

INDUSTRIAL PARKS ACT

Prom. SG. 21/12 Mar 2021

Chapter one. GENERAL PROVISIONS

Section I. Subject, purpose and principles

Art. 1. This Act shall regulate the status of the industrial parks, the conditions and order for their establishing, construction, functioning and development.

Art. 2. The purpose of this Act shall be to ensure:

1. the creation of conditions stimulating investors to develop their production activities in industrial parks;
2. the creation of a favourable institutional environment for ecological industries, innovations in production activities for the development of productions and services with high added value and improved working conditions, and for improvement of the economic efficiency of undertakings;
3. stimulation of investments in high-tech productions and services by providing conditions in industrial parks for the introduction of research and development, of innovations and technology transfer;
4. attracting and stimulating investments for balanced social and economic development of the regions and municipalities.

Art. 3. Creation, functioning and development of industrial parks shall be based on the following principles:

1. publicity and transparency of activities and information related to the creation, construction, functioning and development of the parks;
2. equality of the industrial parks regardless of their ownership, operator or investors;
3. competitive basis in selecting the operator of an industrial park created by the state and/or by the municipality;
4. state support for the creation of industrial parks, and incentives for attracting investments in industrial parks in accordance with the current legislation.

Section II. Industrial park

Art. 4. (1) An industrial park shall be a separate territory, located in one or more municipalities, for which structural, technical and organizational conditions for production activities are provided.

(2) The territory of an industrial park shall be set apart and regulated by a specialized and detailed development plan of the industrial park, hereinafter referred to as "DDP of the IP", as a production development zone.

(3) The territory of an industrial park may not be less than 300 dca.

(4) The territory of an industrial park may be:

1. less than 300 dca, but not less than 100 dca, when the industrial park is specialized for high-tech activities in the sense of **§ 1, item 11** of the additional provisions of the Investment Promotion Act and is set apart in a territory of the variety "high-tech production zone" within the meaning of the ordinance under

Art. 13, Para. 1 of the Spatial Development Act;

2. less than 100 dca, but not less than 10 dca, when the industrial park is specialized for high-tech activities within the meaning of **§ 1, item 11, letter "b"** of the additional provisions of the Investment Promotion Act.

Art. 5. (1) With the DDP of the IP shall be defined the structure of the territory of the industrial park, the development zones and territories with development regime and the purpose of the land properties according to **Art. 112** of the Spatial Development Act.

(2) The industrial park shall consist of regulated land properties intended for production activities. Regulated land properties intended for other purposes shall also be allowed in the industrial park - for ancillary and servicing activities related to the operation of the park, including traffic and transport and other technical infrastructure, for public services, for green areas and for special sites, whereby their general area may not be equal to or greater than half the area of the park.

(3) When registering an industrial park, it shall not be allowed to include in its territory land properties which are subject to court disputes for real rights.

Art. 6. (1) Internal technical infrastructure must be provided on the territory of an industrial park, which to serve exclusively the activities carried out on the territory of the park, and its connection with the elements of the technical infrastructure under **Art. 64, Para. 1** of the Spatial Development Act must be ensured.

(2) Industrial park or part of it may fall into a protected territory when complying with the requirements determined by the applicable legislation.

Art. 7. (1) The internal technical infrastructure of the industrial park shall include at least:

1. transport technical infrastructure of the industrial park;
2. water supply and sewerage network on the territory of the industrial park;
3. electricity distribution network in the sense of **§ 1, item 22 or item 24f** of the additional provisions of the Energy Sector Act.

(2) The internal technical infrastructure of the industrial park may include other elements of the technical infrastructure of the park in accordance with its functioning and with the elements of technical infrastructure, to which the park is connected, respectively joined.

(3) On the territory of the industrial park may also be located elements of other technical infrastructure, including such of external energy supply networks and facilities under **Art. 89, Para. 1** of the Spatial Development Act, street networks and facilities under **Art. 70, Para. 1, Art. 77** and **78** of the Spatial Development Act, and water supply and sewerage networks and facilities under **Art. 83, Para. 2** of the Spatial Development Act, which:

1. have been built before the entry of the park in the register under **Art. 21, Para. 1**;
2. represent elements of technical infrastructure, to which the park is connected, respectively joined;
3. were determined by a development plan entered into force for building and reconstruction of sites under Art. 205, items 1 and 2 of the Spatial Development Act.

(4) The transport technical infrastructure under Para. 1, item 1 shall be designed, built and maintained by the owner of the industrial park on regulated land properties for internal streets.

(5) The networks of the transport technical infrastructure, the linear engineering networks of water supply and sewerage, electricity supply, heat supply, gas supply and electronic communications within the industrial park's limits shall be designed and built according to the rules of the **Spatial Development Act** with respect to street networks and technical infrastructure facilities, and shall be connected to the elements of the technical infrastructure outside the park.

Section III. Subjects

Art. 8. (1) The owner of the industrial park shall provide the organizational, structural and technical

conditions for the establishing, construction, functioning and development of the park.

(2) Owner of an industrial park may be the state and/or one or more municipalities, as well as a legal entity registered as a trader within the meaning of the **Commerce Act**, or their associations.

(3) The state and/or one or more municipalities may participate in legal entities or their associations with a blocking quota under **Art. 57a, Para. 2** of the State Property Act, respectively under **Art. 51b, Para. 2** of the Municipal Property Act, when their participation is equal to or greater than 30 percent.

Art. 9. (1) Operator of an industrial park shall be an entity which performs the activities to do with the operation of the industrial park.

(2) When owner of the industrial park is the state or the municipality, the operator may be:

1. a public undertaking-trade company, of which the state or the municipality is the sole owner of the capital;

2. a concessionaire determined by the order of the **Concessions Act**.

(3) When owner of the industrial park is the state and one or more municipalities, or two and more municipalities, the operator may be:

1. a public undertaking-trade company with state and municipal or with municipal participation in the capital;

2. a concessionaire of a joint concession under the Concessions Act.

(4) When owner of the industrial park is a legal entity registered as a trader, or an association, the functions of operator shall be performed by the owner or by another trade company.

(5) When operator's functions are not performed by the industrial park's owner, the relations between the owner and the operator shall be settled by a contract for assignment of the activities of operation of the industrial park, hereinafter referred to as "Operations contract" which is to meet the conditions of **Art. 28**. When the operator is a concessionaire, the activities of operating the industrial park shall be assigned with the concession contract under the conditions and by the order of the **Concessions Act** and in observance of the conditions of **Art. 28**.

Art. 10. Investor in the industrial park shall be a trader within the meaning of the **Commerce Act** who carries out production activity in the park on the basis of a business contract, concluded with the operator under the terms of this Act and of the regulations for the overall organization in the industrial park.

Art. 11. (1) Partner in the industrial park shall be a person who supports the functioning and development of the industrial park, under a contract with the operator:

1. regarding the provision of scientific-applied servicing and innovations and/or of professional training for the needs of the park, concluded with scientific, educational, professional, business or other organizations;

2. regarding the performance of services for investors, concluded with a municipality, with a state body or with an organization on budgetary support, or with a department, as well as with persons, who perform preparation of transport and customs documents, legal consulting, security, assistance in issuing certificates for the origin of goods, intermediary activity for staff recruitment, assistance in issuing documents, banking services, social, medical and other public service activities.

(2) Owners of the elements of technical infrastructure, different from the internal technical infrastructure owned by the owner of the industrial park, shall not be partners.

Art. 12. Users shall be the investors and partners who operate on the territory of the industrial park.

Section IV. Ownership

Art. 13. (1) When establishing an industrial park, the owner of the park must hold the title of ownership over the properties on the territory of the park, except in the cases of Para. 2.

(2) Properties on the territory of a state, municipal or joint industrial park may be owned by the operator, if he is a public undertaking.

(3) State and municipal properties, included in the territory of the industrial park, may be only

private state property, respectively private municipal property.

Art. 14. (1) The owner of the properties on the territory of an industrial park may sell or rent a property to a consumer/user, or to establish in his favour limited real rights over property. The sale, renting and establishing real rights over properties - state or municipal property - shall be carried out under the terms and conditions of the **State Property Act**, respectively the **Municipal Property Act**. The sale, lease and establishment of real rights to property owned by a public undertaking-trade company, sole owner of the capital of which is the state or municipality, shall be carried out under the terms and conditions of the **Public Enterprises Act** and its implementing Rules.

(2) The transaction under Para. 1 may be carried out after the entry into force of the Detailed Development Plan of the Industrial Park which regulates the respective property, and after the entry of the property into the cadastral map and the cadastral registers.

(3) The transaction under Para. 1 shall be subject to entry under the conditions and by the order of **Chapter Ten** of the Cadastre and Property Register Act. Within three working days from the entry, the acquirer shall notify the operator. Within three working days from the notification, the operator shall declare the entry of the transaction in the register under **Art. 21, Para. 1**.

(4) A user, who acquires rights over property on the territory of an industrial park, shall be bound by the conditions and restrictions determined by the regulations for the overall organization in the industrial park and by the DDP of the IP.

Art. 15. (1) With the contract for operation, the owner of the industrial park may authorize the operator for the execution of the transactions under Art. 14, Para. 1. The rights for disposal and management shall be entered in the register under **Art. 21, Para. 1**.

(2) Where the operator is a concessionaire, Para. 1 shall not apply. In these cases, the transactions under Para. 1 shall be carried out by the state only, respectively by the municipality, under the conditions and by the order of **Art. 14**.

Art. 16. (1) The internal technical infrastructure under Art. 7, Para. 1, item 1 shall be owned by the industrial park's owner, and in the cases under **Art. 13, Para. 2** or when determined by the decision for creation of the industrial park - of the operator.

(2) Internal technical infrastructure may not be subject to a transaction under **Art. 14, Para. 1**, except:

1. in case of sale to the state or to the respective municipality, or
2. in establishing of limited real rights of passing and laying as per **Art. 192** and **193** of the Spatial Development Act, or
3. in establishing of limited real rights for construction of energy sites under **Art. 62** of the Energy Act.

Section V. Types of industrial parks

Art. 17. Depending on the production activities, industrial parks can be of the following type:

1. type A – general, in which there are no production activities with specialization;
2. type B – specialized, in which one type of production activities and related ones are performed, or similar production activities are performed;
3. type C – specialized, in which high-tech and related activities are performed.

Art. 18. Depending on the owner, industrial parks can be:

1. state-owned - when the owner is the state;
2. municipal - when the owner is a municipality;
3. jointly-owned - when the owner is the state and one or more municipalities, as well as when the owner is two or more municipalities;
4. private - when the owner is a legal entity registered as a trader, or an association, including in the cases under **Art. 8, Para. 3**.

Section VI.

State policy for industrial parks. Incentives for industrial parks

Art. 19. (1) The state policy for industrial parks shall be carried out by the Council of Ministers, by the Minister of the Economy and by the bodies of the local self-government.

(2) The Council of Ministers shall:

1. upon proposal of the Minister of Economy, adopt programs and decisions to stimulate the establishing and/or functioning, and/or the development of industrial parks, hereinafter referred to as "incentives";

2. exercise the rights of the state in the state-owned industrial parks and in the joint industrial parks with state and municipal participation;

3. upon proposal of the Minister of Economy and the Minister of Regional Development and Public Works, approve a list of key industrial parks of strategic importance for the balanced territorial development of the country, corresponding to the goals and priorities of the strategic documents for regional and spatial development as per the **Regional Development Act**; the list is to include industrial parks entered in the register under **Art. 21, Para. 1**, and is to be prepared on the basis of an up-to-date analysis.

(3) The Minister of the Economy shall:

1. implement the measures for stimulation /incentives for industrial parks assigned by an act of the Council of Ministers;

2. provide gratuitously information regarding the possibilities for creation of industrial parks;

3. perform control for compliance of the performed activities on the territory of the industrial parks with the ones determined in the DDP of the IP;

4. build and maintain the register of industrial parks;

5. issue orders for entry and for deletion of industrial parks from the register under **Art. 21, Para. 1**

(4) The municipal council:

1. adopt measures for stimulation of industrial parks on the territory of the municipality;

2. exercise the rights of the municipality in the municipal industrial parks and in the joint industrial parks with state and municipal or with municipal participation.

(5) When an industrial park's owner is the state and/or a municipality, the bodies under Para. 2, 3 and 4 shall ensure the performance of an assessment for compliance with the legislation in the field of state aid under **Art. 21, Para. 2** of the Public Finances Act.

Art. 20. (1) Upon entering an industrial park in the register under **Art. 21, Para. 1** until its deletion from the register, a simplified regime of administrative servicing of the park shall be applied during the construction and development of the park under the conditions of **Chapter Three**.

(2) An owner of an industrial park and an investor may receive support under the conditions and by the order of the **Investment Promotion Act**, as well as through national programs and through the European structural and investment funds.

(3) As an incentive measure of industrial parks, the municipal council may:

1. determine preferential amounts of local fees for technical and for administrative services related to the activities which are carried out on the territory of an industrial park;

2. exempt owners and investors from local fees, when the fees refer to the sites of the internal technical infrastructure and to the public service facilities on the territory of the industrial parks.

Section VII.

Register of the industrial parks

Art. 21. (1) The Minister of Economy shall create and maintain an electronic register of industrial parks which to ensure:

1. the exchange of data, documents and information in connection with the entry and publication in the register, by electronic means with a qualified electronic signature according to the **Electronic Document and Electronic Trust Services Act**;

2. public access via the Internet to the information under Para. 2 and to the documents under Para. 3, except when the information is protected by law or is sensitive information.

(2) In the register under Para. 1, the following information shall be entered:

1. register code;
2. name of the industrial park;
3. kind of the industrial park and type, as well as type of the specialized production activities - when the park is of type B, and type of high-tech activities for which the park is intended - when the park is of type C;
4. data about the admissible activities on the territory of the park;
5. data about the location (administrative address) and the area of the park;
6. identifiers of the land properties on the territory of the park according to the cadastral map and the cadastral registers;
7. data about the technical infrastructure built on the territory of the industrial park, including regarding its putting into operation;
8. owner;
9. operator;
10. activities for operation of the park, which are performed by the operator;
11. rights for disposal and management granted by the owner to the operator;
12. data about the investors - name of the investor and type of the production activity performed by him;
13. partners - when available, and data about the type of services provided by them on the territory of the park;
14. changes in the circumstances under items 1 - 13;
15. date of deletion of the entry and the grounds for that.

(3) In the register under Para. 1 shall be published:

1. the concept for the industrial park;
2. regulations for the overall organization in the industrial park;
3. detailed development plan of the industrial park (DDP of the IP) with its amendments;
4. updates of the documents under items 1 - 3;
5. orders of the Minister of Economy about entering data and about publishing documents in the register.

Art. 22. (1) Industrial park's entry in the register under **Art. 21, Para. 1**, shall be deleted:

1. upon initiative of the park's owner;
2. when with an act of a competent authority entered into force it is established that activities are carried out on the territory of the park, which are inadmissible or do not correspond to the structural characteristics or to the specific purpose of the territory according to the DDP of the IP entered into force or its amendment entered into force.

(2) When it is established that the operator has not requested the entry of changes or an updated document within three months from the occurrence of the change or the update of the document, the Minister of Economy shall notify the operator thereof. If the operator fails to fulfill his obligation within 30 days of the notification, the industrial park shall be deleted from the register.

(3) The deletion shall be carried out within three days from the entry into force of the order of the Minister of Economy.

(4) The order under Para. 3 shall be subject to appeal by the order of the **Administrative-Procedure Code**.

Section VIII. Exceptions

Art. 23. This Act shall not apply:

1. to industrial zones, industrial parks and technology parks, which are not entered in the register under **Art. 21, Para. 1**;
2. to construction, functioning and development of facilities on territories and land properties which are outside the borders of the industrial parks, entered in the register under Art. 21, Para. 1, and are intended for production activities.

Chapter two. INDUSTRIAL PARK'S CREATION

Section I. Proposal and decision for the establishing of an industrial park

Art. 24. (1) An industrial park shall be established with a decision:

1. at proposal of the Minister of Economy to the Council of Ministers - for a state industrial park and for a joint industrial park with state and municipal participation;
2. at the proposal of the mayor of the municipality to the municipal council - for a municipal industrial park and for a joint industrial park with municipal or with state and municipal participation;
3. according to the constitutive act of the legal entity, respectively of the association - for a private industrial park.

(2) To the proposal under Para. 1 shall apply:

1. a concept of the industrial park;
2. a business plan of the operator;
3. a draft assignment for design of the detailed development plan of the Industrial park or a detailed development plan on the territory of the industrial park;
4. a draft contract for operation, except when the owner is also the operator;
5. a draft regulations for the overall organization in the industrial park;
6. deeds for ownership of the land properties included in the territory of the industrial park, or information about the current identifiers of the land properties in the cadastral map and the cadastral registers.

(3) The decision to establish an industrial park shall contain:

1. name of the park;
2. type of the park, and when it is type B, also the type of production for which it is intended;
3. area on the territory of the park;
4. current identifiers of the land properties on the territory of the industrial park according to the cadastral map and the cadastral registers, when applicable;
5. consent for concluding an operation contract, where applicable, indicating the name and UIC of the operator;
6. approval of the concept for the industrial park and of the regulations for the overall organization in the industrial park;
7. other conditions compliant with the requirements of this Act.

(4) The decision to establish an industrial park shall be grounds for concluding a contract for operation - when applicable, and shall be a condition for entering the park in the register under **Art. 21, Para. 1**.

Section II.

Documents and contracts related to the creation, construction and operation of an industrial park

Art. 25. The concept for an industrial park defines long-term perspectives and goals for the development of the park, and therefore shall contain:

1. name and location of the industrial park;
2. owner of the industrial park;
3. goals and tasks for creation of the industrial park and its type, and when it is of type B, also the type of production for which it is intended;
4. area on the territory of the park and borders, but when the industrial park is situated in land of two or more settlements - also area of ??the structural parts according to the land borders;
5. current identifiers of the land properties on the territory of the industrial park according to the cadastral map and the cadastral registers, when applicable;
6. proposal for the development regime of construction of the park;
7. proposal for internal technical infrastructure of the park;
8. prospects for providing transport access to the park (road, railway, water);
9. prospects for connection of the park to the electricity transmission and gas transmission network, respectively to the electricity distribution network and gas distribution network, to the water supply and sewerage network, to the heat transmission network, to the electronic communications network and to other elements or facilities of the technical infrastructure;
10. the activities to do with operation of the park, performed by the operator;
11. requirements towards users;
12. assessment of the necessary financial, technical, human and other resources necessary for the creation and functioning of the industrial park, and expected sources for their provision;
13. expected results from the functioning of the industrial park from the point of view of investors' activity;
14. other information that the initiator decides to present.

Art. 26. The business plan of the operator shall contain:

1. analysis of the environment;
2. market analysis;
3. analysis of the competition;
4. marketing plan;
5. management plan;
6. operational plan;
7. financial plan;
8. sources of financing;
9. applications.

Art. 27. The detailed development plan of the Industrial park shall be prepared in accordance with the requirements of Chapter Three as:

1. a Plan for Regulation and Construction (PRC) under the conditions of [Art. 108 - 109](#), [Art. 110, Para. 1, item 1, Para. 3 and 4](#) of the Spatial Development Act and the applicable requirements of Art. 112 of the Spatial Development Act, and if necessary, the DDP of the IP may also contain plot plans under [Art. 110, Para. 1, item 5](#) of the Spatial Development Act - when the territory of the Industrial park is situated in an urbanized territory of a settlement or settlement entity, or joins an urbanized territory by expanding the boundaries of a settlement or settlement entity, or

2. a specialized detailed development plan in the sense of [Art. 111, Para. 3](#) of the Spatial Development Act, which has the volume and content of a PRC under item 1, and plot plans under Art. 110, Para. 1, item 5 of the Spatial Development Act to join the necessary elements of the technical infrastructure for the park - when the Industrial park is set apart as an independent urbanized territory and transport access

to a road, railway infrastructure or waterway must be provided for it, as well as for connecting the park to applicable elements of the technical infrastructure under **Art. 64, Para. 1** of the Spatial Development Act;

3. specialized detailed development plan, which has the content of the plan under item 2, whereby with the DDP of the IP, the territory of the park shall be set apart as an urbanized territory in separate structural parts of settlements compliant with the respective land borders - when the territory of the industrial park is located on the land of two or more settlements.

Art. 28. (1) The contract for operations shall be concluded between the operator and:

1. the Minister of Economy - for a state industrial park;
2. the mayor of the municipality - for a municipal industrial park;
3. the Minister of Economy or the mayor of a municipality - in accordance with a decision of the owners - for a joint industrial park;
4. the body representing the legal entity which is registered as a trader - for a private industrial park.

(2) The contract for operation shall contain at least:

1. the parties to the contract, data about the commercial and other registrations of the operator and the persons representing him;
2. subject of the contract;
3. term of the contract;
4. data about area of the industrial park and identifiers of land properties on the territory of the park according to the cadastral map and the cadastral registers;
5. the activities for operation of the park, which are assigned to the operator;
6. the conditions for functioning and development of the industrial park;
7. the rights and obligations of the operator regarding the property of the owner, including insurance conditions;
8. the financial relations between the parties.

(3) The exploitation contract may be amended under the conditions and by the order determined by it, guaranteeing the rights acquired by the users.

(4) The owner may not assign all operational activities to the operator. In this case, some of the activities can be performed directly by the owner.

Art. 29. (1) The regulations for the overall organization in the industrial park shall contain:

1. the conditions and order for the design, construction and use of the internal technical infrastructure;
2. the conditions and the order for acquisition of rights on properties or parts thereof, located on the territory of the park;
3. the conditions and order for building works on the territory of the park;
4. the conditions and the order for performance of the services, which the operator provides to the investors;
5. enumeration of the activities, which are admissible on the territory of the park;
6. the rights and obligations of the operator and of the users, including when deleting the industrial park from the register under **Art. 21, Para. 1**.

(2) In determining the rights and obligations in connection with Para. 1, item 3, allowed may be preferences for individual investors, whereby the conditions for their application shall be indicated in the regulations for the overall organization in the industrial park.

Section III.

Entry of an industrial park and of changes in the register of industrial parks

Art. 30. (1) After concluding the contract for operation, and after adopting the decision to establish the industrial park - when the operator is also the owner of the industrial park - the operator shall submit an application to enter the park in the register under **Art. 21, Para. 1** electronically with a qualified electronic

signature according to the [Electronic Document and Electronic Trust Services Act](#).

(2) To the application under Para. 1 shall be enclosed the documents under [Art. 21, Para. 3, items 1 and 2](#) in electronic format.

(3) Within 14 days from the submission of the application under Para. 1, the Minister of Economy shall:

1. issue an order for entry of the industrial park in the register under Art. 21, Para. 1, or
2. notify the operator of the existence of irregularities in the application, such as:
 - a) discrepancy between the area of the industrial park and the requirements of Art. 4, Para. 3;
 - b) lack of information under Art. 21, Para. 2;
 - c) discrepancy of the documents attached to the application under [Art. 21, Para. 3, items 1 and 2](#)

with the requirements of this act;

- d) submission of the application by a non-operator, or
- e) submission of the application without attached documents as per Para. 2.

(4) Where, within 30 days from the notification under Para. 3, item 2, the operator has not eliminated the irregularities, the Minister of Economy shall issue an order for refusal of entry in the register under [Art. 21, Para. 1](#). The Minister of Economy shall issue an order for entry, respectively for refusal of entry of the industrial park within 5 working days after the expiration of the term under sentence one. The order shall be sent to the operator electronically and is subject to appeal under the [Administrative-Procedure Code](#).

(5) The entry of changes and the publication of updated documents shall be declared within three months from the change, respectively from the date of the update, as Para. 2 - 4 shall apply accordingly.

Chapter three.

CONSTRUCTION OF INDUSTRIAL PARKS

Art. 31. (1) Activities to do with the construction of an industrial park (spatial planning, investment projects and building works for construction, development and maintenance) under this Act may be carried out after entry of the park in the register of the industrial parks.

(2) Activities to do with the construction of an industrial park shall be carried out in stages and on the basis of entered into force administrative acts related to its construction, under the conditions and by the order of the applicable laws and of this Act, after finalising the following administrative proceedings (administrative services):

1. approval of a cadastral map and cadastral registers for the territory of the industrial park, when the territory has not been included in the cadastral map;
2. permission to elaborate a DDP of the IP, and when this is required by the [Spatial Development Act](#) and the requirement is relevant for a specific industrial park - a previous permit for amendment of the general development plan of the municipality;
3. approval of the Detailed Urban Plan of the Project, and when this is required by the Spatial Development Act - and of a previous amendment of the general development plan of the municipality;
4. issuance of a design visa for a regulated land property on the territory of the industrial park - in the cases when this is required by [Art. 140](#) of the Spatial Development Act;
5. approval of an investment project and issuance of a building permit for separate constructions on the territory of the park, for which this is required by the [Spatial Development Act](#);
6. permitting the use/permitting the commissioning of separate construction sites on the territory of the park, for which this is required by the Spatial Development Act.

(3) When carrying out activities for construction of an industrial park, the conditions and the order determined by this Act shall apply, as well as the conditions and the order for issuing the administrative acts, which in accordance with a special law are a necessary condition for issuing the acts under Para. 2, including but not limited to:

1. coordinating the acts under Para. 2;

2. allowing the change of the purpose of land properties in forest territories and agricultural lands, included in the territory of the industrial parks;

3. issued under the conditions and by the order of **Chapters Six** and **Seven** of the Environmental Protection Act, under the **Biological Diversity Act**, under the **Waste Management Act**, under the **Act on Waters** and other environmental protection laws;

4. for ensuring safety and protection of human health and material values, issued under the conditions and by the order of the **Health Act**, of the **Cultural Heritage Act**, of the **Foodstuffs Act**, of the **Veterinary Practice Act**, of the **Roads Act**, of the **Road Traffic Act**, the **Railway Transport Act**, the **Civil Aviation Act**, the **Electronic Communications Act**, the **Energy Sector Act** and others - in the applicable cases, depending on the type and structure of the industrial park;

5. for provision of initial data and other documents for recognition of rights and obligations, necessary for elaboration of the development plans and the investment projects for the industrial parks and for issuance of the acts under Para. 2.

(4) For issuing the administrative acts under Para. 2 and 3, the respective administrative body, the persons performing public functions and the organizations providing public services may not require from the applicant the provision of information or documents available to them or to another body, but shall provide them ex officio for the needs of the respective production.

Art. 32. (1) When building an industrial park, administrative bodies, persons performing public functions and the organizations providing public services shall be obliged, in the proceedings for issuance of the acts of **Art. 31, Para. 2 and 3**, to ensure the execution - electronically by electronic means, including e-mail, of the following:

1. the submission and publication of applications and their annexes;
2. the actions for issuing the administrative acts;
3. the announcement and publication of the issued acts;
4. the publication of information about the entry into force of the issued acts.

(2) When carrying out the administrative proceedings under **Art. 31, Para. 2 and 3**, the applications and the appendices to them, for which the Spatial Development Act or another law requires signing, certification and/or stamping, shall be signed with a qualified electronic signature, respectively they shall be certified with an electronic seal within the meaning of the **Electronic Document and Electronic Trust Services Act**.

(3) The administrative bodies or the persons authorized by them shall sign with qualified electronic signature the final administrative acts in the proceedings under **Art. 31, Para. 2 and 3**. Where the **Spatial Development Act** or another law requires signing, certification and/or stamping of entered into force development plans and their amendments, of approved investment projects or their amendments and/or of other construction documents, administrative bodies or the persons authorized by them shall sign them with a qualified electronic signature, respectively they shall certify them with an electronic seal.

(4) Individual administrative acts, development plans and investment projects and their amendments, construction documents and other documents under Para. 2 and 3 which have entered into force and are signed with a qualified electronic signature, respectively certified with an electronic seal, shall be considered equivalent to a paper document and to an original, shall be admitted as evidence in administrative and judicial proceedings, and shall enjoy the legal presumption of their authenticity and integrity, provided that they do not contain any dynamic elements which may automatically alter them.

(5) Competent body, which issues administrative acts under **Art. 31, Para. 2 and 3**, may not refuse to receive and register an application with the appendices thereto, when they meet the requirements of Para. 2.

(6) For the needs of paper archives and registers of development plans, of investment projects and of other construction papers, administrative bodies shall make at their own expense copies in graphic and written form of the electronic documents under Para. 2 and 3.

(7) Administrative bodies, persons performing public functions and the organizations providing

public services, which issue the administrative acts under **Art. 31, Para. 2 and 3** shall:

1. combine in full during the administrative proceedings for issuance of an act under **Art. 31, Para. 3** with the respective administrative procedure for issuing an act under Art. 31, Para. 2, to which they are applicable;

2. not require - as a condition for issuance of the respective act - evidence for the existence of another administrative act which has entered into force, which under the **Spatial Development Act** is the basis for issuance of an act under **Art. 31, Para. 2**;

3. ensure immediately free public access of interested persons to any published applications and documents thereto in connection with the administrative acts issued by them related to the construction, development and maintenance of the industrial parks, to the administrative acts issued by them and to the information about the entered into force administrative acts issued by them.

Art. 33. (1) The proceedings for issuance of the administrative acts under **Art. 31, Para. 2 and 3** shall start from:

1. the date of receipt by electronic means of the application and its annexes in the electronic system of the respective competent authority;

2. the date of filing the application and the appendices to it in the record keeping system of the body, when they have been submitted in the record keeping of the respective competent body on electronic carrier.

(2) The administrative proceedings for issuance of administrative acts under Art. 31, Para. 2 and 3 shall be performed:

1. in compliance with the requirements of this Act, of the Spatial Development Act and of the respective special act;

2. within a term which is half shorter than the term set by the Spatial Development Act or by the respective special act, except in the cases of **Art. 34, Para. 3**.

(3) When for the administrative proceedings on the issuance of acts under **Art. 31, Para. 2 and 3** with the Spatial Development Act or with the respective special act are provided terms for procedures for ensuring public access or public discussion of documents, for these procedures shall apply the terms determined by the **Spatial Development Act** or with the respective special act.

Art. 34. (1) Upon establishment of incompleteness and inaccuracies in the application and the appendices thereto, the applicant shall be notified electronically immediately and a term for elimination of the irregularities shall be determined. The additionally submitted documents for elimination of the irregularities shall be entered in the electronic file of the application.

(2) In case it is necessary to eliminate irregularities which hinder the issuance of the act, the applicant shall eliminate the irregularities, shall attach a reference with legally motivated substantiations against the notes not accepted. The corrected file or the respective corrected part of it shall be sent to the authority electronically. The re-submission of documents after elimination of irregularities in the application and the annexes thereto shall be registered by the administrative body.

(3) Upon re-submission of documents, with which irregularities have been eliminated in the application and the appendices to it, upon issuance of administrative acts under **Art. 31, Para. 2 and 3**, the corrected file shall be checked and the administrative act shall be issued within 7 days from the date of registration under Para. 2 of the re-submission of the documents for elimination of irregularities.

(4) Within the terms under Para. 3 and under **Art. 33, Para. 2, item 2 and Para. 3**, the administrative body shall get acquainted with the request for issuance of the administrative act and with the appendices to it, as well as with the results of removal of the notes and objections, if any, and shall issue or refuse to issue the administrative act.

(5) The refusal of the administrative body may only conform with the law and shall always state the motives thereof.

(6) Administrative bodies, persons performing public functions and organizations providing public services, which issue the administrative acts under Art. 31, Para. 2 and 3, shall immediately notify

electronically by electronic means and under the conditions and by the order of the **Administrative-Procedure Code** the applicant, the persons participating in the proceedings and/or the interested persons determined by the **Spatial Development Act** about the acts and information published by the order of **Art. 32, Para. 1**.

Chapter four. **FUNCTIONING AND DEVELOPMENT OF INDUSTRIAL PARKS**

Section I. **Operation and use of an industrial park**

Art. 35. (1) The activities for operation of the industrial park performed by the operator shall include:

1. management and maintenance of the internal technical infrastructure, both owned by the owner of the industrial park, in accordance with the technical requirements determined by the applicable normative acts for the respective elements of the technical infrastructure;
2. provision of administrative and other services to the investors regarding the activities performed on the territory of the park in accordance with the regulations for the overall organization in the industrial park and with the respective contract for economic activity;
3. rendering assistance to the users in the industrial park in connection with the administrative servicing of their activity by state and municipal institutions;
4. conclusion of the economic activity contracts, of the partnership contracts and of the services contracts.

(2) The activities for operation of the industrial park may also include:

1. construction of elements of the internal technical infrastructure and activities for construction of constructions for development of the industrial park;
2. concluding contracts with partners for the provision of social, administrative and other servicing activities and services on the territory of the industrial park;
3. construction and maintenance of the transport access and construction and maintenance of the connections of elements of the internal technical infrastructure of the park to the available external technical infrastructure under **Art. 64, Para. 1** of the Spatial Development Act - when applicable;
4. concluding a servicing contract with persons possessing a document to carry out waste management activities under **Art. 35** of the Waste Management Act, for collection and transportation of the waste generated on the territory of the industrial park, to the respective facilities and installations;
5. construction and maintenance of production and other buildings and facilities on the territory of the industrial park;
6. other activities - at the discretion of the owner.

Art. 36. (1) Under the conditions and by the order of the **Energy Sector Act**, respectively of the **Act on Waters** and of the **Regulation of Water Supply and Sewerage Services Act**, and in the absence of a person providing communal services, through elements of the internal technical infrastructure the operator may perform the functions of:

1. operator of a closed electricity distribution network and/or of an operator of a closed gas distribution network within the meaning of the Energy System Act;
2. water supply and sewerage operator, in the sense of **Art. 198n, Para. 6** of the Act on Waters and **Art. 2, Para. 3** of the Regulation of Water Supply and Sewerage Services Act, of the water supply and sewerage systems and facilities of the internal technical infrastructure.

(2) The circumstance that the operator will perform the functions under Para. 1, shall be specified in the operation contract. In these cases, if the operator is not the owner, in favour of the operator shall be established real rights over the elements of the internal technical infrastructure, necessary for issuing the

respective license under Para. 1, item 1.

Art. 37. Production activity and the activities carried out by the partners on the territory of the industrial park shall be carried out under the conditions and by the order of the regulations for the overall organization in the industrial park.

Section II. Development of an industrial park

Art. 38. (1) An industrial park may be developed in relation to the production, auxiliary and public service activities carried out on its territory through:

1. expansion of the territory of the park;
2. restructuring of the park;
3. reconstruction of the constructions on the territory of the park.

(2) Activities under Para. 1 shall be carried out on the basis of administrative acts issued after completion of the administrative proceedings applicable for each activity under **Art. 31, Para. 2**, under the conditions, by the order and within the terms under Chapter Three.

Art. 39. Expansion of the territory of an industrial park may be carried out by amending the DDP of the IP in order to develop production activities, increase the volume and quality of public services, or increase the capacity of transport technical infrastructure on the territory of the industrial park or the capacity and quality of the other elements of the internal technical infrastructure.

Art. 40. Restructuring an industrial park may be carried out in order to develop the production activities and to increase the volume and quality of public service activities or the internal technical infrastructure by amending the DDP of the IP regarding the manner and nature of developing of individual regulated land plots or of the rules and regulations to the DDP of the IP, including through:

1. the formation of new and the division or unification of existing regulated land properties;
2. change of existing development of one or more regulated land properties for the construction of new buildings and facilities for production and auxiliary activities, for public service activities, as well as for other purpose, which is related to the operation and servicing of the industrial park.

Art. 41. Reconstruction of the constructions on the territory of an industrial park may be carried out by constructing new buildings and facilities, their reconstruction, extension, superstructure and major repairs, including through major renovation within the meaning of **§ 5, item 66** of the additional provisions of the Spatial Development Act and through reconstruction and change of purpose of the buildings and of construction and technological installations and facilities on the territory of the park, in accordance with the basic requirements to the constructions under **Art. 169, Para. 1 and 3** of the Spatial Development Act.

Additional provisions

§ 1. For the purposes of this Act:

1. "Production activity" shall mean an activity for creation of a product by mechanical, physical or chemical transformation (treatment or processing) of raw materials for the purpose of subsequent realization, as well as the activity for development, design, construction and testing of new goods, materials, production technologies and industrial systems and other objects of industrial property, as well as for improvement of existing products and technologies (research and development), which is carried out through installations and/or facilities on the production and storage territories defined by a general development plan and/or on the land properties for production and storage activities defined by a detailed development plan. Production activity shall also mean the activity of producing electricity, as well as the storage activities.

2. "Similar production activities" shall mean activities for the performance of which the same or similar requirements regarding infrastructural availability and environmental protection are applied.

3. "Sensitive information" shall mean information which constitutes trade secret, or other

information which, due to exceptional security or technical reasons, or due to its sensitive nature, requires a special level of protection.

Transitional and concluding provisions

§ 2. Within 6 months from the entry into force of the Act, the Minister of Economy shall create the register under Art. 21, Para. 1.

§ 3. Within one year from the entry into force of the Act, the Minister of Economy together with the Minister of Regional Development and Public Works shall submit for approval to the Council of Ministers the list under Art. 19, Para. 2, item 3.

§ 4. (1) Industrial zones and technological parks, created as of the date of entry into force of the Act, may be entered in the register under Art. 21, Para. 1 after the submission of the information under Art. 21, Para. 2, the documents under Art. 21, Para. 3 and a document certifying the consent of not less than half of the investors, owning ownership titles over land properties on the territory of the industrial zone or technology park, with the regulations for the overall organization in the industrial park and with the operator chosen by the owner, if any.

(2) Upon entry under Para. 1 shall not apply the provisions of:

1. Art. 4, Para. 2, Art. 13, Para. 1 and Art. 16, Para. 1, whereby:

a) the area may not be less than 200 decares;

b) the rights over properties on the territory of the industrial zone or the technology park, including over elements of the technical infrastructure under Art. 64, Para. 1 of the Spatial Development Act, acquired as of the date of submission of the application for registration, shall be preserved;

c) the investor and the operator do not conclude a contract for economic activity, when the rights and obligations of the investor and the owner of the industrial park are settled in the purchase and sale contract for other real rights over the property acquired by the investor;

2. Art. 5, Para. 3, when the court disputes for real rights are for unfulfilled investment projects, certified by the order of the Investment Promotion Act.

(3) The existing operating detailed development plans of industrial parks, industrial zones, technology parks and other similar entities, which meet the conditions under Para. 1 for entry in the register of the industrial parks, may be amended in order to bring them in compliance with the requirements of this act under the conditions and by the order, provided in the Spatial Development Act.

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This Act was adopted by the 44th National Assembly on February 25, 2021, and was sealed with the official seal of the National Assembly.