

LAW ON THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

Chapter 1

General Provisions

Article 1. The Department of Environmental Protection of the Republic of Lithuania shall be a state body accountable to the Supreme Council of the Republic of Lithuania and responsible for the regulation of the use of natural resources and control of environmental protection.

Article 2. The Department of Environmental Protection shall function in accordance with the Provisional Basic Law of the Republic of Lithuania, this Law, as well as other laws and legislative acts of the Republic of Lithuania.

Article 3. Decisions of the Department of Environmental Protection adopted within its jurisdiction shall be binding upon all ministries, local governments, military units, and other legal and natural persons.

Article 4. The Department of Environmental Protection of the Republic of Lithuania shall coordinate legislative acts on the issues related to the use of natural resources and environmental protection adopted by ministries, departments and local governments.

Article 5. The Department of Environmental Protection of the Republic of Lithuania shall submit an annual report to the Supreme Council of the Republic of Lithuania on the use of natural resources and the state of environmental protection.

Article 6. The Department of Environmental Protection shall prepare an estimate of expenditures which, upon its presentation by the General Director of the Department, shall be approved by the Supreme Council of the Republic of Lithuania.

Chapter 2

Objectives and Functions

Article 7. The Department of Environmental Protection shall:

- (1) ensure state regulation of the use of natural resources and state monitoring of the environmental protection in the Republic, including its territorial waters, continental shelf and economic zone;
- (2) protect the characteristic landscape of the Republic, as well as its separate areas, ecological systems, and natural objects of scientific, cognitive and historical-cultural value.

Article 8. The Department of Environmental Protection of the Republic of Lithuania shall implement state policy in the spheres of utilization of natural resources and environmental protection, and perform the following functions:

- (1) monitor the use of natural resources and environmental protection;
- (2) at the behest of the Supreme Council of the Republic of Lithuania and on its own initiative draft laws, within the limits of its powers, adopt legislative acts, approve norms and standards for the utilization of natural resources and environmental protection;
- (3) regulate and monitor the survey and utilization of natural resources, establish optimum permissible utilization of natural resources;
- (4) regulate and control human activity in protected areas and preservation zones, manage state natural reserves, compile and update the Red Book;
- (5) establish the procedure for coordinating ecological investigation and development plans, organize and implement these tasks;
- (6) prepare national special-purpose programmes of the utilization of natural resources and environmental protection and monitor their implementation;
- (7) organize, coordinate and perform overall ecological monitoring;
- (8) organize, coordinate and carry out scientific investigation of the utilization of natural resources and environmental protection;
- (9) create the State Environmental Protection Fund and use the moneys contained in said Fund as prescribed by the regulations of the State Environmental Protection Fund;
- (10) cooperate with foreign countries and represent the Republic of Lithuania in international organizations and at conferences on issues related to the utilization of natural resources and environmental protection;
- (11) monitor the implementation of international agreements on environmental protection;
- (12) inform the public on the state of the environment and coordinate public ecological education programs; and
- (13) as needed, organize the implementation of other measures of environmental protection.

Chapter 3

Powers

Article 9. Within its powers the Department of Environmental Protection shall:

- (1) submit to the institutions responsible for the approval of projects binding recommendations on the issues of environmental protection in relation to the location, construction, reconstruction and planned expansion of economic and other facilities;
- (2) suspend the construction or reconstruction of economic and other facilities if environmental protection regulations are violated;
- (3) suspend or restrict the activities of enterprises, institutions, and organizations if they violate laws on environmental protection, fail to implement measures of environmental protection, or if their activities contradict the norms and standards of environmental protection;
- (4) submit to the Supreme Council of the Republic of Lithuania plans for the establishment of state reservations, nature preserves, national and natural parks, and other protected areas;
- (5) designate natural monuments for special protection;
- (6) file claims for damages resulting from pollution of the environment and unscientific use of natural resources; prepare and approve the procedure and tariffs for assessing damages;
- (7) investigate cases of administrative liability for the violation of laws on environmental protection and impose penalties therefore; propose the removal from office of officials responsible for gross violations of environmental protection legislation;
- (8) issue licences for prospecting and utilizing natural resources, for storing and burying domestic and industrial wastes, and for discharging pollutants, as well as promulgate pollutant discharge limits and regulations;
- (9) within its powers issue permits for blasting operations and hydrotechnical works, promulgate environmental protection limits for the use of motor and power boats;
- (10) stop and inspect Lithuanian and foreign ships, and other vessels in the internal and territorial waters, and in the economic zone, and exercise State environmental control;
- (11) obtain from the Government of the Republic of Lithuania drafts of planned decisions and information on issues concerning utilization of natural resources and environmental protection; apply to the Supreme Council of the Republic of Lithuania for repealing Government acts that violate regulations of environmental protection;
- (12) obtain from ministries, departments, local governments, enterprises, institutions, and organizations information, and statistical and other data on issues concerning utilization of natural resources and environmental protection; and
- (13) obtain from heads of enterprises, institutions, and organizations oral and written explanations, required certificates, and copies of documents concerning utilization of natural resources and environmental protection.

Article 10. Officers of the Department of Environmental Protection shall have the right to enter without hindrance the territories and facilities of all enterprises, institutions, organizations, farms, and military units to perform environmental control as well as special tests and special measurements.

Article 11. The Department of Environmental Protection of the Republic of Lithuania shall consist of a central apparatus, district divisions, district inspectorates, and other organizations subordinate to it.

Article 12. The head of the Department of Environmental Protection shall be the General Director of the Department who shall be appointed or removed from office by the Supreme Council of the Republic of Lithuania.

Article 13. The General Director shall:

- (1) organize the work of the Department and be responsible for its functioning;
- (2) represent the Department of Environmental Protection of the Republic of Lithuania;
- (3) approve the structure and number of employees of the Department of Environmental Protection within the limits of funds appropriated for Department salaries, the rules and regulations of the structural subdivisions of the Department, as well as their internal rules and regulations; establish the procedure for state monitoring of environmental protection;
- (4) form commissions for the consideration of more complex issues; and
- (5) issue directives, approve instructions, regulations, and methods of functioning; adopt other decisions within the limits of his powers.

Article 14. The Department of Environmental Protection shall include the Council of the Utilization of Natural Resources and Environmental Protection, which shall also include ex officio the General Director of the Department. The decisions of the Council shall be implemented upon the General Director's instructions.

Article 15. The Department of Environmental Protection of the Republic of Lithuania shall have the rights of legal person. The Department shall have its own seal with the State emblem of the Republic of Lithuania, its own emblem and other symbols.

Vytautas Landsbergis

President
Supreme Council
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