

ACT ON ADMINISTRATIVE REGULATION OF ECONOMIC ACTIVITIES, RELATED TO CRUDE OIL AND PRODUCTS OF PETROLEUM ORIGIN

In force from 28.01.2019

Prom. SG. 62/27 Jul 2018, amend. and suppl. SG. 13/12 Feb 2019, amend. SG. 17/26 Feb 2019, amend. SG. 83/22 Oct 2019, amend. and suppl. SG. 9/31 Jan 2020, amend. SG. 28/24 Mar 2020, amend. SG. 44/13 May 2020, amend. SG. 51/5 Jun 2020, amend. and suppl. SG. 15/19 Feb 2021

Chapter one. GENERAL PROVISIONS

Art. 1. (1) This act shall regulate the conditions and procedure for registration and the control over the persons carrying out economic activities related to crude oil and products of petroleum origin.

(2) The act shall aim to achieve security and predictability in the trade in crude oil and petroleum products and to increase the energy security of the country.

Art. 2. (1)) In the meaning of this act, economic activities related to crude oil and products of petroleum origin shall be:

1. wholesale of crude oil and petroleum origin products;
2. retail sale of crude oil and petroleum origin products;
3. storage of crude oil and products of petroleum origin outside the tax warehouses or warehouses of registered recipients within the meaning of the **Excises and Tax Warehouses Act**;
4. transport of crude oil and petroleum origin products;
5. Filling of liquid petroleum gases (LPG) bottles outside tax warehouses;
6. distribution of bottles of LPG;
7. (repealed - SG 9/20, in force from 25.01.2020)

(2) This act shall not deal with activities related to:

1. exploration, study and extraction of petroleum and natural gas;
2. deliveries under **Art. 24, Para. 1, p. 1** and **Art. 26, Para. 2** of the Excises and Tax Warehouses Act;
3. sales of LPG bottles by persons not registered under this act when they are carried out under a contract with a registered person under par. 1, p. 6;
4. the production of fuels from the processing of used tires and plastic products;
5. (amend. SG, 13/19, in force of 28.01.2019) the solid products of petroleum origin;
6. (new, SG, 13/19, in force from 28.01.2019) temporary storage and / or fueling by persons, carrying out waste collection, transport and treatment activities under the **Waste Management Act** or the **Environment Protection Act**, of own products of petroleum origin outside the tax warehouses or warehouses of registered recipients, within the meaning of the Excise Duties and Tax Warehouses Act, which are intended for their own economic activity and are not subject to subsequent sale.

7. (new- SG 9/20, in force from 25.01.2020) temporary storage and / or fueling by a farmer registered under the **Agricultural Producers Support Act**, in containers and / or in tanks with total capacity of not more than 50 cubic meters of its own products of petroleum origin, outside tax warehouses or storage warehouses of registered recipients, within the meaning of the **Excise Duties and Tax Warehouses Act**, intended for the farmer's own agricultural activity, which are not subject of resale; the containers and / or storage tanks shall be fitted with measuring devices measuring the quantities withdrawn by them, in accordance with the requirements of the ordinance under **Art. 118, Para. 4 of the Value Added**

Tax Act or in accordance with Art. 118, Para. 10 of the same Act; the products are to be used for the purpose of fueling agricultural machinery of their own, rented one or already used on other legal basis, for which it is permissible to refuel outside the farm through transport vehicles of up to 1000 litres that are technically in good working order and fitted with fire extinguishing agents.

Art. 3. (1) Any person who performs an activity under **Art. 2, Para. 1**, shall be subject to registration under this act.

(2) The state and local authorities shall not be subject to registration under this act for all their activities under Art. 2, Para. 1 in their capacity as a state or local authority.

Art. 4. (1) The administrative regulation of economic activities related to crude oil and products of petroleum origin shall be carried out by the Minister of Economy who shall:

1. (amend. - SG 9/20, in force from 25.01.2020) issue certificates and orders under the law;
2. organize the control under **Chapter Two**;
3. organize the creation, maintenance and storage of a public register of registered persons in electronic form;
4. organize publishing on the website of the Ministry of Economy information on the necessary registration documents;
5. determine the form and procedure for providing information under this act;
6. interact with other central and local authorities of the executive power;
7. (amend. - SG 17/19) organize the administration of personal data in accordance with the requirements for its protection;
8. (amend. - SG 9/20, in force from 25.01.2020) organize the storage of the documentation in relation to submitted applications for registration and to registered persons for a period not shorter than 10 years from the date of deletion of the registration;
9. approve the specimens of documents under this act, including the register under **Art. 16, Para. 1**.

(2) To carry out the functions under Para. 1 the Minister of Economy shall be assisted by a specialized unit, which shall exercise the control under **Chapter Two**, by:

1. accepting and examining the submitted applications and the documents attached to them;
2. performing checks on the documents for execution and compliance with the conditions for registration under this act;
3. performing inspections of the site in which the activity under **Art. 2** is performed, for establishing the fulfillment of the requirements of the act upon filing an application for registration for carrying out activity under Art. 2;
4. drawing up acts for establishing administrative violations in the cases envisaged by this act;
5. performing the administrative and technical servicing of the activities of the Minister of Economy under this act;
6. keeping the register under Art. 16, Para. 1.

(3) The individual administrative acts of the Minister of Economy issued under this act shall be subject to appeal under the **Administrative Procedure Code**.

(4) (In force from 27.07.2018) The Minister of Economy shall issue an Ordinance, which shall determine the procedure and conditions for keeping the register under **Art. 16, Para. 1**.

Art. 5. (1) A Consultative council shall be set up for the cooperation between the state authorities and the persons conducting economic activities related to crude oil and petroleum origin products.

(2) The Consultative council shall be an advisory body comprising representatives of the Ministry of Energy, the Ministry of Finance, the Ministry of Economy, the Ministry of Agriculture, Food and Forestry, the Ministry of Environment and Water, the Automobile Administration Executive Agency and the Railway Administration Executive Agency, General Directorate "Fire Safety and Protection of the Population" at the Ministry of Interior, General Directorate "Combating Organized Crime" at the Ministry of Interior, State Agency for State Reserves and Wartime Stocks, State Agency for Metrology and Technical

Surveillance, Bulgarian Metrology Institute, Customs Agency, National Revenue Agency and representative branch organizations of persons carrying out the economic activities under **Art. 2, Para. 1**.

(3) The Chairman of the Consultative council shall be the Minister of Economy or Deputy Minister empowered by him.

(4) Organizational and technical support for the work of the Consultative council shall be carried out by the administration of the Ministry of Economy.

(5) The organization of the work and the composition of the Consultative council shall be determined by Rules issued by the Minister of Economy. The members of the Consultative council shall be appointed by an order of the Minister of Economy on a proposal of the heads of the respective administrations, respectively of the representative branch organizations.

Art. 6. (1) The Consultative council shall:

1. propose measures to optimize the control on the observation of the act and measures to improve the interaction between the public institutions responsible for its implementation;
2. make proposals to improve the joint work of the control bodies on the implementation of the act;
3. discuss issues related to the implementation of the act.

(2) The Consultative council may set up expert groups on specific issues within its competence.

Chapter two. REGISTRATION

Section I. General conditions for registration

Art. 7. (1) In order to be registered for carrying out activity under **Art. 2, para. 1**, each person shall meet the following conditions:

1. (amend. - SG 9/20, in force from 25.01.2020) to be a trader registered under the **Commerce Act**, the **Cooperatives Act** or the legislation of another Member State of the European Union or a State - party to the Agreement on the European Economic Area;
2. he is not in an insolvency procedure or liquidation;
3. he has not terminated registration under **Art. 176 of the Value Added Tax Act**;
4. the sole owner, the majority owners of the capital, the managers, the procurators, the members of the management or supervisory body of the person:
 - a) have not been convicted of an intentional crime of a general nature;
 - b) (suppl. - SG 9/20, in force from 25.01.2020) are not or have not been members of a management or supervisory body or unlimited liability partners in a company terminated due to insolvency in the last two years preceding the date of the decision to announce insolvency, if there are unsatisfied creditors
 - c) are not placed under full or limited guardianship;
 - d) have not been owners or members of management or supervisory bodies in a company which, at the time of filing the application for registration and / or during the previous year, there are not fulfilled obligations to create or store its individually specified stock levels under the **Act on Reserves of Crude Oil and Petroleum Products** established by a punitive decree;
5. (amend. - SG 9/20, in force from 25.01.2020) there are no obligations as per Art. 87, Para. 6 of the Tax-Insurance Procedure Code;
6. there are no unfulfilled obligations to create or store its individually determined stock levels under the **Act on Reserves of Crude Oil and Petroleum Products**, established by an enforced punitive decree unless they are paid at the time of filing the application.

(2) (Amend. - SG 9/20, in force from 25.01.2020) The persons registered under this Act shall carry out activities under Art. 2, Para. 1 only in facilities which are not included in the list under **Art. 23, Para. 7**.

Section II. Special conditions for registration

Art. 8. (1) (Amend. – SG, 13/19, in force from 28.01.2019, amend. - SG 9/20, in force from 25.01.2020) In order to be registered for carrying out activity under **Art. 2, para. 1, p. 1**, each person must meet the following special conditions:

1. to have assets or registered capital in the amount of, as follows:

a) BGN 50 000 - for a newly registered trader and a person with a net sales revenue for the previous calendar year of up to BGN 5 000 000;

b) BGN 100 000 - for a person with a net sales revenue for the previous calendar year from BGN 5 000 000 up to BGN 10 000 000;

c) BGN 200 000 - for a person with a net sales revenue for the previous calendar year from BGN 10 000 000 up to BGN 20 000 000;

d) BGN 500 000 - for a person with a net sales revenue for the previous calendar year from BGN 20 000 000 up to BGN 50 000 000;

e) BGN 1 000 000 - for a person with a net sales revenue for the previous calendar year over BGN 50 000 000;

2. in the case of a trade company, the term for which it is established must not be less than two years and 6 months from the date of submission of the application for registration.

(2) In order to be registered for carrying out activity under **Art. 2, Para. 1, p. 2**, each person must meet the following special conditions:

1. (amend. – SG, 13/19, in force from 28.01.2019, amend. - SG 9/20, in force from 25.01.2020) to have registered statutory capital in the amount of not less than BGN 20,000, or to have assets in the amount of not less than BGN 20,000 for each site;

2. (amend. - SG 9/20, in force from 25.01.2020) the site, from which the activity is to be carried out, when it is:

a) a gas station, must be permanently attached to real estate and:

aa) must meet the requirements for putting into operation or for tolerable construction within the meaning of the **Spatial Development Act**;

bb) must meet the condition under **Art. 118, Para. 6 of the Value Added Tax Act**, which circumstance is to be established officially by the National Revenue Agency;

b) a facility located internally, must be permanently attached to immovable property or be movable and:

aa) (suppl. – SG 15/21, in force from 19.02.2021) meet the requirements for commissioning or for tolerable construction, or for a movable site within the meaning of the **Spatial Development Act**, except for facilities located internally, serving construction sites of the first, second and third category, or a deposit for extraction of mineral resources, and/or a facility processing mineral resources within the meaning of the Mineral Resources Act, or servicing the activity of a carrier within the meaning of the Road Transport Act, who holds a license for transportation of passengers or goods on the territory of the Republic of Bulgaria, or a license for international transportation of passengers or goods - a Community license;

bb) meet the condition under **Art. 118, Para. 8 of the Value Added Tax Act**, which circumstance is to be established ex officio by the National Revenue Agency.

3. (amend. – SG 13/19, in force from 28.01.2019, repealed - SG 9/20, in force from 25.01.2020)

(3) In order to be registered for carrying out activity under **Art. 2, para. 1, p. 3**, each person must meet the following special conditions:

1. amend. – SG, 13/19, in force from 28.01.2019, amend. - SG 9/20, in force from 25.01.2020) to have assets or paid-up statutory capital in the amount, as follows:

a) BGN 50 000 - for a newly registered trader and a person with a net sales revenue for the previous calendar year up to BGN 5 000 000;

b) BGN 100 000 - for a person with a net sales revenue for the previous calendar year from BGN 5 000 000 to BGN 10 000 000;

c) BGN 200 000 - for a person with a net sales revenue for the previous calendar year from BGN 10 000 000 to BGN 20 000 000;

d) BGN 500 000 - for a person with a net sales revenue for the previous calendar year from BGN 20 000 000 to BGN 50 000 000;

e) BGN 1 000 000 - for a person with a net sales revenue for the previous calendar year of over BGN 50 000 000;

2. (new - SG 9/20, in force from 25.01.2020) in the case of being a company, the term for which it is established shall be not less than two years and 6 months from the date of submission of the registration documents;

3. (previous item 2, amend. - SG 9/20, in force from 25.01.2020) to have its own or leased containers and/or storage tanks for oil and/or petroleum products;

4. (previous item 3, amend. - SG 9/20, in force from 25.01.2020) the storage site must be permanently attached to an immovable property and meet the requirements for commissioning or for tolerable construction within the meaning of the **Spatial Development Act**;

5. (previous item 4 - SG 9/20, in force from 25.01.2020) the activity under **Art. 2, Para. 1, p. 3** shall be carried out only on sites:

a) (amend. - SG 9/20, in force from 25.01.2020) which are located in premises owned and rented by the persons and / or areas for performing the activity, meeting the security and control conditions specified in item 6;

b) in which are installed metering and control devices, allowing the control of the incoming, stored and removed from the site crude oil and / or products of petroleum origin meeting the requirements of the **Measurements Act**;

c) in which are used automated reporting systems to enable the control of stored crude oil and / or petroleum origin products in real time, including in the identity data of their owner;

d) (repealed - SG 9/20, in force from 25.01.2020)

e) in which are used measuring instruments meeting the requirements of the **Measurements Act**;

6. (previous Para. 5 - SG 9/20, in force from 25.01.2020) the storage site:

a) is distinct, and the premises and facilities are not directly related to such premises outside it;

b) has a physical security or signaling equipment;

c) all exterior windows, gates and fences must be provided with locking devices;

d) the premises are appropriately designated by indicating the type of activities carried out in the site;

e) complies with the special regulations for their operation, including fire safety norms and rules;

f) containers and tanks on the site must have a permanent identification and a mark on them of the total capacity and trade name of the product;

7. (previous Para. 6 - SG 9/20, in force from 25.01.2020) to hold a license to carry out the activity when required by another act.

(4) In order to be registered for carrying out activity under **Art. 2, para. 1, p. 4**, each person must meet the following special conditions:

1. (amend. - SG 9/20, in force from 25.01.2020) for road transport activities:

a) the means of transport, with which the activity is to be carried out, shall meet the requirements of the Automobile Transport Act, which is certified ex-officio by the Executive Agency "Automobile Administration";

b) the means of transport, with which the activity is to be carried out, must be fitted with measuring devices meeting the requirements of the Measurements Act and its implementing regulations, which is to be certified ex officio by the Bulgarian Institute of Metrology, except the means of transport used for loading with no commercial payment;

2. for railway transport activity: to the requirements of the **Railway Transport Act**, certified by the Executive Agency "Railway Administration".

(5) For carrying out activity under **Art. 2, Para. 1, p. 5**, each person must meet the following special conditions:

1. (amend. – SG, 13/19, in force from 28.01.2019, amend. - SG 9/20, in force from 25.01.2020) to have paid-up statutory capital in the amount of not less than BGN 20,000, or to have assets in the amount of not less than BGN 20 000;

2. (amend. - SG 9/20, in force from 25.01.2020) the site from which the activity is to be performed should be permanently attached to a real estate property and meet the requirements for putting into operation or for tolerable construction within the meaning of the **Spatial Development Act**;

3. (new - SG 9/20, in force from 25.01.2020) the site, from which the activity will be carried out, shall meet the requirements for the safe operation of gas installations for liquefied hydrocarbon gases, which is certified ex-officio by the State Agency for Metrological and Technical Supervision.

(6) For carrying out activities under **Art. 2, Para. 1, p. 6**, each person shall meet the following special conditions:

1. (amend. – SG, 13/19, in force from 28.01.2019, amend. - SG 9/20, in force from 25.01.2020) to have registered capital in the amount of not less than BGN 20,000, or to have assets in the amount of not less than BGN 20 000;

2. (amend. - SG 9/20, in force from 25.01.2020) have at least 1000 own bottles of LPG storage;

3. (amend. - SG 9/20, in force from 25.01.2020) in the event that the person carries activity on the distribution of bottled LPG, he shall submit an LPG filling contract with a person registered for carrying out activity under **Art. 2, Para. 1, p. 5**, or with a person who has received a tax warehouse management license within the meaning of the **Excises and Tax Warehouses Act**, in which the loading is carried out.

(7) (repealed - SG 9/20, in force from 25.01.2020)

Section III. Collateral

Art. 9. (1) (Amend. – SG, 13/19, in force from 28.01.2019, amend. - SG 9/20, in force from 25.01.2020) Persons carrying out economic activities related to crude oil and petroleum origin products upon filing of an application for registration shall be obliged to provide collateral, except for the activities under **Art. 2, Para. 1, p. 2 and 4**.

(2) The collateral serves to fulfill not paid required obligations arising under this act, the **Act on Reserves of Crude Oil and Petroleum Products**, the **Ambient Air Quality Act**, the **Excises and Tax Warehouses Act** and the **Value Added Tax Act**, except for the liabilities for which a collateral has been provided on another legal basis.

Art. 10. (1) The collateral under **Art. 9, Para. 1** may be constituted by a cash deposit or an unconditional and irrevocable bank guarantee. When providing collateral in money, the person shall pay the collateral in BGN to an account of the Ministry of Economy.

(2) When providing collateral in a guarantee, the bank shall undertake unconditionally and irrevocably to pay at the first written request by the Minister of Economy the amount stated in the request up to the amount of the guarantee.

(3) The term of the guarantee shall not be shorter than one year and six months, as of the date of filing of the application under **Art. 17, Para. 1**.

(4) Within 14 days before the expiration of the term under Para. 3 the registered person shall be obliged to provide a new collateral. The amount of the new collateral shall be determined in accordance to **Art. 11**.

(5) No interest shall be payable on the collateral deposited in cash.

(6) The model form of the bank guarantee shall be approved by the Ordinance under **Art. 4, Para.**

4.

Art. 11. The amount of the collateral shall depend on the economic activities related to the crude oil and products of petroleum origin for which the person applies for registration:

1. (amend. - SG 9/20, in force from 25.01.2020) for the persons under **Art. 2, Para. 1, p. 1 and p. 3** as follows:
 - a) BGN 15 000 - for a newly registered trader and a person with a net sales revenue for the previous calendar year up to BGN 5 000 000;
 - b) BGN 30 000 - for a person with a net sales revenue for the previous calendar year from BGN 5 000 000 to BGN 10 000 000;
 - c) BGN 60 000 - for a person with a net sales revenue for the previous calendar year from BGN 10 000 000 to BGN 20 000 000;
 - d) BGN 100 000 - for a person with a net sales revenue for the previous calendar year from BGN 20 000 000 to BGN 50 000 000;
 - e) BGN 500 000 - for a person with a net sales revenue for the previous calendar year over BGN 50 000 000;
2. (repealed, - SG, 13/19, in force from 28.01.2019)
3. for the persons under **Art. 2, Para. 1, p. 5** – BGN 20 000;
4. for the persons under **Art. 2, Para. 1, p. 6** – BGN 100 000.

Art. 12. In the event of a change in the circumstances relevant to determining the amount of the collateral, the person shall provide a new one and submit a new application within 7 days prior to the change under **Art. 15, Para. 1**.

Art. 13. (1) The collateral shall be released and the person shall be deleted from the register under **Art. 16, Para. 1** before the expiration of the term under **Art. 10, Para. 3**, when the registration of the person under this act is terminated and there are no outstanding obligations under **Art. 9, Para. 2**.

(2) To release the collateral, the person shall submit a request to the Minister of Economy. The collateral shall be released within 30 days from the receipt of the request in the cases when no verification has been given within the same time limit for establishing the existence or absence of unpaid obligations.

(3) Where the collateral is constituted by a cash deposit, the Minister of Economy shall take action to recover the amount on a designated bank account of the person.

(4) When the collateral is an unconditional and irrevocable bank guarantee, the Minister of Economy shall return to the person the original of the guarantee.

(5) Upon release of the collateral, the person shall be deleted from the register under **Art. 16, Para. 1** on the day of release.

Art. 14. (1) Where there is an unpaid outstanding obligation under **Art. 9, Para. 2**, at the request of the respective state body, which has established the receivables under the provisions of Art. 9, Para. 2 of the normative acts, the Minister of Economy shall order the specialized unit under **Art. 4, Para. 2** to take the necessary actions for the absorption of the collateral. Absorption may also take place before the enforceable instrument enters into force when its execution is admissible.

(2) The procedure for utilization of the collateral under Para. 1 shall be determined by the Ordinance under Art. 4, Para. 4.

(3) The debts which have been released after the absorption of the collateral under this law shall be handed over for enforced collection of a public contractor under the procedure of the **Tax Insurance Procedure Code** or of a bailiff under the procedure of the **Civil Procedure Code**.

(4) Upon the absorption of the collateral, in full or in part, and subject to the conditions for registration under this act, the person shall provide a new collateral within 14 days of its absorption. The new collateral shall be in the sizes under Art. 11.

Art. 15. (1) At the request of the registered person, a collateral, provided and registered may be replaced by an equivalent collateral of another kind pursuant to **Art. 10**.

(2) The person shall provide the new type of collateral by filing an application in a standard form to the Minister of Economy.

(3) The term of the new type of collateral may not be shorter than the remaining term of the collateral for which the replacement is claimed.

(4)) After entering the new type of collateral in the register under **Art. 16, Para. 1** the replaced collateral shall be released in accordance with **Art. 13**.

Section IV. Procedure for registration

Art. 16. (1) A register of persons engaged in economic activities related to crude oil and petroleum origin products shall be kept at the Ministry of Economy.

(2) (Suppl. - SG 9/20, in force from 25.01.2020) For each of the activities under **Art. 2, Para. 1** a separate registration of the person shall be made.

(3) Upon entry in the register, the persons carrying out economic activities related to crude oil and petroleum origin products shall be issued a certificate by the Minister of Economy or a Deputy Minister authorized by him.

(4) (Amend. - SG 9/20, in force from 25.01.2020) The certificate under Para. 3 shall contain: number and date of registration, name (company), seat and address of the applicant's management, identification data of the applicant, type of activity under **Art. 2, Para. 1**, for which he is registered, the sites from which the activity will be carried out and the means of transport to be carried out carriage.

(5)) A certified copy of the certificate under Para. 3 shall be placed in a prominent position in the site and for the vehicles it shall be carried by the driver of each means of transport.

Art. 17. (1) Persons carrying out economic activities related to crude oil and petroleum origin products shall register with the Ministry of Economy by submitting an application for each of the activities under **Art. 2, Para. 1** according to a standard form, approved by the Minister of Economy, which shall contain:

1. identification data of the applicant;
2. description of the activities, for which registration is required;
3. data on crude oil and petroleum origin products with which the activity will be carried out, subject to registration, described in words and by codes of the current for the relevant year Combined Nomenclature of the European Union of Commission Implementing Regulation (EU) No 1006/2011 of 27 September 2011 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 282/1 of 28 October 2011), hereinafter referred to as the 'Combined Nomenclature ";
4. detailed information on all commercial activities and regimes that will result in the acquisition of crude oil and petroleum origin products, trade and storage sites, including imports and intra-Community arrivals (ICA);
5. (repealed - SG 9/20, in force from 25.01.2020)
6. type of the site for carrying out retail trade upon request for registration for carrying out activity under **Art. 2, Para. 1, p. 2**;
7. address for correspondence, contact person, and in the case of three or more sites or means of transport - the relevant contact persons, telephone and e-mail address.

(2) The following documents shall be attached to the application:

1. a document identifying the person who represents the trader, if the applicant is a person registered under the legislation of a Member State of the European Union or a state-party to the European Economic Area Agreement;
2. (repealed - SG 9/20, in force from 25.01.2020)
3. (amend. - SG 9/20, in force from 25.01.2020) a certified copy of a document of ownership or other document certifying the existence of real or bond rights for the use of the premises which are listed as

a registered and management address;

4. (amend. – SG, 13/19, in force from 28.01.2019, amend. - SG 9/20, in force from 25.01.2020) a copy of a payment order for the amount deposited / original of the bank guarantee according to the type of collateral provided, except for the activities under **Art. 2, Para. 1, p. 2 and 4**;

5. (amend. - SG 9/20, in force from 25.01.2020) a list of identification data of the sites and facilities, in which the economic activity will be carried out, respectively of the vehicles, with which the economic activity will be carried out under Art. 2, Para. 1, item 4, and for the activities under Art. 2, Para. 1, p. 2 and 3 - also a flowchart indicating and numbered the tanks, pumping stations, process pipelines, installations for loading or unloading;

6. (amend. - SG 9/20, in force from 25.01.2020) declaration for the fulfillment of the general conditions for registration under **Art. 7, Para. 1, items 1, 2, 4 and 6**, as well as the special conditions under **Art. 8, Para. 3, items 5 and 6** according to the model approved by the ordinance under **Art. 4, Para. 4**;

7. (amend. - SG 9/20, in force from 25.01.2020) certified copies of documents for ownership or use and a situational sketch of the land properties with indication of the exact GPS coordinates of the facilities, from which the activity under **Art. 2, para. 1, items 2, 3 and 5** will be carried out;

8. (new - SG 9/20, in force from 25.01.2020, suppl. – SG 15/21, in force from 19.02.2021) a document certifying that the site meets respectively the conditions of **Art. 8, Para. 2, item 2, letter "a", sub-letter "aa" and letter "b", sub-letter "aa", Para. 3, item 4 or Para. 5, item 2**, issued by a competent authority in accordance with the **Spatial Development Act**, or a declaration by the applicant that the facility located internally is permanently attached to the ground, when servicing a construction of the first, second and third category, or a deposit for extraction of mineral resources, and/or a facility processing mineral resources within the meaning of the Mineral Resources Act, or servicing the activity of a carrier within the meaning of the Road Transport Act, which holds a license for transportation of passengers or goods on the territory of the Republic of Bulgaria, or a license for international transportation of passengers or goods - a Community license;

9. (new - SG 9/20, in force from 25.01.2020) a declaration that in carrying out activity under Art. 2, para. 1, item 4 with transport vehicles that are not fitted with measuring devices meeting the requirements of the **Measurements Act** and the implementing regulations thereof, said vehicles shall not be used for loading followed by commercial payments.

(3) (Amend. - SG 9/20, in force from 25.01.2020) One application may request the entry of more than one site or transport vehicle.

(4) (New - SG 9/20, in force from 25.01.2020) The information under **Art. 7, Para. 1, item 3** shall be obtained ex officio from the register of the National Revenue Agency, and the information under **Art. 7, Para. 1, item 5** shall be required pursuant to **Art. 87, para. 11 of the Tax-Insurance Procedure Code**.

(5) (New - SG 9/20, in force from 25.01.2020) The conditions and the order for submission of the application under Para. 1 shall be determined by the ordinance under **Art. 4, Para. 4**.

Art. 18. (1) Within 7 working days from the receipt of the application under **Art. 17, Para. 1** officials from the specialized unit under **Art. 4, Para. 2** shall verify the documents attached thereto.

(2) Within 7 working days from the completion of the inspection, the officials under Para. 1 shall notify the applicant in writing of the removal of inadequacies identified and / or inaccuracies in the submitted documents. Within 14 working days of receipt of the notification, the applicant shall correct incompleteness and / or inaccuracies.

(3) (Suppl. - SG 9/20, in force from 25.01.2020) Within 10 working days from the end of the inspection under Para. 1 or from the elimination of the incompleteness and / or inaccuracies under Para. 2 the officials under Para. 1 shall propose to the Minister of Economy or to a Deputy Minister empowered by him to issue a certificate for entry into the register, respectively a motivated order for refusal for entry in the register

(4) The certificate for entry in the register shall be obtained personally by the applicant or by a

person authorized by a notary certified person.

(5) In case of loss, theft or destruction of the certificate of entry in the register, the applicant shall submit an application to the Minister of Economy for issuing a duplicate.

Art. 19. (1) The Minister of Economy or a Deputy Minister empowered by him shall refuse, by a reasoned order, entry in the Register of persons engaged in economic activities related to crude oil and products of petroleum origin:

1. in case the applicant does not meet a general or special condition for registration under Sections I and II of Chapter Two of this act;

2. in case of incompleteness and / or inaccuracies in the submitted documents, which have not been removed within the term under **Art. 18, Para. 2**.

(2) The refusal under Para. 1 shall be communicated within 7 days of its issuance and may be appealed in accordance with the **Administrative Procedure Code**.

Art. 20. The rights arising from the registered registration shall not be transferred and given to someone else, except in the case of transformation of a commercial company under the **Commerce Act** or under the legislation of another Member State of the European Union or a state - party to the European Economic Area Agreement and provided that the person to whom the rights are transferred or given to someone else fulfills the conditions for entry in the register under **Art. 16, Para. 1**.

Art. 21. (1) In case of change of the circumstances under **Art. 17** within 7 days from their occurrence, the person who receives registration shall file an application with the Minister of Economy and shall attach the documents certifying the change.

(2) In the event of a change in the circumstances of the registration certificate, the updated data for the applicant shall be entered, and the dates of the amendments and / or additions to the certificate shall be entered at the date of issue of the certificate

(3) The entry or the refusal to enter the changed circumstances shall be carried out under the conditions and procedure of **Art. 17-19**.

Section V. Public register

Art. 22. (1) The register under **Art. 16, Para. 1** shall be public, kept in electronic form on the website of the Ministry of Economy and shall be kept in a form approved by the Ordinance under **Art. 4, Para. 4**.

(2) In the register under **Art. 16, Para. 1** shall be entered:

1. the name and legal form of the legal person or the name of the natural person who is registered;

2. identification data;

3. headquarters and address of management, as well as headquarters and addresses of branch offices, if any;

4. the governing bodies, the full names of the persons who manage or represent it, and the manner of representation; if members of management bodies or representatives are legal entities, their name, registered office, management address, UIC and the full names of the persons representing them shall be entered accordingly;

5. the period for which the company is incorporated;

6. (suppl. – SG 13/19, in force from 28.01.2019) amount of the paid-up statutory capital of the company, or the amount of the assets;

7. date of receipt of the application for registration at the Ministry of Economy;

8. the number and date of the registration certificate;

9. the activities under **Art. 2, Para. 1** for which the registration has been made;

10. (amend. - SG 9/20, in force from 25.01.2020) the list and the identification data of the sites in which the relevant economic activity will take place, including the type of retail business premises, vehicles and LPG filling cylinders;

11. (amend. - SG 9/20, in force from 25.01.2020) data on crude oil and products of petroleum origin, with which the activity subject to entry will be carried out, described in words and by codes according to the Combined Nomenclature;
12. information on all commercial activities and regimes that will result in the acquisition of crude oil and petroleum products, subject to trade and storage, including import and intra-Community arrivals (ICA);
13. date and order number of the change of circumstances in the registration and number and date of the new registration certificate;
14. (amend. - SG 9/20, in force from 25.01.2020) date and number of the order for termination of the registration;
15. the type and amount of the collateral provided and, in the case of an irrevocable and unconditional bank guarantee, a date by which it is valid.

Section VI.

Termination of registration and deletion from the register

Art. 23. (1) The Minister of Economy or Deputy Minister empowered by him shall issue an order for termination of the registration and deletion from the register:

1. upon the request of the registered person;
2. where a registered person ceases to satisfy a general or special condition for registration under **Sections I and II** of Chapter Two; when the registered person ceases to meet a special condition only in respect of a particular activity under **Art. 2, Para. 1** or a separate object, the registration is terminated only with respect to the relevant activity / object

3. (new - SG 9/20, in force from 25.01.2020) in case of an offense committed under **Art. 25, para. 1**; in such cases, the registration shall be terminated only for the site where the offense was committed.

(2) (Amend. - SG 9/20, in force from 25.01.2020) Within 14 days from the occurrence of the circumstances under Para. 1, item 1 and 3, officials from the specialized unit under **Art. 4, Para. 2** shall prepare a report and propose to the body under Para. 1 to issue an order for termination of registration and deletion from the register.

(3) (New - SG 9/20, in force from 25.01.2020) Within 14 working days of establishing a circumstance under Para. 1, item 2, the specialized unit under Art. 4, Para. 2 shall notify the registered person in writing of the established non-compliance. Within 14 working days of receipt of the notification, the person shall be obliged to eliminate the non-compliance. When the non-compliance is not remedied within the time limit, the specialized unit shall prepare a report and propose to the authority under Para. 1 to issue an order for termination of registration and deletion from the register.

(4) (Prev. Para. 3, amend. - SG 9/20, in force from 25.01.2020) Within 14 days from receipt of the proposal under Para. 2 or 3, the authority under Para. 1 shall issue an order for termination of registration and deletion from the register, which is subject to preliminary execution, unless the court orders otherwise.

(5) (Prev. Para. 4, amend. - SG 9/20, in force from 25.01.2020) The specialized unit under Art. 4, Para. 2 shall immediately notify the State Agency "State Reserve and Wartime Stocks" of any not remedied non-compliance with Para. 3 and for any order issued for termination of registration, and for deletion from the register of a person performing activity under **Art. 2, Para. 1, items 1 and 3**.

(6) (Prev. Para. 5, amend. - SG 9/20, in force from 25.01.2020) The order under Para. 4 shall be subject to appeal pursuant to the **Administrative Procedure Code**.

(7) (New - SG 9/20, in force from 25.01.2020) The Ministry of Economy shall publish on its [website](#) a list of the objects that cannot be entered in the register under **Art. 16, Para. 1** for the term under **Art. 29, Para. 1** and **Art. 32, Para. 1 and 3**. The terms and procedure for keeping the list shall be determined by the ordinance under **Art. 4, Para. 4**.

Chapter three. SPECIAL PROVISIONS

Art. 24. (Amend. - SG 9/20, in force from 25.01.2020) (1) It shall be forbidden to refuel with products of petroleum origin from road vehicles, non-road machinery or mechanization of third parties through a facility located internally.

(2) A facility located internally and a petrol station may not use common tanks and / or flow / volume measuring devices.

(3) Para. 1 shall not apply when the internal site:

1. serves one or more concessions for the extraction of underground resources within the meaning of the **Underground Natural Resources Act**, the rights over which are held by the same concessionaire within the territory of one administrative district, and the respective road vehicles, non-road machinery or third-party machinery are used by them for carrying out activities or providing services in favor of the concessionaire in the territory of the concession area or at the processing site for the extracted underground resources;

2. is located in a concession territory within the meaning of the Concessions Act, or serves a first, second and third category construction within the meaning of the **Spatial Development Act** and the relevant road vehicles, non-road machinery or third-party machinery are used to carry out activities or supply services in favour of the person registered to carry out activities under **Art. 2, Para. 1, item 2** of the internal site under a contract in connection with the concession or the construction.

Art. 25. (1) (Amend. - SG 9/20, in force from 25.01.2020) It shall be prohibited to refuel road vehicles or non-road equipment or mechanization from other road vehicles, movable facilities or mobile tanks with petroleum products that have not been accounted for under the **Value Added Tax Act** and the ordinance under Art. 118, Para. 4 of the same act.

(2) (Amend. - SG 9/20, in force from 25.01.2020) It shall be prohibited to carry out activities for filling LPG pressure vessels outside tax warehouses within the meaning of the **Excise Duties and Tax Warehouses Act**, as well as outside the sites registered under the act for carrying out activity as per **Art. 2, Para. 1, item 5**.

(3) (New – SG 13/19, in force from 28.01.2019, amend. - SG 9/20, in force from 25.01.2020) It shall be prohibited to refuel facilities under Art. 23. or is with products of petroleum origin at sites included in the list under **Art. 23, Para. 7**.

Chapter four. CONTROL

Art. 26. (1) The control over compliance with the requirements of the act shall be carried out individually or jointly by officials designated by the bodies of the Ministry of Economy, the Ministry of Interior, the National Revenue Agency, the Customs Agency, the State Agency for State Reserve and Wartime Stocks, the State Agency for Metrological and Technical Supervision and the Bulgarian Institute of Metrology.

(2) In exercising their control functions, the officials under Para. 1 have the right:

1. to a free access in the administrative premises and sites of the inspected persons;

2. to require from the inspected person documents, data, information, reports and other media of information related to an activity under **Art. 2, Para. 1**;

3. to seal premises and sites when carrying out activities under this act in contravention of a condition established in Chapter Two or without registration;

4. to require from third parties the information and documents necessary for carrying out the inspections;

5. to require written explanations from the inspected persons;
6. to prepare written requests by the Minister of Economy for provision of information from the competent authorities of other countries necessary to carry out the control activity.
7. (new - SG 9/20, in force from 25.01.2020) to carry out inspections and, when establishing violations, to draw up an act for establishing an administrative violation to do with the activities registered;
8. (new - SG 9/20, in force from 25.01.2020) to receive assistance from the bodies of the Ministry of Interior, municipalities and mayoralities during or in connection with the performance of their official duties under this act.

(3) (Suppl. - SG 9/20, in force from 25.01.2020) For the results of the inspections the employees under Para. 1 shall prepare protocols of findings to do with the activities registered.

(4) The procedure and the way of realization of the interaction shall be determined by a joint instruction between the heads of the respective administrations.

Art. 27. Bodies and employees to whom certain information, facts and circumstances have been provided, or have become known in the course of or in connection with the performance of their official duties under this Act shall be obliged not to use it for purposes other than their direct execution, with exception of cases of a written request from a public authority where this is provided for by an act or at the request of the relevant services of the European Commission or of another Member State of the European Union.

Chapter five.

COMPULSORY ADMINISTRATIVE MEASURES AND ADMINISTRATIVE PENAL PROVISIONS

Section I.

Compulsory administrative measures

Art. 28. (1) (Amend. - SG 9/20, in force from 25.01.2020) In case a person performs an activity under **Art. 2, Para. 1**, in violation of a condition, established in **Chapter Two** or without registration, officials authorized determined as per **Art. 26, Para. 1**, shall issue an order suspending the activity of the person concerned and sealing his undertaking until the relevant condition is fulfilled for carrying out the activity, respectively by the registration of the person for carrying out the activity.

(2) Where the violation is for a separate activity under Art. 2, Para. 1 or a separate subject of the controlled person, only the respective activity is discontinued and only the relevant object is sealed accordingly.

(3) The order under Para. 1 shall be issued and appealed according to the procedure of the **Administrative Procedure Code**. The appeal shall not suspend the enforcement unless the court rules otherwise

Section II.

Administrative-penal responsibility

Art. 29. (1) (Suppl. - SG 9/20, in force from 25.01.2020) A person who carries out activity under **Art. 2, Para. 1** without registration, outside its scope, or in breach of a condition laid down in Sections I and II of Chapter Two, shall be liable to a fine in the amount from BGN 15 000 to 100 000, respectively a pecuniary sanction between BGN 25,000 and 250,000. When the activity is carried out in a site that is not listed in the register under **Art. 16, para. 1**, this site cannot be entered in the register within two years from the date of entry into force of the penal decree.

(2) The crude oil and / or petroleum products transported, the vehicles and other facilities used for carrying out activities under **Art. 2, Para. 1, p. 4** without registration, shall be forfeited in favor of the state,

regardless of whose ownership are they.

(3) In the event that crude oil and / or petroleum origin products, withdrawn for the benefit of the state constitute emergency stocks, their status shall remain unchanged until the expiry of the period in which they are to be maintained and stored as emergency stocks.

(4) A person who, as a legal representative of a legal person or a sole trader, has committed an offense under para. 1, shall be liable to a fine in the amount of BGN 1000 to 10 000.

(5) (Suppl. - SG 9/20, in force from 25.01.2020) For a repeated violation under Para. 1, the fine shall be in the amount from BGN 30 000 to BGN 200 000, respectively the proprietary sanction shall be in the amount of BGN 50 000 to 500 000.

Art. 30. (Suppl. - SG 9/20, in force from 25.01.2020) A person pursuing an activity under **Art. 2, Para. 1**, who presented a document with false, inaccurate or incomplete information or did not provide a document certifying the security made, in the instructions of the term under **Art. 10, Para. 4** and / or **Art. 12**, if the act does not constitute a crime, it shall be liable to a fine of BGN 2,000 to BGN 5,000, respectively a proprietary sanction of BGN 5,000 to BGN 10,000. For a repeated violation, the fine shall be in the amount from BGN 5 000 to BGN 15 000, respectively the property sanction shall be between BGN 5,000 and BGN 20,000

Art. 31. (1) (Suppl. - SG 9/20, in force from 25.01.2020) Whoever violates the prohibition of **Art. 24, Para. 1 and / or Para. 2**, shall be punished with a fine in the amount from BGN 15 000 to 100 000, respectively with a property sanction in the amount of BGN 25 000 to 250 000.

(2) The crude oil and / or products of petroleum origin, vehicles, equipment and immovable property, subject to or used for committing the offense under Para. 1, shall be forfeited in favor of the state, regardless of the ownership thereof.

Art. 32. (Amend. - SG 9/20, in force from 25.01.2020) (1) Whoever violates the prohibition of **Art. 25, Para. 1**, shall be liable to a fine in the amount from BGN 10 000 to 100 000, respectively to a proprietary sanction amounting from BGN 20 000 to BGN 200 000. The site where the violation has been committed cannot be listed in the register under **Art. 16, Para. 1** for a period of two years from the date of entry into force of the penal decree.

(2) Whoever violates the prohibition of **Art. 25, Para. 2**, shall be liable to a fine in the amount from BGN 5 000 to 10 000, respectively to a pecuniary sanction in the amount of BGN 10 000 to 20 000.

(3) Within two years from the date of entry into force of the penal decree under Para. 2, registration may not be made for any activity under **Art. 2, Para. 1, item 5** at this site.

(4) Whoever violates the prohibition of Art. 25, Para. 3, shall be liable to a fine in the amount from BGN 10 000 to BGN 100 000, respectively to a pecuniary sanction in the amount from BGN 20 000 to BGN 200 000.

(5) The products of petroleum origin, the vehicles and the equipment - subject to or used for committing the violation under Para. 1 and 4 shall be forfeited to the benefit of the State, regardless of whose property they are.

(6) In case of repeated violation of Para. 1, 2 and 4, the double amount of the fine or the property sanction shall be imposed.

Art. 33. (1) (Prev. text tp Art. 33 - SG 9/20, in force from 25.01.2020) Whoever impedes or allows an inspection under this act to be impeded shall be liable to a fine of BGN 5 000 to BGN 10 000.

(2) (New - SG 9/20, in force from 25.01.2020) In case of non-fulfillment of the enforcement administrative measures under **Art. 28, Para. 1**, persons shall be liable to a fine of from BGN 1 000 to 5 000, respectively to a proprietary sanction in the amount from BGN 5 000 to 10 000.

Art. 34. Any person who does not fulfill other obligations under this act shall be liable to a fine of BGN 500 to BGN 5000 or to a property penalty of BGN 1000 to BGN 10,000 respectively.

Art. 35. Persons having access to information, facts and circumstances in the course of or in

connection with the performance of their official duties under this act, who publicize, make available, publish, use or disseminate otherwise, if they are not subject to a more severe punishment, shall be punished by fine in the amount of BGN 1000 to 5000, and in particularly serious cases - from BGN 5000 to 10 000.

Art. 36. (1) (New - SG 9/20, in force from 25.01.2020) The acts for establishing the administrative violations under **Art. 29**, and **Art. 32, Para. 4** shall be drawn up by the officials designated under **Art. 26, Para. 1**, and the penal decrees shall be issued by the Head of the department, or by an official authorized by him, whose officer has drawn up the act of establishing the administrative violation.

(2) (Previous Para. 1, amend. - SG 9/20, in force from 25.01.2020) The acts for establishing the administrative violations under Art. **31**, **Art. 32, Para. 1** and Art. **33** shall be drawn up by the officials authorized by the Minister of Finance or the Minister of the Interior, and the penalty decrees shall be issued by the Head of the department, or by an official authorized by him, whose official has drawn up the act of establishing the administrative violation.

(3) (Previous Para. 2 - SG 9/20, in force from 25.01.2020) The acts for establishing the administrative violations under Art, 30 and 34 shall be drawn up by the officials authorized by the Minister of Economy, and the penal decrees shall be issued by the Head of the department, or by an official authorized by him, whose official has drawn up the act of establishing the administrative violation.

(4) (Previous Para. 3, amend. - SG 9/20, in force from 25.01.2020) The acts for establishing the administrative violations under Art. 32, Para. 2 and Art. **35** shall be drawn up by officials authorized by the Minister of Interior, and the penal decrees shall be issued by the Minister of the Interior or by an official authorized by him.

(5) (Previous Para. 4 - SG 9/20, in force from 25.01.2020) The establishment of the violations, the issuance, the appeal and the execution of the punitive decrees shall be carried out by the procedure of the **Administrative Violations and Penalties Act**.

Art. 37. (New - SG 9/20, in force from 25.01.2020) Control bodies of **Art. 36, Para. 1 and 4** shall immediately notify the specialized unit of **Art. 4, Para. 2** upon the entry into force of a penal decree under **Art. 29, Para. 1** and **Art. 32, Para. 1 and 2**.

Additional provisions

§ 1. In the meaning of this act:

1. "Petroleum origin products" means petroleum products such as petrol, gas oil, kerosene, heavy fuel oil, LPG and all other or mixed petroleum products intended for use as heating fuel or motor fuel.

2. (amend. - SG 51/20, in force from 20.06.2020) "Crude oil" is a concept within the meaning of the definition according to Annex A, Chapter 3.4, item 3.4.1 of Commission Regulation (EU) 2017/2010 of 9 November 2017 amending Regulation (EC) No 1099/2008 of the European Parliament and of the Council on energy statistics, as regards the updates for the annual and monthly energy statistics.

3. (amend. - SG 9/20, in force from 25.01.2020) "Storage of petroleum and petroleum origin products" means the actual physical storage and the activities related to the reception, trans-shipment, and transmission of crude oil and petroleum products in petroleum basins, customs warehouses or other tanks which are not registered as tax warehouses under the Excise Duties and Tax Warehouses Act, as well as in tanks and other vascular capacities, unless they are of final industrial users or are intended to satisfy household and technological needs.

4. "Wholesaling" means the distribution, free of charge or for consideration, of crude oil and / or petroleum product originating in the territory of the country, including imports and intra-Community arrivals produced, processed or produced by the distributor, excluding retail trade.

5. "Retail trade" is:

a) sale of crude oil and petroleum origin products to end users through petrol stations and / or

b) (amend. - SG 9/20, in force from 25.01.2020) refueling of tanks of road vehicles, non-road

machinery and mechanization, used for own purposes, by means of a facility located internally, except for fueling by a farmer under **Art. 2, Para. 2, item 7**.

6. "Petrol station" is permanently attached to a real estate subject to the requirements of the Spatial Planning Act, intended for immediate fueling of road vehicles on the territory of the site.

7. (amend. - SG 9/20, in force from 25.01.2020) "Facility located internally" is a facility or a site which is permanently attached to real estate, or is movable within the meaning of § 5, item 80 of the Additional Provisions of the Spatial Development Act, intended for the refuel of vehicles, non-road equipment and mechanization used for own needs.

8. (amend. – SG 15/21, in force from 19.02.2021) "Representative Branch Organization" is a non-profit association with members of economic operators who make up at least 20 percent of the market for trade in crude oil and petroleum origin products total wholesale and retail in the country, according to the official data of the National Statistical Institute, and whose members have fulfilled their obligations for the previous year, if any, to create emergency stocks within the meaning of the Oil and Petroleum Products Stocks Act. The latter condition shall be certified by the State Agency "State Reserve and Wartime Stocks", and in case of non-compliance, the share of the respective member shall not be included in the total calculation of the market share of the operators-members of the association.

9. "Transport of products of crude oil origin" means the transport of products of crude oil origin, carried out by road and / or rail transport, in accordance with the requirements of the Road Transport Act and / or the Railway Transport Act.

10. (amend. - SG 9/20, in force from 25.01.2020) "Filling bottles with Liquefied Petroleum Gas (LPG)" is the filling of transportable containers (bottles) with liquefied petroleum gas (LPG) - owned by natural or legal persons, at gas supply stations and gas supply points.

11. "Distribution of bottled liquefied petroleum gases" is the activity of transmission, supply and sale of LPG bottles to other traders and end customers.

12. (amend. - SG 9/20, in force from 25.01.2020) "Permanently Adjacent Site" is a structure that is attached / fixed to a real estate and cannot be removed without disturbing its integrity, or a facility that is attached (fixed) to real estate and cannot be removed without breaking the established links with the site.

13. . "Temporary storage and / or fueling by a farmer registered under the Support of Agricultural Producers Act" is a storage activity of crude oil and petroleum products owned by the farmer which keeps them in their own, hired or used on another legal basis, storage vessels in order to use the products only for fueling of agricultural machinery of their own, hired or used on other legal grounds.

14. "Agricultural machinery" means the machinery, equipment and means of transport used by the agricultural farmer for his farming activities.

15. "Repeated" is the violation committed within one year of the enforcement of the penalty decree by which the person has been punished for the same type of violation.

16. (New - SG 9/20, in force from 25.01.2020) "End industrial user" means an end customer, an industrial enterprise, which purchases crude oil or products of petroleum origin from a person registered under this Act, and uses them to fuel their own industrial installations, facilities and other industrial equipment.

Transitional and concluding provisions

§ 2. (*) In the Excises Duties and Tax Warehouses Act (promulgated, SG, 91/05, amend., SG 105/05, 30, 34, 63, 80, 81, 105 and 108/06 ., Issue N 31, 53, 108 and 109/07, 36 and 106/08, 6, 24, 44 and 95/09, SG, 55 and 94/10, N 19, 35, 82 and 99/11, Issues 29, 54 and 94/12, No. 15, 101 and 109/13, No. 1 and 105/14, issue no. 30, 92 and 95/15, N 45, 58, 95 and 97/16, N 9, 58, 63, 92, 97 and 103/17 and N 24/18) in Art. 47 Para. 4 shall be added:

"(4) Petrol warehouse holder of crude oil and products of petroleum origin shall have permanently attached to the ground own or leased LPG storage vessels with a minimum storage capacity of 50 cubic

meters or housed containers for storing liquefied petroleum gas (LPG) crude oil and / or petroleum origin products with a minimum design capacity of each 50 cubic centimeter, excluding bio-components storage containers and fuel quality improvement additives for which the minimum storage capacity is 1000 cubic meters. The requirement does not apply to persons, performing activities, related to production of fuels from processing of used tires and plastic items.”

§ 3. In the Road Transport Act (prom., SG No. 82/99, amended and supplemented, SG 11/02, amend., SG 45/02, 99/03, SG 70/04, 88, 92, 95, 102, 103 and 105/05, 30, 85, 92 and 102/06, 42, 80 and 109/07, 102/08, 93/09, 41/10, 17/11, p. 38, 50, 60, 99 and 103/12, 15, 23, 66 and 109/13, 11, 60, 98 and 107/14, 14, 60, 81 and 100/15, 32, 58 and 59/16 and 9 and 93/17) in Art. 103, the following amendments and supplements are made:

1. In Para. 1 the digit "3000" is replaced by "10 000".

2. In Para. 2 the digit "3000" is replaced by "5000".

3. Para. 4, 5 and 6 are added:

"(4) Upon repeated violation of Para 1 shall be imposed a pecuniary sanction amounting to BGN 30,000.

(5) In case of repeated violation under Para. 2 shall be imposed a fine of BGN 10,000.

(6) In case of repeated violation under Para. 3 a fine of BGN 5000 shall be imposed. "

§ 4. In the Road Traffic Act (prom., SG, 20/99, amend., 1/00, 43 and 76/02, pp. 16 and 22/03, 6, 70, 85 and 115/04, 79, 92, 99, 102, 103 and 105/05, 30, 34, 61, 64, 80, 82, 85, 102, 102, 102, 102, 103, 74, 82 and 102 of the Council of Ministers of the Republic of Bulgaria, 74, 75, 82 and 93/09, 54, 98 and 100/10, 10, 19, 39 and 48 /11, Constitutional Court Decision No. 1 of 2012 - 20/12; 47, 53, 54, 60 and 75/12, 15 and 68/13, 53 and 107/14, 14, 19, 37, 79, 92, 95, 101 and 102/15, 13, 50, 81, 86, 98 and 101/16, 9, 11, 54, 58, 77 and 97/17 and 2, 7, 17 and 55/18) in Chapter Two, Section XX Art. 106a is added with the following contents:

"Art. 106a Drivers shall be obliged to refuel the vehicles and / or self-propelled vehicles they drive only at service stations which have tanks permanently affixed to immovable property."

§ 5. The following additions shall be made to the Crude Oil and Petroleum Products Stocks Act (prom., SG, 15/13, amend., 14/15 and 85/17):

In Art. 24, Para. 7 is added:

"(7) In the case of an order for deletion from the register of a person carrying out economic activities under Art. 2, Para. 1, items 1 and 2 of the Administrative Regulation of the Economic Activities act related to crude oil and petroleum origin products, of as a result of its import and intra-Community arrivals, the liable person shall be obliged to create conditions for creation and storage of his determined levels for emergency stocks according to the order issued to him, as well as for execution of all other individual administrations acts issued under this Act. "

2. In Art. 38, Para. 2, p. 16 is added:

"16. a copy of a certificate for carrying out an economic activity under Art. 2, Para. 1, p. 3 of the Administrative Regulation of the Economic Activities Act, related to crude oil and petroleum origin products or a copy of a tax warehouse management license or a certificate of registration of a recipient within the meaning of the Excise Duties and Tax Warehouses Act. "

3. In Art. 39, Para. 1 p. 5 is added:

"5. in the case of notification to the Agency under Art. 23, Para. 4 of the Act on Administrative Regulation of Economic Activities Related to Crude Oil and Petroleum Products".

§ 6. (In force from 27.07.2018) Within three months of the date of promulgation of the act, the Council of Ministers shall amend the Rules of Procedure of the Ministry of Economy.

§ 7. (1) (amend. - SG 83/19, in force from 22.10.2019) Persons who, before the entry into force of this act, have carried out economic activities under **Art. 2, Para. 1**, shall file an application for registration

within six months from the entry into force of the Ordinance under **Art. 4, Para. 4**.

(2) Until the completion of the registration procedure with a certificate of registration or a refusal of registration, the persons under Para. 1 shall have the right to carry out the respective activities under **Art. 2, Para. 1** and have the status of registered persons, if they meet the general and special conditions of the act for the respective type of activity, except for the collateral, provided by the act.

§ 8. (amend., SG, 13/19, in force from 28.01.2019) The Minister of Economy shall issue the Ordinance under **Art. 4, Para. 4** within 6 months of the entry into force of this Act.

§ 9. The act shall enter into force within six months from its promulgation in the State Gazette, with the exception of:

1. (amend., SG, 13/19, in force from 28.01.2019) **Art. 4, Para. 4**, and **§ 6**, which shall enter into force on the day of its publication in the State Gazette;

2. Para. 2 on the minimum storage capacity of LPG of the storage warehouses, which shall enter into force two years after its publication in the State Gazette.

The act has been adopted by the 44th National Assembly on July 12, 2018 and has been stamped with the official seal of the National Assembly.

Concluding provisions

TO THE ACT, AMENDING AND SUPPLEMENTING THE ACT ON THE ADMINISTRATIVE REGULATIONS OF THE ECONOMIC ACTIVITIES, RELATED TO CRUDE OIL AND PRODUCTS OF PETROLEUM ORIGIN

(PUB. - SG 13/19, IN FORCE FROM 28.01. 2019).

§ 12. The Act shall come into force on 28 January 2019.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE TOBACCO, TOBACCO PRODUCTS AND RELATED PRODUCTS ACT

(PROM. - SG 83/19, IN FORCE FROM 22.10.2019)

§ 36. The Act shall enter into force on the day of its promulgation in the State Gazette, except for:

1. paragraph 2, which shall enter into force on 1 April 2020;
2. paragraph 11, item 8, which shall enter into force on 1 January 2020;
3. paragraph 35, which shall enter into force on 25 October 2019.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE ACT ON ADMINISTRATIVE REGULATION OF ECONOMIC ACTIVITIES RELATED TO CRUDE OIL AND PRODUCTS OF PETROLEUM ORIGIN

(PROM. - SG 9/20, IN FORCE FROM 25.01.2020, AMEND. - SG 28/20, IN FORCE FROM 13.03.2020, AMEND. AND SUPPL. SG 44/20, IN FORCE FROM 14.05.2020)

§ 24. (1) The proceedings for registration initiated and not completed prior to the entry into force of this Act shall be completed in the new order.

(2) The security under this Act shall apply to the initiated and completed registration proceedings.

§ 25. (1) Within two months from the entry into force of this Act, the Minister of Economy shall

bring the ordinance under **Art. 4, Para. 4** in according to it.

(2) (Amend. - SG 28/20, in force from 13.03.2020) Within four months from the entry into force of the amendment of the ordinance under Para. 1, persons who have not submitted an application for registration prior to the entry into force of this Act, must submit an application for registration.

(3) Until the completion of the registration proceedings, with a certificate of registration or with a refusal for registration entered into force, the persons under Para. 2 shall have the right to perform the respective activities under **Art. 2, Para. 1** and shall have the status of registered persons, if they meet the general and special conditions of the law for the respective type of activity, except for the security provided for by the law.

§ 26. Persons entered in the public register under **Art. 16, Para. 1**, who are not subject to registration, shall be deleted and the certificates issued invalidated.

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§ 28. This Act shall enter into force on the 25th of January, 2020.

Transitional and concluding provisions

TO THE STATE OF EMERGENCY MEASURES AND ACTIONS ACT, DECLARED BY A DECISION OF THE NATIONAL ASSEMBLY OF 13 MARCH 2020 AND TO OVERCOME THE CONSEQUENCES

(PROM. - SG 28/20, IN FORCE FROM 13.03.2020, AMEND. AND SUPPL. SG 44/20, IN FORCE FROM 14.05.2020)

§ 52. (amend. and suppl. SG 44/20, in force from 14.05.2020) The Act shall enter into force on March 13, 2020, with the exception of Art. 5, § 3, § 12, § 25 - 31, § 41, § 49 and § 51, which shall enter into force on the day of promulgation of the Act in the State Gazette.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE HEALTH ACT

(PROM. - SG 44/20, in force from 14.05.2020)

§ 44. The Act shall enter into force on 14 May 2020, with the exception of § 33, 34 and 35, which shall enter into force on the day of promulgation of the Act in the State Gazette.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE ACT ON RESERVES OF CRUDE OIL AND PETROLEUM PRODUCTS

(PROM. - SG 51/20, IN FORCE FROM 20.06.2020)

§ 36. The Act shall enter into force on the day of its promulgation in the State Gazette.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE ACT ON ADMINISTRATIVE REGULATION OF ECONOMIC ACTIVITIES RELATED TO CRUDE OIL AND PRODUCTS OF PETROLEUM ORIGIN

(PROM. – SG 15/21, IN FORCE FROM 19.02.2021)

§ 4. The registration proceedings initiated and not completed before the entry into force of this Act shall be completed in accordance with the new procedure.

§ 5. This Act shall enter into force on the day of its promulgation in the State Gazette.