmful impact of which extends into the Park.

The minister responsible for environmental protection (hereinafter "the Minister") shall define the cases and conditions under which the activities mentioned in the preceding paragraph may exceptionally be permitted.

In the cases referred to in the preceding paragraph the performers of activities affecting the environment shall have a priority right in obtaining loans granted by the Environmental Protection Development Fund of the Republic of Slovenia and the Housing Fund of the Republic of Slovenia and in obtaining funds which the Public Service Agency referred to in Article 15 uses for the purposes set out in Article 23 hereof.

#### Article 9

Within the territory of the Park the following shall be prohibited:

1. to carry out any construction or land works outside the areas of settlements, except in the cases referred to in the second paragraph of this Article;
2. to deposit, in the course of construction or renovation works, the excavated material outside the locations that are specifically designed for this purpose;
3. to perform activities that alter the appearance of the characteristic cultural landscape and change the purposed land use, except within the areas of settlements;
4. to explore or exploit mineral raw materials;
5. to take away sand, gravel or stones from the river's bed or banks;
6. to build facilities designed for military use or to use the area for military activities;
7. to alter the water regime of the Reka river;
8. to pollute air beyond permitted levels;

9. to throw away or dispose of waste of all kinds outside the locations that are specifically designed and adequately equipped for this purpose;

10. to spill polluted water, oil products or other harmful substances on the surface, into the karst underground or in watercourses;

11. to make a fire or prepare embers in the open or in the vicinity of woods, except in fireplaces that are specifically designed and arranged for this purpose.

12. to use open fire in woods contrary to law;

13. to transport noxious substances over the territory of the Park;

14. to use motor vehicles of all sorts, except emergency vehicles and agricultural and forestry machinery, outside the public roads:

1. on the road leading from the cross-roads on the Kozina-Postojna trunk road via Matavun to Vremski Britof;

2. on the road that branches off from the above-mentioned road leading to the artificial entrance to the Škocjan caves in the Globočak valley;

3. on the road from the branching off of the Matavun-Betanja road to the cross-roads with the Divača-Famlje road;

15. to make changes in vegetation by planting non-indigenous plant species;

16. to burn down sections of grassland and pastures and incinerate plant remains in the fields without the supervision of a person of full age;

17. to use agro-chemical substances for the control and eradication of pests and weeds outside the land that is designed for cultivation (gardens, fields);

18. to disturb, displace, poison, keep in confinement, hunt or kill animals contrary to the law or regulations adopted by the Government;

19. to pick free-growing plants or parts of plants for commercial purposes;

20. to bring in non-indigenous animal species;

21. to put up advertising billboards, except information signs for the needs of the Park;

22. to camp, park or leave motor vehicles or camping trailers outside the areas that are specifically designed for this purpose;

23. to pay unsupervised visits to the caves.

Notwithstanding the prohibitions specified in the preceding paragraph, the following activities shall exceptionally be allowed in the Park, subject to prior approval of the Minister, to meet the development needs of the Park and the inhabitants living on the territory of the Park:

- construction of infrastructural buildings or facilities for the needs of the settlements (electricity, waterworks, sewerage facilities);

- reconstruction of existing road sections or construction of smaller new road sections or construction of new tourist pedestrian paths;

- reconstruction and reinforcement of dams and the banks of the Reka river outside the Škocjan Caves;

- renovation or replacement of existing buildings;

- exploitation of sand-pits or quarries for the needs of the inhabitants of the Park.

In the cases referred to in the preceding paragraph the provision of paragraph 4 of Article 8 hereof shall apply to the performers of such activities.

Installation of devices necessary for the monitoring of natural phenomena and the state in the Park shall not be considered as a violation of the prohibitions referred to paragraph 1 of this Article.

## Article 10

In addition to the prohibitions specified in Article 9 of this Act, the following activities shall also be prohibited in the area of natural monuments referred to in Article 5 hereof:

1. to change the form and composition of the surface by land work;
2. to excavate, pick or carry away petrographical, mineralogical or palaeontological samples;
3. to destroy, damage or remove speleothems and other cave inventory;
4. to use explosives;
5. to pollute in any way the walls, ceiling and floor of the cave;
6. to dig out, pick or carry away individual samples of plant species, except for felling at the cave's entrance for sanitary reasons;
7. to set up self-standing poles or antennas;
8. to produce noise exceeding 45 Leq (dBA), except when carrying out regular maintenance activities in the Park;
9. to throw stones and other objects in cave gorges, entrances and precipices;
10. to carry out activities that could endanger the entrances and the vicinity of the caves;
11. shoot films in the caves.

Notwithstanding the prohibitions specified in the preceding paragraph, the Minister may allow, for the purpose of scientific and research studies, a research organisation to carry out procedures and activities, such as the taking of petrographical, mineralogical and palaeontological samples, the gathering of samples of plant species, and the hunting of individual animals.

Notwithstanding the prohibitions set out in paragraph 1 of this Article, the Minister may allow shooting films in the caves subject to the conditions specified in detail in a regulation issued on the basis of this Act.

## Article 11

Taking into account the prohibitions specified in Article 9 of this Act, the following protection regime shall apply in the area of cultural monuments referred to in Article 6 hereof with respect to permitted activities:

1. within the Škocjan and Betanja areas of settlement monuments, buildings and other structures shall be renovated in the traditional style, in compliance with zoning plans and conservation guidelines;
2. within the area of archaeological sites, only systematic archaeological research of a limited extent shall be carried out, provided that prior to any such activity the following conditions are met:
  - to carry out a preliminary protective archaeological research on the basis of which guidelines are made for further land use;
  - to ensure accompanying archaeological supervision with a possibility of carrying out protection research studies in cases of major archaeological finds;
3. architectural monuments and shrines shall be preserved in their original appearance, with interventions being designed primarily for conservation and restoration of a cultural monument or alteration of inadequate construction work;

4. shrines shall be preserved on existing locations with a possibility of inclusion in a museum index.

#### Article 12

The Government of the Republic of Slovenia (hereinafter "the Government") shall adopt plans for spatial management of the Park after obtaining the opinion of the competent Local Authorities.

Licenses for the carrying out of activities affecting the environment in the area of the Park shall be issued by the minister responsible for activities affecting the environment.

The licenses referred to in the preceding paragraph in the area of cultural monuments shall be issued upon prior approval of the minister responsible for the cultural heritage.

### **IV. PROTECTION AND DEVELOPMENT**

#### Article 13

On the motion of the Government the National Assembly shall adopt a program for the protection and development of the Park for a period of five years.

The mandatory components of the program for the protection and development of the Park shall be: comprehensive assessment of the state in the Park, protection and development objectives and steps of implementing these objectives, assessment of the state in the Park's impact area and determination of measures for improvement and prevention of harmful impacts, modes of implementing tax and other incentive policies adapted to the Park's development, modes of granting subsidies and compensations, and of pursuing a stimulating loan policy with criteria and envisaged procedures, required financial resources and sources of these funds, spatial determination of planned protection and development activities to be carried out in the Park, determination of activities suitable for the Park and guidelines for their development.

On the basis of the program referred to in the preceding paragraph the Public Service Agency shall adopt annual programs for the protection and development of the Park.

#### Article 14

Individuals and legal entities whose present conditions for earning income and for life and work may be essentially impaired as the result of restrictions and prohibitions under this Act and provided that this cannot be substituted for by an activity permitted within the framework of the specified protection regimes and development policies applicable in the Park shall be entitled to damages or compensation.

For the purpose of determining the amount of damages or compensation referred to in the preceding paragraph the regulations on expropriation shall apply.

## **PUBLIC SERVICE AGENCY**

### Article 15

The management of the Park shall be a public service. For the purpose of providing this public service the Government shall establish a public service agency.

The Public Service Agency shall have the status of a legal person.

The Government shall determine the matters relating to the status and other activities of the Public Service Agency in the Agency's founding decree.

### Article 16

Within the framework of the public service the Public Service Agency shall carry out the following activities:

1. draw up the proposal of the program for the protection and development of the Park;
2. adopt annual programs for the protection and development of the Park and perform the activities specified in these programs;
3. continually monitor and analyse the state of the natural and cultural heritage in the Park;
4. prepare, in co-operation with other professional organisations, additional expert proposals for the protection and implementation of maintenance measures;
5. co-ordinate research tasks in connection with the Park and organise scientific research;
6. participate in international projects, presentations and expert research studies relating to the Park, and see to the implementation of adopted projects;
7. see to the maintenance, renovation and protection of monuments and natural treasures within the area of the Park;
8. manage real estate in compliance with its founding decree;
9. organise professional presentations of the Park and educational programs;
10. co-operate with the owners of particular monuments situated in the Park and offer them expert assistance and advice;
11. build and maintain the paths and information signs in the Park;
12. maintain infrastructural facilities in the caves designed for tourist visits and provide tourist guide services in the Park.

### Article 17

In addition to the activities specified in Article 16 of this Act the Public Service Agency shall also carry out, within the framework of public authorisations, the following activities:

1. run an information centre;
2. gather and keep documentation and manage museum collections;
3. exercise the right of pre-emption of the Local Authorities and the State in purchasing the monuments and other treasures in the Park;
4. supervise the implementation of the protection regimes in the Park;
5. carry out professional supervision of the implementation of a concession.

#### Article 18

The Public Service Agency shall consist of the following bodies:

1. the Council of the Agency;
2. the Expert Council;
3. the Director.

#### Article 19

The managing body of the Public Service Agency shall be the Council of the Agency, which shall be composed of a chairman and six members. The chairman and three members of the Council shall be appointed by the Government in such a way that one of them shall be the representative of the Slovenian National Commission for UNESCO; one member shall be elected by the personnel of the Public Service Agency from among its staff, one member shall be appointed by the competent local community, and one member shall be appointed jointly by the inhabitants of Matavun, Škocjan, and Betanja.

#### Article 20

The Expert Council of the Public Service Agency shall deal with matters relating to the professional tasks of the Public Service Agency. The composition of the Expert Council shall be stipulated in detail in the Agency's founding decree or its constitution in such a way that external experts shall be represented in the Expert Council.

#### Article 21

The Director of the Public Service Agency shall organise and manage the Agency's professional tasks, its work and business operations, represent and act on behalf of the Agency, and be responsible in ensuring that the Agency's operations are carried out professionally and in compliance with the law.

The Director shall be appointed and removed from office by the Government.

#### Article 22

In its decree on the founding of the Public Service Agency the Government shall determine which real estate is to be managed by the Public Service Agency.

The Public Service Agency shall obtain resources necessary for its operation from:

- the national budget on the basis of the Agency's annual work program which shall be approved by the Minister,
- the budgetary funds of the Local Authorities;
- funds raised by the sale of entrance tickets and from donations,
- funds obtained through the management of real estate,
- payments for concessions,
- other sources of financing.

## Article 23

The Public Service Agency may use its resources acquired in the manner described in the last four subparagraphs of paragraph 2 of Article 22 hereof for the following purposes: for active protection of the natural and cultural heritage, for environmental rehabilitation projects, for paying out subsidies and grants to individuals -- owners of real estate -- who are affected by the restrictions and prohibitions under this Act but are not entitled to damages and compensations under Article 14 hereof, and for the promotion of a concerted development of the protected area.

Detailed conditions for acquiring the resources referred to in the preceding paragraph, criteria and procedures for the distribution of funds and decision-making related to such distribution, and control over the use of these funds in accordance with purpose shall be prescribed by the Minister.

## Article 24

The Public Service Agency shall adopt its constitution, which shall define in detail the mode of its operating and decision-making. The constitution shall be adopted by the Council of the Agency and shall enter into force upon their approval by the Government.

## Article 25

The State shall grant concessions for the use of particular sections of the Park.

By the deed of concession, which is a regulation issued by the Government, the Government shall determine the conditions for the granting of a concession.

A concession shall be granted on the basis of a public invitation of tenders. The Government shall confirm the choice of a concessionaire by an administrative decision.

The grantor and the concessionaire shall regulate their relationships on the basis of a concession agreement. Such a concession agreement shall be concluded for a specified period of time, with the possibility of withdrawing the concession if the concessionaire fails to fulfil the conditions determined by the law, the deed of concession, and the concession agreement.

In the procedure of the granting of a concession the Environmental Protection Act shall apply.

The activities of the concessionaire shall be restricted by the protection regimes laid down by this Act.

## **V. SUPERVISION**

### Article 26

The implementation of the provisions of this Act shall be supervised by the Inspectorate of the Republic of Slovenia for Environment and Regional Planning and the Inspectorate of the Republic of Slovenia for Cultural Heritage.

The Ministry shall see to it that the operations of the Public Service Agency are carried out in accordance with the law.

#### Article 27

Compliance with the prohibitions in force within the Park area shall be under direct supervision of the supervisory service organised within the framework of the Public Service Agency.

The tasks of the supervisory service shall be:

- direct monitoring of the state in the Park and in the impact area of the Park;
- constant supervision of the implementation of protection regimes in the Park;
- finding of facts in cases of violations of the prohibitions under this Act and notification thereof of competent inspectorates;
- imposition of pecuniary penalties in the cases referred to in Article 34 of this Act.

The tasks referred to in the preceding paragraph shall be carried out by environmental supervisors who shall have special qualifications for the performance of these tasks.

The environmental supervisor shall wear an official badge and identity documents.

In carrying out supervision under this Act the environmental supervisor shall have a right to demand from persons a proof of their identity.

Detailed provisions on the organisation and operation of the supervisory service shall be laid down in the constitution of the Public Service Agency, in accordance with the founding decree and this Act.

### **VI. PENALTY PROVISIONS**

#### Article 28

A fine of not less than 200,000 tolar shall be imposed on any legal entity or individual committing an offence in carrying out an independent activity within the Park for:

- carrying out a prohibited activity affecting the environment (paragraph 2 of Article 8);
- not abiding by the prescribed conditions in carrying out an activity affecting the environment (paragraph 3 of Article 8).

A fine of not less than 50,000 tolar shall also be imposed on any individual and the responsible person of any legal entity who has committed an offence specified in the preceding paragraph.

#### Article 29

A fine of not less than 200,000 tolar shall be imposed on any legal entity or individual committing an offence in carrying out an independent activity by acting

contrary to the prohibitions specified in subparagraphs 1 through 13, 15, and 17 to 20 of paragraph 1 of Article 9 hereof.

A fine of not less than 50,000 tolar shall also be imposed on any individual and the responsible person of any legal entity who has committed the offence specified in the preceding paragraph.

#### Article 30

A fine of not less than 200,000 tolar shall be imposed on any legal entity or individual committing an offence in carrying out an independent activity by carrying out activities affecting the environment without prior approval of the competent minister (paragraph 2 of Article 9).

A fine of not less than 50,000 tolar shall also be imposed on any individual or the responsible person of any legal entity who has committed the offence specified in the preceding paragraph.

#### Article 31

A fine of not less than 200,000 tolar shall be imposed on any legal entity or individual committing an offence in connection with the carrying out of an independent activity by acting contrary to the prohibitions specified in subparagraphs 1 through 4, 7, 10, and 11 of paragraph 1 of Article 10 hereof (paragraph 1 of Article 10).

A fine of not less than 50,000 tolar shall also be imposed on any individual or the responsible person of any legal entity who has committed the offence specified in the preceding paragraph.

#### Article 32

A fine of not less than 100,000 tolar shall be imposed on any legal entity or individual committing an offence in connection with the performance of an independent activity by researching or shooting films within the area of natural monuments without prior permission from the responsible minister (paragraphs 2 and 3 of Article 10).

A fine of not less than 30,000 tolar shall also be imposed on any individual or the responsible person of any legal entity who has committed the offence specified in the preceding paragraph.

#### Article 33

A fine of not less than 200,000 tolar shall be imposed on any legal entity or individual committing an offence in connection with the performance of an independent activity, if in carrying out permitted activities affecting the environment within the area of cultural monuments he or she has failed to observe the protection regime specified in Article 11 hereof.

A fine of not less than 50,000 tolar shall also be imposed on any individual or the responsible person of any legal entity who has committed the offence specified in the preceding paragraph.

#### Article 34

A fine of not less than 20,000 tolar collected on the spot shall be imposed on any legal entity or individual committing an offence in connection with the carrying out of an independent activity by acting contrary to the prohibitions specified in subparagraphs 14, 16, 22, and 23 of paragraph 1 of Article 9 and contrary to the prohibitions specified in subparagraphs 5, 6, 8, and 9 of paragraph 1 of Article 10 hereof.

A fine of not less than 10,000 tolar collected on the spot shall also be imposed on any individual or the responsible person of any legal entity who has committed the offence specified in the preceding paragraph.

The fines referred to in paragraphs 1 and 2 of this Article shall be collected immediately and directly on the spot by a competent State Supervisor, a policeman or an environmental supervisor.

### **VII TRANSITIONAL AND FINAL PROVISIONS**

#### Article 35

The Minister shall issue executive regulations based on this Act no later than six months after the enforcement of this Act.

#### Article 36

Real estate and other facilities situated on the territory of the Park which are designed for tourist visitations to the Park and are in social or public ownership shall pass into the ownership of the Republic of Slovenia immediately upon the enforcement of this Act.

In cases where the Local Authority or the State does not exercise its right of pre-emption under regulations on the protection of the natural heritage, the change in a property right to real estate may be entered in the land register when the Public Service Agency makes a statement on the contract on the transfer of the property right that the procedure for asserting the legal right of pre-emption has previously been carried out, but the right of pre-emption has not been claimed.

A legal transaction regulating the transfer of a property right to real estate situated in the Park for which a procedure for asserting the right of pre-emption has not been carried out, shall be deemed null and void.

#### Article 37

The Government shall establish the Public Service Agency within three months after the entering into force of this Act.

#### Article 38

Within three months of the enforcement of this Act, the Divača municipality shall transfer to the Public Service Agency all socially-owned agricultural land and forests which are not subject to mandatory transfer to the Fund for Agricultural Land and Forests of the Republic of Slovenia, and all other socially-owned land on the territory of the Park.

#### Article 39

Real estate referred to in Article 38 hereof shall be registered by the Ministry on the basis of data provided by the Divača municipality within 45 days of the enactment of this Act.

#### Article 40

The company "Hoteli, turizem in gostinstvo Sežana," which upon the enforcement of the law on the privatisation of socially-owned monuments and treasures (Official Gazette of the RS, no. 16/96) had in its assets in social ownership the natural treasures and items serving for the management, use, maintenance or protection of these natural treasures which passed in the ownership of the State, shall retain the existing right to the use and management of a section of the Park until the establishment of the Public Service Agency or until the granting of the concession under Article 25 hereof, and shall exercise it in the extent and manner and subject to the conditions laid down in the act on the granting of the right.

The company "Hoteli, turizem in gostinstvo Sežana" or its legal successor shall have, if fulfilling the conditions of the public tender, a priority right in obtaining a concession for the use of particular sections of the Park for catering or tourist activities.

If a legal entity acquires the concession referred to in the preceding paragraph, the amount of its funds invested in the items mentioned in paragraph 1 of this Article that permanently increase the value of the Park and of the funds which exceed the benefits the legal entity has derived from the management or use of a section of the Park, reduced by the funds the legal entity has received from the system of public expenditure or the system of self-management communities of interest, shall be deduced from the sum payable for such a concession.

If the legal entity referred to in the preceding paragraph fails to obtain a concession, or if a concession runs out before the funds invested in real estate or equipment defined in the preceding paragraph have yielded a return, the legal entity shall be entitled to pecuniary compensation in the amount of the funds not yet returned.

#### Article 41

On the effective date of this Act, the Decree on the Protection of the Škocjan Caves (Official Gazette of the Socialist Republic of Slovenia, no. 17/80 and 11/81, and Official Gazette of the Republic of Slovenia, no. 47/90) shall cease to apply.

Article 42

This Act shall come into effect on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.

**Number: 801-07/94-5/3**  
**Ljubljana, 1 October 1996**

**President**  
**of the National Assembly**  
**of the Republic of Slovenia**  
**Jožef Školjč**