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Environmental Register Act

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Amended by the following acts

Passed	Published	Entry into force
14.04.2004	RT I 2004, 30, 209	01.05.2004
23.11.2004	RT I 2004, 84, 572	01.04.2005
07.12.2006	RT I 2006, 58, 439	01.01.2007

Chapter 1 GENERAL PROVISIONS

§ 1. Scope of application of Act

This Act provides the grounds for the entry of data regarding natural resources, natural heritage, the status of the environment and environmental factors in the environmental register, for the retention of data in the register and for the processing and release of data.

§ 2. Legal status and function of environmental register

(1) The environmental register is a general national register.

(2) The function of the environmental register is to retain and process data regarding natural resources, natural heritage, the status of the environment and environmental factors and to provide information:

- 1) for the grant of permits, temporary permits or integrated environmental permits for the right to use natural resources, for waste management or for release of pollutants or organisms into the environment (hereinafter *environmental permits*);
- 2) for determination of the scope of use corresponding to the quality of the natural resources;
- 3) for organisation of the international exchange of data;
- 4) for the preparation of development plans and other plans;
- 5) concerning restrictions of rights of ownership, freedom of movement and economic activities established for the purpose of environmental protection;
- 6) for disclosure of the status of the environment;
- 7) for the maintenance of other databases of the state;
- 8) for projecting natural environmental factors and their impact.

§ 3. Official name of environmental register

The official name of the general national register containing data regarding natural resources, natural heritage, the status of the environment and environmental factors is the Environmental Register (hereinafter *environmental register*).

§ 4. Chief processor of environmental register and authorised processor of environmental register

(1) The chief processor of the environmental register is the Ministry of the Environment.

(2) A state agency that complies with the requirements of this section will be appointed as the authorised processor of the environmental register (hereinafter *authorised processor*) by an order of the Government of the Republic on the proposal of the Minister of the Environment.

(3) In order to appoint the authorised processor, the Government of the Republic will consider the opinion of the state information systems coordination authority and the data protection supervision authority.

(4) The authorised processor must have:

- 1) the ability to use information technology equipment that is necessary for the maintenance of the environmental register;
- 2) experience in the maintenance of databases;
- 3) the opportunity to conduct training that is necessary for the maintenance of the environmental register;
- 4) employees with the necessary knowledge to organise the protection and publication of environmental data;
- 5) the experience and capability to comply with the requirements for the international exchange of environmental information.

§ 5. Source document for entry in environmental register

In the events provided by law, the source document for making an entry in the environmental register is:

- 1) a legal instrument;
- 2) an environmental permit;
- 3) a decision on the registration of environmental use (hereinafter *registration decision*);
- 4) a report on or a programme for exploration or stock-taking;
- 5) a plan;
- 6) a contract;
- 7) an application for an environmental permit;
- 8) a decision on the granting, refusal, amendment, revocation or suspension of an environmental permit;
- 9) a decision on the allocation of historical fishing rights;
- 10) a page from a logbook and a landing declaration.

§ 6. Legal consequence of entry of data in environmental register

(1) Environmental data not entered in the environmental register must not be used in the processing of applications for environmental permits or for the registration of environmental use or upon the preparation of plans and development plans, unless otherwise provided by law.

(2) Only data entered in the environmental register may be used in the international exchange of environmental information.

§ 7. Structure of environmental register

(1) The environmental register is composed of:

- 1) an electronic database entered on registry cards;
- 2) a ledger for recording the release of data, maintained on paper and electronic data media;
- 3) the registry archives.

(2) The electronic database of the environmental register includes a list of the subject matter of the environmental register (hereinafter *list*), data collected concerning the objects entered in the register (hereinafter *dataset*) and maps concerning the location of the object of the environmental register.

(3) The subject matter of the environmental register specified in subsection (2) of this section has the meaning provided by law.

(4) Applications and released data or a reference to the ground for refusal to release data are registered in the ledger for the release of data.

(5) The following is retained in the archives of the environmental register:

- 1) data deleted from the database of the environmental register;
- 2) individual items of data used to produce data entered in the register;
- 3) hazard data and data used for the production thereof;
- 4) samples of mineral resources.

(6) For the purposes of this Act, hazard data is a dataset collected concerning natural and man-made environmental factors, which is necessary in order to notify the population as a matter of urgency of the impact, duration and scope of environmental factors, to prevent the consequences of such impact and to advise the population in conditions of adverse environmental impact. The extent and manner of the publication of hazard data before it is transmitted to the environmental register will be established by the Minister of the Environment.

(7) For the purposes of this Act, the production of environmental data means the collection, in the course of a programme, exploration or stock-taking provided by law, of individual items of data to an extent that, by way of an analysis, generalisation or modification of the data on the basis of approved methodology or unified standards, allows for obtaining data that makes the comparison of the character of the natural resources and the status of the environment with environmental standards possible.

Chapter 2

DATA ENTERED IN ENVIRONMENTAL REGISTER

Division 1 Recording of Natural Resources

§ 8. Recording of natural resources

- (1) Records of mineral resources are kept in the form of a list of deposits.
- (2) Records of standing crop are kept in the form of a list of forest management units.
- (3) Records of groundwater are kept in the form of a list of groundwater intakes.
- (4) Records of water bodies are kept in the form of a list of water bodies.
- (5) Records of surface water use are kept in the form of a list of surface water intakes.
- (6) Records of fish resources are kept:
 - 1) in the event of mobile gear fishery at sea, in the form of a catch dataset for each fishing ground;
 - 2) in the event of fixed gear fishery at sea, in the form of a catch and restocking dataset for each county;
 - 3) in the event of inland water bodies and transboundary water bodies, in the form of a catch and restocking dataset for each water body.
- (7) Records of wild game resources are kept in the form of a list of hunting districts.

§ 9. List of deposits

- (1) The following data regarding a deposit or a part thereof is entered on the registry card of the deposit:
 - 1) name;
 - 2) registry card number;
 - 3) registry code;
 - 4) location;
 - 5) area;
 - 6) number and date of the decision for initial entry in the register;
 - 7) reference to the source documents for the decision for initial entry in the register;
 - 8) reference to the environmental impact assessment statement concerning any activities planned within the deposit or any activities that could affect the state of the deposit;
 - 9) applications for environmental permits concerning the deposit or a part thereof, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
 - 10) the codes and term of validity of environmental permits concerning the deposit or a part thereof, and the numbers and dates of decisions to amend, revoke or suspend such permits;
 - 11) number and date of the decision to approve resources;
 - 12) name of the mineral resource;
 - 13) type of the deposit;
 - 14) areas of use of the mineral resource;
 - 15) natural and immovable monuments located within the territory of the deposit;
 - 16) level of exploration (list of geological operations);
 - 17) type section of the deposit;
 - 18) chemical composition of the mineral resource;
 - 19) micro-components of the mineral resource;
 - 20) rock and mineral composition of the mineral resource;
 - 21) granulometric composition of the mineral resource;
 - 22) physico-mechanical properties of the mineral resource;
 - 23) technical indicators of the mineral resource;
 - 24) hydrogeological characteristics of the deposit;
 - 25) special mining conditions of the deposit;
 - 26) mineral reserves of the deposit;
 - 27) hydrogeological characteristics of the deposit;
 - 28) mining conditions of the deposit.
- (2) The annexes to the registry card drawn up concerning a deposit or a part thereof consist of a general map, a location map, an extraction permit, an exploration permit and a permit for a general geological survey.

(3) The registry card is drawn up concerning the deposit as a whole. In the event of a large deposit, the chief processor of the environmental register may decide to allow separate registry cards to be drawn up concerning each part of the deposit.

§ 10. List of forest management units

(1) The following data regarding a forest management unit is entered on the registry card of the forest management unit:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities related to forest management or any activities that could affect the state of the forest;
- 9) applications for environmental permits concerning the forest management unit, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) the codes and term of validity of environmental permits concerning the forest management unit, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) the date of registration of a forest notification, and the name and official title of the person who made the registration;
- 12) cadastral code;
- 13) form of ownership;
- 14) name of the owner of the private forest or the name of the possessor of the state forest;
- 15) personal identification code or registry code of the owner of the private forest or the possessor of the state forest;
- 16) stand descriptions;
- 17) restrictions on forest management;
- 18) planned and actual scope of forestry work;
- 19) date of issue of the forest management plan or forest management recommendations, and the name of the issuer thereof.

(2) The following data regarding a stand is entered in a stand description:

- 1) ID;
- 2) area;
- 3) land use type;
- 4) forest category, and the reason for its designation as a protected forest or protection forest;
- 5) forest site type;
- 6) presence of drainage;
- 7) site class;
- 8) site index (H_{100} or H_{50});
- 9) volume per hectare of the stand;
- 10) annual increment of the stand;
- 11) density grade or degree of canopy cover;
- 12) layers in the stand component;
- 13) tree species in the stand component;
- 14) percentage of the species in the layer;
- 15) origin of the stand component;
- 16) average age of the stand component;
- 17) year of germination of the stand component;
- 18) average height of the stand component;
- 19) quadratic mean diameter at breast height of the stand component;
- 20) basal area of the stand component;
- 21) number of trees per hectare in the stand component;
- 22) volume per hectare of the stand component;
- 23) damaged species;
- 24) cause of forest damage;
- 25) share of damaged trees;
- 26) damage stage;
- 27) volume of down timber;
- 28) forest fire danger class.

(3) For the purposes of this Act, the following are forest management units:

- 1) in the event of a private forest, a cadastral unit or a part thereof;
- 2) in the event of a state forest, a forest district or forest area.

(4) The annexes to the registry card drawn up concerning a forest management unit consist of a general map of the forest management unit and the cadastral map or location map of the forest area.

§ 11. List of groundwater intakes

(1) The following data regarding a groundwater intake is entered on the registry card of the groundwater intake:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities that could affect the state of the groundwater intake;
- 9) applications for environmental permits concerning the groundwater intake, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) the codes and term of validity of environmental permits concerning the groundwater intake, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) name of the aquifer;
- 12) level of exploration of aquifer resources;
- 13) fixed quantity of groundwater resources;
- 14) quantity of extracted groundwater;
- 15) period of use of the groundwater resources;
- 16) areas of use of groundwater resources;
- 17) name of the user of the groundwater intake.

(2) The annexes to the registry card of a groundwater intake consist of a general map, a location map, a forecast of the extent of the impact of the groundwater intake on the aquifer, and a permit or temporary permit for the special use of water or an integrated permit.

§ 12. List of water bodies

(1) The following data regarding a water body is entered on the registry card of the lake or reservoir:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities that could affect the state of the lake or reservoir;
- 9) applications for environmental permits concerning the water body, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) the codes and term of validity of environmental permits concerning the water body, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) in the event of a reservoir, the name of the river on which the reservoir is located;
- 12) average depth;
- 13) greatest depth;
- 14) area of the catchment area of the water body;
- 15) physical, chemical and biological indicators;
- 16) permissibility of public use.

(2) Data regarding reservoirs with an area at full supply level of at least one hectare is entered in the register.

(3) The annexes to the registry card drawn up concerning a lake or reservoir consist of a general map and a location map.

(4) The following data regarding a flowing body of water is entered on the registry card of the list of water bodies:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities that could affect the state of the flowing body of water;

- 9) applications for environmental permits concerning the flowing body of water, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) codes and term of validity of environmental permits concerning the flowing body of water, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) location of the source;
- 12) location of the mouth;
- 13) length;
- 14) area of the catchment area;
- 15) flow rate;
- 16) permissibility of public use.

(5) The annexes to a registry card drawn up concerning a flowing body of water consist of a general map and a catchment map.

§ 13. List of surface water intakes

(1) The following data regarding a surface water intake is entered on the registry card of the surface water intake:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities that could affect the state of the surface water intake;
- 9) applications for environmental permits concerning the surface water intake, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) the codes and term of validity of environmental permits concerning the surface water intake, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) names of water bodies connected to the surface water intake;
- 12) user of the surface water intake;
- 13) quantity of extracted surface water;
- 14) areas of use of the surface water.

(2) The annexes to the registry card drawn up concerning a surface water intake consist of a general map of the lake or reservoir on which the surface water intake is located or a map of the catchment area of the flowing body of water, and a location map of the surface water intake and a permit or temporary permit for the special use of water or an integrated permit.

§ 14. Fish resource dataset

(1) Records of fish resources are kept in the form of a dataset regarding fishing grounds and a catch and restocking dataset in inland water bodies and transboundary water bodies.

(2) Records of fishing at sea are kept for each fishing ground and, in the event of an inland water body or transboundary water body, for each water body.

(3) The following data regarding a fishing ground is entered on the registry card of the fishing ground:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities that could affect the state of the fishing ground;
- 9) applications for environmental permits concerning the fishing ground, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) codes and term of validity of environmental permits concerning the fishing ground, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) names and amount of permitted fishing gear;
- 12) permitted fishing capacity and the catch data;
- 13) number of permitted fishing days and the number of fishing days used;
- 14) names and quantity of restocked species of fish, the age and origin of the restocking material and the year of restocking.

(4) The annexes to the registry card drawn up concerning a fishing ground consist of a general map, a location map of the fishing ground, and a fishing permit of a fishing vessel, a fisherman's fishing permit or a restricted fishing permit.

(5) The following data regarding an inland water body or a transboundary water body is entered on the registry card of the inland water body or transboundary water body:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities that could affect the state of the inland water body or transboundary water body;
- 9) applications for environmental permits concerning the inland water body or transboundary water body, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) codes and term of validity of environmental permits concerning the inland water body or transboundary water body, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) names and amount of permitted fishing gear;
- 12) permitted fishing capacity and the catch data;
- 13) number of permitted fishing days and the number of fishing days used.

(6) The annexes to the registry card drawn up concerning an inland water body or a transboundary water body consist of a general map, a location map of the inland water body or transboundary water body, and a fishing permit of a fishing vessel, a fisherman's fishing permit or a restricted fishing permit.

§ 15. List of hunting districts

(1) The following data regarding a hunting district is entered on the registry card of the hunting district:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities that could affect the state of the hunting district;
- 9) applications for environmental permits concerning the hunting territory, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) codes and term of validity of environmental permits concerning the hunting district, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) name and the personal identification code or registry code of the person holding the right of use;
- 12) quality of the hunting grounds set out by quality category of habitats;
- 13) abundance of wild game set out by species;
- 14) use of wild game resources.

(2) The annexes to the registry card drawn up concerning a hunting district consist of a general map and location map of the hunting district and a permit in proof of the right of use of the hunting district.

Division 2 Recording of Natural Objects

§ 16. Recording of natural objects

Records of natural objects are kept in the form of:

- 1) a list of protected natural objects;
- 2) a list of shores and banks of water bodies;
- 3) a list of key biotopes;
- 4) a list of areas for the reduction of the adverse impact of human activity;
- 5) a list of recreation areas.

§ 17. List of protected natural objects

(1) The following data regarding a protected natural object is entered on the registry card of the protected natural object:

- 1) name;
- 2) registry card number;
- 3) registry code;

- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities that could affect the state of the protected natural object;
- 9) applications for environmental permits concerning the protected natural object, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) codes and term of validity of environmental permits concerning the protected natural object, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) type;
- 12) description of the boundary of the protected natural object or a description of the habitat;
- 13) restrictions and incentives established, and the number and date of the decision to establish such restrictions and incentives;
- 14) list of land owners;
- 15) consolidated text of the protection rules;
- 16) date of issue of the protection obligation notice;
- 17) consolidated text of the management plan;
- 18) name of the administrator;

(2) The names of animal, plant and fungus species are entered on the register cards in Estonian and Latin.

(3) The annexes to the registry card drawn up concerning a protected natural object consist of a general map, a location map of the protected natural object, and a location map of the habitat.

§ 18. List of shores and banks of water bodies

(1) The following data regarding a shore or bank of a water body is entered on the registry card of the shore or bank of the water body:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities that could affect the state of the shore or bank of the water body;
- 9) applications for environmental permits concerning the shore or bank of the water body, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) the codes and term of validity of environmental permits concerning the shore or bank of the water body, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) name of any bordering water bodies;
- 12) extent from the usual boundary of the water;
- 13) name of the management territory of the coastal zone;
- 14) number and date of the decision to establish restrictions or incentives and date on which the decision enters into force;
- 15) list of land owners.

(2) The annexes to a registry card drawn up concerning a shore or bank of a water body consist of a general map and a cadastral map

§ 19. List of key biotopes

(1) The following data regarding a key biotope is entered on the registry card of the key biotope:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities that could affect the state of the key biotope;
- 9) applications for environmental permits concerning the key biotope, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) codes and term of validity of environmental permits concerning the key biotope, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) type;
- 12) description of the boundary of the key biotope;
- 13) list of the obligations and rights established;
- 14) list of land owners;

15) name of the manager of the key biotope.

(2) The annexes to a registry card drawn up concerning a key biotope consist of a general map and a location map of the key biotope.

§ 20. List of areas for reduction of adverse impact of human activity

(1) For the purposes of this Act, an area for the reduction of the adverse impact of human activity is a defined territory where restrictions on the right of ownership or freedom of movement, or safety and environmental requirements are implemented by law or on the basis of law for the protection of the environment and people. The following are areas for the reduction of the adverse impact of human activity:

- 1) sanitary protection zones of water intakes;
- 2) road protection zones;
- 3) power and gas network protection zones;
- 4) water protection zones.

(2) The following data is entered on the registry card of an area for the reduction of the adverse impact of human activity or a part thereof:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities that could affect the state of the area for the reduction of the adverse impact of human activity;
- 9) applications for environmental permits concerning the area for the reduction of the adverse impact of human activity or a part thereof, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) codes and term of validity of environmental permits concerning the area for the reduction of the adverse impact of human activity or a part thereof, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) type;
- 12) description of the boundary of the area for the reduction of the adverse impact of human activity;
- 13) list of the restrictions established;
- 14) list of land owners.

(3) The annexes to a registry card drawn up concerning an area for the reduction of the adverse impact of human activity or a part thereof consist of a general map and a location map. The grounds for the division into parts of water protection zones of water bodies and road protection zones are established in the detailed procedure for the maintenance of the environmental register.

§ 21. List of recreation areas

(1) For the purposes of this Act, a recreation area is an area that is determined by a plan and that is of a salubrious nature.

(2) The following data regarding a recreation area is entered on the registry card of the recreation area:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities that could affect the state of the recreation area;
- 9) applications for environmental permits concerning the recreation area, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) codes and term of validity of environmental permits concerning the recreation area, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) description of the boundary of the recreation area;
- 12) list of the obligations and restrictions established;
- 13) list of land owners.

(3) The annexes to a registry card drawn up concerning a recreation area consist of a general map and a location map of the recreation area.

Division 3

Recording of Biological Environmental Factors

§ 22. Recording of biological environmental factors

(1) For the purposes of this Act, a biological environmental factor is an animal, plant or fungus that may only be brought into, taken out of or transported through the state, be released into the environment or be collected on the basis of a permit.

(2) Records of biological environmental factors are kept in the form of:

- 1) a list of genetically modified organisms;
- 2) a list of individuals of an introduced species;
- 3) a list of animal collections;
- 4) a list of individuals of species where activities involving those species are internationally regulated.

§ 23. List of genetically modified organisms

(1) The following data regarding a genetically modified organism is entered on the registry card of the genetically modified organism:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) number and date of the decision for initial entry in the register;
- 6) reference to the source documents for the decision for initial entry in the register;
- 7) reference to a risk analysis carried out for the use of genetically modified organisms;
- 8) applications for environmental permits concerning the genetically modified organism, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 9) codes and term of validity of environmental permits concerning the genetically modified organism, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 10) main characteristics of the genetically modified organism and the aim of its release into the environment;
- 11) time and place of release of the genetically modified organism into the environment;
- 12) methods of monitoring the genetically modified organism when released into the environment;
- 13) likely impact of the genetically modified organism when released into the environment;
- 14) plan of action in the event of an accident;
- 15) name and the personal identification code or registry code of the person who releases the genetically modified organism into the environment.

(2) The annexes to a registry card drawn up concerning a genetically modified organism consist of a location map and general map of the place of release of the genetically modified organism into the environment, a map of the spread of the genetically modified organism in the environment, and a permit for release of the genetically modified organism into the environment.

[RT I 2004, 30, 209 - entry into force 01.05.2004]

§ 24. List of individuals of introduced species

(1) The following data regarding individuals of an introduced species is entered on the registry card of the individuals of the introduced species:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) number and date of the decision for initial entry in the register;
- 6) reference to the source documents for the decision for initial entry in the register;
- 7) reference to the environmental impact assessment statement concerning the impact of use of the individuals of the introduced species;
- 8) applications for environmental permits concerning the individual of the introduced species, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 9) codes and term of validity of environmental permits concerning the individual of the introduced species, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 10) origin;
- 11) identity number;
- 12) number;
- 13) state of origin;
- 14) number of the permit from the state of origin and the date of granting the permit;
- 15) date and place of bringing the individuals of the species into the Republic of Estonia, and the name and the personal identification code or registry code of the person who brought the individuals of the species into the Republic of Estonia;
- 16) name and the personal identification code or registry code of the owner;
- 17) purpose of bringing the individuals of the species into the Republic of Estonia.

(2) The annex to the registry card of the individuals of introduced species consists of a permit granted by the state of origin of the individuals.

(3) The name of an individual of an introduced species is entered on the registry card in Estonian and Latin.

§ 25. List of animal collections containing individuals of protected species, medal trophies, and individuals of species brought into Estonia on basis of permit

(1) The following data regarding an animal collection is entered on the registry card of the list of animal collections containing individuals of protected species, medal trophies or individuals of species brought into Estonia on the basis of a permit:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) number and date of the decision for initial entry in the register;
- 6) reference to the source documents for the decision for initial entry in the register;
- 7) reference to the environmental impact assessment statement concerning any activities that could affect the state of the animal collection;
- 8) applications for environmental permits concerning the animal collection, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 9) codes and term of validity of environmental permits concerning the animal collection, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 10) name and the personal identification code or registry code of the owner;
- 11) date on which the animal collection was established and the purpose of its establishment;
- 12) description;
- 13) names of the individuals of the species included in the animal collection on the basis of a permit, or a list of parts thereof or of objects manufactured therefrom;
- 14) number of the permit for inclusion of an individual of a species, a part thereof or an object manufactured therefrom in the animal collection, the date of granting the permit and the issuer of the permit.

(2) The annex to a registry card drawn up concerning an animal collection consists of a permit for inclusion of an individual of a species, a part thereof or an object manufactured therefrom in the animal collection.

§ 26. List of individuals of species where activities involving those species are internationally regulated

(1) The following data regarding individuals of species where activities involving those species are internationally regulated is entered on the registry card of the individuals of the species:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) number and date of the decision for initial entry in the register;
- 6) reference to the source documents for the decision for initial entry in the register;
- 7) reference to the environmental impact assessment statement concerning the impact of use of the individuals of the species;
- 8) applications for environmental permits concerning the individuals of the species, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 9) codes and term of validity of environmental permits concerning the individuals of the species, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 10) type, such as a live individual, a stuffed animal or a part of an individual, or a product or substance manufactured therefrom;
- 11) origin;
- 12) identity number;
- 13) quantity;
- 14) state of origin;
- 15) state of last export;
- 16) identification of marking;
- 17) special characteristics and applicable special requirements;
- 18) number of the permit from the state of origin and the date of granting the permit;
- 19) name of the state that last granted a permit for export, and the number and date granting the permit;
- 20) date and place of bringing the individuals of the species into Estonia, and the name and the personal identification code or registry code of the person who brought the individuals of the species into Estonia;
- 21) ID of the parents of the animal;
- 22) origin of the parents of the animal;
- 23) location of the parents of the animal;
- 24) number of the permit for bringing the individuals of the species in, taking them out or transporting them through the state, and the date of granting and the issuer of the permit;

- 25) name and the personal identification code or registry code of the owner;
- 26) purpose of bringing the individuals of the species into Estonia.

(2) The annexes to a registry card of individuals of species where activities involving those species are internationally regulated consist of a permit granted by the state of origin, a permit granted by the state that last granted a permit for export, and a permit for bringing the individuals in, taking them out of or transporting them through the Republic of Estonia.

(3) The names of individuals of species where activities involving those species are internationally regulated are set out in Estonian and Latin.

Division 4

Recording of State of Environment

§ 27. Recording of state of environment

(1) Records of the state of the environment are kept in the environmental register in the form of a dataset regarding the state of the environment and a list of danger areas arising from man-made environmental factors.

(2) For the purposes of this Act, a dataset regarding the state of the environment means data presented on the basis of an environmental permits or programme and an exploration or stock-taking report.

(3) The dataset regarding the state of the environment must allow for:

- 1) a comparison of the actual state of the environment with the permitted limit values, target indicators characterising the planned state of the environment and any international obligations assumed;
- 2) determining or projecting the critical and used volumes of a natural resource.

(4) For the purposes of this Act, danger areas arising from man-made environmental factors are:

- 1) areas where the environment is polluted;
- 2) areas with an increased manufacturing risk;
- 3) recultivated areas.

(5) If dangerous changes in the state of the environment become evident on the basis of data regarding the state of the environment, the data will be used in order to apply protective measures regardless of whether the area or the data has been entered in the register or not.

§ 28. Dataset presented on basis of environmental permit

(1) The following data regarding the state of the environment is entered on the registry card of the dataset regarding the state of the environment on the basis of an environmental permit:

- 1) number of the permit for the release of pollutants into the environment, the date of granting the permit, the term of validity of the permit and the issuer of the permit;
- 2) data regarding the pollutant released into the environment or the change in the environment, obtained by way of measurements performed at the place of release of the pollutant into the environment or at the place of use of a natural resource or similar data obtained by way of calculation.

(2) The annex to the registry card specified in subsection (1) of this section consists of a general map and location map of the area of release of the pollutants into the environment or the area of use of the natural resources, and an environmental permit.

§ 29. Dataset submitted on basis of programme for environmental monitoring

(1) The following data regarding the state of the environment is entered on the registry card of the dataset regarding the state of the environment on the basis of a report on a programme for environmental monitoring:

- 1) data characterising the quality of the ambient air and changes in the state thereof;
- 2) hydrological, chemical and biological indicators of river and lake water, and data characterising changes in the state of rivers and lakes;
- 3) indicators of ground water quality and data characterising changes in the state of the aquifer;
- 4) physico-chemical and biological indicators of sea water, the seabed and marine biota, and data characterising changes in the state thereof;
- 5) indicators of soil quality and data characterising changes in the state of the soil;
- 6) data characterising the state of landscapes and the state of natural animal and plant species and biotic communities;
- 7) data characterising the biological state of forests and the impact of long-range transboundary pollution on forests.

(2) The Minister of the Environment has the right to supplement the list set out in subsection (1) of this section, if necessary.

(3) The annex to a registry card of dataset regarding the state of the environment consists of a general map and location map of the monitoring areas and stations.

(4) The date of approval of the report on the programme and the name of the person who approved the report is entered on the registry card.

§ 30. List of danger areas arising from man-made environmental factors

(1) The following are the danger areas arising from man-made environmental factors:

- 1) sanitary protection zones of stationary sources of pollution;
- 2) territories of enterprises liable to be affected by a major accident.

(2) The following data regarding a danger area arising from man-made environmental factors is entered on the registry card of the danger area:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities that could affect the danger area arising from man-made environmental factors;
- 9) applications for environmental permits concerning the area, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) codes and term of validity of environmental permits concerning the area, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) description of the boundary of the area that is the source of the danger;
- 12) description of the reasons for declaring the area dangerous;
- 13) restrictions on economic activity and freedom of movement;
- 14) list of land owners.

(3) The annex to a registry card drawn up concerning a danger area consists of a general map and a location map of the area.

Division 5

Recording of Natural Environmental Factors

§ 31. Recording of natural environmental factors

(1) Natural environmental factors are monitored and measured on the basis of hydrometeorological observation programmes. Records of natural environmental factors and the impact caused thereby are kept in the form of a dataset of natural environmental factors and a list of areas endangered by natural environmental factors.

(2) The areas endangered by natural environmental factors are:

- 1) flooded areas;
- 2) areas where natural exposures could harm the health of persons.

§ 32. Dataset of natural environmental factors

(1) The following data is entered on a registry card of the dataset of natural environmental factors on the basis of hydrometeorological observation programmes:

- 1) ambient air temperature, barometric pressure and atmospheric humidity;
- 2) wind direction and wind speed;
- 3) duration and intensity of solar radiation;
- 4) intensity of stratospheric ozone and ultraviolet radiation;
- 5) cloud amount;
- 6) amount, duration and intensity of precipitation;
- 7) coverage, duration and depth of snow cover;
- 8) character, duration, extent and thickness of ice cover;
- 9) flow rates of flowing bodies of water;
- 10) water level heights;
- 11) temperature, transparency and oxygen content of water;
- 12) ground temperature.

(2) The Minister of the Environment has the right to supplement the list set out in subsection (1) of this section, if necessary.

(3) A registry card of the dataset of natural environmental factors is drawn up concerning an observation area, station or post.

(4) The annex to a registry card of the dataset of natural environmental factors consists of a general map and location map of the observation area, station or post.

§ 33. List of areas endangered by natural environmental factors

(1) The following data is entered on the registry card of an area endangered by natural environmental factors or a part thereof:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities that could affect the danger area arising from man-made environmental factors;
- 9) applications for environmental permits concerning the endangered area or a part thereof, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) codes and term of validity of environmental permits concerning the endangered area or a part thereof, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) description of the boundary of the area endangered by natural environmental factors;
- 12) description of the causes of the danger to the area;
- 13) list of land owners.

(2) The annex to a registry card drawn up concerning an endangered area consists of a general map and a location map of the area.

Division 6 Recording of Waste and Radioactive Waste

§ 34. Recording of waste and radioactive waste

Records of waste and radioactive waste are kept in the environmental register in the form of a waste dataset, a list of waste management facilities designated for waste disposal and a list of radioactive waste storage facilities.

§ 35. Waste dataset

(1) The waste dataset includes data regarding the type, quantity and origin of generated and handled waste and data regarding waste handlers, waste producers, waste brokers, waste permits, hazardous waste handling licences and transboundary movements of waste.

(2) The waste dataset is compiled in the environmental register concerning waste handlers, waste producers or waste brokers.

(3) The following is entered on a registry card of the waste dataset:

- 1) name and the personal identification code or registry code of the waste handler, waste producer or waste broker;
- 2) number of the waste permit, integrated environmental permit or hazardous waste handling licence, and the date of granting and the issuer of the permit or of the permit and the licence;
- 3) date and number of the decision to register a waste treatment operation, and the person who made the registration;
- 4) name and code of the waste treatment operation;
- 5) quantity of waste at the beginning of the year, and the name, code and degree of harmfulness of the waste;
- 6) name, code, degree of harmfulness and quantity of generated waste;
- 7) name, code, degree of harmfulness and quantity of waste, including imported waste, obtained from another waste producer and the name of the other waste producer;
- 8) name, code, degree of harmfulness and quantity of waste handed over to another waste handler, including waste intended for export, the name of the other waste handler, the destination of the waste handed over to the other handler and the location of the waste management facility where the waste will be treated;
- 9) quantity of waste at the end of the year, and the name, code and degree of harmfulness of waste.

(4) The annex to a registry card of waste dataset consists of a general map of the licensed territory of the waste handler and the waste permit or the decision on registration of the waste treatment operation.

(5) The Minister of the Environment has the right, where necessary, to establish special requirements arising from the characteristics of waste for the entry of data regarding the waste in the environmental register.

§ 36. List of waste management facilities designated for waste disposal

(1) The following data regarding a waste management facility designated for waste disposal is entered on the registry card of the waste management facility:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities planned at the waste management facility or any activities that could affect the state of the waste management facility;
- 9) applications for environmental permits concerning the waste management facility, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) codes and term of validity of environmental permits concerning the waste management facility, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) names and the personal identification codes or registry codes of the owner and the manager of the waste management facility;
- 12) the number, date of granting and issuer of the waste permit or the integrated environmental permit or the permit and the hazardous waste handling licence;
- 13) quantity of waste at the waste management facility at the beginning of the year, and the name, code and degree of harmfulness of the waste;
- 14) quantity of waste brought to the waste management facility during the year, and the name, code and degree of harmfulness of the waste;
- 15) name and the personal identification code or registry code of the waste handler holding a waste permit who brought the waste;
- 16) manner of treatment of waste at the waste management facility, the name, code, degree of harmfulness and quantity of the waste and the name and code of the waste handling operations;
- 17) name, code, degree of harmfulness and quantity of waste handed over to another waste handler from the waste treatment facility, including waste intended for export, the name of the other waste handler, the destination of the waste handed over thereto and the location of the waste management facility where the waste will be treated;
- 18) quantity of waste at the waste management facility at the end of the year, and the name, code and degree of harmfulness of the waste;

(2) The annex to a registry card of a waste management facility consists of a general map and location map of the waste management facility and a waste management permit.

§ 37. List of radioactive waste storage facilities

(1) The following data regarding a radioactive waste storage facility is entered on the registry card of the radioactive waste storage facility:

- 1) name;
- 2) registry card number;
- 3) registry code;
- 4) location;
- 5) area;
- 6) number and date of the decision for initial entry in the register;
- 7) reference to the source documents for the decision for initial entry in the register;
- 8) reference to the environmental impact assessment statement concerning any activities planned at the radioactive waste storage facility or any activities that could affect the state of the radioactive waste storage facility;
- 9) applications for environmental permits concerning the radioactive waste storage facility, and the numbers and dates of the decisions to grant such permits or to refuse to grant such permits;
- 10) codes and term of validity of environmental permits concerning the radioactive waste storage facility, and the numbers and dates of decisions to amend, revoke or suspend such permits;
- 11) name and the personal identification code or registry code of the manager of the radioactive waste storage facility, the number of the radioactive waste management permit and licence, and the date of granting and the issuer thereof;
- 12) name, code and quantity of the radioactive waste brought to the radioactive waste storage facility, and the name and the personal identification code or registry code of the person who brought the radioactive waste;
- 13) name, code and quantity of radioactive waste handed over to another person from the radioactive waste storage facility, including radioactive waste intended for export, the name of the other person, the destination

of the radioactive waste handed over thereto and the location of the radioactive waste management or storage facility where the waste will be handled or stored;

14) quantity of radioactive waste at the radioactive waste storage facility at the end of the year, and the name and code of the radioactive waste.

(2) The annex to a registry card of a radioactive waste storage facility consists of a general map and location map of the storage facility and a radiation practice licence.

Chapter 3

MAINTENANCE OF ENVIRONMENTAL REGISTER

§ 38. Provider of data

(1) The following is a person who submits data to the environmental register (hereinafter *provider of data*) on the basis of legislation, environmental permit, decision on registration, application for an environmental permit, decision on the allocation of historical fishing rights, pages of a logbook, landing declaration, decision to refuse to grant or to amend, revoke or suspend an environmental permit, programme, exploration work or stock-taking specified or prescribed by legislation, or plan:

- 1) government agency that prepared the legislation;
- 2) issuer of the environmental permit;
- 3) person who makes the decision on registration;
- 4) person who receives or approves the work performed on the basis of the programme, exploration work or stock-taking;
- 5) body that establishes the plan.

(2) The government agency that prepared the legislation will submit data to the environmental register concerning the following objects and lists:

- 1) protected natural objects;
- 2) shores and banks of water-bodies;
- 3) environmental monitoring stations or sites;
- 4) areas with an increased manufacturing risk;
- 5) areas designated for the reduction of the adverse impact of human activity;
- 6) lists of water bodies.

(3) The issuer of an environmental permit or the person who makes a decision on registration must submit data to the environmental register concerning the following objects and activities:

- 1) biological environmental factors;
- 2) handling of and final repository of radioactive waste;
- 3) pollutants emitted into the environment;
- 4) use of natural resources;
- 5) exploration work;
- 6) waste management, and waste management facilities.

(4) The person who receives or approves the work performed on the basis of a programme, exploration work or stock-taking must submit data to the environmental register concerning the following objects and datasets:

- 1) key biotopes;
- 2) the state of natural resources;
- 3) areas harmed by man-made environmental factors;
- 4) areas endangered by natural environmental factors;
- 5) state of the environment;
- 6) natural environmental factors.

(5) The body that establishes the plan must submit data to the environmental register concerning recreation areas.

(6) Maps that belong to an Estonian map system enabling the use of the general national registers may be used by the providers of data as location maps of the objects specified in this Act.
[RT I 2004, 84, 572 - entry into force 01.04.2005]

§ 39. Submission of data to environmental register

(1) A provider of data submits data to the environmental register on electronic data media through a public data communication network or by post as follows:

- 1) on the basis of legislation, within five working days as of the passing thereof;
- 2) concerning exploitation rates and permitted limit values determined by an environmental permit or a decision on registration, within 30 days as of the granting of the permit or as of the decision on registration being made;
- 3) concerning the use of natural resources on the basis of an environmental permit or a registration decision, and concerning the release of pollutants, waste or genetically modified organisms into the environment and the

state of the environment, within 30 days as of the receipt of the data, unless otherwise provided by law or an international agreement;

- 4) by the date determined in a permit for the implementation of a programme, exploration work or stock-taking prescribed by legislation, or by the date determined in a contract entered into for the implementation thereof;
- 5) on the basis of a plan, within 30 days as of the establishment thereof.

(2) If the date for submission of data to the environmental register is not determined in a permit for the implementation of a programme, exploration work or stock-taking or in a contract entered into for the implementation thereof, the provider of data will submit the data by the first day of the second month of the year following the current accounting year.

(3) The chief processor of the environmental register has the right to submit data for entry in the environmental register on bases not specified in this Act after such data has been verified by a designated or accredited body.

(4) If the area of the subject matter of the register specified in §§ 9–15, 17–21, 23–26, 29, 30, 32, 33, 36 and 37 of this Act is not determined due to the characteristics thereof, the subject matter will be linked to its territory only through the location thereof.

§ 40. Entry of data in environmental register

(1) The authorised processor of the environmental register will register the entry of data in the register in accordance with the detailed procedure for the maintenance of the environmental register and will enter the data in the register within five working days as of its receipt. This term does not apply in the event specified in subsection (3) of this section.

(2) The name and the registry code of the provider of data is added to the data entered on the registry card.

(3) If any evidently inaccurate data has been submitted, the authorised processor of the environmental register will inform the chief processor and the provider of data within five working days as of receipt thereof and enter the data in the register on the basis of a decision of the chief processor.

§ 41. Additional processing of data in environmental register

(1) In addition to the right to process data in connection with the maintenance of databases, the authorised processor of the environmental register has the right to process data in the environmental register to the extent required for:

- 1) regular publication of environmental data;
- 2) exchange of data prescribed by an international agreement;
- 3) interbase processing of data to the extent prescribed by law;
- 4) preparation of balances of natural resources.

(2) The detailed procedure for the exchange of data specified in clause 2) of subsection (1) of this section will be established by the Minister of the Environment.

§ 42. Access to data in environmental register

(1) Data in the environmental register is public, except in the events specified in subsection (2) of this section.

(2) The public does not have access to data in the environmental register if:

- 1) disclosure could result in danger to public safety or in environmental damage or inadmissible disturbance to protected species in their permanent habitats;
- 2) the data is not final and, as such, does not enable a correct evaluation of the situation to be made;
- 3) the data contains or concerns business, industrial or intellectual property secrets;
- 4) disclosure thereof is prohibited by other Acts;
- 5) the provider of the data has declared the data submitted to be inaccurate.

(3) The data specified in subsection (2) of this section is accessible only to persons who are performing their duties provided by law.

(4) Data submitted by persons in private law and entered in the register is public to the extent determined by the environmental permit or decision on registration.

(5) The chief processor of the environmental register will close public access to the data specified in subsection (2) of this section on the proposal of the authorised processor. The authorised processor will not disclose any data specified in a proposal before the chief processor has made a decision regarding the closure of public access to the data.

(6) Data submitted to the environmental register on a voluntary basis may be published only with the consent of the provider of the data.

(7) A decision to close access to the data in the environmental register may be contested in accordance with the procedure established by the Public Information Act.

§ 43. Release of data

(1) Everyone has the right to examine public data in the environmental register free of charge and to make extracts thereof.

(2) Data certified by the signature of the authorised processor of the environmental register is released from the register on the basis of a written application, the standard form for which will be approved by the Minister of the Environment.

(3) The state fee is paid for the release of data officially certified by the authorised processor of the environmental register at the rate provided for in the State Fees Act.
[RT I 2006, 58, 439 - entry into force 01.01.2007]

(4) The authorised processor of the environmental register will deny an application if:

- 1) the application is non-specific and does not enable the extent of the data applied for to be determined;
- 2) the data applied for is not held in the register;
- 3) the data applied for has not been published and the applicant has no right to access the data;
- 4) the data applied for relates to internal communication;
- 5) in order to grant the application, the dataset needs to be re-systematised, re-analysed or re-documented or if the granting of the application would involve changes to the organisation of work of the environmental register due to the large quantity of work which would then impede the performance of the public duties thereof;
- 6) the applicant has not paid the state fee.

(5) The authorised processor of the environmental register registers the release of data in the corresponding ledger and enters the following data in the ledger:

- 1) the name of the applicant;
- 2) a description of the data applied for;
- 3) the date of release of the data;
- 4) in the event the application is denied, the reason therefor.

(6) Data released on paper or electronic data media is certified by the authorised processor of the environmental register by the signature thereof. The data is released within one month as of the receipt of the corresponding application. If an application is denied, the applicant will be informed of the denial and the reason therefor within one month as of the receipt of the application. The reasons for denial of an application will be provided.

(7) If an application cannot be satisfied in full for the reasons specified in subsection (4) of this section, the data applied for will be released in part provided that this is enabled by the nature of the data.

§ 44. Publication of environmental register data

(1) The authorised processor of the environmental register will publish the public data held in the register in a data communication network within 10 days as of an entry being made on a registry card.

(2) The authorised processor of the environmental register publishes the public data held in the register on paper at least once a year in the volume and form determined by the Minister of the Environment.

§ 45. Time of retention of data in environmental register

(1) Data will be retained on registry cards until it is transferred to the archives of the environmental register on the grounds provided in this Act.

(2) If an international agreement provides a different term for the retention of data on registry cards, the data will be retained on registry cards for such term.

§ 46. Archives of environmental register

(1) The authorised processor of the environmental register maintains the archives of the environmental register in order to store data deleted from registry cards, data used to produce such data, the source documents for entries made in the register, samples of mineral resources and the general maps and location maps of the subject matter of the register.

(2) The provisions for release of data from the environmental register apply to the release of data from the archives of the environmental register.

(3) Data is retained in the archives of the environmental register for an unspecified term.

§ 47. Transfer of data regarding natural resources to archives of environmental register

(1) Data regarding a mineral resource will be transferred to the archives of the environmental register if the rights and obligations related to the mining rights of the mineral resource have extinguished and the deposit or part thereof has been liquidated.

(2) Data regarding standing crop will be transferred to the archives of the environmental register if:

- 1) forest land has been categorised as a different land use type in the land cadastre;
- 2) the area of a habitat of woody flora does not correspond to the characteristics of a forest on the basis of data obtained in the course of a forest stock-taking.

(3) Data regarding the extraction of water, the release of waste water into a water body, and on water bodies will be transferred to the archives of the environmental register if:

- 1) the rights and obligations related to the right to extract water have been extinguished or if the water intake has been liquidated;
- 2) the water body has been deleted from the list of water bodies;
- 3) the term for the collection of damages caused by water pollution has expired.

(4) Catch data will be transferred to the archives of the environmental register three years after the creation of the fishing rights. Data regarding restocking will be transferred to the archives of the environmental register twenty years after the restocking.

(5) Data regarding game resources will be transferred to the archives of the environmental register if the rights and obligations related to the use of the hunting district have extinguished and if the decision on the formation of the hunting district has been revoked.

§ 48. Transfer of data regarding natural objects to archives of environmental register

Data regarding a natural object will be transferred to the archives of the environmental register if the decision on or the agreement for placing the natural object under protection has been revoked.

§ 49. Transfer of data regarding biological environmental factors to archives of environmental register

Data regarding biological environmental factors will be transferred to the archives of the environmental register if the rights and obligations created on the basis of the environmental permit have extinguished.

§ 50. Transfer of data regarding natural environmental factors to archives of environmental register

(1) Data regarding natural environmental factors will be transferred to the archives of the environmental register if:

- 1) the observation area, station or post has been closed;
- 2) the natural environmental factors causing the endangered area have disappeared.

(2) The following data will be transferred to the archives of the environmental register without being published in a public data communication network:

- 1) hazard data and data used to produce such data;
- 2) data that was the basis for the production of data entered in the registry card of an observation area, station or post.

§ 51. Transfer of data regarding state of environment to archives of environmental register

(1) Data regarding the state of the environment will be transferred to the archives of the environmental register if:

- 1) a claim for the collection of damages for the release of pollutants and waste into the environment has expired;
- 2) the state of a damaged or dangerous area conforms to the environmental standards or if the reasons for the hazard have disappeared.

(2) Data characterising the quality of the environment will be transferred to the archives of the environmental register after the closing of an environmental monitoring station or site.

§ 52. Transfer of data regarding waste and radioactive waste to archives of environmental register

(1) Data regarding waste and radioactive waste will be transferred to the archives of the environmental register if the waste management rights or the right for the international carriage of waste and the rights and obligations related to such rights have expired.

(2) Data regarding waste management facilities and radioactive waste storage facilities will be retained in the environmental register for an unspecified term and will not be transferred to the archives.

§ 53. Correction of inaccurate data and notification thereof

(1) If a provider of data to the environmental register discovers inaccurate data in the register, the provider of data will, within three working days as of the discovery thereof, make a proposal to the chief processor and authorised processor of the environmental register to correct the inaccurate data.

(2) The authorised processor of the environmental register will immediately close access to the inaccurate data specified in the proposal made by the provider of data until such time as the data is corrected.

(3) Inaccurate data will be corrected by the authorised processor of the environmental register on the basis of a decision of the chief processor of the environmental register, except in the events specified in subsection (4) of this section.

(4) The authorised processor has the right to correct an error without a corresponding decision by the chief processor in events where the inaccurate data is created as a result of a technical error on the part of the authorised processor of the environmental register, no inquiries have been made concerning the data and the data has not been published.

(5) The chief processor of the environmental register will communicate the correction of the data specified in subsection (1) of this section in accordance with the procedure for the publication of official announcements of the state.

§ 54. Detailed procedure for maintenance of environmental register

(1) The detailed procedure for the maintenance of the environmental register will be established by a regulation of the Minister of the Environment.

(2) The following will be determined by the detailed procedure for the maintenance of the environmental register:

- 1) the standard forms for registry cards;
- 2) the requirements for the processing of data submitted to the environmental register;
- 3) the duties of the authorised processor upon the entry of data in the register and upon the retention, processing, publishing, release and exchange of registry data;
- 4) the duties of the authorised processor upon the interbase processing of data;
- 5) detailing of the data entered in the environmental register, based on the quality of the natural resources, the state of the environment or the nature of exploitation of the environment;
- 6) the requirements for the preparation of a balance of a natural resource;
- 7) the volume of data entered on location maps;
- 8) the organisation of the maintenance of the archives of the environmental register.

§ 55. Interbase cross-usage of data

(1) The data in the environmental register may be transferred to other databases in an unaltered state, taking into consideration the restrictions on the disclosure of data provided for in this Act.

(2) The authorised processor of the environmental register must submit data regarding restrictions on the right of ownership to the authorised processor of the land cadastre.

(3) The authorised processor of the environmental register has the right to make entries in the environmental register and to use data from other national registers pertaining to:

- 1) the name and the personal identification code or registry code of a person holding the right to use a natural resource;
- 2) the name and the personal identification code or registry code of a person holding a permit or a registration decision for the release of pollutants or waste into the environment;
- 3) the name and the personal identification code or registry code of the owner or possessor of an immovable;
- 4) place names and the names and registry codes of administrative units;
- 5) the names and registry codes of the areas of economic activity;
- 6) the names and registry codes of the categories of goods or chemicals.

(4) The interbase cross-usage of personal data must not infringe upon the inviolability of the family and private life of a person. Permission for the interbase cross-usage of personal data will be granted by the data protection supervision authority on the proposal of the chief processor of the environmental register.

§ 56. Financing of environmental register

Maintenance of the environmental register is financed from the state budget.

§ 57. Extension, combination with other registers and liquidation of environmental register

The environmental register will be extended, combined with other registers or liquidated on the basis of and in accordance with the procedure provided by law.

Chapter 4 SUPERVISION

§ 58. Supervision

Supervision over the maintenance of the environmental register is exercised by the data protection supervision authority and the chief processor of the environmental register according to their competence.

Chapter 5 FINAL PROVISIONS

§ 59. Implementation of Act

(1) The national registers and other state agency databases established in the area of environmental protection before the entry into force of this Act will retain their legal status until the data contained therein is entered in the environmental register.

(2) The prohibition on the use of data not entered in the environmental register does not apply to data that, until its entry in the environmental register, is retained in national registers or other state agency databases.

§ 60. [Omitted from this text.]

§ 61. Entry into force of Act

(1) This Act will enter into force on 1 January 2003. Environmental data will be entered in the environmental register by the terms specified in subsections (2) to (6) of this section.

(2) The data specified in §§ 11, 13 and 26 of this Act will be included in the environmental register by 1 July 2003.

(3) The data specified in §§ 15, 17, 25, 32 and 36–38 of this Act will be included in the environmental register by 1 July 2004.

(4) The data specified in §§ 9, 12, 24, 28 and 29 of this Act will be included in the environmental register by 1 July 2005.

(5) The data specified in §§ 14, 19, 22 and 35 of this Act will be included in the environmental register by 1 July 2006.

(6) The data specified in §§ 10, 18, 21 and 31 of this Act will be included in the environmental register by 1 July 2007.