

Administration Act

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Chapter One GENERAL PROVISIONS

Article 1. (1) This Act regulates the structure of the administration, the basic principles of organization of the operation thereof, the positions therein, and the principal requirements for occupation of the said positions.

(2) This Act regulates the powers of the executive authorities, the structure and organization of the operation of the administration thereof.

(3) This Act shall furthermore apply, save in so far as otherwise established in special laws, to the administration of the other bodies of state power as provided by the Constitution, and to the bodies of local self-government.

Article 2. (1) (Amended, SG No. 24/2006) The administration shall implement the activities thereof guided by the following principles:

1. lawfulness;
2. openness and accessibility;
3. responsibility and accountability;
4. effectiveness;
5. subordination and coordination;
6. predictability;
7. (new, SG No. 42/2009) objectivity and impartiality;
8. (new, SG No. 85/2017) continuous quality improvement.

(2) (Amended, SG No. 24/2006) The administration shall implement its activities in the interest of society and in accordance with the Constitution and with the other statutory instruments.

(3) In the implementation of the activities thereof, the administration shall be obligated to provide information to citizens, legal persons and bodies of state power according to a procedure established by a law.

(4) The administration shall be obligated to react to any inquiries, requests, complaints, suggestions and alerts as may be addressed by citizens or legal persons on matters in which they have standing according to a procedure established by a law.

(5) The administration employees shall incur liability for the steps thereof according to a procedure established by a law.

(6) (New, SG No. 24/2006) The administration shall plan and perform its activities in a manner leading to achievement of significant results for society with the possibly most economic use of resources.

(7) (Renumbered from Paragraph (6), supplemented, SG No. 24/2006) The bodies of state power shall coordinate the operation thereof for implementation of a single state policy and conduct consultations with the social partners, with representatives of the private sector and with representatives of civil society.

Article 3. (Amended, SG No. 24/2006, supplemented, SG No. 15/2012) The bodies of state power of the Republic of Bulgaria shall implement the overall direction of the relevant administrations thereof.

Chapter Two ORGANIZATION OF THE ADMINISTRATION

Article 4. (1) The administration shall be organized into directorates.

(2) The directorates, which have local units, shall be designated chief directorates.

(3) (Supplemented, SG No. 15/2012) Divisions may be created within any chief directorate and directorate. Stand-alone divisions may be created in the Administration of the Council of Ministers.

(4) Where necessary, sectors may be created within any division.

Article 5. (Amended, SG No. 24/2006) (1) Depending on the distribution of activities thereby performed in assisting the relevant body of state power, there shall be general and specialized administration.

(2) The general administration shall assist the relevant body of state power in the exercise of the powers therein vested, as head of the respective administration, shall create conditions for the implementation of the activities of the specialized administration and shall carry out technical activities for administrative servicing.

(3) The specialized administration shall assist the relevant body of state power in the exercise of the powers therein vested, related to its competence

Article 5a. (New, SG No. 24/2006) (1) (Supplemented, SG No. 43/2008, amended, SG No. 27/2014, effective 25.03.2014) The general rules for organization of administrative servicing in the administration shall be determined by an ordinance adopted by the Council of Ministers, and any unregulated issues shall be determined by internal rules, endorsed by the chief secretary, the Permanent Secretary of Defence, and the Municipal Secretary and for the Ministry of Interior - by the Minister of Interior or by an official, authorised by him, respectively.

(2) Organizations empowered to perform administrative services or providing public services shall determine the organization of administrative servicing in the internal acts thereof, unless otherwise provided for by a law.

(3) (New, SG No. 42/2009, amended, SG No. 27/2014, effective 25.03.2014) Officials who provide or perform any administrative services under § 1, item 2, litterae "c", "d", and "e" of the Supplementary Provision shall be obligated to provide or perform such services within a period not longer than 30 days, unless otherwise provided for in a special law.

(4) (Renumbered from Paragraph (3), SG No. 42/2009, amended, SG No 24/2010) The executive authorities shall exercise control as to compliance with the administrative servicing rules.

(5) (Renumbered from Paragraph (4), SG No. 42/2009) Where a statutory instrument does not specify the body or the organization which ought to implement the administrative servicing, the administrative service shall be provided by the body which has been entrusted with the implementation of the respective instrument, or by the organization which implements the respective activity.

(6) (New, SG No. 27/2014, effective 25.03.2014) Administrative bodies shall conclude agreements among themselves for integration of the services provided through the establishment of common service centres.

(7) (New, SG No. 27/2014, effective 25.03.2014) The Council of Ministers may establish centres for comprehensive administrative services. The structure and organizational proceedings of such centres shall be regulated by the ordinance under Paragraph 1.

Article 6. (Repealed, SG No. 24/2006).

Article 7. (Supplemented, SG No. 99/2001, amended, SG No. 19/2005, SG No 24/2006) (1) A general administration shall incorporate the following units:

1. Secretarial Office;
2. Finance and Economic Operations;
3. Legal Activities;
4. Property Management;
5. Human Resources;
6. (Amended, SG No. 25/2009, effective 12.05.2009) Defence and Mobilisation Preparedness Management;
7. Information Services and Technologies;
8. Administrative Servicing.

(2) The structure of a general administration may furthermore include units discharging Protocol functions and Public Relations.

(3) In case the staff size of an administration is insufficient to establish the units covered under Paragraphs (2) and (3) as separate units in their own right, the functions of the said units shall be executed by another unit of the general administration.

Article 8. (Amended, SG No. 24/2006) (1) (Supplemented, SG No. 43/2008) Administrative direction of the administration of a body of state power shall be implemented by a chief secretary or by a municipal secretary, respectively.

(2) A chief secretary shall direct the respective administration by coordinating and controlling the administrative units for precise compliance with statutory instruments and with the lawful directives of the [competent] body of state power and by being responsible for planning and reporting of accomplishment of the annual objectives of the administration.

(3) (New, SG No. 15/2012) The chief secretary shall be appointed by the respective body of state power.

Article 9. (Repealed, SG No. 95/2003).

Article 10. (1) (Supplemented, SG No. 24/2006) Administrative direction of the units in any administration shall be implemented by a chief director where the unit is a chief directorate, a director where the unit is a directorate, a head where the unit is a division, and a chief where the unit is a sector. Chief directors may be assisted by deputy chief directors.

(2) (Repealed, SG No. 95/2003).

Article 11. (Amended, SG No. 99/2001) The designations and the number of the chief directorates and directorates in any general and specialized administration, the

functions and the staff size in any such directorate, shall be determined by rules of organization of the relevant administration.

Chapter Three **POSITIONS IN THE ADMINISTRATION**

Article 12. (1) The activities of the administration shall be implemented by civil servants and persons working under an employment relationship.

(2) The procedure for appointment and the status of civil servants shall be established by a law.

(3) Any employee working in the administration under an employment contract shall be appointed under the Labour Code.

Article 13. (Amended, SG No. 95/2003) (1) (Amended, SG No. 15/2012 supplemented, SG No. 57/2016) The civil servants and the persons employed under an employment relationship shall occupy positions whereof the designations shall be determined in the Classifier of Positions in the Administration. The said Classifier shall furthermore specify the distribution of positions in position levels, the minimum requirements for completed education and rank or previous professional experience for occupation of each position, as well as the type of legal relationship under which the said position shall be occupied.

(2) According to the functions executed, the positions in the administration shall be of the following type:

1. managerial;
2. expert;
3. technical.

(3) No holder of a managerial position in the administration may exercise the said position under an employment relationship.

Article 13a. (New, SG No. 78/2007) (1) Diplomatic officers who are members of the Diplomatic Service shall assume positions whose designations shall be determined in a classification of diplomatic positions.

(2) Diplomatic positions shall be:

1. (amended, SG No. 69/2011, effective 8.09.2011) managerial;
2. (amended, SG No. 69/2011, effective 8.09.2011) coordinating;
3. (amended, SG No. 69/2011, effective 8.09.2011) expert.

(3) (Amended, SG No. 69/2011, effective 8.09.2011) Managerial diplomatic positions shall be listed in Category A of the classification of diplomatic positions.

(4) (Amended, SG No. 69/2011, effective 8.09.2011) Coordinating diplomatic positions shall be listed in Category B of the classification of diplomatic positions.

(5) (Amended, SG No. 69/2011, effective 8.09.2011) Expert diplomatic positions shall be listed in Category C of the classification of diplomatic positions.

(6) The position categories shall have levels in accordance with the official duties assigned and the professional qualification and professional experience required for their execution.

Article 14. (1) (Amended, SG No. 99/2001, SG No. 95/2003, supplemented, SG No. 57/2016) A mandatory minimum degree of completed education and previous professional experience or rank shall be required for occupation of a specified position in the administration.

(2) The principal requirements for occupation of any position in the administration shall be determined by a law.

(3) Additional requirements for occupation of a position may be established by the rules of organization of the relevant administration.

(4) (New, SG No. 103/2017, effective 1.01.2018) The requirement for absence of conviction at the time of appointment at a position in the administration shall be

established by the appointing authority by official channels.

Article 15. (Amended, SG No. 95/2003) The attained level of education and qualification, as well as the professional experience, shall be certified by official documents.

Article 16. (Repealed, SG No. 95/2003).

Article 17. (Supplemented, SG No. 99/2001, repealed, SG No. 95/2003).

Article 18. (Amended, SG No. 95/2003) (1) (Redesignated from Article 18, SG No 27/2014, effective 25.03.2014) Interns may be appointed in the administration according to a procedure established by a law, and the duration of any internship shall be assimilated to the length of civil-service seniority.

(2) (New, SG No. 27/2014, effective 25.03.2014) In Student internships shall be conducted in the administration.

(3) (New, SG No. 27/2014, effective 25.03.2014) The general rules of the organization and the conduct of the student internships in the administration shall be determined by ordinance, adopted by the Council of Ministers and any unregulated issues shall be determined by internal rules, endorsed by the Chief Secretary, respectively the Permanent Secretary of Defence, and the Municipal Secretary and for the Ministry of Interior - by the Minister of Interior or by an official, authorized by him.

Chapter Four EXECUTIVE AUTHORITIES

Article 19. (1) There shall be central and local executive authorities.

(2) The central executive authorities shall comprehend:

1. the Council of Ministers;
2. the Prime Minister;
3. the deputy prime ministers;
4. the government ministers.

(3) The local executive authorities shall comprehend:

1. the regional governors;
2. (supplemented, SG No. 69/2006) the municipality, borough and mayoralty mayors and the lieutenant mayors.

(4) The following shall furthermore be treated as executive authorities:

1. the chairpersons of state agencies;
2. the state commissions;
3. the executive directors of executive agencies;
4. the heads of institutions of state created by a law or by Council of Ministers decree, who are assigned functions in connection with the exercise of executive power.

(5) (New, SG No. 57/2016) Deputy Ministers, single-person authorities specified in Paragraph (4) and the deputies thereof, and members of collegial authorities, regional governors and deputy regional governors shall have a university degree with a minimum education and qualification degree "Master".

(6) (New, SG No. 24/2006, renumbered from Paragraph (5), SG No. 57/2016) Eligible for appointment as single-person authorities, deputies thereof and members of collegial authorities under Paragraph (4) shall be Bulgarian citizens, with proven professional experience in the respective area and no conviction of a premeditated indictable offence, unless rehabilitated.

(7) (New, SG No. 24/2006, amended, SG No. 94/2008, effective 1.01.2009 renumbered from Paragraph (6), amended, SG No. 57/2016) The Prime Minister, the deputy prime ministers, the cabinet ministers, the deputy ministers, the single-person authorities, the deputies thereof and the members of the collegial authorities specified in Paragraph (4) herein, the regional governors and the regional vice

governors may not:

1. hold another public office;
2. carry on business or be managing directors, business attorneys, commercial agents, managerial agents, brokers, liquidators or trustees in bankruptcy;
3. be members of a management or supervisory body of any not-for-profit legal entity, commercial corporation or co-operative;
4. practise a liberal profession, with the exception of research or teaching or exercise of copyrights and neighbouring rights;
5. (new, SG No. 17/2013) be appointed as heads of election campaign of any party, coalition of parties or nominating committee;
6. (new, SG No. 17/2013, repealed, SG No. 19/2014, effective 5.03.2014).

(8) (New, SG No. 94/2008, effective 1.01.2009, amended, SG No. 82/2012 renumbered from Paragraph (7), amended, SG No. 57/2016) The Prime Minister, the deputy prime ministers and the government ministers shall not receive any remuneration whenever they would serve by virtue of a law or of an act of the Council of Ministers as members of boards, committees, commissions, management or supervisory bodies of funds, accounts and others. The deputy ministers, the single-person authorities, specified in Paragraph (4) herein and the deputies thereof, the regional governors and the regional vice governors may represent the State or the municipality on boards, committees, audit committees, commissions, working parties, management or supervisory bodies of any commercial corporations wherein the State or a municipality holds an interest in the capital, management or supervisory bodies of funds, accounts and others, which have no legal personality, or management and supervisory bodies of legal entities, created by a law or by internal agency act, for which they shall not receive any remuneration.

(9) (Renumbered from Paragraph (5), SG No. 24/2006, renumbered from Paragraph (7), SG No. 94/2008, effective 1.01.2009, renumbered from Paragraph (8), SG No. 57/2016) The authorities covered under Paragraph (4) shall issue individual administrative acts.

(10) (New, SG No. 103/2017, effective 1.01.2018) The requirement for absence of conviction at the time of selection or appointment of executive authorities and their deputies shall be established by the appointing authority by official channels.

Article 19a. (New, SG No. 67/1999) (1) (Supplemented, SG No. 99/2001, amended, SG No. 69/2006) The Prime Minister, the deputy prime ministers, the government ministers, the deputy ministers, the single-person authorities specified in Article 19 (4) herein and the deputies thereof and the members of collegial authorities, the regional governors, the regional vice governors, the municipality, borough and mayoralty mayors, the lieutenant mayors, and the municipality and borough deputy mayors shall enjoy all rights arising from an employment relationship with the exception of such as may conflict or be incompatible with the legal status thereof.

(2) (Amended, SG No. 99/2001) The legal relationships with the deputy ministers, the regional governors, the regional vice governors, as well as with the single-person authorities specified in Article 19 (4) herein, the deputies thereof and the members of collegial authorities, may be terminated without notice by the appointing or designating authority, as the case may be, at the discretion of the said authority.

(3) (New, SG No. 42/2009, amended, SG No. 7/2018) The legal relationships with the deputy ministers, regional governors, regional vice governors, as well as with the single-person authorities specified in Article 19 (4) herein, the deputies thereof and the members of collegial authorities, shall be terminated without notice by the appointing authority upon failure to fulfil the obligation under Article 36 (3) of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act and upon the ascertainment of a conflict of interest or upon the entry into force of an instrument

whereby a conflict of interest has been ascertained under the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act.

Article 20. (1) The Council of Ministers shall be a central collegial executive authority exercising general competence.

(2) The structure and the composition of the Council of Ministers shall be adopted by a National Assembly resolution on a motion by the Prime Minister.

(3) (Supplemented, SG No. 24/2006) The Council of Ministers shall formulate, develop and implement the state policy in accordance with the constitutional powers therein vested and with the laws of the Republic of Bulgaria. The Council of Ministers shall adopt a programme for the strategic goals and priorities for its term in office.

(4) In pursuance and in implementation of the laws, the Council of Ministers shall adopt decrees, directives, and resolutions. By decree, the Council of Ministers shall furthermore adopt regulations and ordinances.

(5) The Council of Ministers shall determine by decree the powers of the government ministers outside the powers determined by a law.

(6) (Declared unconstitutional in respect of the words "on a motion by the Prime Minister" by Constitutional Court Judgment No. 2/1999, promulgated, SG No 8/1999; amended, SG No. 99/2001) The Council of Ministers shall revoke any legally non-conforming and incorrect act of government ministers.

Article 21. (Amended, SG No. 15/2012) (1) The Council of Ministers may create councils as standing advisory bodies of the government, ensuring coordination in the sphere of executive power, as well as cooperation with other state bodies, bodies of local self-government and with non-governmental organizations in the formulation and implementation of the state policy in a particular area or on especially important matters of public relevance.

(2) The councils referred to in Paragraph (1) shall be headed by the Prime Minister or by another member of the government and shall include single-person executive authorities or deputies thereof, as well as members of collegial executive authorities.

(3) Other state bodies may also be members of the councils with the consent of the said bodies expressed in advance.

(4) Representatives of bodies of local self-government may also be enlisted for participation in the councils with the consent of the said representatives expressed in advance.

(5) Non-governmental organizations concerned with the activity of the relevant council may also be enlisted for participation in the council. The decree on the creation of the council may provide for criteria whereunder any such organizations are to apply for participation.

(6) The councils shall consist of a chairperson and members. Where so provided for in the decree on the creation thereof, the councils shall form a core complement of permanent members under Paragraphs (2) to (5) and an extended complement including the heads of the working groups referred to in Article 22 (2) herein and observers from organizations referred to in Paragraph (5). The observers shall participate in the proceedings of the council in a non-voting capacity.

Article 22. (Repealed, SG No. 81/2000, new, SG No. 15/2012) (1) The councils shall organize and implement the tasks assigned thereto on the basis of an annual action programme adopted thereby.

(2) The councils may create working groups for the drafting of strategic documents and statutory instruments or other expert proposals on particular matters within the competence thereof. The composition of the working groups may include administration employees of the authorities and bodies referred to in Article 21 (2), (3) and (4) herein and experts of the organizations referred to in Article 21 (5) herein.

(3) The financial support of the operation of the council shall be for the

account of the budget of the administration referred to in Article 22a (1) herein. The chairperson, the members and the observers shall not receive any remuneration for the participation thereof in the council.

(4) The councils shall present to the Council of Ministers an annual activity report.

Article 22a. (New, SG No. 15/2012) (1) A council shall be created, transformed and closed by Council of Ministers decree on the basis of a reasoned motion. The decree on the creation of the council shall determine the tasks and the structural composition thereof, as well as the administration ensuring the expert and technical assistance thereof.

(2) The organization of the operation of the councils shall be regulated by rules adopted by the Council of Ministers save insofar as otherwise provided for in the decree referred to in Paragraph (1).

(3) The rules referred to in Paragraph (2) shall furthermore apply to councils created by a law or according to the procedure established by Article 45 (1), Article 47 (8) and Article 54 (8) herein, insofar as this is provided for in the organic instrument of the said councils.

Article 22b. (New, SG No. 15/2012) (1) The councils shall be assisted in the activity thereof by secretariats, which shall be administrative units in the specialized administration which are assigned secretariat functions or stand-alone administrative units in the said administration.

(2) The operation of the secretariat shall be directed and organized by a secretary of the council who may concurrently be a member of the council.

Article 23. (1) The Prime Minister shall be a central single-person executive authority exercising general competence.

(2) The Prime Minister shall represent the Council of Ministers and shall convene and preside over the meetings of the Council of Ministers.

(3) The Prime Minister shall direct the general policy and the day-to-day activities of the Council of Ministers and shall be accountable for the said policy and activities to the National Assembly.

(4) The Prime Minister shall determine the powers and areas of responsibility of the deputy prime ministers.

(5) The Prime Minister shall coordinate the work of the deputy prime ministers and the government ministers.

(6) The Prime Minister shall appoint and remove from office the deputy ministers.

Article 24. (1) In each particular case of absence from Bulgaria or use of a statutory leave, the powers vested in the Prime Minister shall be exercised by a deputy prime minister designated by the Prime Minister by a written order.

(2) The deputy prime ministers shall exercise the powers thereto assigned by the Prime Minister in the allocated areas of responsibility thereof.

Article 25. (1) A government minister shall be a central single-person executive authority exercising special competence and shall head an individual ministry.

(2) Any government minister shall direct, coordinate and control the implementation of the state policy within the powers therein vested.

(3) By National Assembly resolution passed on a motion by the Prime Minister, government ministers who do not head ministries may also be included in the composition of the Council of Ministers.

(4) Government ministers shall issue regulations, ordinances, instructions and orders.

Article 26. (1) The deputy ministers shall assist the government minister in the implementation of the political programme of the Government, in the elaboration of

drafts of statutory instruments, and in the exercise of the powers of the said minister.

(2) By order, each government minister shall delegate powers to the deputies thereof and shall determine the functions thereof.

Article 27. (Amended and supplemented, SG No. 99/2001, amended, SG No. 24/2006)

(1) The Prime Minister, the deputy prime ministers, the government ministers, the chairpersons of state agencies and the regional governors shall create a political cabinet directly reporting thereto.

(2) A political cabinet shall be an organizational structure which is assigned advisory, control, and information and analytical functions, which shall assist the respective executive authority in the formulation and implementation of the government policy in the sphere of his or her powers, as well as upon presentation of the said policy to the public.

(3) In order to implement the programme of the Council of Ministers, the political cabinet shall propose to the executive authority strategic priorities, objectives and decisions related to its competence, and shall monitor their implementation.

(4) The political cabinet shall also organize the liaison of the executive authority with the other state bodies and the public relations thereof.

Article 28. (Supplemented, SG No. 67/1999, amended and supplemented, SG No 99/2001, corrected, SG No. 101/2001, amended, SG No. 24/2006) (1) The work of the political cabinet shall be organized by a chef de cabinet.

(2) The political cabinet of the Prime Minister shall consist of the chef de cabinet, the spokesman, the parliamentary secretary and the head of the public relations unit. The political cabinet of a government minister shall consist of the deputy ministers, the chef de cabinet, the parliamentary secretary and the head of the public relations unit, and the political cabinet of the Minister of Foreign Affairs shall furthermore include a spokesperson. The political cabinet of the chairperson of a state agency shall consist of the deputy chairpersons and the expert responsible for public relations. The political cabinet of a regional governor shall consist of the regional vice governors and the expert responsible for public relations.

(3) The composition of the political cabinets of the deputy prime ministers, as well as the number and type of the positions of employees at the political cabinets, shall be determined by the Rules of Organization of the Council of Ministers and of the Administration Thereof.

(4) The activities of the political cabinets of the Prime Minister and of the government ministers shall be assisted by advisers on particular issues, who may not execute managerial functions, by experts and by technical assistants.

(5) The chef de cabinet, the parliamentary secretary, the spokesperson, the advisers and the experts referred to in Paragraph (4), the technical assistants, as well as the employees referred to in Paragraph (3), shall discharge their duties on the basis on an employment contract entered into with the relevant authorities covered under Article 27 (1) herein.

(6) The legal relationships with the persons referred to in Paragraph (5), as well as with the head of the public relations unit or with the public relations expert, shall be terminated at the discretion of the respective executive authority or upon termination of the powers thereof.

(7) The executive authority may delegate to the chef de cabinet specific powers thereof with regard to the employment relationships of the members, advisers, experts and technical assistants with the political cabinet, with the exception of the appointment and termination of the legal relationship, as well as the imposition of disciplinary sanctions.

Article 29. (1) A regional governor shall be a single-person executive authority in the administrative region, who shall implement state government at the local level and

shall ensure correspondence of national and local interests in the implementation of regional policy.

(2) In the implementation of the activities thereof, each regional governor shall be assisted by regional vice governors and by a regional administration.

(3) Any regional governor shall be designated by a decision of the Council of Ministers.

(4) (Declared unconstitutional in respect of the words "regional governor and" by Constitutional Court Judgment No. 2/1999, promulgated, SG No. 8/1999; amended SG No. 99/2001) Any regional vice governor shall be appointed by the Prime Minister.

(5) (Declared unconstitutional by Constitutional Court Judgment No. 2/1999, promulgated, SG No. 8/1999, repealed, SG No. 99/2001).

Article 30. (1) Each regional governor shall determine the powers and the areas of responsibility of the regional vice governors.

(2) In the absence thereof, the powers of the regional governor shall be exercised by a regional vice governor designated thereby by a written order.

Article 31. (1) (Redesignated from Article 31, SG No. 99/2001) A regional governor shall:

1. implement the state policy in the administrative region, coordinate the operation of the executive authorities and of the administrations thereof within the territory of the region and the interaction of the said authorities and administrations with the local authorities;

2. (amended, SG No. 21/2020, effective 13.03.2020) ensure correspondence between the national and the local interests, organize the elaboration and implementation of regional strategies and programmes for regional development, interact with the bodies of local self-government and the local administration;

3. assume responsibility for the conservation and protection of state property within the territory of the administrative region;

4. ensure observance of the law within the territory of the administrative region and exercise administrative control over compliance with administrative acts;

5. exercise control over the legal conformity of the acts issued and steps performed by the bodies of local self-government and the local administration;

6. (new, SG No. 24/2006) liaise with the local units of the central administration of the executive branch of government within the territory of the administrative region and control the implementation of the acts and the steps of the heads of the said units;

7. (new, SG No. 24/2006) coordinate and control the activities of the local units of the ministries and of the other administrative structures, which implement administrative servicing within the territory of the administrative region, regardless of their hierarchical subordination;

8. (renumbered from Item 6, SG No. 24/2006) coordinate and verify compliance with the acts issued and steps performed by the heads of local units of the central administration of the executive branch of government within the territory of the administrative region;

9. (amended, SG No. 19/2005, renumbered from Item 7, SG No. 24/2006 amended, SG No. 102/2006, SG No. 35/2009, effective 12.05.2009) organise and manage operations for protection of the population, cultural property and physical assets, the environment, in the event of disaster;

10. (new, SG No. 19/2005, renumbered from Item 8, SG No. 24/2006 amended, SG No. 35/2009, effective 12.05.2009) chair the Security Board;

11. (renumbered from Item 8, SG No. 19/2005, renumbered from Item 9, SG No. 24/2006) handle the international contacts of the administrative region at the regional level.

(2) (New, SG No. 99/2001) The heads of local units of the central administration of the executive branch of government within the territory of an

administrative region, the mayors and the chairpersons of municipal councils shall submit any information and documents as the [competent] regional governor may request in connection with the performance of the powers of the said governor covered under Paragraph (1), save where the said information and documents shall constitute a state or official secret.

Article 32. (1) Acting within the powers therein vested, the regional governors shall issue orders.

(2) (Amended, SG No. 69/2006) The regional governor may challenge legally non-conforming acts of a Municipal Council according to the procedure established by the Local Self-Government and Local Administration Act. The regional governor may revoke any legally non-conforming act issued by a municipality mayor within 14 days after receipt of the said act or after being apprised.

(3) (Amended, SG No. 30/2006) Any order issued by a regional governor under Paragraphs (1) and (2) shall be appealable before the competent Administrative Court.

Article 33. (1) A municipality mayor shall be an executive authority in the municipality.

(2) Any municipality mayor shall be elected by the community of the relevant municipality for a term of four years according to a procedure established by a law.

(3) In the activities thereof, any mayor shall be guided by the law, by the acts of the Municipal Council, and by the decisions of the community.

(4) The powers of a mayor shall be determined by a law.

Article 33a. (New, SG No. 24/2006) In attainment of the strategic goals, the executive authorities shall set annual objectives for the activity of the respective administration and shall exercise control over the achievement of the said objectives.

Chapter Five

ADMINISTRATION OF EXECUTIVE BRANCH OF GOVERNMENT

Article 34. In the exercise of the powers therein vested, the executive authorities shall be assisted by an administration.

Article 35. (Amended, SG No. 24/2006) By decree, the Council of Ministers shall create, transform and close administrative structures, which are not provided for by the Constitution.

Article 36. (Amended, SG No. 24/2006) The administration of the executive branch of government shall comprehend the Administration of the Council of Ministers, the ministries, the state agencies, the administration of the state commissions, the executive agencies, the regional and municipal administrations and other administrative structures created by a statutory instrument, which are assigned functions in connection with the exercise of executive power.

Article 37. There shall be a central and a local administration of the executive branch of government.

Article 38. (1) The central administration of the executive branch of government shall comprise:

1. the Administration of the Council of Ministers;
2. the ministries;
3. the state agencies;
4. the administration of the state commissions;
5. the executive agencies;

6. (new, SG No. 24/2006) the administrative structures created by a statutory instrument, which are assigned functions in connection with the exercise of executive

power.

(2) The local administration of the executive branch of government shall comprise:

1. the regional administration;
2. the municipal administration;
3. (new, SG No. 24/2006) specialized local administrations created as legal persons by a statutory instrument.

Article 39. (Repealed, SG No. 24/2006).□

Article 40. (1) The Administration of the Council of Ministers shall facilitate the day-to-day activities of the Council of Ministers and the preparation for the meetings thereof.

(2) In the execution of the functions thereof, the Administration of the Council of Ministers shall coordinate the operation of the central and local administration of the executive branch of government.

(3) (Amended, SG No. 99/2001) The Administration of the Council of Ministers shall be a separate public-financed legal person.

(4) (Amended, SG No. 99/2001, SG No. 15/2012) The overall direction of the Administration of the Council of Ministers shall be implemented by the Prime Minister.

(5) (Repealed, SG No. 99/2001).

(6) (Amended, SG No. 99/2001) The Administration of the Council of Ministers shall be represented by the Prime Minister or by a person thereby empowered.

(7) (New, SG No. 99/2001, amended, SG No. 95/2003) The Prime Minister shall be an appointing authority in respect of the civil servants in the Administration of the Council of Ministers.

(8) (New, SG No. 99/2001, repealed, SG No. 95/2003).

Article 41. The organization of operation of the Council of Ministers, the structure, composition and functions of the separate units within the Administration thereof shall be determined by rules of organization adopted by the Council of Ministers.

Article 42. (1) A ministry shall be an administration which shall assist the activities of a government minister.

(2) Each ministry shall be a public-financed legal person.

(3) (Amended, SG No. 15/2012) The overall direction of the ministry shall be implemented by the competent government minister. As an administration, the ministry shall be represented by the minister or by an official empowered thereby.

(4) The rules of organization of each ministry shall be adopted by the Council of Ministers on a motion by the competent government minister.

(5) (New, SG No. 99/2001, amended, SG No. 95/2003) The [competent government minister shall be an appointing authority in respect of the civil servants in the ministry headed thereby.

(6) (New, SG No. 99/2001, repealed, SG No. 95/2003).

Article 43. The number of deputy ministers shall be determined by the rules of organization of the relevant ministry.

Article 44. For the exercise of the powers therein vested, a government minister may create local administrative units under the jurisdiction thereof, which shall be organized as directorates within the regional administration.

Article 45. (1) (Amended, SG No. 24/2006, SG No. 15/2012) In the implementation of the activities thereof, a government minister may create councils as expert advisory units for solution of problems within his or her special competence, as well as working groups for fulfilment of specific tasks.

(2) (Supplemented, SG No. 24/2006, amended, SG No. 15/2012) The councils referred to in Paragraph (1) may include experts, as well as representatives of non-

governmental organizations concerned with the activity of the relevant ministry.

(3) (New, SG No. 15/2012) The government minister may create working groups for the preparation of a bill or a draft of an act within the competence of the government where the said minister has been designated a sponsor of the said bill or draft act. The composition of the working group may furthermore include employees of other administrations with the consent of the competent chief secretary, of the Permanent Secretary of Defence and of the Permanent Secretary of the Ministry of Foreign Affairs, as the case may be.

(4) (Supplemented, SG No. 24/2006, renumbered from Paragraph (3), SG No 15/2012) The operation of such councils and working groups shall be serviced by the administrative units of the relevant ministry.

(5) (Supplemented, SG No. 24/2006, renumbered from Paragraph (4), SG No 15/2012) Each government minister shall present to the Council of Ministers an annual activity report of the ministry thereof and of its subordinate administrative structures.

Article 46. (Amended, SG No. 24/2006, amended and supplemented, SG No. 94/2008 amended, SG No. 24/2010) (1) At each ministry there shall be created an inspectorate, directly reporting to the government minister, for exercise of administrative control.

(2) Pursuing the activities thereof, the inspectorate shall seek to clarify the cases checked fully and accurately and to propose measures for solving these cases for the purpose of:

1. prevention and elimination of irregularities in the functioning of the administration;

2. independent and objective evaluation of the operation of the administration;

3. improvement of the performance of the administration.

(3) (Amended, SG No. 85/2017) The inspectorate shall implement the activities thereof according to internal rules endorsed by the competent executive authority on the basis of the ordinance under Article 46b (2) herein.

(4) The inspectorate shall:

1. (Amended, SG No. 85/2017) conduct planned and ad hoc inspections of structures, activities and processes in the administration;

2. assess the corruption risk and propose measures for reduction of the said risk;

3. collect and analyse information and conduct checks for detection of violations, corrupt practices and ineffective operation of the administration;

4. reviews observances of the laws, the instruments of secondary legislation and the intra-departmental acts on the organization of work of the administration employees;

5. may propose the institution of disciplinary proceedings upon detection of breaches of official duties, as well as of the Code of Conduct of State Administrator Employees;

6. check the alerts about unlawful or incorrect steps or omissions of administration employees;

7. (amended, SG No. 7/2018) exercise control and carry out examinations under the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act;

8. draw up written statements ascertaining administrative violations upon detection of violations on the part of administration employees, where so provided for in a law;

9. alert the prosecuting authorities where, upon conduct of checks, it has obtained data that a criminal offence has been committed;

10. propose new or the amendment of intra-departmental acts regulating the organization of work and operation of the administration;

11. (new, SG No. 85/2017) conduct inspections of the provision of administrative services;

12. (renumbered from Item 11, SG No. 85/2017) discharge other functions in connection with administrative control, ensuing from statutory instruments or assigned by the executive authority.

(5) (Amended, SG No. 15/2013, effective 1.01.2014, supplemented, SG No 60/2015) At each ministry, the inspectorate shall exercise administrative control over the activity of budget authorisers by sub-delegation except in cases, where provided for otherwise by law.

(6) Inspectorates shall be created in the administrations which are not covered by the control referred to in Paragraph (5).

(7) (New, SG No. 85/2017) Inspectorates shall prepare strategic and annual activity plans, approved by the respective head of the administrative structure, and with respect of the Chief Inspectorate – by the Prime Minister.

(8) (New, SG No. 85/2017) Every year inspectorates shall submit activity reports before the respective head of the administrative structure, and with respect of the Chief Inspectorate – before the Prime Minister.

(9) (Renumbered from Paragraph (7), SG No. 85/2017) Annually, not later than the 1st day of March, the inspectorate shall transmit to the Chief Inspectorate a report on the checks conducted under Paragraph (4) during the last preceding year.

(10) (New, SG No. 85/2017) Inspectorates shall not conduct inspections of commercial companies with state participation in the capital and state enterprises under Article 62 (3) of the Commerce Act.

(11) (New, SG No. 85/2017) Inspectorates shall not conduct inspections relating to budgetary discipline.

Article 46a. (New, SG No. 24/2006) (1) A Chief Inspectorate shall be created within the Administration of the Council of Ministers, directly reporting to the Prime Minister.

(2) (Amended, SG No. 94/2008, effective 1.01.2009, supplemented, SG No 24/2010, amended, SG No. 85/2017) The Chief Inspectorate shall:

1. coordinate and assist the activities of the inspectorates;
2. evaluate the activities of inspectorates in accordance with a procedure laid down in the ordinance under Article 46b (2);
3. coordinate and support the implementation of the state anti-corruption policy;

4. (amended, SG No. 7/2018) exercise control and carry out examinations under the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act, as well as for other violations of official duties;

5. review alerts of corruption of executive authorities and civil servants holding managerial positions, perform checks and inform the Prime Minister of the results;

6. perform the functions laid down in Article 46 (4) with respect to the administration of the Council of Ministers and the budget authorisers by sub-delegation to the Council of Ministers;

7. discharge other functions, specified by the Rules of Organization of the Council of Ministers and of the Administration Thereof or assigned thereto by the Prime Minister.

(3) (New, SG No. 24/2010, amended, SG No. 85/2017) Annually, not later than the 30th day of April, the Chief Inspectorate shall present to the Prime Minister a summarized report on the checks conducted, prepared on the basis of the reports referred to in Article 46 (9) herein.

Article 46b. (New, SG No. 24/2006) (1) (Amended, SG No. 85/2017) Eligible for appointment as heads of inspectorates and as inspectors shall be persons who:

1. (amended, SG No. 15/2012) meet the requirements established by the Classifier of Positions in the Administration with regard to professional experience,

with the length of service in the state administration counting as professional experience;

2. hold a master's educational and qualification degree.

(2) (New, SG No. 85/2017) The structure and the minimum number of staff of inspectorates, the procedure and manner for conducting their activities, and the interaction with the specialised control authorities shall be determined by an ordinance adopted by the Council of Ministers.

(3) (New, SG No. 85/2017) In the ordinance under Paragraph (2) the Council of Ministers can set additional requirements to be satisfied by heads of inspectorates and inspectors.

(4) (Renumbered from Paragraph (2), SG No. 85/2017) In the discharge of their functions, inspectors shall have the right to require documents, data, information, abstracts and other information mediums from the persons checked, if required for the conduct of checks.

(5) (Repealed, renumbered from Paragraph (3), SG No. 85/2017) Upon conduct of the checks, the inspectors shall have the right to require information from the central-government and local authorities, the judicial authorities and other institutions.

(6) (Renumbered from Paragraph (3), SG No. 94/2008, effective 1.01.2009, renumbered from Paragraph (4), SG No. 85/2017) Administration employees shall be obliged to fully cooperate with the inspectors in the discharge of their functions.

Article 47. (1) (Amended, SG No. 24/2006) A state agency shall be an administration directly reporting to the Council of Ministers, [established] to develop and implement a policy for which no ministry has been created.

(2) Each state agency shall be a public-financed legal person.

(3) By the decree creating any state agency, the Council of Ministers shall determine the manner of functioning and the administrative organization as shall be necessary for implementation of the activities thereof.

(4) Each state agency shall be headed and represented by a chairperson, who shall be designated by a Council of Ministers decision.

(5) (Amended, SG No. 64/2000, SG No. 24/2006) In the discharge of the functions thereof, the chairperson of each state agency shall be assisted by deputy chairpersons, the number whereof shall be determined by the decree referred to in Paragraph (3).

(6) (Amended, SG No. 64/2000, SG No. 99/2001) The Prime Minister shall conclude, modify and terminate the contracts with the chairperson and the deputy chairpersons [of any state agency].

(7) (New, SG No. 99/2001, amended, SG No. 95/2003) The [competent chairperson shall be an appointing authority in respect of the civil servants in the [state] agency headed thereby.

(8) (New, SG No. 99/2001, repealed, SG No. 95/2003, new, SG No. 24/2006 amended and supplemented, SG No. 15/2012) In the implementation of his or her activities, the chairperson may create councils as expert advisory units for solution of problems within his or her competence, as well as working groups for fulfilment of specific tasks. Such councils shall be created after consulting the respective deputy prime minister, and annual activity reports of the said councils shall be presented thereto. The councils may include experts as well as representatives of non-governmental organizations concerned with the activity of the respective state agency.

Article 48. The activities, structure, organization of operation and composition of each state agency shall be determined by rules of organization adopted by the Council of Ministers.

Article 49. The chairperson of each state agency shall present an annual activity

report of the state agency to the Council of Ministers.

Article 50. (1) A state commission shall be a collegial authority under the Council of Ministers or under a government minister for discharge of control, registration and authorization functions in the application of a law or a Council of Ministers decree.

(2) Each state commission shall be a public-financed legal person.

(3) By the decree creating any state commission, the Council of Ministers shall determine the manner of functioning and the administrative organization as shall be necessary for implementation of the activities thereof.

(4) The chairperson and the members of any state commission shall be designated by a Council of Ministers decision.

(5) (Amended, SG No. 99/2001) The Prime Minister shall conclude, modify and terminate the contracts with the chairperson and the members of any state commission.

(6) The chairperson shall direct the operation of the state commission and shall represent the said state commission.

(7) (New, SG No. 99/2001, amended, SG No. 95/2003) The [competent chairperson shall be an appointing authority in respect of the civil servants in the administration of the [state] commission headed thereby.

(8) (New, SG No. 99/2001, repealed, SG No. 95/2003).

Article 51. The activities, structure, organization of operation and composition of each state commission and of the administration thereof shall be determined by rules of organization adopted by the Council of Ministers.

Article 52. (Supplemented, SG No. 24/2006) The chairperson of each state commission shall present an annual activity report of the said commission to the Council of Ministers or to the government minister whereunder the commission was created.

Article 53. (Repealed, SG No. 15/2012).□

Article 54. (1) (Amended, SG No. 99/2001) An executive agency shall be an administration [established] under a specified government minister for administrative servicing of natural and legal persons, as well as for execution of activities and services related to support of the operation of the bodies of state power and of the administration.

(2) (Supplemented, SG No. 99/2001) Each executive agency shall be created by a law or by a Council of Ministers decree.

(3) (Repealed, SG No. 15/2013, effective 1.01.2014).□

(4) Each executive agency shall be headed and represented by an executive director.

(5) (Amended, SG No. 99/2001) The contract with the executive director of any executive agency shall be concluded, modified and terminated by the government minister whereunder the said agency has been created in coordination with the Prime Minister.

(6) The designation of an executive agency may exclude the adjective "executive".

(7) (New, SG No. 99/2001, amended, SG No. 95/2003) The [competent executive director shall be an appointing authority in respect of the civil servants in the [executive] agency headed thereby.

(8) (New, SG No. 99/2001, repealed, SG No. 95/2003, new, SG No. 24/2006 amended and supplemented, SG No. 15/2012) In the implementation of his or her activities, the executive director may create councils as expert advisory bodies for solution of issues within his or her competence, as well as working groups for fulfilment of specific tasks. Such councils shall be created after consulting the government minister whereunder the agency has been created, and annual activity

reports shall be submitted thereto. The councils may include experts as well as representatives of non-governmental organizations concerned with the activity of the respective executive agency.

Article 55. The activities, structure, organization of operation and composition of each executive agency shall be determined by rules of organization adopted by the Council of Ministers.

Article 56. The executive director of each executive agency shall present to the appointing executive authority an annual activity report of the executive agency.

Article 57. (1) A regional administration shall assist the regional governor in the exercise of the powers therein vested.

(2) Each regional administration shall be a public-financed legal person.

(3) Each regional administration shall be headed and represented by a regional governor, who shall be accountable to the Council of Ministers.

Article 58. The activities, structure, organization of operation and composition of the regional administration shall be determined by rules of organization adopted by the Council of Ministers.

Article 59. Each regional governor shall present to the Council of Ministers an annual activity report of the regional administration.

Article 60. (1) (Previous text of Article 60, SG No. 99/2001) The Council of Ministers may create by decree experimental laboratories, research institutes, educational centres or training centres, medical or rehabilitation centres and other such, whether under its own or under a government minister's jurisdiction.

(2) (New, SG No. 99/2001) The activities and organization of operation of the structures referred to in Paragraph (1) shall be determined by rules of organization adopted by the Council of Ministers or issued by the competent government minister, and the provisions of Chapter Two herein shall not apply.

Article 61. (Amended, SG No. 24/2006) (1) (Amended, SG No. 24/2010) An Administrative Register shall be established at the Council of Ministers, containing information regarding:

1. (amended, SG No. 57/2016) the administrative structures and their related legal entities referred to in Article 19 (8), the structures referred to in Article 60 (1), and the councils referred to in Article 21, including information regarding:

- a) their managerial bodies;
- b) the rules relating to the administrative servicing;
- c) the locations where they operate;
- d) the allocation of staff by locations;
- d) the office hours and visiting hours for each location;

2. (supplemented, SG No. 50/2016, effective 1.07.2016, amended, SG No 57/2016) the administrative services, including the internal administrative services, the electronic administrative services and the registration, licensing, authorization and clearance schemes, including the standard forms of documents, deadlines and tariffs related to them;

3. (amended, SG No. 57/2016) the occupied and vacant positions in the administration;

4. (amended, SG No. 57/2016) the notices of competitions;

5. (amended, SG No. 57/2016) the civil-service and employment relationships.

(2) (New, SG No. 57/2016) Organisations providing public services shall enter on the register referred to in Paragraph (1) information regarding:

1. their managerial bodies;
2. the public services in relation to which administrative services are provided;

3. the administrative services, including the internal administrative services, and the electronic administrative services;

4. the locations where they provide administrative services;

5. the visiting hours for each location.

(3) (Renumbered from Paragraph (2), amended, SG No. 57/2016) The Administrative Register shall be maintained as a single database, with entries made by employees designated by the respective head of administrative structure. The said employees shall be responsible for the accuracy of the information entered.

(4) (Renumbered from Paragraph (3), supplemented, SG No. 57/2016) The Administrative Register shall be public, except for the information referred to in Item 5 of Paragraph (1), and everyone shall be entitled to free access to the information in it, including for the purposes of reuse.

(5) (Amended, SG No. 24/2010, renumbered from Paragraph (4), supplemented, SG No. 57/2016) The circumstances to be entered, the terms and procedure for the keeping, maintenance and use of the Administrative Register, and the liability for failure to discharge responsibilities relating to the Register shall be established by an ordinance adopted by the Council of Ministers.

Article 62. (New, SG No. 24/2006) (1) (Amended, SG No. 24/2010) Annually, not later than the 1st day of March, the heads of administrative structures in the system of the executive branch of government shall submit a report on the state of the respective administration to the Chief Secretary of the Council of Ministers. Instructions regarding the procedure for providing this information shall be given by the Chief Secretary of the Council of Ministers.

(2) (Amended, SG No. 24/2010) Annually, not later than the 30th day of April, the Prime Minister shall present to the Council of Ministers a report on the state of the administration, which shall be adopted by the Council of Ministers. The said report shall be provided to the National Assembly for its information and shall be posted on the Internet site of the Council of Ministers

Article 63. (New, SG No. 24/2006, amended, SG No. 15/2012) The annual activity reports of the ministries, state commissions, state and executive agencies, regional administrations and councils referred to in Article 21 (1) herein shall assess the achievement of the strategic goals and priorities set in accordance with the programme of the Council of Ministers. These reports shall be posted on the Internet sites of the respective administrative structures or shall be made public in another customary manner annually not later than the 28th day of February.

Article 64. (New, SG No. 85/2017) The administration shall perform an overall quality management of its activities to effectively and efficiently achieve its strategic and annual objectives, including through quality management systems.

SUPPLEMENTARY PROVISION **(New, SG No. 30/2006)**

§ 1. (Declared unconstitutional by Constitutional Court Judgment No. 2/1999 as inconsistent with international treaties whereto Bulgaria is a party, promulgated, SG No. 8/1999, repealed, SG No. 99/2001, new, SG No. 30/2006) Within the meaning given by this Act:

1. "Administrative servicing" shall be any activity concerning the provision of administrative services by the administration structures and by organizations providing public services.

2. "Administrative service" shall be:

(a) issuance of individual administrative acts whereby legally relevant facts are certified;

(b) issuance of individual administrative acts whereby the existence of rights

or obligations is recognized or denied;

(c) performance of other administrative steps in which a natural or a legal person has standing;

(d) the advice, in which a natural or a legal person has standing, regarding an administrative law regime, which is provided by virtue of a statutory instrument or where related to the issuance of an administrative act or to the provision of another administrative service;

(e) the expert examinations, in which a natural or a legal person has standing, where a statutory instrument provides for the performance of such examinations as an obligation of the administration of a State body or by an empowered organization.

3. (New, SG No. 46/2007) "Internal administrative service" shall be an administrative service provided by one administrative body to another in the implementation of the powers thereof.

4. (Renumbered from Item 3, SG No. 46/2007) "Public services" shall be education, health, water supply, sewerage, heat power supply, electric power supply, gas supply, telecommunications, postal or other similar services, provided for satisfaction of public requirements, inter alia as business, in connection with the provision of which administrative services can be performed.

5. (Renumbered from Item 4 SG No. 46/2007) "Organization providing public services" shall be any organization, regardless of the legal form of the incorporation thereof, which provides one or more of the services covered under Item 4.

6. (New, SG No. 85/2017) "Administrative control" shall be an activity for verifying and assessing the actions of the administration for compliance with statutory and internal instruments for the purpose of achieving effectiveness, transparency in management, and prevention of corruption.

7. (New, SG No. 85/2017) "Quality management system" shall be a set of targeted and coordinated actions and processes that ensure the achievement of the goals of the administration, improved efficiency and effectiveness of its work, and apply appropriate analytical tools in view of the specificities of its activities and the needs of the stakeholders.

TRANSITIONAL AND FINAL PROVISIONS

§ 2. Within three months after the entry of this Act into force, the Council of Ministers shall adopt a Uniform Classifier of Positions in the Administration according to Article 13 (1) herein.

§ 3. Within one year after the entry of this Act into force, the bodies of state power shall bring the administrations thereof into conformity with the provisions of the said Act, save as otherwise established by a special law.

§ 4. Within one year after the entry of this Act into force, the Council of Ministers shall transform the existing administrative structures within the system of the executive branch of government and shall bring the administrations thereof into conformity with this Act.

§ 5. The existing designations of the administrative units and positions of employees shall be brought into conformity with the designations and positions as provided by this Act.

§ 6. Within six months after the entry of this Act into force, the executive authorities shall prepare rules of organization of the relevant administrations thereof in accordance with the requirements of this Act and shall present the said rules to the Council of Ministers for adoption.

§ 7. Within six months after the entry of this Act into force, the Council of Ministers

shall establish the register referred to in Article 61 herein, including a register of the administrative structures specified in Articles 36 and 53 herein and of the governing bodies thereof.

§ 8. (1) Any administrative structures within the system of the executive branch of government, which are not transformed within the time limit referred to in § 3 herein, shall be dissolved by liquidation within three months after expiration of the said time limit.

(2) Any agency or commission, which has been created by a law, shall not be transformed under this Act but the respective governing bodies thereof shall bring the administrative structure thereof into conformity with the provisions of this Act within the time limit referred to in § 3 herein.

§ 9. This Act shall supersede Chapter Nine "Region" of the Local Self-Government and Local Administration Act (promulgated in the State Gazette No. 77 of 1991; amended and supplemented in Nos. 24, 49 and 65 of 1995, No. 90 of 1996, No. 122 of 1997 and No. 33 of 1998).

§ 10. (Supplemented, SG No. 24/2006, amended, SG No. 24/2010) The implementation of this Act shall be entrusted to the Council of Ministers.

§ 11. This Act shall enter into force one month after the date of promulgation thereof in the State Gazette.

TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Administration Act
(SG No. 99/2001, effective 20.11.2001)

§ 18. The legal relationships with the persons who, in the capacity of civil servants, occupy positions of single-person authorities, any deputies thereof and members of collegial authorities covered under Article 19 (4) herein shall be transformed by an act of the appointing authority within fourteen days after the entry of this Act into force. The said persons shall keep any ranks attained and any unused portion of a leave.

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TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Administration Act
(SG No. 24/2006)

§ 28. (1) The archive and the data of the Register of Administrative Structures and of the acts of executive authorities and of Register of Civil Servants shall be merged into the Administrative Register.

(2) Within six months after the entry of this Act into force, the Minister of State Administration shall issue the ordinance referred to in Article 61(4) [of the Administration Act].

§ 29. Within one month after the entry of this Act into force, the persons referred to in Article 19 (6) [of the Administration Act] shall take steps for terminating the business as carried on, as well as their participation in management, supervisory or control bodies of commercial corporations or co-operatives with the exception of commercial corporations or co-operatives wherein the State or a municipality hold an interest in the capital.

TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Administration Act
(SG No. 42/2009)

§ 4. (1) Within one month after the entry of this Act into force, the persons referred to in Article 19 (6) of the Administration Act shall submit a declaration of

incompatibility under Item 1 of Article 12 of the Conflict of Interest Prevention and Disclosure Act.

(2) In the cases under Paragraph (1), where the existence of incompatibility has been declared, Article 13 (2) of the Conflict of Interest Prevention and Disclosure Act shall apply.

(3) Paragraphs (1) and (2) shall not apply to persons under Paragraph 1 who have submitted a declaration of incompatibility under Item 1 of Article 12 of the Conflict of Interest Prevention and Disclosure Act prior to the entry of this Act into force.

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TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Administration Act
(SG No. 24/2010)

§ 8. Until the adoption of a new ordinance referred to in Article 61 (4) [of the Administration Act], the effective ordinance shall apply, insofar as it does not conflict with this Act.

§ 9. Within three months after the entry into force of this Act, the Council of Ministers shall adopt the ordinance referred to in Article 61 (4) [of the Administration Act].

TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Conflict
of Interest Prevention and Disclosure Act
(SG No. 97/2010, effective 10.12.2010)

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§ 27. In the Administration Act (promulgated, SG No. 130/1998, modified by Judgment No. 2/1999 of the Constitutional Court of the Republic of Bulgaria, promulgated, SG No. 8/1999; supplemented, SG No. 67/1999, amended, SG No. 64/2000, SG No. 81/2000, amended and supplemented, SG No. 99/2001, corrected, SG No. 101/2001 amended, SG No. 95/2003, amended and supplemented, SG No. 19/2005, SG No. 24/2006, SG No. 30/2006, SG No. 69/2006, amended, SG No. 102/2006, amended and supplemented, SG No. 46/2007, supplemented, SG No. 78/2007, SG No. 43/2008 amended and supplemented, SG No. 94/2008, amended, SG No. 35/2009 supplemented, SG No. 42/2009, amended and supplemented, SG No. 24/2010 throughout the text the phrase "Conflict of Interest Prevention and Disclosure Act" shall be replaced by Conflict of Interest Prevention and Ascertainment Act"

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TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Administration Act
(SG No. 15/2012, amended and supplemented, SG No. 96/2015,
effective 1.01.2016, supplemented, SG No. 57/2016, amended,
SG No. 98/2016, effective 1.01.2017, SG No. 85/2017,
supplemented, SG No. 80/2018, effective 28.09.2018)

§ 16. (1) The aggregate staff size of the administration of the executive branch of government referred to in Articles 36 to 38 [of the Administration Act], as established in the respective organic instruments by the date of entry into force of this Act, may not be increased.

(2) (Amended, SG No. 96/2015, effective 1.01.2016, SG No. 85/2017) The Council of Ministers, acting within the powers vested therein, may effect compensated changes within the limits of the staff size referred to in Paragraph (1) on a motion by the budget authorisers by delegation after prior coordination with the administration of the Council of Ministers.

(3) Paragraphs (1) and (2) shall not apply in respect of the municipal

administrations.

(4) (New, SG No. 96/2015, effective 1.01.2016, amended, SG No. 98/2016 effective 1.01.2017) Paragraphs 1 and 2 shall not apply to the number of staff at the central executive administration for the purposes of the preparation and until the completion of the Bulgarian Presidency of the European Union during the 2018.

(5) (New, SG No. 96/2015, effective 1.01.2016, amended, SG No. 85/2017) The Council of Ministers can increase the number of staff under the conditions of paragraph 4 upon a proposal from the Minister of the Bulgarian Presidency of the Council of the EU in 2018.

(6) (New, SG No. 96/2015, effective 1.01.2016) Employees appointed under the conditions and in accordance with the procedure of paragraphs 4 and 5 shall occupy the respective positions under fixed-term employment relations or be transferred temporarily into another administration in accordance with the procedure of Article 81b of the Civil Servants Act until the completion of the activities relating to the Presidency.

(7) (New, SG No. 57/2016) Paragraphs (1) and (2) shall not apply to the ensuring of the provision of the activities relating to the implementation and/or management of projects or programmes financed with funds from the European structural and investment funds or other international financial institutions and donors, the beneficiary of which is an administration of the executive branch of government. In such cases, only for the duration of the corresponding project or programme activity, employees under temporary employment relationships can be employed, provided that their remuneration is eligible for financing entirely with funds from the project or programme. The provision of the activities relating to the implementation and/or management of programmes shall be ensured by increasing the staff size of the administrations of the executive branch of government.

(8) (New, SG No. 80/2018, effective 28.09.2018) Paragraphs (1) and (2) shall not apply to the increasing of the staff size of the Road Infrastructure Agency in connection with the reorganisation of the activities of the central administration of the Road Infrastructure Agency relating to defining functions for operating the Electronic Toll System under Article 10(1) of the Roads Act and in connection with the setting up of a specialised unit "National Toll Management".

§ 17. Within six months after the entry into force of this Act:

1. the Council of Ministers:

(a) shall adopt the rules referred to in Article 22a (2) of the Administration Act;

(b) shall bring the acts adopted thereby on the councils created into conformity with this Act.

2. The government ministers, the chairpersons of state agencies and the executive directors of executive agencies shall close or shall bring into conformity the councils created thereby which do not meet the requirements of this Act.

FINAL PROVISIONS

to the Act to Amend the Administration Act
(SG No. 82/2012)

.....
§ 16. The Council of Ministers and the Ministers shall bring statutory instruments of secondary legislation the adopted and respectively issued by them into conformity with this Act no later than one month after its entry into force.

FINAL PROVISIONS

to the Act to Amend and Supplement the Administrative Procedure Code
(SG No. 27/2014, effective 25.03.2014)

.....

§ 11. No later than three months after the entry into force of this Act, the Council of Ministers shall adopt the ordinance referred to in Article 18 (3) of the Administration Act.

§ 12. (1) The administrative bodies shall introduce the comprehensive administrative servicing no later than one year after entry into force of this Act.

(2) Compliance with the timetable under Paragraph 1 shall be assigned respectively to the Chief Secretary, the Permanent Secretary of Defence, and the Municipal Secretary and for the Ministry of Interior - to the Minister of Interior or to an official, authorised by him.

.....
FINAL PROVISION

to the Act to Amend and Supplement the Administration Act
(SG No. 85/2017)

§ 8. Within 5 months of the entry of this Act into force, the Council of Ministers shall adopt the ordinance under Article 46b (2).

TRANSITIONAL AND FINAL PROVISIONS

to the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act
(SG No. 7/2018)

.....
§ 17. The Administration Act (promulgated in the State Gazette No. 130 of 1998; [modified by] Constitutional Court Decision No. 2 of 1999, [promulgated in] No. 8 of 1999; amended in No. 8 of 1999, No. 67 of 1999, Nos. 64 and 81 of 2000, No. 99 of 2001; corrected in No. 101 of 2001, No. 95 of 2003, No. 19 of 2005, Nos. 24, 30, 69 and 102 of 2006, Nos. 46 and 78 of 2007, Nos. 43 and 94 of 2008, Nos. 35 and 42 of 2009, Nos. 24 and 97 of 2010, No. 69 of 2011, Nos. 15 and 82 of 2012, Nos. 15 and 17 of 2013, Nos. 19 and 27 of 2014, Nos. 60 and 96 of 2015, Nos. 50, 57 and 98 of 2016 and No. 85 of 2017) shall be amendeded as follows:

.....
2. In the Act, the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced passim by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".
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