

POSTAL SERVICES ACT

*Prom. SG. 64/4 Aug 2000, amend. SG. 112/29 Dec 2001, amend. SG. 45/30 Apr 2002, amend. SG. 76/6 Aug 2002, amend. SG. 26/21 Mar 2003, amend. SG. 19/1 Mar 2005, amend. SG. 88/4 Nov 2005, amend. SG. 99/9 Dec 2005, amend. SG. 105/29 Dec 2005, amend. SG. 17/24 Feb 2006, amend. SG. 34/25 Apr 2006, amend. SG. 37/5 May 2006, amend. SG. 86/24 Oct 2006, amend. SG. 41/22 May 2007, amend. SG. 109/20 Dec 2007, amend. SG. 109/23 Dec 2008, amend. SG. 35/12 May 2009, amend. SG. 87/3 Nov 2009, amend. SG. 87/3 Nov 2009, amend. SG. 101/28 Dec 2010, amend. SG. 102/30 Dec 2010, amend. SG. 105/29 Dec 2011, amend. SG. 38/18 May 2012, amend. SG. 61/25 Jul 2014, amend. SG. 81/14 Oct 2016, amend. SG. 95/29 Nov 2016, suppl. SG. 97/5 Dec 2017, amend. SG. 77/18 Sep 2018, amend. and suppl. SG. 53/5 Jul 2019, amend. SG. 100/20 Dec 2019, amend. SG. 31/19 Apr 2022, amend. SG. 66/1 Aug 2023, amend. and suppl. SG. 84/6 Oct 2023, amend. SG. 79/17 Sep 2024, amend. and suppl. SG. 49/17 Jun 2025, **amend. SG. 81/3 Oct 2025***

Chapter one. GENERAL PROVISIONS

Art. 1. This Act shall regulate social relations to do with the postal services provided in the Republic of Bulgaria.

Art. 2. This Act shall ensure that conditions are in place in order to:

1. satisfy society's need for postal services;
2. (amend. – SG 87/09, in force from 03.11.2009) guarantee the performance of universal postal service on the territory of the country with a level of quality and at accessible prices;
3. (suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) have a functioning competitive market for postal services ;
4. protect consumers' interests;
5. (new - SG 37/06, in force from 05.05.2006) guarantee the security of postal items.

Art. 3. (1) (Prev. text of Art. 3 - SG 53/19) Postal services include the following:

1. (amend. - SG 26/03, in force from 01.01.2003) accepting, transport and delivery of postal parcels;
2. (amend. - SG 37/06, in force from 05.05.2006; amend. – SG 41/07; amend. - SG 102/10, in force from 30.12.2010, amend. - SG 53/19) hybrid mail;
3. postal money orders;
4. courier services.

(2) (New - SG 53/19) Along with the postal services under Para. 1, items 1, 3 and 4, additional services may be provided, such as: recommendation, declared value, cash on delivery, delivery notice and others.

(3) (New - SG 53/19) The postal services under Para. 1 and the additional services under Para. 2 may be internal and international.

Art. 4. (Suppl. - SG 112/01, in force from 05.02.2002; amend. - SG 53/19) The postal services

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shall be:

1. a universal postal service;
2. services included in the scope of the universal postal service;
3. non-universal postal services.

Art. 5. (Amend. – SG 87/09, in force from 03.11.2009) (1) (Amend. - SG 102/10, in force from 30.12.2010) The postal services shall be carried out through postal networks, which may include fixed and/or mobile post offices, post agencies and remote post windows, exchange and distribution centers and units, transport and technical devices.

(2) The units and facilities of postal networks shall be organizationally and technologically connected in order to accept, transport and deliver postal packages and carry out postal money transfer.

Art. 6. (1) Postal parcels shall contain objects with such physical properties and technical parameters that allow them to be transported through the postal network.

(2) (Suppl. - SG 26/03; amend. – SG 87/09, in force from 03.11.2009; suppl. - SG 102/10, in force from 30.12.2010, amend. - SG 53/19) The postal parcels under Para. 1 shall be items of correspondence, printed matter, direct advertising mail, small packages, consignments for blind and partially sighted persons, as well as postal parcels containing goods with or without commercial value.

(3) (New - SG 53/19) The postal items under para. 1 shall be delivered: personally to the recipients; in the mailboxes of the recipients placed at the receiving address; in post offices; in other units of the postal network; in places or facilities negotiated between postal operators and consumers.

(4) (New - SG 53/19) The conditions for delivery of postal items under para. 1 shall be determined by common rules drawn up by the Communications Regulation Commission.

(5) (New - SG 53/19) For the delivery of unregistered postal items, recipients shall place mailboxes in appropriate, accessible and safe locations at the receiving address.

(6) (New - SG 53/19) The right over the postal item shall pertain to the sender until delivery to the recipient.

Art. 7. (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009, revoked - SG 53/19)

Art. 8. The following shall not be considered postal services within the meaning of this Act:

1. (amend. - SG 37/06, in force from 05.05.2006) carrying and delivering letters, items, etc. of one's own performed by the person itself among its offices, branches or departments without using a post network;

2. (amend. - SG 37/06, in force from 05.05.2006) carrying summonses, subpoenas, and other similar and their delivering to another person, without using a post network;

3. distribution of newspapers and periodicals that are not packaged as postal items in the sense of § 1, item 6 of the Additional Provisions and/or no postal network is used.

Chapter two.

STATE POLICY AND REGULATION OF POSTAL SERVICES (TITLE AMEND. – SG 109/08; AMEND. - SG 87/09, IN FORCE FROM 03.11.2009; AMEND. - SG 102/10, IN FORCE FROM 30.12.2010)

Section I.

State policy in the field of postal services (New - SG 37/06, in force from 05.05.2006; title amend. – SG 109/08; title amend. – SG 87/09, in force from 03.11.2009; title amend. - SG 102/10, in force from 30.12.2010)

Art. 9. (Amend. - SG 112/01, amend. - SG 88/05; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 109/08; amend. – SG 87/09, in force from 03.11.2009; revoked - SG 102/10, in force from 30.12.2010)

Art. 9a. (New – SG 87/09, in force from 03.11.2009) (1) (Amend. - SG 53/19, amend. – SG 31/22, amend. - SG 66/23, in force from 05.08.2023) The Council of Ministers following a proposal of the Minister of Transport and Communications shall adopt by a resolution a Sectoral postal policy. The resolution for its adoption and the Sector postal policy shall be promulgated in the State Gazette.

(2) (Amend. - SG 53/19) The sector postal policy shall be updated in the event of substantial amendments to European Union postal legislation and / or the acts of the Universal Postal Union as well as if it is necessary arising from changes in public relations related to postal services.

Art. 10. (Amend. - SG 112/01; prev. text of art. 10 - SG 26/03, amend., SG 88/05; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 109/08; amend. – SG 87/09, in force from 03.11.2009, amend. – SG 31/22, amend. - SG 66/23, in force from 05.08.2023) The state policy in the field of postal services shall be conducted by the Minister of Transport and Communications.

Art. 11. (*) (amend., SG 26/03; amend. – SG 93/09, in force from 25.12.2009, amend. - SG 81/16, in force from 01.01.2017) Reception, storage, transport and delivery of documents and/or materials containing classified information under the Protection Of Classified Information Act shall be carried out by the State Commission on Information Security.

Art. 12. (Amend. - SG 26/03, amend. - SG 19/05) (1) (Amend. - SG 88/05; amend. – SG 35/09, in force from 12.05.2009; amend. – SG 87/09, in force from 03.11.2009, amend. – SG 31/22) The Minister of Transport and Communications, in coordination with the competent bodies, shall determine the conditions and the order of using the postal networks and providing the postal services in case of disasters and in introducing regime of martial law, state of war or emergency situation in the context of the Act on the Defence and Armed Forces of the Republic of Bulgaria.

(2) (Amend. – SG 35/09, in force from 12.05.2009) the post operators shall render assistance in ensuring there are postal services in case of disasters during a regime of "martial law", regime "state of war" or regime "emergency situation" in the context of the Act on the Defence and Armed Forces of the Republic of Bulgaria.

(3) (Amend. – SG 35/09, in force from 12.05.2009) The obligations of the post operators, the requirements and the restrictions related to the security and the defence of the country, as well as in case of disasters shall be determined by the individual licences.

Art. 13. (Amend. - SG 112/01, amend. - SG 88/05; amend. – SG 87/09, in force from 03.11.2009, amend. – SG 31/22, amend. - SG 66/23, in force from 05.08.2023) The Minister of Transport and Communications shall:

1. (amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009,

amend. - SG 53/19) prepare and submit for adoption by the Council of Ministers a draft of a Sectoral postal policy;

2. (new – SG 87/09, in force from 03.11.2009, amend. – SG 31/22, amend. - SG 66/23, in force from 05.08.2023) prepare and issue the secondary legislative acts related to the implementation of his/her powers, provided by this Act;

3. (amend. – SG 109/08; prev. item 2, amend. – SG 87/09, in force from 03.11.2009) along with the principal of the main post operator represent the Republic of Bulgaria at the Universal Post Union as well as at the European and the regional organisations and structures in the field of postal services;

4. (new – SG 87/09, in force from 03.11.2009) provide for the fulfillment of the obligations of the Republic of Bulgaria in the field of postal services, related to the European Union membership and in other international organizations;

5. (prev. item 3 - SG 87/09, in force from 03.11.2009) approve the annual thematic plan for issuing of Bulgarian post stamps;

6. (new – SG 87/09, in force from 03.11.2009) determines the members of the Specialized expert council of brand issuance;

7. (new - SG 37/06, in force from 05.05.2006; amend. – SG 109/08; prev. item 4, SG 87/09, in force from 03.11.2009) carry out activities regarding:

a) (amend. – SG 87/09, in force from 03.11.2009, revoked - SG 53/19)

b) (amend. - SG 102/10, in force from 30.12.2010) issuing and placing in use postal marks, postal products and special postal seals, as well as withdrawal of postal marks;

c) (amend. – SG 87/09, in force from 03.11.2009) organization and control of the operations of the national stamp repository and the international exchange of postage stamps.

Art. 13a. (New - SG 26/03, amend. - SG 88/05; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) (1) (Amend. - SG 102/10, in force from 30.12.2010, amend. - SG 53/19, amend. – SG 31/22, amend. - SG 66/23, in force from 05.08.2023, amend. - SG 81/25) The Minister of Transport and Communications, prior to issuing or introducing to the Council of Ministers the acts under Art. 9a, Para. 1, Art. 14, Para. 2 and Art. 76, shall publish an announcement for the developed drafts with the text of the draft on the Internet site of the Council of Ministers.

(2) The notification shall indicate a term, not later than 30 days, within which the interested persons may present written comments on the project.

(3) (Amend. – SG 31/22, amend. - SG 66/23, in force from 05.08.2023) The Minister of Transport and Communications shall study the comments and shall record the adopted proposals.

(4) (Amend. – SG 31/22, amend. - SG 66/23, in force from 05.08.2023) The public discussion procedure shall be closed by publishing on the website of the Ministry of Transport and Communications the submitted proposals, the places and the texts, where the adopted proposals have been recorded, and the justifications for the non-adopted ones.

Art. 14. (Amend. - SG 112/01, amend. - SG 88/05; amend. - SG 37/06, in force from 05.05.2006) (1) (Suppl. – SG 109/08; amend. – SG 87/09, in force from 03.11.2009) The post operators shall cooperate with the competent state bodies on ensuring the security of the postal items. Post operators shall develop a security structure which shall be an integral part of their primary form of organization.

(2) (Amend. – SG 109/08; amend. – SG 87/09, in force from 03.11.2009; amend. – SG 93/09, in force from 25.12.2009, amend. – SG, 31/22, amend. - SG 66/23, in force from 05.08.2023) The requirements for postal security shall be determined by an ordinance of the Minister of Transport and Communications after coordination with the Chairman of the "National Security" State Agency.

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Section II.

Refutation of Postal Services (New - SG 37/06, in forme from 05.05.2006)

Art. 15. (Amend. - SG 112/01; amend. – SG 87/09, in force from 03.11.2009) (1) The Communications Regulation Commission shall regulate the provision of postal services in compliance with this Act by:

1. ensuring conditions for implementing the universal postal service on the territory of the whole country;

2. ensuring conditions for effective competition on the postal services market and equal position of the post operators;

3. (amend. - SG 53/19) issuing, amending, supplementing, stopping, terminating and withdrawing individual licenses in the cases under this Act;

4. (amend. - SG 102/10, in force from 30.12.2010) entering the persons into a public register of operators, providing non-universal postal services under Art. 38, items 1 - 3 and upon request by issuing a certificate of entering into the register;

5. protecting the interests of the users of postal services;

6. (amend. - SG 53/19) determining measures for protection of the secret of the correspondence;

7. (amend. - SG 102/10, in force from 30.12.2010, amend. - SG 53/19) determining norms for quality of the universal postal service compliant with the effective Bulgarian and European standards and ensure at its own expense annual measurement of their implementation by an independent organisation, which shall be promulgated in State Gazette;

8. (amend. - SG 102/10, in force from 30.12.2010, suppl. - SG 84/23, amend. - SG 49/25) developing and maintaining a register of postal codes, as well as adopting a system of generating postal codes in the network of the postal operator obliged to provide the universal postal service and of other postal operators; the circumstances which are listed in the register, the terms and conditions for creating, maintaining and using the register, shall be determined by an ordinance of the Council of Ministers upon proposal by the Communications Regulation Commission;

9. (amend. - SG 53/19) requesting from post operators data and information, including financial, in the relevant volume and term and details, related to the performance of its regulatory functions, and guaranteeing its preservation, if it is commercial secret of the operator; justification to the request shall indicate the reasons and the purposes for which the information is required.

10. working out and adopting criteria for determining difficulty of access to the regions of the country and the settlements in them;

11. (amend. - SG 102/10, in force from 30.12.2010, suppl. - SG 53/19) working out a methodology of calculating the net expenses of provision of the universal postal service and to set criteria for the existence of an unfair financial burden; the methodology shall be adopted by the Council of Ministers under a proposal of the Communications Regulation Commission;

12. (amend. - SG 102/10, in force from 30.12.2010, amend. - SG 53/19) working out standards for determining the density of the spots of access to the post operator's postal network obliged to provide universal postal service; the standards shall be adopted by the Council of Ministers at the proposal of the Communications Regulation Commission;

13. developing a methodology to determine the affordability of the price of the universal postal service; the methodology is adopted by the Council of Ministers on the proposal of the Commission for the Regulation of Communications;

14. agreeing the price of the universal postal service by types of services;

15. (suppl. - SG 53/19) coordinate the system for the distribution of costs by type of service presented by the postal operator with the obligation to perform the universal postal service; lays down a

procedure for the order and time limits for its conciliation; Provides mandatory instructions for changes to the cost allocation system. Coordinates obtained from the system results.

16. (amend. - SG 102/10, in force from 30.12.2010, amend. - SG 53/19) propose to the Minister of Finance the inclusion of the amount of funds for compensation for unjustified financial burden related to provision of universal postal services in the draft law on the state budget of the Republic of Bulgaria for the following calendar year;

17. (amend. - SG 102/10, in force from 30.12.2010, suppl. - SG 53/19) giving an opinion or mandatory instructions on disputes between consumers and post operators on submitted claims regarding the provision of postal service;

18. agreeing the general conditions of the contract with consumers, provided by the postal operators;

19. (suppl. - SG 102/10, in force from 30.12.2010, revoked - SG 53/19)

20. (revoked - SG 53/19)

21. (amend. - SG 31/22, amend. - SG 66/23, in force from 05.08.2023) providing - upon a motivated written request from the Minister of Transport and Communications - information, necessary for the implementation of the state policy in the field of postal services;

22. (new - SG 53/19) provides mandatory instructions to postal operators to amend and / or supplement their general terms and conditions with the users; mandatory instructions are given in accordance with the purposes of items 2 and 5;

23. (new - SG 53/19) develops and adopts common rules for the receipt, transport and delivery of postal items.

(2) (Amend. - SG 102/10, in force from 30.12.2010, amend. - SG 77/18, in force from 01.01.2019) The decisions of the Communications Regulation Commission on the implementation of this Act shall be individual, normative or common administrative acts and shall be subject to appeal before the relevant administrative court as set out in the Administrative Procedure Code.

(3) (New - SG 102/10, in force from 30.12.2010) The normative administrative acts of the Communications Regulation Commission shall be promulgated in the official part of the State Gazette.

(4) (New - SG 53/19) The Communications Regulation Commission is a national regulatory authority within the meaning of Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services (OB, L 112/19 of 2 May 2018), hereinafter referred to as "Regulation (EU) 2018/644".

(5) (New - SG 84/23) The Communications Regulation Commission of is a supervisory authority in relation to the persons under Art. 4, item 7 of the Measures against Money Laundering Act and the Act on Measures Against Financing of Terrorism and the Proliferation of Weapons of Mass Destruction. The Communications Regulation Commission may enter into written agreements with the competent supervisory authorities of other countries for the purposes of cooperation in the field of measures against money laundering and terrorist financing.

Art. 15a. (New - SG 37/06, in force from 05.05.2006) (1) The Communications Regulation Commission shall control the observance of:

1. the normative acts in the field of the postal services;

2. (amend. – SG 87/09, in force from 03.11.2009) the requirements for provision of universal postal service in accordance with this Act;

3. (revoked - SG 102/10, in force from 30.12.2010)

4. (amend. – SG 87/09, in force from 03.11.2009) the conditions of implementation of the granted individual licenses;

5. (new – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010)

the obligations of the operators, providing non-universal postal services under Art. 38, item 1 - 3 according to this Act;

6. (prev. item 5 – SG 87/09, in force from 03.11.2009, amend. - SG 53/19)the norms for the quality of the universal postal service;

7. (prev. item 6, amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) the norms for determining the density of the access spots to the postal network of the operator obliged to provide universal postal service;

8. (prev. item 7 – SG 87/09, in force from 03.11.2009) the requirements for protection of confidentiality of the correspondence.

(2) (Amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010, amend. - SG 53/19) The Communications Regulation Commission shall carry out annual reporting of the implementation of the norms for quality of the universal postal service based on the results of the measurement under Art. 15, para 1, Item 7.

Art. 15b. (New - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) (1) For the preparation of drafts of acts, provided by this Act, as well as on other issues of public significance for the development of the postal services, the Communications Regulation Commission shall carry out a procedure of public discussion by publishing an announcement on the prepared draft and justifications for its preparation in an national daily newspaper or on its Internet site.

(2) The announcement of Para. 1 shall indicate the place, from where the interested persons may obtain the draft, and a term, not less than 30 days after the publication, within which they may submit written comments thereon.

(3) The Communications Regulation Commission shall examine the comments and shall record the adopted proposals.

(4) The public discussion procedure shall be closed by publishing on the Internet site of the Commission of the submitted comments, of the adopted proposals, the places and the texts, where the adopted proposals have been recorded, and the justifications for the non-adopted ones.

Art. 15c. (New – SG 87/09, in force from 03.11.2009) The Communications Regulation Commission in view of effective implementation of its functions, arising out of this Act, shall carry out cooperation and coordination with the Commission for Protection of Competition, with the Commission for Consumer Protection and with the regulative authorities of the European Union Member States.

Art. 16. (Amend. - SG 112/01) The Communications Regulation Commission shall represent the Republic of Bulgaria at the international organisations for regulation of the postal services.

Art. 16a. (New – SG 87/09, in force from 03.11.2009; suppl. - SG 102/10, in force from 30.12.2010) The Communications Regulation Commission shall advise the European Commission and the national regulatory authorities of the remaining Member States of the European Union about the regulations under Art. 15, para. 1, item 7 and about the criteria of Art. 15, para. 1, item 10.

Art. 17. (Amend. - SG 26/03) (1) (Amend. - SG 37/06, in force from 05.05.2006) Annually before the end of the second quarter of the following year the Communications Regulation Commission shall draw up and present to the National Assembly, the President of the Republic of Bulgaria and to the Council of Ministers a report which shall obligatorily contain:

1. analysis of the condition of universal postal service in compliance with the requirements of

this Act;

2. (amend. – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) analysis of the implementation of the norms for quality of the universal postal service including the results of the annual reporting of implementation of the norms as referred to in Art. 15a, para 2, the complaints by number and the way they have been settled.

3. (revoked – SG 87/09, in force from 03.11.2009)

4. analysis of the market of postal services, perspectives of development, state of the competition in the sphere of the postal services;

5. report on the implementation of the control activity;

6. (new - SG 102/10, in force from 30.12.2010) analysis of the measures ensuring the postal security.

(2) (New - SG 102/10, in force from 30.12.2010) Every 5 years from the assignment of the duties to provide universal postal services, the Communications Regulation Commission shall draw up a report regarding its performance with regard to its extension, amendment or revocation.

(3) (Amend. – SG 87/09, in force from 03.11.2009; rev. text of Para 02, amend. - SG 102/10, in force from 30.12.2010) The Communications Regulation Commission shall publish the reports under para 1 and 2 on Internet site.

Chapter three. POSTAL OPERATORS

Section I.

Rights and Obligations of Postal Operators and Protection of Consumers' Interests (Suppl. – SG 37/06, in force from 05.05.2006)

Art. 18. (1) (New - SG 53/19, suppl. - SG 84/23) Postal operators are legal entities or sole traders who perform one or more postal services and are registered under the legislation of the Republic of Bulgaria, another Member State of the European Union or a State party to the Agreement on the European Economic Area.

(2) (Prev. text of Art. 18 - SG 53/19) The post operators perform their work under the conditions of equality and publicity.

Art. 19. (Amend. 0 SG 112/01; amend. - SG 26/03; amend. - SG 37/06, in force from 05.05.2006, amend. - SG 53/19) Postal operators shall carry out postal services on the grounds of:

1. issued individual license for provision of universal postal service;
2. issued individual license for provision of postal service under the Art. 38, items 1 - 3.

Art. 20. (1) Postal operators shall be obligated to:

1. (new - SG 102/10, in force from 30.12.2010) ensure that postal packages remain intact;
2. (amend. - SG 37/06, in force from 05.05.2006; prev. text of Item 01 - SG 102/10, in force from 30.12.2010) preserve the confidentiality of correspondence;
3. (amend., SG 26/03; prev. text of Item 02 - SG 102/10, in force from 30.12.2010) satisfy the requirements for postal security;
4. (prev. text of Item 03 - SG 102/10, in force from 30.12.2010) render assistance in the performance of postal services under the circumstances specified in Art. 12;

5. (amend., SG 26/03; prev. text of Item 04 - SG 102/10, in force from 30.12.2010) observe the requirements for protection of classified information;

6. (new – SG 87/09, in force from 03.11.2009; prev. text of Item 05 - SG 102/10, in force from 30.12.2010) observe the requirements for protection of personal data;

7. (amend. - SG 76/02; suppl. – SG 109/07, in force from 01.01.2008; suppl. – SG 109/08; prev. item 5, amend. – SG 87/09, in force from 03.11.2009; prev. text of Item 06, amend. - SG 102/10, in force from 30.12.2010) undertake measures for protection of the postal traffic, as well as not allowing placement of prohibited articles and substances in the sense of Art. 90 and 91 in packages by supplying, mounting, commissioning and maintaining, at their expense, the technical devices and software, and if necessary ensure their use against payment by other post operators or use if necessary, against payment, such resources of other postal operators;

8. (new - SG 76/02; prev. item 6, suppl. – SG 87/09, in force from 03.11.2009; prev. text of Item 07, amend. - SG 102/10, in force from 30.12.2010) ensure the conditions for monitoring and control of the postal items by the competent authorities of the Ministry of Interior and of State Agency "National Security", which may issue compulsory instructions;

9. (new - SG 26/03; prev. item 7– SG 87/09, in force from 03.11.2009; prev. text of Item 08 - SG 102/10, in force from 30.12.2010) observe the requirements for preservation of the environment, the life and the health of people.

10. (new - SG 37/06, in force from 05.05.2006; prev. item 8– SG 87/09, in force from 03.11.2009; prev. text of Item 09 - SG 102/10, in force from 30.12.2010) develop procedures for accepting and processing of complaints and payment of compensations including order for settling disputes with the consumers;

11. (new - SG 53/19) require, process and store within the terms of Art. 38, para. 1, item 3 of the Tax-Insurance Procedure Code identification data (full name and UCN or PNF for natural persons, respectively name and UIC for legal entities) as well as credentials of an authorized person, to:

a) senders of domestic and outgoing international postal items with cash on delivery;

b) senders of outgoing international postal items - small packages and postal parcels other than those referred to in letter "a":

c) recipients of cash on hand, including when received by postal money order;

12. (new - SG 84/23) keep and maintain an up-to-date list of all access points.

(2) (Amend. - SG 112/01; amend. – SG 87/09, in force from 03.11.2009; revoked - SG 102/10, in force from 30.12.2010)

Art. 21. (Amend. - SG 37/06, in force from 05.05.2006) (1) (amend. - SG 53/19) Postal operators shall provide the consumers equal access to their access points for use of postal services and obligatory prepare general terms of contract with consumers. Signing of the individual contracts with the consumers shall not be necessary.

(2) (Amend. – SG 87/09, in force from 03.11.2009) The post operators shall include in the general terms of contract with consumers:

1. range and specification of the provided services;

2. (new - SG 53/19) form, size, weight and packing requirements for postal items;

3. (prev. item 2 - SG 53/19) access conditions;

4. (prev. item 3 - SG 53/19) conditions for accepting and delivery of postal items, post parcels and postal money orders;

5. (prev. item 4, amend. - SG 53/19) term of delivery of postal items and postal money orders;

6. (new - SG 102/10, in force from 30.12.2010, prev. item 5 - SG 53/19) a time limit for reimbursement of the cash on delivery amount to the sender;

7. (prev. text of Item 05 - SG 102/10, in force from 30.12.2010, prev. item 6 - SG 53/19) method of payment;

8. (prev. text of Item 06 - SG 102/10, in force from 30.12.2010, prev. item 7 - SG 53/19) rights and obligations of the consumers and of the post operators;

9. (prev. text of Item 07 - SG 102/10, in force from 30.12.2010, prev. item 8, amend. - SG 53/19) the substances and items prohibited to be inserted into postal items;

10. (prev. text of item 08 - SG 102/10, in force from 30.12.2010, prev. item 9, amend - SG 53/19) claims procedures and indemnities of a specific size and a time limit for the payment of damages as deemed to be justified claims for delayed, lost, fully or partially damaged or stolen postal items and post parcels and postal parcels returned when there are no reasons for failure to deliver them and non-refunding of the amount of the cash on delivery to the sender;

11. (prev. text of Item 09 - SG 102/10, in force from 30.12.2010, prev. item 10 - SG 53/19) procedure of settlement of disputes;

12. (prev. text of Item 10 - SG 102/10, in force from 30.12.2010, prev. item 11 - SG 53/19) other important terms and conditions related to the provision and use of postal services.

(3) (New – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010, revoked - SG 53/19)

(4) (Prev. Para. 3 – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010, suppl. - SG 53/19) The contract under para. 1 shall be regarded concluded at the time the operator accepts the item or the postal money order at the spot of access and the price of the service is paid.

(5) (Prev. Para. 4, amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010; amend. - SG 61/14, in force from 25.07.2014, amend. and suppl. - SG 53/19) The post operators shall get an opinion from the Commission on Consumers Protection regarding the project for general terms of the contract with the consumers before presenting it for coordination to the Communications Regulation Commission. The Commission for Consumer Protection shall pronounce within 30 days from the receipt of the general conditions of the contract with the consumers.

(6) (Prev. Para. 5 – SG 87/09, in force from 03.11.2009; amend. - SG 61/14, in force from 25.07.2014, amend. - SG 53/19) Postal operators shall present the project for general terms of the contracts with the consumers to the Communications Regulation Commission for coordination within no less than 30 days prior to the commencement of service provision.

(7) (Prev. Para. 6, amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010; amend. - SG 61/14, in force from 25.07.2014, amend. - SG 53/19) The Communications Regulation Commission shall adopt rules of the order and the terms for coordination referred to in para 6.

(8) (Prev. Para. 7, suppl. – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) Postal operators make the general terms of the contract known to the consumers by displaying them for public view in all stationary post offices and shall publish them on their Internet site.

(9) (Prev. Para. 8, amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010; amend. - SG 61/14, in force from 25.07.2014, amend. - SG 53/19) The Communications Regulation Commission shall send for information the coordinated as referred to in Para. 6 general terms of the contracts with the consumers to the Commission for Consumer Protection.

Art. 22. (Amend. - SG 53/19) Postal operators may conclude contracts with other persons for the performance of individual activities from the postal service. In these cases, the postal operator shall also be responsible for the fulfillment of the obligations under this Act and its general terms and conditions of the contract with the users.

Art. 23. (1) (Amend. and suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) The postal operator obliged to

provide the universal postal service shall provide access to its postal network to the post operators providing services, included into the scope of the universal post service under the conditions of impartiality and equality and subject to observance of the technical and technological conditions. Contracts shall be concluded for the access, where the parties agree upon the financial, particular technical, technological and other terms and conditions and procedure of connection.

(2) (Amend. and suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) The postal operator obliged to provide the universal postal service may also provide to and agree with operators providing non-universal postal services access to its postal network, where this is practically possible.

(3) (New – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) Post operators providing services included into the scope of the universal postal service, may provide and agree access to their postal networks between themselves, with the postal operator who has undertaken to carry out the universal postal service, and with post operators of non-universal services.

(4) (New - SG 26/03; amend. - SG 37/06, in force from 05.05.2006; prev. par. 3, amend. – SG 87/09, in force from 03.11.2009) On acceptance, transport and delivering of postal consignments and carrying out postal money transfers by post operators having concluded contracts for access to their networks, each of the operators shall be responsible to the other operator for providing the service only for his part of the acceptance, transportation and delivering of the consignment.

(5) (New - SG 26/03; amend. - SG 37/06, in force from 05.05.2006; prev. par. 4, amend. – SG 87/09, in force from 03.11.2009) The post operators providing postal services through a contract for access to their networks, shall be jointly liable to the consumers for the damages or detriments having occurred at the time of the acceptance, transportation and delivering of the postal consignments and carrying out postal money transfers.

(6) (New - SG 26/03; amend. - SG 37/06, in force from 05.05.200; prev. par. 5, amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010, amend. - SG 53/19) If the persons under para. 1 do not reach a consent for conclusion of a contract for access, each of them may, not earlier than two months, and not later than three months from the date of the proposal for conclusion of the contract, extend a request to the Communications Regulation Commission to receive mandatory instructions. The Communications Regulation Commission, within two months from receiving the request, by a reasoned decision, may issue mandatory instructions.

(7) (New - SG 26/03; prev. par. 6, amend. – SG 87/09, in force from 03.11.2009; revoked - SG 102/10, in force from 30.12.2010)

Art. 23a. (1) (New - SG 26/03; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; prev. text of Art. 23a - SG 102/10, in force from 30.12.2010) Postal operators providing postal services included into the scope of the universal postal service shall organize and report on their activity according to the applicable accountancy standards both for the business company, and analytically and individually for:

1. the services included into the scope of the universal postal service;
2. non-universal postal services, where applicable;
3. other commercial activities.

(2) (New - SG 102/10, in force from 30.12.2010) Postal operators, carrying out "postal money transfers" services, shall keep separate analytical accounting records for the income from their activities providing such postal services.

Section II.

Postal Operator obliged to provide the universal postal service (Title amend. – SG 87/09, in force from 03.11.2009)

Art. 24. (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010, amend. - SG 81/25) The universal postal service shall be rendered by a postal operator, to whom an act of the Council of Ministers has assigned the obligation to provide this service on the territory of the entire country through a postal network organized and managed by him.

Art. 25. (1) (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; suppl. - SG 102/10, in force from 30.12.2010, revoked - SG 53/19)

(2) (Amend. – SG 87/09, in force from 03.11.2009) The postal operator, obliged to provide the universal postal service, may provide other postal services as well according to the procedure set forth in this Act, as well as other activities within its registered scope of activities as a trade company.

Art. 26. (1) (Amend. – SG 87/09, in force from 03.11.2009) The postal operator, obliged to provide the universal postal service, shall be entitled to participate with property, the latter being part of its post network, in those commercial companies which assume the performance of part of its licence by way of a contract under Art. 22.

(2) (Amend. – SG 87/09, in force from 03.11.2009) In those cases where the participation with part of the main operator's property under Para. 1 does not hinder the performance of the licence, the postal operator obliged to provide the universal postal service shall also be entitled to participate, with the said property, in such commercial companies that do not assume the obligations under Art. 22.

Art. 27. (Amend. – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) The postal operator obliged to provide the universal postal service shall undertake:

1. to observe those Acts of the Universal Postal Union that have been ratified by the Republic of Bulgaria and have been promulgated and have taken effect;
2. in the performance of postal services, to use the forms of the Universal Postal Union.

Art. 28. (Amend. - SG 37/06, in force from 05.05.2006; suppl. – SG 109/08; amend. – SG 87/09, in force from 03.11.2009, amend. – SG 31/22, amend. - SG 66/23, in force from 05.08.2023) The postal operator obliged to provide the universal postal service can be a member of international organizations of post operators. The postal operator shall inform the Minister of Transport and Communications with a report about the results of his participation and the commitments made.

Art. 29. (Amend. - SG 102/10, in force from 30.12.2010) (1) The postal operator obliged to provide the universal postal service shall receive compensation from the state budget, where the obligation for provision of the universal postal service results in net expenses and causes undue financial burden on him.

(2) (Amend. - SG 53/19) The amount of the unfair financial burden of performing the universal postal service shall be determined by the Communications Regulation Commission on the basis of net costs calculated in compliance with the methodology under Art. 15, para. 1, item 11.

(3) The amount of the compensation may not exceed the amount of the unfair financial burden

of performing the universal postal service under Para. 2.

(4) The amount of the compensation is determined by the Act on the State Budget of the Republic of Bulgaria for the respective year.

(5) (Amend. - SG 53/19, amend. - SG 81/25) The funds to compensate for the unfair financial burden while performing the universal postal service shall be provided to the postal operator with an obligation to perform the universal postal service in compliance with the applicable state aid rules and in accordance with the service award act.

(6) (New - SG 53/19, in force from 01.01.2020) The funds to compensate for the unfair financial burden while performing the universal postal service shall be provided in advance for the current year by the state budget of the Republic of Bulgaria to the postal operator with the obligation to perform the universal postal service.

(7) (New - SG 53/19, in force from 01.01.2020, amend. – SG, 31/22, amend. - SG 66/23, in force from 05.08.2023, repealed - SG 81/25)

(8) (New - SG 53/19, in force from 01.01.2020, repealed - SG 81/25)

(9) (New - SG 53/19, in force from 01.01.2020, repealed - SG 81/25)

(10) (New - SG 53/19, in force from 01.01.2020) In the event that the advance funds provided under para. 6 for the respective year are less than the determined amount of the compensation under para. 4 for the same year, the amount of the difference shall be included in the estimated advances for the following year in the Draft Act on the State Budget of the Republic of Bulgaria.

Art. 29a. (New - SG 26/03; amend. - SG 102/10, in force from 30.12.2010, amend. - SG 53/19)

(1) The postal operator with the obligation to perform the universal postal service shall submit to the Communications Regulation Commission an application for compensation of the net costs of performing the universal postal service for the previous year along with the necessary evidence by May 31 of the current year.

(2) The application under para. 1 shall be prepared in accordance with the instructions of the Communications Regulation Commission given during the examination of the notification of the intention of the postal operator to apply for compensation of the net costs prepared according to the methodology under Art. 15, para. 1, item 11 and shall contain the amount of the net costs of performing the universal postal service calculated in compliance with the methodology under Art. 15, para. 1, item 11.

(3) The Commission for Regulation of Communications in case it finds that the application under para. 1 has not been prepared in accordance with the requirements of the methodology under Art. 15, para. 1, item 11 and / or does not reflect the instructions given in the process of examination of the notification of the intention of the postal operator to apply for compensation of the net costs within 14 days of the date of submission of the application, return it to the operator with instructions for its redoing. The postal operator shall submit a revised application to the Communications Regulation Commission within 14 days of receipt of these instructions.

(4) (Amend. - SG 79/24) The Communications Regulation Commission assigns an audit of the documents relating to the calculation of net costs of performing the universal postal service through a designated by the commission registered auditor under the Independent Financial Audit and Sustainability Assurance Act. The results of calculating the net costs of performing the universal postal service and the auditor's assessment are publicly available on the website of the Commission for Regulation of Communications on the Internet.

(5) Within three months from the filing of the application under para. 1 The Communications Regulation Commission shall, on the basis of a reasoned report of the auditor, issue a decision on:

1. the amount of the net costs of performing the universal postal service;
2. the existence of an unfair financial burden on the performance of the universal postal service

and its size.

(6) Within the term under par. 5 The Communications Regulation Commission may request the applicant to submit within seven days further information and evidence.

(7) (Amend. – SG 31/22, amend. - SG 66/23, in force from 05.08.2023) The Communications Regulation Commission shall present the decision under Para. 5 and the materials attached thereto to the Minister of Transport and Communications.

(8) (Amend. – SG 31/22, amend. - SG 66/23, in force from 05.08.2023) The Minister of Transport and Communications shall, during the budgetary procedure, present the decision under para. 5 and the materials attached thereto to the Minister of Finance proposing to include the amount of the funds for compensating the unfair financial burden in the draft Act on the state budget of the Republic of Bulgaria for the next year.

Art. 29b. (New - SG 102/10, in force from 30.12.2010) (1) The post operator obliged to provide the universal postal service shall organise and carry out accounting of its activity in compliance with the applicable accounting standards and by applying a system for distribution of the expenses both generally for the company and also analytically and separately for:

1. the universal postal service according to types of services;
2. the postal money transfers;
3. the non-universal postal services under Art. 38, Items 1 - 3;
4. other trade activities.

(2) The income from the universal postal service may not be used for covering expenses for non-universal postal services or for other activities.

(3) The contents, the method of distribution of the expenses of the post operator obliged to provide the universal postal service shall be determined in rules developed by the Communications Regulation Commission.

(4) The post operator obliged to provide the universal postal service shall submit to the Communications Regulation Commission an annual report containing analysis of the results from the implementation of the system for distribution of the expenses not later than 31 May of the respective year.

(5) (Amend. - SG 95/16) Every year the Communications Regulation Commission shall appoint checks for the implementation of the system for distribution of the expenses by the post operator obliged to provide the universal postal service to be carried out by a registered auditor. The results from the checks shall be made publicly available.

(6) (New - SG 53/19) Based on the results of the inspection under para. 5 The Commission for Regulation of Communications within the term under Art. 29a, para. 5 shall be pronounced by a decision whereby:

1. gives mandatory instructions for changes in the application of the system for the next period, and / or
2. coordinates the results obtained by the system;
3. refuses to coordinate the results obtained.

Art. 30. (Suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) The state or the municipalities may sell or provide for the use by the postal operator under Art. 24 in order to carry out the universal postal service, without an auction or competition, their real estate - state or municipal private property.

Art. 31. (Amend. and suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force

from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) The postal operator under Art. 24 shall be entitled to use free of charge state-owned and municipality-owned real estate in order to carry out the universal postal service in coordination with the mayors of the respective municipalities.

Art. 31a (New – SG 87/09, in force from 03.11.2009, revoked - SG 53/19)

Art. 31b. (New - SG 102/10, in force from 30.12.2010) The postal operator obliged to provide the universal postal service shall cooperate for the normal conduct of the measurements referred to in Art. 15, Para 1, Item 7.

Chapter four. POSTAL SERVICES

Section I. Universal Postal Service

Art. 32. (Amend. - SG 112/01; suppl. - SG 26/03; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The universal postal service shall be a service which is provided continuously throughout the specified working time, its quality being in accordance with the norms under Art. 15, para 1, item 7 at affordable prices, and its use being possible for every consumer on the territory of the whole country regardless of his geographic location.

Art. 33. (1) The universal postal service is provided on all working days, at least 5 days a week with the following exceptions:

1. (amend. - SG 26/03) in circumstances under Art. 12, para 2;
2. (amend. - SG 112/01; amend. - SG 26/03; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) in settlements and settlement formations that are difficult of access; these settlements and settlement formations are specified by the post operator obliged to provide the universal postal service in co-ordination with the mayors of the respective municipalities and the list of the said centres is approved by the Communications Regulation Commission; the working days that the provision of universal postal service is provided on are also specified.

(2) (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) The provision of the universal postal service comprises at least one collection of items each working day from the points of access and one delivery to receivers.

(3) (Suppl. – SG 87/09, in force from 03.11.2009; amend. and suppl. - SG 102/10, in force from 30.12.2010, amend. - SG 53/19) The number and location (density) of the points of access to the postal network of the post operator obliged to provide the universal postal service should meet the needs of the consumers and comply with the regulations of Art. 15, par. 1, item 12.

(4) (New - SG 102/10, in force from 30.12.2010, amend. - SG 53/19) The number of the access points referred to in Para 3, requiring establishment of postal offices as set out in the standards referred to in Art. 15, Para 1, Item 12, may be changed with the approval of the Communications Regulation Commission based on a reasoned proposal in writing from the post operator obliged to provide the universal postal service.

(5) (New - SG 102/10, in force from 30.12.2010) Within one month from the receipt of the proposal under Para 4 the Communications Regulation Commission shall deliver a decision and shall approve the changes, where the standards referred to in Art. 15, Para 1, Item 12 have been met.

(6) (New - SG 102/10, in force from 30.12.2010, amend. - SG 53/19) The number of the access points referred to in Para 3 that do not require establishment of stationary postal offices under the standards referred to in Art. 15, Para 1, Item 12 may be changed by the post operator obliged to provide the universal postal service, following a written notification communicated to the Communications Regulation Commission no later than one month before the date of the change.

(7) (New - SG 102/10, in force from 30.12.2010) The notification referred to in Para 6 shall contain information of the way of guaranteeing the provision of the universal postal service.

(8) (New - SG 102/10, in force from 30.12.2010) Within the time limit under Para 6, the Communications Regulation Commission may issue compulsory instructions to the postal operator obliged to provide the universal postal service in order to guarantee the provision of the said service.

Art. 34. (Amend. - SG 112/01) (1) (Amend. - SG 26/03; suppl. – SG 87/09, in force from 03.11.2009; suppl. - SG 102/10, in force from 30.12.2010) The universal postal service shall include the following types of postal services:

1. (amend. - SG 37/06, in force from 05.05.2006) accepting, carrying and delivery of internal and international consignments, as follows:

a) correspondence items – up to 2 kg;

b) small packages – up to 2 kg;

c) (revoked – SG 87/09, in force from 03.11.2009);

d) printed matter – up to 5 kg;

e) (amend. - SG 53/19) consignments for blind and visually impaired people – up to 7 kg;

2. (amend. - SG 37/06, in force from 01.01.2007) accepting, carrying and delivery of internal and international items - up to 20 kg;

3. (revoked – SG 87/09, in force from 03.11.2009);

4. additional services "registered items" and "declared value".

(2) (New - SG 37/06, in force from 05.05.2006) The postal items referred to in para 1, item 1 may be items with or without priority.

(3) (Amend. - SG 26/03; prev. text of para 02, suppl. – SG 37/06, in force from 05.05.2006; amend. And suppl. – SG 87/09, in force from 03.11.2009) The limit for weight of para 1, item 2 when referring to items from other countries may be also higher.

(4) (Amend. - SG 26/03; prev. text of para 03 – SG 37/06, in force from 05.05.2006; suppl. – SG 87/09, in force from 03.11.2009) The item under par. 1, items 1"a", "b", "d" and "e" and under para 2 may be either registered or unregistered ones.

(5) (New - SG 53/19) The universal postal service shall be performed only in a package of all services under Para. 1.

Art. 35. (1) (Suppl. - SG 26/03; suppl. - SG 37/06, in force from 05.05.2006, suppl. - SG 53/19) The form, the minimum and maximum dimensions and the way of addressing the items under Art. 34, par. 1, item 1 and 2 and para 2, as well as items to which the additional "recommendation" and "declared value" services are provided, are specified in accordance with the requirements set forth in the Acts of the Universal Postal Union.

(2) (Amend. and suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) The postal operator obliged to provide the universal postal service must notify in an appropriate manner all their customers about the requirements concerning the form, dimensions

and weight of the items under Para. 1.

Art. 36. (Amend. - SG 53/19) The postal items under Art. 34 shall be delivered to the users on the places or facilities according to Art. 6, para. 3.

Art. 36a. (New – SG 87/09, in force from 03.11.2009; revoked - SG 102/10, in force from 30.12.2010)

Section I "a".

Postal services within the scope of the universal postal service (New - SG 53/19)

Art. 36b. (New - SG 53/19) (1) Postal services included in the scope of the universal postal service shall be services for the reception, transport and delivery of individual types of postal items and services under Art. 34, para. 1.

(2) For the provision of the services under Para. 1, Art. 32 and 33 and the rules under Art. 66 shall not apply.

Section II.

Non-Universal Postal Services

Art. 37. (Amend. and suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009, revoked - SG 53/19)

Art. 38. (Amend. - SG 102/10, in force from 30.12.2010) The non-universal postal services shall comprise:

1. (amend. - SG 53/19) direct postal advertising;
2. (amend. - SG 53/19) hybrid mail;
3. courier services;
4. postal money transfers.

Chapter five.

INDIVIDUAL LICENCES AND NOTIFICATIONS FOR PROVISION OF POSTAL SERVICES (TITLE AMEND. – SG 87/09, IN FORCE FROM 03.11.2009)

Section I.

Individual Licences

Art. 39. (Amend. – SG 87/09, in force from 03.11.2009) The individual licence within meaning of this Act is an individual administrative instrument issued for:

1. (amend. – SG 102/10, in force from 30.12.2010) provision of the universal postal service in the entire territory of the Republic of Bulgaria by an operator who was assigned a duty to carry out such service;

2. (amend. – SG 102/10, in force from 30.12.2010) provision of services included into the scope

of the universal postal service;

3. (amend. – SG 102/10, in force from 30.12.2010) carrying out postal money transfers.

Art. 40. (Amend. - SG 26/03; revoked – SG 87/09, in force from 03.11.2009)

Art. 41. (Suppl. – SG 87/09, in force from 03.11.2009) The requirements for granting individual licences for provision of the services under Art. 39, item 2 and/or 3 shall be the same for all applicants, unless otherwise provided in this Act.

Art. 42. (Suppl. - SG 37/06, in force from 05.05.2006; suppl. – SG 87/09, in force from 03.11.2009) Individual licences for provision of the services under Art. 29, item 2 and/or 3 shall be granted in observance of publicity and equality.

Art. 43. (1) (Amend. - SG 112/01; suppl. - SG 26/03; suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The persons applying for individual licenses for provision of the services under Art. 39, item 2 and/or 3 shall file an application in a form to the Communications Regulation Commission specifying the following:

1. identification data of the applicant;
2. (amend. – SG 87/09, in force from 03.11.2009) the types of services and the time within which they will be provided;
3. (amend. – SG 87/09, in force from 03.11.2009) the estimated date of commencement of the activity.

(2) The following shall be enclosed to the application under par. 1:

1. (amend. - SG 26/03; amend. - SG 34/06, in force from 01.10.2006, revoked - SG 53/19)
 - 1a. (new - SG 37/06; suppl. – SG 102/10, in force from 30.12.2010) (*) document certifying registration of the applicant according to the legislation of a Member State of the European Union or a contracting party to the Agreement on the European Economic Area;
2. (suppl. - SG 26/03; revoked – SG 34/06, in force from 01.10.2006)
3. (amend. - SG 105/05, in force from 01.01.2006; revoked – SG 34/06, in force from 01.10.2006)
4. (revoked – SG 37/06, in force from 05.05.2006)
5. (amend. – SG 87/09, in force from 03.11.2009, revoked - SG 53/19)
6. (amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010) description of the technology process and a sketch plan showing the location of the points of access to the post network;
7. (new - SG 26/03, revoked - SG 53/19)
8. (new - SG 26/03) declaration for the circumstance under Art. 47, para 2, item 4, letter "c";
9. (new - SG 26/03, revoked - SG 53/19)
10. (new - SG 84/23) description of the management and organizational structure, including the activity of individual organizational units, the organization and management of the applicant's information system, including the information protection mechanism;
11. (new - SG 84/23, amend. - SG 49/25) an anti-money laundering program to ensure adequate, reliable and effective internal control mechanisms, including specialized software, established by the applicant to fulfill obligations under the Measures against Money Laundering Act and the Act on Measures Against Financing of Terrorism and the Proliferation of Weapons of Mass Destruction;
12. (new - SG 84/23) data on the actual owner of the legal entities that have a direct or indirect

equity interest in the applicant, for which a declaration according to the model of the Communications Regulation Commission is submitted;

13. (new - SG 84/23) audited annual balance sheet and income statement for the last completed financial year (unless requested for publication in the commercial register and the register of non-profit legal entities) or a summary of the financial position for those companies that have not yet prepared an annual financial statement, unless the applicant is a company in the process of incorporation;

14. (new - SG 84/23) business plan and estimated budget for the first three years of operation;

15. (new - SG 84/23) description of security rules;

16. (new - SG 84/23) for an applicant - a foreign legal entity: a copy of the founding acts.

(3) (Amend. - SG 53/19) All documents shall be filed in Bulgarian language.

(4) (Repealed - SG 26/03, new - SG 53/19) Upon filing an application, the persons under para. 1 shall pay a fee for its examination in the amount determined by the tariff under Art. 63.

(5) (New - SG 53/19) The Communications Regulation Commission shall require, by the order of Art. 87, para. 11 of the Tax-Insurance Procedure Code information on the existence or absence of public obligations for the person concerned.

(6) (New - SG 84/23) The requirements under para. 2, items 10 - 16 apply to applicants for obtaining a license for postal money transfers.

Art. 44. (1) (Amend. - SG 112/01; amend. – SG 87/09, in force from 03.11.2009, suppl. - SG 53/19) In order for the applications for individual licences under Art. 39, item 2 and / or 3 to be considered, the chairman of the Communications Regulation Commission appoints a specialised commission of five members, the latter being employees of the administration of the Communications Regulation Commission; the Minister also designates three reserve members who act as members when the regular ones are absent.

(2) The meetings of the commission under par. 1 shall be regarded as duly held if all the members are present.

(3) (Suppl. - SG 37/06, in force from 05.05.2006) The Commission referred to in para 1 shall take decisions by the majority of more than one half of its members. The dissenting members submit their dissenting opinion in writing.

Art. 45. (1) (Suppl. - SG 26/03; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The commission under Art. 44 considers all applications and enclosures thereto within 14 days of the day of their being filed.

(2) (Amend. - SG 26/03; amend. – SG 87/09, in force from 03.11.2009) If the commission under Art. 44 finds out omissions or flaws regarding the requirements set forth in Art. 43 it shall notify the applicant in writing by registered mail and shall give the applicant a ten-day period for their removal, this period commencing on the day of receipt of the notification.

(3) (Suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) If the gaps and deficiencies are not removed, the Communications Regulation Commission shall not consider the application and, within 10 days, notifies the applicant thereof by way of letter with notice for delivery (return receipt).

(4) (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The Communications Regulation Commission shall not consider the application in those cases where it has found out that the applicant's individual licence granted in accordance with this Act has been revoked and the period of time for which the applicant was deprived from the right to apply for the same kind of licence has not expired. The applicant is notified by way of letter with notice for delivery (return receipt).

Art. 46. (Amend. - SG 112/01; amend. - SG 26/03; amend. and suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) Within two months from the date the application under Art. 43 was filed, the commission under Art. 44 shall make a proposal to the Communications Regulation Commission to either issue or refuse to issue the individual licence.

Art. 47. (1) (Amend. - SG 112/01, amend. - SG 26/03; suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The Communications Regulation Commission, within 14 days from the proposal of the commission under Art. 44 by a decision shall either issue or refuse to issue individual licence for provision of the services under Art. 39, item 2 and/or 3 and within three days from the adoption of the decision shall notify the applicant by registered mail, and in case of refusal a copy of the decision shall be sent to him within 7 days from the adoption of the decision.

(2) (Amend. - SG 26/03; suppl. - SG 37/06, in force from 05.05.2006; suppl. – SG 87/09, in force from 03.11.2009, suppl. - SG 53/19) The Communications Regulation Commission shall refuse to grant individual licence for provision of the services under Art. 39, item 2 and/or 3 in those cases where, on the grounds of the documents submitted by the applicant or information received through official channels, the commission referred to in Art. 44 has established that:

1. (suppl. - SG 53/19) circumstances are present that endanger the country's security or defence according to an opinion of the State Agency for National Security and / or the Ministry of Defense;

2. (suppl. - SG 37/06, in force from 05.05.2006; revoked – SG 87/09, in force from 03.11.2009);

3. (suppl. - SG 26/03; amend. - SG 37/06, in force from 05.05.2006; revoked – SG 87/09, in force from 03.11.2009) .

4. (new, SG 26/03) the applicant:

a) has been declared bankrupt or is under proceedings for declaring bankruptcy;

b) is in a process of liquidation;

c) has been divested of the right to carry out commercial activity - for the managers or for the members of the managing bodies of the applicant;

d) (amend. - SG 53/19) has public liabilities with the exception of liabilities under acts, which not yet entered into force, deferred, extended or secured liabilities.

e) (new - SG 84/23, amend. - SG 47/25) the actual owner of the capital is a person in the lists under Art. 4b, items 2 and 3 of the Act on Measures Against Financing of Terrorism and the Proliferation of Weapons of Mass Destruction;

f) (new - SG 84/23, suppl. - SG 49/25) natural persons - members of management bodies of the applicant, or natural persons - actual owners of the applicant, as well as their related persons, have been convicted of intentional crimes of a general nature, unless they have been rehabilitated;

g) (new - SG 84/23) legal entities - members of the applicant's management bodies, have members of management bodies convicted of intentional crimes of a general nature, unless they have been rehabilitated;

h) (new - SG 84/23) the applicant does not have financial capabilities that ensure the necessary reliability and financial stability;

i) (new - SG 84/23, repealed - SG 49/25)

j) (new - SG 84/23) the applicant's business plan, management and organizational structure, internal control systems, policies, as well as the anti-money laundering program do not ensure stable and effective risk management.

(3) (Amend. - SG 112/01, suppl. - SG 37/06, in force from 05.05.2006) The decision with which the Communications Regulation Commission refuses to grant individual licence is to be motivated.

(4) (Amend. - SG 112/01, revoked – SG 102/10, in force from 30.12.2010)

(5) (New - SG 84/23) Paragraph 2, item 4, letters "e" - "j" apply only to persons who have

submitted an application for the issuance of a license to carry out postal money transfers.

Art. 47a. (New - SG 37/06, in force from 05.05.2006, revoked - SG 53/19)

Art. 48. (1) (Amend. - SG 112/01; amend. – SG 87/09, in force from 03.11.2009) The individual licences granted shall be personal ones.

(2) (Repealed - SG 26/03)

(3) (New – SG 87/09, in force from 03.11.2009) The granted individual license for provision of the universal postal service shall be non-transferrable.

(4) (New – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010) The granted individual licenses for provision of the services under Art. 39, item 2 and/or 3 may be transferred to third persons – traders only with the consent of the Communications Regulation Commission.

(5) (Amend. - SG 112/01; amend. - SG 26/03; amend. and suppl. - SG 37/06, in force from 05.05.2006; prev. par. 3 – SG 87/09, in force from 03.11.2009) A licensed operator wishing to transfer to a third person the individual licence issued to him shall file an application with the Communications Regulation Commission. The application shall be accompanied by a declaration by the third person stating his consent for the transfer of the individual licence. The third persons shall enclose to the declaration the documents under Art. 43, para 2.

(6) (New – SG 102/10, in force from 30.12.2010, amend. - SG 81/25) In case of missing or incomplete documentation under Para 5, the Communications Regulation Commission shall notify the applicant by a letter with acknowledgment of receipt to remedy the omissions or the deficiencies within 14 days from receipt of the notification. In case of failure to remedy the omissions or the deficiencies within the specified time limit the application shall not be processed.

(7) (New – SG 102/10, in force from 30.12.2010) The Communications Regulation Commission shall refuse to allow the transfer in the cases referred to in Art. 47, Para 2.

Art. 48a. (New - SG 37/06, in force from 05.05.2006) (1) (Amend. – SG 87/09, in force from 03.11.2009, revoked - SG 53/19)

(2) (Amend. – SG 87/09, in force from 03.11.2009, amend. - SG 84/23) Transfer of shares or stocks of the capital or admission of new partners in commercial companies – postal operators granted with an individual license for provision of the services under Art. 39, item 2 which affects the control of the management of the company may be undertaken after permission from the Communications Regulation Commission.

(3) (Amend. – SG 87/09, in force from 03.11.2009) Postal operators issued with an individual license for provision of the services under Art. 39, item 2 and/or 3 – sole traders – may transfer their enterprise to third parties after permission from the Communications Regulation Commission.

(4) (Revoked – SG 87/09, in force from 03.11.2009)

(5) (Revoked – SG 87/09, in force from 03.11.2009)

(6) (Revoked – SG 87/09, in force from 03.11.2009)

(7) (New – SG 102/10, in force from 30.12.2010, amend. and suppl. - SG 53/19) The request for permission under Para 3 shall be accompanied by the identity data and the documents under Art. 43, Para 2 about the third parties. The Communications Regulation Commission shall require, by the order of Art. 87, para. 11 of the Tax-Insurance Procedure Code information on the presence or absence of public obligations for the respective person. All documents shall be filed in Bulgarian.

(8) (New – SG 102/10, in force from 30.12.2010, amend. - SG 81/25) In case of missing or incomplete documentation under Para. 7, the Communications Regulation Commission shall notify the

applicant by a letter with acknowledgment of receipt to remedy the omissions or the deficiencies within 14 days from receipt of the notification. In case of failure to remedy the omissions or the deficiencies within the specified time limit the application shall not be processed.

(9) (New – SG 84/23) Transfer of equity shares or acceptance of new partners in commercial companies - postal operators that have been issued an individual license to perform the services under Art. 39, item 3, can be carried out after permission of the Commission for the regulation of communications.

(10) (New – SG 102/10, in force from 30.12.2010, prev. para 9, suppl. – SG 84/23) The Communications Regulation Commission shall refuse to allow the requests under Para 2, 3 and 9 in the cases referred to in Art. 47, Para 2.

Art. 49. (Revoked – SG 102/10, in force from 30.12.2010)

Art. 50. (1) (Amend. - SG 112/01; suppl. - SG 37/06, in force from 05.05.2006) The Communications Regulation Commission enters the individual licences granted into a special register showing:

1. the registration number and the date of entry;
2. (amend. - SG 53/19) the name of the licensed entity and a unique identification code according to the Act on the Commercial Register and the Non-Profit Legal Entities Register and for a licensed entity established in a Member State of the European Union or a State party to the Agreement on the European Economic Area - the name of the licensed entity registration and address details and identification number;

3. (amend. – SG 87/09, in force from 03.11.2009) the services to be provided;

4. term of validity of the licence.

(2) It is under the registration number specified in par. 1, item 1 that all changes occurring in relation to the registered data shall be entered and so is the period of time of:

1. temporary discontinuance of the licence;

2. (amend. - SG 37/06, in force from 05.05.2006) which after revocation of the individual license the applicant may not apply for a new licence.

(3) The Register under Para. 1 shall be a public one.

Art. 51. (Suppl. - SG 26/03) (1) (Prev. text of Art. 51, suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The Communications Regulation Commission shall publish on its internet site informational of the granted, transferred, terminated or withdrawn individual licenses.

(2) (New - SG 37/06, in force from 05.05.2006; amend. – SG 102/10, in force from 30.12.2010) The Communications Regulation Commission shall provide publicity of the rights and obligations of the post operators granted individual licenses by publishing them on its Internet site except the requirements referred to in Art. 12 and the scheme for positioning of the postal network access points.

Art. 52. (1) (Prev. text of Art. 52, amend. - SG 26/03; suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010) The individual licence for provision of the services under Art. 39, Items 2 and/or 3 shall be valid for up to 20 years.

(2) (New - SG 26/03) The term may be extended at a request of the licensed person by the Communications Regulation Commission when:

1. the licensed person meets the requirements of the acting legislation, including requirements

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related to the security and defence of the country;

2. (suppl. - SG 37/06, in force from 05.05.2006) no written warning has been extended to the licensed person for withdrawal of the licence for the term of the issued individual licence;

3. the circumstances of Art. 47, para 2, item 4 are not present with the licensed person.

(3) (New - SG 26/03; amend. - SG 37/06, in force from 05.05.2006; revoked – SG 87/09, in force from 03.11.2009)

(4) (New - SG 26/03; suppl. - SG 37/06, in force from 05.05.2006; revoked – SG 87/09, in force from 03.11.2009)

Section II.

Content of Individual Licences

Art. 53. (Suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The individual licence shall contain requirements for:

1. (suppl. - SG 53/19) provision of the services under Art. 39, item 2 and / or 3 and provision of equality of all consumers under publicly known conditions;

2. (new - SG 53/19) fulfillment of the conditions for delivery of the postal items under Art. 6, para. 4;

3. (prev. item 2 - SG 53/19) provision of postal security, as well as creating of conditions for supervision and control exercised by competent bodies;

4. (prev. item 3 - SG 53/19) environment protection and protection of the life and health of people in the course of performing the activities;

5. (prev. item 4 - SG 53/19) working out of general terms of the contract with the consumers of postal services and the co-ordination thereof with the Communications Regulation Commission;

6. (prev. item 5 - SG 53/19) provision in an appropriate manner of information for the consumers concerning the working time, technical requirements towards the postal items, objects and substances forbidden to be placed in the items, the prices of postal services and particular amounts of compensations;

7. (prev. item 6 - SG 53/19) the amount and way of paying the licence fees specified in the individual licence;

8. (prev. item 7 - SG 53/19) provision of information to the licensor, this information being related to the performance of the individual licence, including also the placed claims by number and the way they have been settled;

9. (prev. item 8 - SG 53/19) immediate notification of the licensor in those cases where the licensee has been declared insolvent or bankrupt or a liquidation procedure has been started;

10. (prev. item 9 - SG 53/19) opportunity to provide access to the postal network of the licensee;

11. (new - SG 53/19) presentation of the prices of the postal services for the information of the licensee;

12. (amend. – SG 102/10, in force from 30.12.2010, prev. item 10 - SG 53/19) obligatory keeping of analytical accounting as set out in Art. 23a;

13. (prev. item 11 - SG 53/19) performance of tasks or restrictions regarding the provision of postal services in the circumstances under Art. 12, para 2;

14. (prev. item 12 - SG 53/19) amendments, supplementations, transfers, temporary suspension or termination of the individual licence in the cases provided for in the law;

15. (prev. item 13 - SG 53/19) withdrawal of the individual licence in the cases provided for in the law;

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16. (prev. item 14 - SG 53/19) allowing control to be carried out on the part of the licensor concerning the performance of the individual licence;

17. (prev. item 15 - SG 53/19) sanctions and the procedure for the enforcement thereof;

18. (amend. – SG 102/10, in force from 30.12.2010, prev. item 16 - SG 53/19) initial date of commencement of the activity and the access points to the postal network according to the plan scheme attached;

19. (amend. – SG 102/10, in force from 30.12.2010, prev. item 17 - SG 53/19) use of dating stamps and prints according to Art. 77, par. 4.

Art. 54. (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009, suppl. - SG 53/19) The individual license of the postal operator obliged to provide the universal postal service in addition to the requirements under Art. 53 shall contain the following additional and special requirements:

1. (new – SG 87/09, in force from 03.11.2009) obligatory provision of the universal postal service in the territory of the whole country;

2. (new – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010, amend. - SG 53/19) provision of sufficient density of the access points to the postal network, in consideration of consumers' needs and the conditions for the delivery of post mail under Art. 6, para. 4;

3. (new – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) meeting the quality standards for the universal postal service under Art. 15, par. 1, item 7;

4. (new – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010) rendering assistance for the normal performance of the measurements under Art. 15, par. 1, item 7;

5. (new – SG 87/09, in force from 03.11.2009, revoked - SG 53/19)

6. (new – SG 87/09, in force from 03.11.2009) presentation of the price of the universal postal service by type of services for approval by the licensor prior to the date of their application;

7. (new – SG 87/09, in force from 03.11.2009, revoked - SG 53/19)

8. (amend. - SG 37/06, in force from 05.05.2006; prev. item 1, amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010, amend. - SG 53/19) obligatory application of the cost distribution system and analytical accountancy book-keeping as set out in Art. 29b, Para 1;

9. (amend. - SG 37/06, in force from 05.05.2006; prev. item 2 – SG 87/09, in force from 03.11.2009; revoked – SG 102/10, in force from 30.12.2010, new - SG 53/19) a procedure for proving the amount of the net costs of performing the universal postal service.

10. (amend. - SG 26/03; revoked – SG 37/06, in force from 05.05.2006; prev. item 3 – SG 87/09, in force from 03.11.2009)

11. (amend. - SG 26/03; prev. item 4 – SG 87/09, in force from 03.11.2009) using postage stamps for prepayment of certain postal services;

12. (suppl. - SG 37/06, in force from 05.05.2006; prev. item 5 – SG 87/09, in force from 03.11.2009) providing postal services free of charge in the cases provided for in the law;

13. (prev. item 6 – SG 87/09, in force from 03.11.2009) observing the Acts of the Universal Postal Union;

14. (amend. and suppl. - SG 37/06, in force from 05.05.2006; prev. item 7 – SG 87/09, in force from 03.11.2009) printing and sale of postage stamps and postal products;

15. (prev. item 8, amend. – SG 87/09, in force from 03.11.2009) selling and exchange of international coupon-replies;

16. (prev. item 9, suppl. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010) using postmarks and seals according to Art. 77, par. 1 and 3;

17. (new – SG 102/10, in force from 30.12.2010) provision to the consumers and the postal operators in an appropriate way of detailed and up-to-date information regarding the features of the rendered

universal postal service, the access conditions to the said service and of the prices and the quality standards.

Section III.

Changes, Amendments, Discontinuance and Suspension of Individual Licences

Art. 55. (1) (Amend. - SG 112/01; amend. - SG 37/06, in force from 05.05.2006) Amendments, supplements, temporary suspension or early termination of the individual licences before the term set may be done unilaterally by the Communications Regulation Commission through a motivated decision, after giving written notification thereof, in the following cases:

1. force-majeure;
2. (amend. - SG 37/06, in force from 05.05.2006) reasons related to the national security and defence of the country resulting from the activity performed under the individual licence;
3. (amend. - SG 26/03) the circumstances within meaning of Art. 12, para 2;
4. changes in home legislation or in the decisions of the Universal Postal Union or the European postal organisations recognised by the Republic of Bulgaria;
5. (new - SG 53/19) in the case of a change in the data under Art. 43, para. 1, item 1;
6. (new - SG 84/23) existence of the circumstances under Art. 47, para. 2 of an issued individual license for performing the services under Art. 39, item 3.

(2) (Amend. - SG 112/01; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The Communications Regulation Commission suspends with a decision individual licences, granted for provision of services under Art. 39, item 2 and/or 3 before the term set in the following cases:

1. (amend. - SG 37/06, in force from 05.05.2006) if the licensee - sole proprietor dies, and within three months none of the heirs has stated that he/she shall continue performing the individual licence;
2. (amend. - SG 37/06, in force from 05.05.2006) if the licensed postal operator is wound up;
3. if the licence is revoked under Art. 57.

Art. 56. (1) (Amend. - SG 112/01, amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The postal operator licensed for provision of services under Art. 39, item 2 and/or 3 shall be entitled to file a motivated request to the Communications Regulation Commission for amending or supplementing the individual licence. This request shall be examined with regard to its grounds and necessity and within two months the Communications Regulation Commission either approves or refuses to approve the amendments to the individual licence.

(2) (Amend. - SG 112/01; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The postal operator under Para. 1 shall be entitled to demand termination of the individual licence before the term set, through giving notification in writing to the Communications Regulation Commission six months prior to the date of termination. When the notification term has expired, the Communications Regulation Commission shall terminate the individual licence by way of a decision.

Art. 57. (1) (Amend. - SG 112/01; amend. - SG 37/06, in force from 05.05.2006; suppl. – SG 87/09, in force from 03.11.2009, amend. - SG 84/23) The Communications Regulation Commission may revoke the individual license granted for provision of services under Art. 39, item 2 and/or 3 with a motivated decision and the latter becomes invalid in the cases of:

1. (amend. - SG 26/03; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) systematic violation of this Act, the normative acts on its application or the conditions of the licence;

2. (amend. – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) non-fulfillment of the requirements for postal security, set out in Art. 53, item 3, and also upon a proposal of the competent bodies in those cases where they have established that the actions of the licensee endanger the national security;

3. (new - SG 53/19) upon notification under Art. 182, para. 2, item 2 and Art. 221, para. 6 of the Tax-Insurance Procedure Code;

4. (new - SG 84/23, amend. - SG 49/25) according to art. 125 of the Measures against Money Laundering Act and/or Art. 18 of the Act on Measures Against Financing of Terrorism and the Proliferation of Weapons of Mass Destruction;

5. (new - SG 84/23, amend. - SG 49/25) when the commission finds that some of the circumstances specified in Art. 47, para. 2, item 1 or item 4, letters "e" - "g" are present;

6. (new - SG 84/23) when the postal operator does not provide the postal services - subject of the issued license, according to the entered description of the technological process in the procedure for issuing the individual license.

(2) (New - SG 37/06, in force from 05.05.2006, repealed - SG 84/23)

(3) (Amend. - SG 112/01; suppl. - SG 26/03; prev. text of para 02, amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The revocation decision shall specify the period of time for which the applicant is deprived from the right to apply for a new individual licence for provision of services under Art. 39, item 2 and/or 3 and/or to acquire individual licence as well as to acquire shares and stocks of the capital of commercial company – licensed postal operator – for the activity for which the individual license was revoked. This period of time may not be shorter than two years.

Art. 58. (Amend. - SG 112/01; suppl., SG 26/03; revoked – SG 102/10, in force from 30.12.2010, new - SG 49/25) (1) Non-performance of the Measures Against Money Laundering Act or the Act on Measures Against Financing of Terrorism and the Proliferation of Weapons of Mass Destruction, as well as their implementing acts, the Communications Regulation Commission may impose, with a motivated decision, one or more of the following coercive administrative measures:

1. to address the postal operator with a warning;

2. to order cessation of the non-performance and/or elimination of its consequences, and/or bringing the activity of the postal operator, holding an individual license for services provision under Art. 39, item 3, in compliance with the specified acts;

3. to prohibit the provision of the service within the scope of the individual license under Art. 39, item 3 for a period of up to 6 months;

4. to order the postal operator holding an individual license for services provision under Art. 39, item 3, to release one or more persons authorized to manage and represent the respective person, and to revoke his management and representative rights until his release, including to impose a temporary ban on the person or persons from holding positions in a postal operator.

(2) When determining the type of coercive measure under Para. 1, the Communications Regulation Commission shall take into account the circumstances under Art. 123a, Para. 1 and 3 of the Measures Against Money Laundering Act.

(3) Each applied coercive administrative measure under Para. 1 shall be published on the website of the Communications Regulation Commission, in compliance with Art. 122 of the Measures Against Money Laundering Act.

(4) Upon initiation of proceedings for the application of a coercive administrative measure under Para. 1, the State Agency for National Security shall be notified.

(5) Appealing the decision under Para. 1 shall not suspend its execution.

(6) The Chairman of the Communications Regulation Commission may recommend the postal operator holding an individual license for the provision of services under Art. 39, item 3, to properly

implement the acts referred to in Para. 1.

Section IV.

Procedure and Requirements for Performing Non-Universal Postal Services (Title amend. – SG 87/09, in force from 03.11.2009)

Art. 59. (1) (Amend. - SG 112/01; suppl., SG 26/03; amend. – SG 87/09, in force from 03.11.2009; amend. and suppl. - SG 102/10, in force from 30.12.2010) Non-universal postal services under Art. 38, items 1 - 3 shall be provided following submission of an appropriate written notification in an approved form to the Communications Regulation Commission containing the following:

1. (amend. - SG 34/06, in force from 01.10.2006; amend. – SG 87/09, in force from 03.11.2009) identification data of the person;

2. the services to be provided and their specifications;

3. (new – SG 87/09, in force from 03.11.2009) contact person and contact information;

4. (new – SG 87/09, in force from 03.11.2009) commencement date of the activity.

(2) The following is to be enclosed to the application filed under par. 1:

1. (amend. and suppl. – SG 87/09, in force from 03.11.2009, revoked - SG 53/19)

1a. (new - SG 37/06; suppl. - SG 102/10, in force from 30.12.2010) (*) document certifying registration of the applicant according to the legislation of a Member State of the European Union or a contracting party to the Agreement on the European Economic Area;

2. document of current state;

3. declaration showing that the person assumes to perform the obligations under Art. 60.

4. (new, SG 26/03; revoked – SG 87/09, in force from 03.11.2009);

5. (new, SG 26/03; revoked – SG 87/09, in force from 03.11.2009);

(3) (Amend. - SG 112/01; amend. - SG 26/03; amend. – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) The notification shall be filed in Bulgarian language.

(4) (Amend. - SG 26/03; amend. – SG 87/09, in force from 03.11.2009, amend. - SG 81/25) In case of incompleteness of the notification within 14 days after its receipt the Communications Regulation Commission shall notify the person in writing to eliminate the incompleteness within 14 days.

(5) (New - SG 26/03; amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) Upon verifying that the notification has been duly filed, the Communications Regulation Commission shall enter the person into a public register of operators, providing non-universal postal services under Art. 38, items 1 - 3, which shall be published on the commission internet site.

(6) (New - SG 26/03; amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) The operator providing non-universal postal services under Art. 38, items 1 - 3 may request in writing from the Communications Regulation Commission issuance of a certificate of entering into the register of Para. 5.

(7) (New - SG 26/03; amend. – SG 87/09, in force from 03.11.2009) The Communications Regulation Commission shall issue the certificate within 14 days after the receipt of the request.

(8) (New - SG 26/03; amend. – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) For the issuance of a certificate under par. 6 an administrative fee shall be paid in an amount, determined pursuant to the provision of Art. 63.

(9) (New - SG 26/03; amend. – SG 87/09, in force from 03.11.2009, amend. - SG 81/25) A certificate under par. 6 shall not be issued if the administrative fee is not paid.

(10) (New - SG 26/03; amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) The operator providing non-universal postal services under Art. 38, items 1 - 3 shall notify the Communications Regulation Commission about every modification of the data contained in the

notification under par. 1 within 14 days after the occurrence of the change.

(11) (New - SG 26/03; revoked – SG 87/09, in force from 03.11.2009, new - SG 53/19) The Communications Regulation Commission may delete a postal operator from the register under para. 5 in the following cases:

1. at the death of the postal operator - a sole trader, if, within three months, one of the heirs has not declared that he will continue to carry out his activity;
2. upon termination of the postal operator - legal person;
3. upon written request by the postal operator to the Communications Regulation Commission;
4. if with a court decision entered into force the postal operator is prohibited to carry out the activity for which he is entered in the register under para. 5;
5. if the trader is removed from the Commercial Register;
6. if for the previous three calendar years the postal operator has not provided to the Commission the information under Art. 15, para. 1, item 9;
7. if any of the circumstances under items 1 to 6 is present with respect to a foreign person entitled to perform postal service activity on the territory of the Republic of Bulgaria;
8. in other cases provided for by law;

(12) (New - SG 26/03; amend. - SG 37/06, in force from 05.05.2006; revoked – SG 87/09, in force from 03.11.2009)

Art. 59a. (New - SG 26/03; revoked – SG 87/09, in force from 03.11.2009)

Art. 59b. (New - SG 26/03; revoked – SG 87/09, in force from 03.11.2009)

Art. 60. (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) Post operators having notified the Communications Regulation Commission of provision of non-universal postal services under Art. 38, items 1 - 3 are obligated to:

1. (amend. - SG 37/06, in force from 05.05.2006) provide the inviolability of the postal items;
2. (amend. - SG 37/06, in force from 05.05.2006) observe the confidentiality of correspondence, including the data about the senders, receivers and postal items;
3. (amend. - SG 37/06, in force from 05.05.2006; amend. – SG 109/08) observe the requirements for post safety and provide the reliability of the postal network;
4. not to collect, carry or deliver forbidden objects or substances under Art. 90 and 91;
5. (suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 109/08; amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) undertake new measures for protection of the postal traffic and for prevention of prohibited articles or substances in the postages in the sense of Art. 90 and 91 by providing, installing, putting into operation and maintaining for their own account the technical equipment and software, and where necessary ensure their use against payment by other post operators or use if necessary against payment such resources by other post operators;
6. (new - SG 102/10, in force from 30.12.2010) provide for conditions for monitoring and control of the postages by the competent authorities of the Ministry of Interior and of the State Agency "National Security", which may issue compulsory prescriptions;
7. (suppl. - SG 26/03; prev. text of Item 06 - SG 102/10, in force from 30.12.2010) protect the environment, the life and health of people.
8. (new - SG 26/03; amend. - SG 37/06, in force from 05.05.2006; prev. text of Item 07 - SG 102/10, in force from 30.12.2010) assist in providing the postal services on occurrence of the circumstances

under Art. 12, para 2;

9. (new - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; prev. text of Item 08 - SG 102/10, in force from 30.12.2010) by no means provide the services under Art. 39;

10. (new - SG 102/10, in force from 30.12.2010) use the stamps referred to in Art. 77, Para 2.

Art. 61. (1) (Amend. - SG 112/01; amend., SG 26/03; amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) A postal operator providing non-universal postal services under Art. 38, items 1 - 3 may terminate their provision, notifying thereof in writing the Communications Regulation Commission.

(2) (Amend. - SG 112/01; amend. – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) Provided that the Communications Regulation Commission discovers non-fulfillment of the obligations under Art. 60, it shall notify the postal operator, providing non-universal postal services under Art. 38, items 1 - 3 within 14 days after the discovery, and it shall set a term, not less than one month after the notification, for issuing an opinion and removal of the non-fulfillment.

(3) (New – SG 87/09, in force from 03.11.2009) Provided that the post operator under par. 2 fails to stop the non-fulfillment within the term, fixed by the Communications Regulation Commission, it shall impose a fine or a proprietary sanction in compliance with this Act.

(4) (New – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) The Communications Regulation Commission may take a decision for termination of the activity of the postal operator, providing non-universal postal services under Art. 38, items 1 - 3 provided that regular violation of the obligations under Art. 60 has been identified.

(5) (New – SG 87/09, in force from 03.11.2009; amend. - SG 102/10, in force from 30.12.2010) The Communications Regulation Commission by a decision shall terminate the activity of the postal operator, providing non-universal postal services under Art. 38, items 1 - 3 provided that regular violation of the law or of the issued on its grounds acts.

(6) (New – SG 87/09, in force from 03.11.2009; revoked - SG 102/10, in force from 30.12.2010)

(7) (New – SG 87/09, in force from 03.11.2009) The postal operator under Para. 1 may submit a notification for performing the same non-universal postal services no earlier than 6 months from the date of entry into force of the decision to suspend the activity.

Art. 61a. (New - SG 37/06, in force from 05.05.2006; revoked – SG 87/09, in force from 03.11.2009)

Section V.

Fees (Title amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010)

Art. 62. (1) (Amend. - SG 37/06, in force from 05.05.2006) Postal operators pay licence fees at the amount and in the way specified in the terms and conditions of the individual licence.

(2) The licence fees are as follows:

1. (suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) initial one - on granting an individual licence for provision of services under Art. 39, including the expenses on preparing it;

2. (amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010) annual control fee including the administrative expenses of

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the Communications Regulation Commission necessary for analysis and control of the postal services market, drafting and implementation of acts of secondary legislation and issuance of administrative acts and control of their implementation - percentage of the annual net incomes from the licensed postal services;

3. (new - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) for amendment, supplementing and transfer of individual license as referred to in Art. 48, para 5 and Art. 56, para 1.

(3) (Amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010) The postal operators providing non-universal postal services under Art. 38, items 1 - 3, pay a single fee for issuance of a certificate for entering into the register under Art. 59, par. 5.

Art. 63. (Amend. - SG 112/01; amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010) The amount of the fees under this Section, the time limits and the method of payment shall be determined by the Council of Ministers following a proposal of the Communications Regulation Commission and the Minister of Finance.

Art. 64. (Amend. - SG 100/19, in force from 01.01.2020) The fees under Art. 62 shall be received and reported to the budget of the Communications Regulation Commission, which is the administrator of this revenue.

Chapter six.

PRICES OF POSTAL SERVICES

Art. 65. (Amend. - SG 26/03) (1) (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The prices of postal services are determined by the post operators in accordance with the supply and demand with the exception of the price of the universal postal service.

(2) (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The prices of the universal postal service by types of services shall be formed by the post operator obliged to provide the universal post service in compliance with the requirements of the ordinance under Art. 66, para 1 and the methodology under Art. 15, para 1, item 13.

(3) (Amend. – SG 87/09, in force from 03.11.2009) The post operator obliged to provide the universal postal service shall submit the price under para 2 to the Communications Regulation Commission within 30 days prior to its enactment.

(4) (Amend. - SG 37/06, in force from 05.05.2006; suppl. – SG 87/09, in force from 03.11.2009) The post operators, providing services, included into the scope of the universal postal service and the operators of non-universal postal services shall submit the prices under para 1 to the Communications Regulation Commission for information within 10 days before their enactment.

(5) (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009, suppl. - SG 53/19) The Communications Regulation Commission shall oblige the post operator obliged to provide the universal postal service within a specified term, to review the price under para 2 if the requirements of the ordinance under Art. 66, para 1 and the methodology under Art. 15, para 1, item 13 have not been observed for its calculation.

(6) (Revoked – SG 102/10, in force from 30.12.2010, new - SG 53/19) In the case of the postal operator with the obligation to provide a universal postal service do not submit processed prices within the term under para. 5 or the processed prices do not meet the requirements of the Ordinance under Art. 66, para. 1 and of the methodology under Art. 15, para. 1, item 13, the Communications Regulation Commission shall refuse their coordination.

Art. 66. (1) (Amend. - SG 112/01; amend. - SG 26/03, amend. - SG 99/05; amend. - SG 37/06, in force from 11.06.2006; amend. – SG 87/09, in force from 03.11.2009) The prices by types of the universal postal service are formed and applied in accordance with the rules specified in an ordinance of the Council of Ministers. The draft of the ordinance shall be developed by the Communications Regulation Commission.

(2) (Amend. - SG 37/06, in force from 05.05.2006) The rules under par. 1 shall be bound with observance of the following principles:

1. (amend. - SG 37/06, in force from 05.05.2006) equal prices of equal services on the territory of the whole country;

2. equality of consumers;

3. accessibility of prices;

4. (amend. - SG 53/19) orientation of prices according to costs;

5. (revoked - SG 53/19)

6. (amend. - SG 53/19) providing a reasonable profit in compliance with the requirements under Art. 5 of Commission Decision of 20 December 2011 on the application of Article 106(2) of the Treaty on the Functioning of the European Union to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest (OB, L 7/3 of 11 January 2012);

7. (revoked - SG 53/19)

8. (revoked - SG 53/19)

9. publicity of prices.

(3) (Amend. and suppl. - SG 26/03; amend. and suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The ordinance under Para. 1 specifies the terms and procedure under which the post operator obliged to provide the universal postal service may negotiate prices by types of services within the universal postal service which differ from the prices formed under the rules, by observing the principles of publicity and equality.

Art. 67. (Amend. - SG 112/01; revoked - SG 26/03)

Art. 68. (Amend. - SG 37/06, in force from 05.05.2006; suppl. – SG 87/09, in force from 03.11.2009) Postal operators shall announce the prices of the postal services provided by them at a place accessible to the consumers and shall publish them on its website.

Chapter seven.

PAYMENT FOR POSTAL SERVICES

Section I.

Ways of Payment

Art. 69. (1) (Amend. - SG 37/06, in force from 05.05.2006; amend. and suppl. – SG 87/09, in force from 03.11.2009) The prices of postal services shall be prepaid by consumers. The payment is made in cash, on account with postage stamps or in any other way depending on the procedure specified by the post operator for the payment of the respective service.

(2) (Amend. - SG 37/06, in force from 05.05.2006) The postal services may also be paid within determined terms under a contract made with the post operator.

Art. 70. (Amend. - SG 26/03) (1) (Suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The postage stamp shall be used as a sign and proof of paid price for postal services provided by the postal operator obliged to provide the universal postal service.

(2) (Amend. – SG 87/09, in force from 03.11.2009) The postal operator obliged to provide the universal postal service shall determine the types of services paid by way of postage stamps, and shall inform about that the Communications Regulation Commission.

Section II. Postage Stamps

Art. 71. (Amend. - SG 88/05; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010, amend. – SG, 31/22, amend. - SG 66/23, in force from 05.08.2023) The Minister of Transport and Communications shall issue and put into use postage stamps, postal products – illustrated postal cards and postal envelopes, with a printed special sign of the price payable for the postal services on them and special postal seals on the grounds of the annual plan of topics.

Art. 72. (Suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The postage stamps that have not been put out of use are sold at their per value in the territory of the Republic of Bulgaria.

(2) (Amend. – SG 102/10, in force from 30.12.2010) The sale of postal products with a printed special sign of the price payable for the postal services on them is done at the indicated on them price.

(3) The sale under par. 1 and 2 shall be done by the post operator obliged to provide the universal postal service and by other persons under a contract with it.

Art. 73. (Amend. - SG 26/03, amend. - SG 88/05; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; revoked – SG 102/10, in force from 30.12.2010)

Art. 74. (Amend. - SG 88/05; amend. – SG 87/09, in force from 03.11.2009, amend. – SG 31/22, amend. - SG 66/23, in force from 05.08.2023) The Minister of Transport and Communications shall put out of use the postage stamps under Art. 71.

Art. 75. (1) (Prev. text of Art. 75 - SG 26/03, amend. - SG 88/05; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010, amend. - SG 53/19, amend. - SG 31/22, amend. - SG 66/23, in force from 05.08.2023) The release of stamps, postal products and special postmarks, as well as the withdrawal of stamps from use shall be carried out by an order of the Minister of Transport and Communications information on which shall be published on the website of the Ministry of Transport and Communications and in the fixed post offices of the postal operator with the obligation to provide the universal postal service.

(2) (New - SG 26/03; amend. – SG 87/09, in force from 03.11.2009; revoked – SG 102/10, in force from 30.12.2010)

Art. 76. (Amend. - SG 88/05; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010, amend. - SG 31/22, amend. - SG 66/23, in force from 05.08.2023) The terms and procedure for issuing and putting postage stamps, postal products and special postal seals, as well as the withdrawal of postage stamps shall be determined by an Ordinance of the Minister of Transport and Communications.

Section III. Postal Seals

Art. 77. (1) (New – SG 102/10, in force from 30.12.2010) The post operator obliged to provide the universal postal service may use as a sign and as proof for payment of the price of the postal services besides postal marks, also stamps from automats, payment machines, printing press and other equipment for printing and stamping containing identification information about the postal operator.

(2) (Amend. - SG 37/06, in force from 05.05.2006; prev. text of Para 1, amend. – SG 102/10, in force from 30.12.2010) Post operators rendering services within the scope of the universal postal service and/or non-universal postal services shall use seals from automatic machines, pricing machines, printing presses and other printing and stamping equipment which shall obligatorily contain information identifying the respective post operator as a sign and proof for payment of the price of postal services.

(3) (Suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; prev. text of Para 02 – SG 102/10, in force from 30.12.2010, suppl. - SG 53/19) The post operator obliged to provide the universal postal service uses postmarks and / or other form containing date information for sealing the postage stamps, of postal products with a printed on them special sign of the price payable for the postal services, of post mail and of documents of collecting and delivering the items as well as for receiving and paying postal money orders.

(4) (New – SG 87/09, in force from 03.11.2009; prev. text of Para 03 – SG 102/10, in force from 30.12.2010, suppl. - SG 53/19) Postal operators licensed for provision of the services under Art. 39, item 2 and/or 3, except the seals of para. 2, shall use postmarks and / or other form containing date information for sealing the postal mail, of the documents of receipt and delivery of post mail, as well as for receiving and paying postal money orders.

(5) (Amend. - SG 112/01; suppl. - SG 26/03; amend. - SG 37/06, in force from 05.05.2006; prev. par. 3, amend. – SG 87/09, in force from 03.11.2009; prev. text of Para 04, amend. – SG 102/10, in force from 30.12.2010) All types of seals of the postal operators shall be provided for information to the Communications Regulation Commission. Upon withdrawal of any type of seal, the post operators shall notify the Communications Regulation Commission within 20 days prior to their withdrawal.

(6) (Amend. - SG 26/03; prev. par. 4, amend. – SG 87/09, in force from 03.11.2009; prev. text of Para 05, amend. – SG 102/10, in force from 30.12.2010) Seals of the postal operators who have not been provided pursuant to the procedure of Para 5 or are out of use are forbidden to be placed or used for any purposes.

Art. 78. (Amend. - SG 88/05; amend. – SG 87/09, in force from 03.11.2009; revoked – SG 102/10, in force from 30.12.2010)

Section IV.

International Coupon-Replies

Art. 79. (1) (Amend. – SG 87/09, in force from 03.11.2009) International coupon-replies may be used for making the payment for international postal services performed by the postal operator obliged to provide the universal postal service.

(2) The international coupon-reply is a special form approved by the Universal Postal Union having a set selling value and a set exchange value.

(3) The international coupon-replies shall be used by the sender for prepaying to the receiver the price of a certain item in reply.

(4) (Amend. – SG 87/09, in force from 03.11.2009) International coupon-replies may be sold in the Republic of Bulgaria only by the postal operator obliged to provide the universal postal service.

Section V.

Postal Services Provided Free of Charge

Art. 80. (1) (Suppl. - SG 26/03; suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) Free of charge shall be the following services of acceptance, sorting, transporting and delivering in the range of the universal postal service:

1. (amend. – SG 87/09, in force from 03.11.2009; suppl. – SG 102/10, in force from 30.12.2010, amend. – SG 31/22, amend. - SG 66/23, in force from 05.08.2023) domestic and international official postal items of the Minister of Transport and Communications, the Communications Regulation Commission and the postal operator obliged to provide the universal postal service, related to postal activity and communications with the Universal Postal Union and international bodies and organizations and authorities regulating, ruling and coordinating postal services;

2. (amend. – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) consignments for blind and visually impaired people of up to 7 kg except for the additional price for extra charge for airborne transportation, sent by/to blind people and/or visually impaired people or by/to officially recognised institutions for blind people and people with seeing difficulties and marked with the prescribed distinctive marks;

3. (suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. and suppl. – SG 102/10, in force from 30.12.2010) postal items for prisoners of war and internees civilians specified in Geneva Convention dated August 12, 1949 for Protection of Civilian Persons in Times of War.

(2) (Amend. - SG 112/01, amend. - SG 88/05 revoked – SG 87/09, in force from 03.11.2009)

(3) (New – SG 102/10, in force from 30.12.2010) The postal money transfer services for prisoners of war and internees civilians specified in Geneva Convention dated August 12, 1949 for Protection of Civilian Persons in Times of War shall be free of charge when provided by a post operator obliged to provide the universal postal service.

Chapter eight.

CONFIDENTIALITY OF CORRESPONDENCE

Art. 81. Postal operators and persons under Art. 22 that participate in the provision of postal services undertake to observe the confidentiality of correspondence both while providing the service and

afterwards.

Art. 82. (1) Postal operators shall not have the right:

1. to misappropriate items;
2. (suppl. - SG 37/06, in force from 05.05.2006) to open items except in the cases referred to in

Art. 93;

3. (suppl. - SG 37/06, in force from 05.05.2006) to take anything from postal items that have been opened;

4. (suppl. - SG 37/06, in force from 05.05.2006) to give postal items to third persons for the purpose of knowing what their content is except in the cases referred to in Art. 93;

5. to provide information on items and the content thereof except to the sender and receiver or to persons authorised by them;

6. (amend. - SG 37/06, in force from 05.05.2006) to provide information to anybody about the post traffic between persons.

(2) (Revoked – SG 37/06, in force from 05.05.2006)

Art. 83. (1) The international items shall be subject to customs control in accordance with the Customs Act and the Rules on its Implementation.

(2) Customs control of postal items shall be carried out with priority.

Art. 84. (Amend. - SG 37/06, in force from 05.05.2006) Distraint may be levied on postal money order sums, including on cash on delivery (COD). The distraints shall be levied according to the procedure set forth in the Civil Procedure Code, for debts of the sender or receiver of the money order and they are levied prior to paying the sums to the receiver. Both the sender and the receiver shall be notified in writing of the distraint levied.

Chapter nine.

LIABILITY AND INDEMNITY

Art. 85. (1) (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) Postal operators shall owe indemnity to consumers in the following cases:

1. (amend. – SG 102/10, in force from 30.12.2010, amend. - SG 53/19) domestic or international registered postal items, declared value items and COD ones, as well as postages in the sense of § 1, Item 18 of the Additional Provision that have been lost or stolen or damaged, partially or fully;

2. returned postal items upon lack of reasons for the return;

3. (amend. – SG 87/09, in force from 03.11.2009) non-observance of the delivery terms of the post mail and of the postal money transfers, set out in the general terms and conditions of the contract with the consumers.

4. unpaid or incorrectly paid sums of domestic or international postal money orders.

(2) (Amend. - SG 26/03; revoked – SG 37/06, in force from 05.05.2006)

(3) (Amend. – SG 87/09, in force from 03.11.2009) The indemnity owed by the postal operator obliged to provide the universal postal service for international items is determined in compliance with the Acts of the Universal Postal Union.

(4) (New - SG 37/06, in force from 05.05.2006) The specific amount of the indemnity referred to in para 1 shall be included in the general terms of the contracts with the consumers.

(5) (New - SG 26/03; prev. text of para 04 - SG 37/06, in force from 05.05.2006, amend. - SG 53/19) The concrete size of the indemnities under Para. 1 shall be announced by the postal operators in public and accessible places in their stationary post offices.

Art. 86. (1) (Amend. and suppl. - SG 37/06, in force from 05.05.2006; suppl. – SG 102/10, in force from 30.12.2010) Both the sender and the receiver of a postal item or the postal money transfer shall be entitled to make a claim in written in the cases under Art. 85, para. 1.

(2) (Amend. - SG 37/06, in force from 05.05.2006) The claim is to be laid within 6 months commencing on the day the postal items or the postal money orders have been accepted.

(3) (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; suppl. – SG 102/10, in force from 30.12.2010) Postal operators study the claim and within one month for domestic postal items and for the postal money transfers and three months for international postal items they notify in written the claimant of the result. In cases of compliance with the claim the indemnity shall be paid within one month of the day of the notification.

(4) (New - SG 37/06, in force from 05.05.2006) If the claim is disallowed entirely or partially or no decision has been taken within the term under para 3, the claimant may submit written request before the Communications Regulation Commission for opinion regarding the dispute. The Communications Regulation Commission shall pass its opinion regarding the request within a 30-day period from its submission and shall notify the parties at issue in written of the accepted opinion within a three day period from the date of the decision.

(5) (Suppl. - SG 26/03; prev. text of para 04, amend. - SG 37/06, in force from 05.05.2006) If the claim is disallowed entirely or partially or no decision has been taken within the term under para 3, the claimant shall be entitled to lay a claim with the Court without necessarily observing the provisions referred to in para 4. The claim with the Court for settlement of the dispute may be laid also after application of the provision referred to in para 4.

Art. 87. (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009) The post operators do not bear responsibility:

1. for unregistered items;
2. (suppl. - SG 37/06, in force from 05.05.2006) for damaging or destroying of registered and declared value postal items resulting from force-majeure;
- 3 (suppl. - SG 37/06, in force from 05.05.2006). for registered postal items that cannot be found because the office documents thereof have been destroyed by force-majeure;
4. (amend. - SG 37/06, in force from 05.05.2006) in cases where the postal items have been damaged or destroyed either through the fault of the sender or as a result of the nature of the content of the postal items;
5. (suppl. - SG 37/06, in force from 05.05.2006) for postal items containing forbidden objects or substances, the items being either seized or destroyed for this reason by the competent bodies in compliance with the due procedure;
6. (amend. - SG 37/06, in force from 05.05.2006; suppl. – SG 102/10, in force from 30.12.2010, amend. - SG 53/19) when due to incomplete or wrong address:
 - a) the postal item has not been delivered to the recipient or has been delivered to another person;
 - b) postal money order has not been paid to the recipient or has been paid to another person
7. (new - SG 37/06, in force from 05.05.2006; amend. – SG 102/10, in force from 30.12.2010, amend. - SG 53/19) when the sender or recipient of domestic or international postal parcels, registered postal items, postages with declared value and cash on delivery and postages in the sense of § 1, Item 18 of the Additional provision, as well as of postal money orders has not submitted claim in written within the time

limit under Art. 86, Para 2.

Art. 88. (Revoked – SG 87/09, in force from 03.11.2009)

Art. 89. (1) (Amend. - SG 37/06, in force from 05.05.2006) The senders shall be liable to postal operators for all damages caused by the content of their items to other items. The extent of this liability shall be the same as the extent of the responsibility borne by postal operators to the persons whose items have been damaged.

(2) (Suppl. - SG 37/06, in force from 05.05.2006) Senders of postal items under Para. 1 shall also be responsible for the damages caused to the postal operators themselves.

Chapter ten.

PROHIBITION OF PUTTING CERTAIN OBJECTS AND SUBSTANCES IN POSTAL ITEMS

Art. 90. (1) Prohibited shall be to place the following substances and objects in domestic and international postal items:

1. (amend. - SG 37/06, in force from 05.05.2006) narcotic, intoxicating, psychotropic and poisonous substances;

2. (suppl. – SG 102/10, in force from 30.12.2010) weapons, munitions, pyrotechnical products, explosives, inflammables or other dangerous substances and objects;

3. (amend. – SG 102/10, in force from 30.12.2010) objects that are inconsistent with good morals;

4. objects and substances that, because of their nature or packing constitute a danger to the post office employees' or other persons' life or health or may dirty or damage other items or equipment;

5. religious materials of sects and organisations that are either prohibited or not registered in the country.

6. (new - SG 37/06, in force from 05.05.2006) movable monuments of culture which were not issued authorization or certificate.

7. (new - SG 97/17, in force from 01.01.2018) excise goods and tobacco waste, holding, carrying, transportation, supply and sale of which, are prohibited by the Excises and Tax Warehouses Act

(2) (Amend. - SG 112/01) Except for declared value items, it shall not be allowed for postal items to contain coins, banknotes, traveller's cheques, objects that are valuable to the sender, platinum, gold, silver, processed or unprocessed precious stones or other valuable objects.

Art. 91. (1) (Suppl. - SG 112/01; suppl. - SG 37/06, in force from 05.05.2006) In international postal items, including those with a declared value, except for the substances and objects under Art. 90, para. 1, other substances and objects specified in international treaties, as well as objects, the importation or distribution of which is prohibited in the country of destination, may not be placed.

(2) (Amend. - SG 37/06, in force from 05.05.2006) Postal operators shall be obligated to give senders of international postal items information on forbidden substances and items under Para. 1.

Art. 92. (Amend. - SG 37/06, in force from 05.05.2006) If there is any doubt that prohibited items or substances have been placed in the postal items, the postal operator, when accepting them, shall require the sender's consent to carry out an inspection. If the sender refuses, the shipment shall not be

accepted.

Art. 93. (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009, amend. and suppl. - SG 53/19) Where there is sufficient grounds to consider that an accepted item contains prohibited items or substances, the postal operator together with the person implementing the check shall seize the consignment and require the sender's or receiver's written consent to open it.

(2) (Amend. – SG 87/09, in force from 03.11.2009) In case of refusal or no reply, the person implementing the check shall notify the operator responsible for the transportation and the delivery of the consignment, and the latter – the respective competent governmental bodies which to instruct further actions.

Chapter eleven.

CONTROL

Art. 94. (Amend. - SG 112/01; amend. and suppl. - SG 37/06, in force from 05.05.2006) (1) (suppl. – SG 87/09, in force from 03.11.2009) The control over the observance of this Act and the application of the acts of secondary legislation issued on the grounds thereof shall be exercised by the Communications Regulation Commission according to its competences.

(2) (Suppl. – SG 109/07, in force from 01.01.2008; amend. – SG 87/09, in force from 03.11.2009, amend. – SG 31/22, amend. - SG 66/23, in force from 05.08.2023) Upon implementation of the control referred to in Para 1 the Communications Regulation Commission, where necessary, shall collaborate with the Ministry of Transport and Communications, the Ministry of Interior, State Agency "National Security" the and other competent bodies.

Art. 95. (1) (Amend. - SG 112/01; amend. and suppl. - SG 37/06, in force from 05.05.2006, prev. text of Art 95, suppl. - SG 84/23) The chairman of the Communications Regulation Commission shall authorise with an order officials from its administration to implement the control under this Act.

(2) (New - SG 84/23, amend. - SG 49/25) The Chairman of the Communications Regulation Commission authorizes by order officials from its administration to carry out control under the Measures Against Money Laundering Act and the Act on Measures Against Financing of Terrorism and the Proliferation of Weapons of Mass Destruction of postal operators licensed to carry out postal money transfers.

Art. 95a. (New - SG 37/06, in force from 05.05.2006, previous text of Art. 95a, suppl. - SG 49/25) The authorised officials under the Art. 95, Para. 1 shall have the right:

1. of free access to the objects subject to control;
2. to seize and detain material evidence in connection with establishing of the offence;
3. to require that documents and information be submitted in connection with the execution of control;
4. to issue acts for establishing of offences according to the Administrative Violations and Penalties Act.

(2) (New - SG 49/25) Authorized employees under paragraph 1 shall have the rights pursuant to Chapter Nine of the Measures Against Money Laundering Act.

Art. 95b. (New - SG 37/06, in force from 05.05.2006) The authorized officials referred to in Art. 95 shall be obliged to:

1. identify themselves in the checked object with official cards;
2. accurately establish the facts and describe objectively the results of the checks of the control implemented by them;
3. (amend. - SG 49/25) issue obligatory instructions for elimination of incompliance with this act, the Measures Against Money Laundering Act, the Act on Measures Against Financing of Terrorism and the Proliferation of Weapons of Mass Destruction and their implementing acts;
4. keep the official and trade secret and not to divulge data of the checks before their finishing as well as not to use the information of the check out of purpose.

Art. 95c. (New - SG 37/06, in force from 05.05.2006) The post operators shall be obliged to:

1. provide free access and work conditions in the sites subject to control;
2. provide information and documents related to the implemented control.

Art. 96. (1) (Amend. - SG 112/01; amend. - SG 37/06, in force from 05.05.2006, amend. - SG 49/25) On the grounds of the acts under Art. 95a, Para. 1, item 4, the chairman of the Communications Regulation Commission, or an official authorised by him, shall draw up penalty warrants.

(2) (Amend. - SG 37/06, in force from 05.05.2006) Establishing the offences, imposing, appealing and fulfilment of the penalty warrants shall be carried out according to the order of the Administrative Violations and Penalties Act.

Art. 96a. (New – SG 87/09, in force from 03.11.2009) (1) The Chairman of the Communications Regulation Commission, following a decision of the commission, shall issue orders, by which it shall suspend the provision of postal services in violation of this Act and of the acts, issued on the grounds thereof, until the violations are rectified.

(2) (Revoked – SG 102/10, in force from 30.12.2010)

Art. 97. (Revoked - SG 26/03)

Art. 98. (Amend. - SG 26/03; revoked – SG 37/06, in force from 05.05.2006)

Chapter twelve.

ADMINISTRATIVE-PENAL PROVISIONS

Art. 99. (1) (Amend. and suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009, amend. - SG 84/23) Whoever, without a license, provides services under Art. 39 shall be liable to a fine of BGN 10 000 to 20 000.

(2) (Amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010) Whoever performs non-universal postal services under Art. 38, items 1 - 3 without submitting a notification pursuant to Art. 59, shall be liable to a fine of BGN 1 000 to 10 000.

(3) (New - SG 53/19) For violation under para. 1, committed by a legal person and a sole trader, a proprietary sanction of BGN 15 000 to 25 000 shall be imposed.

(4) (New - SG 53/19) For violation under para. 2, committed by a legal person and a sole trader, a proprietary sanction of BGN 1500 to 15 000 shall be imposed.

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(5) (New - SG 84/23) A legal entity or a sole trader who continues to provide services after the termination or revocation of their individual license is subject to a property sanction of BGN 15 000 to BGN 25 000.

Art. 100. (Amend. - SG 53/19) (1) Postal operator violating the terms and conditions of the individual licence issued thereto shall be punished with a proprietary sanction of BGN 1 000 to 10 000.

(2) Postal operator providing non-universal postal services under Art. 38, item 1-3 and failing to observe the requirements under Art. 60 shall be punished with a proprietary sanction of BGN 1 000 to 5 000.

Art. 100a. (New - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; revoked – SG 102/10, in force from 30.12.2010)

Art. 100b. (New – SG 102/10, in force from 30.12.2010) (1) (amend. - SG 53/19) On a postal operator carrying out postal services without consumer contract general conditions coordinated with the Communications Regulation Commission shall be imposed a proprietary sanction between BGN 200 and 2 000.

(2) (Amend. - SG 53/19) On postal operators failing to perform their duties under Art. 14, Para 1, Art. 20, Para 1, Items 2, 7 and 8 and Art. 60, Items 5 and 6 shall be imposed a proprietary sanction between BGN 1000 and 5 000.

(3) (Amend. - SG 53/19) For repeated offence under Para 1 and 2 the fine shall be between BGN 5000 and 10 000.

Art. 101. (1) (Prev. text of Art. 101 - SG 53/19) Whoever violates the confidentiality of correspondence and opens somebody else's item, or misappropriates it, or does any of the acts under Art. 82, shall be punished with a fine of BGN 500 to 5 000, unless the act constitutes a crime.

(2) (New - SG 53/19) For a violation under Para. 1, committed by a legal person and a sole trader, a proprietary sanction of BGN 700 to 7000 shall be imposed.

Art. 102. (1) (Prev. text of Art. 102 - SG 53/19) Whoever places in a postal item objects and substances forbidden under Art. 90 and 91 shall be punished with a fine of BGN 500 to 5 000, unless the act constitutes a crime, and the item is seized in favour of the state.

(2) (new - SG 53/19) For violation under para. 1, committed by a legal person and a sole trader, a proprietary sanction of BGN 700 to 7000 shall be imposed.

Art. 103. (1) (Prev. text of Art. 103, amend. - SG 26/03; amend. - SG 37/06, in force from 05.05.2006, revoked - SG 53/19)

(2) (New - SG 26/03; amend. and suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) A postal operator who, for the purpose of forwarding postal items accepted by him, uses without a contract under Art. 23 the postal network of a postal operator obliged to provide the universal postal service or the postal networks of postal operators licensed to provide services under Art. 39, item 2 and/or 3, a property sanction of BGN 1 000 to BGN 5 000 shall be imposed.

Art. 104. (1) (Amend. - SG 26/03; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009, prev. text of Art. 104 - SG 53/19) Whoever puts into use or uses postage stamps that have been forged or used or out-of-use ones, or puts into use or uses post seals, postmarks or

pricing machine seals of the post operators that are forged ones or out-of-use ones, or uses forged post notices of delivery or forged international coupon-replies is punished with a fine of 500 to BGN 5 000, unless the act constitutes a crime.

(2) (New - SG 53/19) For a violation under Para. 1, committed by a legal person and a sole trader, a proprietary sanction of BGN 700 to 7000 shall be imposed.

Art. 105. (1) (Amend. - SG 112/01; amend. and suppl. - SG 37/06, in force from 05.05.2006; amend. and suppl. – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) Postal operator that fails to submit information, upon request made by the Communications Regulation Commission, this information being related to the implementation of this Act and the acts of secondary legislation issued on the basis thereof, or submits incorrect, incomplete or inaccurate information or fails to provide information within the term, which may be set in the request, is punished with a proprietary sanction of BGN 500 to 2 500.

(2) (Amend. and suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009, suppl. - SG 53/19) Whoever interferes with the control over the observance of this Act and application of the acts of secondary legislation issued on the basis thereof shall be punished with a fine of BGN 100 to 1 000. For a violation under sentence one, committed by a legal person and a sole trader, a proprietary sanction of BGN 150 to 1500 shall be imposed.

(3) (New - SG 53/19) The postal operator obliged to perform the universal postal service, who did not submit documents to the Commission for Regulation of Communications or did not provide information or provides false or not within the prescribed term of Art. 29a, para. 3 information, necessary to determine the amount of net costs and the existence of an unfair financial burden of the obligation to perform the universal postal service, a proprietary sanction of BGN 1,000 to 10,000 shall be imposed.

Art. 105a. (New - SG 26/03; suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010) (1) (Amend. - SG 53/19) A postal operator who fails to comply with an effective decision of the Commission for the Regulation of Communications shall be subject to a pecuniary sanction of BGN 200 and 2000.

(2) (Amend. - SG 53/19) To the postal operator with an obligation to provide the universal postal service, in the event that it does not comply with an effective decision of the Communications Regulation Commission under Art. 33, para 5 and 8 shall be imposed a proprietary sanction from BGN 200 to 5 000.

Art. 105b. (New – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) To the postal operator obliged to provide the universal postal service, failing to meet the legal regulations under Art. 15, par. 1, item 7, shall be imposed a proprietary sanction from BGN 10 000 to 50 000.

Art. 105c. (1) (New - SG 26/03; amend. - SG 37/06, in force from 05.05.2006; prev. Art. 105b, suppl. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010, prev. text of Art. 105c - SG 53/19) For a violation under this Act or the acts issued based on it, for which no other penalty is provided, offenders shall be punished with a fine of 500 to 5000 BGN.

(2) (New - SG 53/19) For a violation under Para. 1, committed by a legal person and a sole trader, a proprietary sanction of BGN 700 to 7000 shall be imposed.

Art. 105d. (New - SG 53/19) (1) A postal operator who does not provide information under Art. 4 (1) of Regulation (EC) 2018/644 or provides false, incomplete or inaccurate information, a proprietary sanction of BGN 200 to 1000 is imposed.

(2) For violation of Art. Article 4 (2) of Regulation (EC) 2018/644 to a postal operator shall be subject to a proprietary sanction of BGN 200 to 1000.

(3) A postal operator who does not provide information under Art. 4 (3) of Regulation (EC) 2018/644 or provides false, incomplete, inaccurate information or provides it not within the term, a proprietary sanction of BGN 500 to 2500 shall be imposed.

(4) A postal operator who fails to comply with the additional information requirements imposed by the Communications Regulation Commission under Art. 4 (5) of Regulation (EC) 2018/644 or to provides it not within the term specified in the request, a proprietary sanction of BGN 500 to 2500 shall be imposed.

(5) A postal operator who, upon request from the Communications Regulation Commission, does not provide information under Art. 4 (7) of Regulation (EC) 2018/644 or provides false, incomplete, inaccurate or not within the term specified in the request, a proprietary sanction of BGN 500 to 2500 shall be imposed.

(6) A postal operator who violates Art. 5 (1) of Regulation (EC) 2018/644, a proprietary sanction of BGN 200 to 1000 shall be imposed.

(7) A postal operator who, at the request of the Communications Regulation Commission, did not provide relevant additional data necessary to assess the cross-border tariffs under Art. 6 (1) of Regulation (EC) 2018/644 or provide false, incomplete, inaccurate or not within the term under Art. 6 (6) of Regulation (EC) 2018/644 information a proprietary sanction of BGN 500 to 2500 shall be imposed.

Art. 106. (Amend. - SG 26/03; amend. – SG 87/09, in force from 03.11.2009, revoked - SG 53/19)

Art. 106a. (New - SG 26/03) (1) Fines and pecuniary sanctions under penal decrees that have entered into force shall be deposited to the bank account of the Communications Regulation Commission.

(2) (Revoked – SG 38/12, in force from 01.07.2012)

(3) (Amend. - SG 37/06, in force from 05.05.2006; revoked – SG 38/12, in force from 01.07.2012)

(4) The penal provisions issued by the chairman of the Communications Regulation Commission or by an official authorised by him shall determine a period of voluntary enforcement.

(5) (Amend. - SG 105/05, in force from 01.01.2006) The fines and property sanctions not collected by the order of para 4 shall be subject to collection by the order of the Tax-insurance Procedure Code.

Art. 107. (1) When the violations under the previous articles are committed again, a fine or a pecuniary sanction shall be imposed in double the amount of the initially imposed one.

(2) The violation shall be deemed as repeated if it was committed within one year from the entry into force of the penal decree imposing a penalty for the same type of violation.

Additional provisions

§ 1. Within meaning of this Act:

1. (amend. - SG 37/06, in force from 05.05.2006; amend. – SG 102/10, in force from 30.12.2010) "Accepting the items" is the activity of the post operators receiving the postal items from the senders at the points of access.

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2. (amend. - SG 37/06, in force from 05.05.2006) "Carrying the items" is the activity of post operators including the process from accepting to delivering the postal items.

3. (amend. and suppl. - SG 37/06, in force from 05.05.2006) "Delivering of items" is the activity starting with sorting at the delivering center and ending with handing over the items to the receivers.

4. (amend. and suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010) "Points of access" shall be a stationary or mobile post office, post agency or separate post desk where the senders hand over the items and postal money orders, as well as post boxes and other facilities for public use, placed in places accessible for the senders.

5. (suppl., SG 26/03; amend. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010) "Correspondence item (letter and/or post card)" is a post mail, containing a written message on any physical carrier that is to be carried and delivered to the address specified on the item by the sender. The printed word shall not constitute correspondence items.

6. "The printed word" is a item containing newspapers, periodicals, books, catalogues, reproductions on paper used in printing, the item having the address of the sender and receiver written thereon.

7. "Small package" is an item containing objects, which have commercial value or not, the maximum value thereof being up to 2 kg.

8. "Item" is an item of definite dimensions and weight that usually contains goods, which may have commercial value or not.

9. (suppl., SG 26/03; suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. – SG 101/10, in force from 30.06.2011; amend. – SG 102/10, in force from 30.12.2010; amend. and suppl. SG 105/11 in force from 29.12.2012, amend. - SG 53/19) "Postal money order" is a postal service where at a point of access to the network of a postal operator licensed under Art. 39, Item 3 the sender transfers a cash amount and orders electronically or in writing on paper the full amount to be paid in cash to the recipient without any deduction.

10. (amend. and suppl. - SG 37/06, in force from 05.05.2006, amend. - SG 53/19) "Registered items" is a additional service providing contracted insurance against the risk of loss, stealing or damage. The sender is issued a document showing that the postal item has been accepted and, at his/her request, he/she also receives a notice of delivering it to the receiver.

11. (amend. and suppl. - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) "Declared value" is a additional service where the post operator assumes responsibility up to the amount of the content of the postal item declared by the sender in cases of loss, stealing or damage.

12. (suppl. - SG 37/06, in force from 05.05.2006, amend. - SG 53/19) "COD (cash on delivery)" is an additional service where the item is delivered to the receiver for payment of a certain sum specified by the sender.

13. "Consumer" is any person - an individual or a legal entity that uses postal services either as a sender or as a receiver.

14. (suppl. - SG 37/06, in force from 05.05.2006) "Sender" is any person - an individual or a legal entity that sends a postal item and/or postal money order.

15. (amend. and suppl. - SG 37/06, in force from 05.05.2006) "Receiver" is any person - an individual or a legal entity that the item is destined for. The receiver is specified in the address of the postal item and/or the postal money order.

16. (amend. and suppl. - SG 37/06, in force from 05.05.2006; revoked – SG 87/09, in force from 03.11.2009).

17. "International items" are the ones coming from or destined to another country.

18. (amend., SG 26/03; amend. and suppl. - SG 37/06, in force from 05.05.2006, amend. - SG 53/19) "Courier service" is a postal service at a price higher than the price of the services under Art. 4, items 1 and 2, which guarantees swiftness and reliability of accepting, carrying and delivering of the consignments personally to the recipient, as well as the provision of all or some of the following additional services:

- a) collection from the sender's address;
- b) delivering until a specified date;
- c) opportunity for changing the destination and the receiver while the item is in motion;
- d) notifying the sender of the delivery of the item;
- e) control of and tracing the item;
- f) personal services to the consumers and providing services "a la carte" (at choice) in the specified way and at the specified time ("on demand" and "under a contract").

19. (revoked – SG 37/06, in force from 05.05.2006)

20. (amend. SG 112/01; suppl. - SG 37/06, in force from 05.05.2006, revoked - SG 53/19)

21. "Force-majeure" is an event that cannot be prevented or an unforeseen event of emergency nature occurring after the contract has been signed.

22. (new, SG 26/03; revoked – SG 87/09, in force from 03.11.2009).

23. (new, SG 26/03; amend. and suppl. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010) "Postal security" is a combination of measures and actions for guarding and preservation of the postal consignments, monetary resources, property of the operators, the life and health of the employees and consumers, guaranteeing the secret of the correspondence and the safety of postages, protection of personal data and assistance in disclosing offences and crimes committed against or through the postal network. These measure shall be implemented through the respective structures, qualified personnel and technical facilities.

24. (new - SG 37/06, in force from 05.05.2006; amend. – SG 87/09, in force from 03.11.2009; amend. – SG 102/10, in force from 30.12.2010) "Net expenses" shall be all expenses of the post operator obliged to provide the universal postal service, related and required for the activities of carrying out the universal postal service calculated according to the methodology under Art. 15, Para 1, Item 11.

25. (new - SG 37/06, in force from 05.05.2006) "Priority items" are postal items carried and delivered in the fastest possible manner.

26. (new - SG 37/06, in force from 05.05.2006) "Non-priority items" are postal items at lower price chosen by the sender which leads to longer terms of carrying and delivering.

27. (new - SG 37/06, in force from 05.05.2006) "Systematic offence" means three or more administrative offences of this Act or the acts for its implementation committed within a two-year period.

28. (new – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) "Permanent post office" is a basic component of the postal networks, set up in independent rooms, where through technologically connected between them work places officials of the post operators provide postal services and other commercial activities.

29. (new – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) "Mobile post office" is a component of the postal networks, set up in rooms of specialized vehicles, where officials of a postal operator perform postal services on a specified route and schedule several settlements without stationary post offices.

30. (new – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) "Post agency" is an element of postal networks, organized in a separate room where a postal operator performs postal services.

31. (new – SG 87/09, in force from 03.11.2009, amend. - SG 53/19) "Distant post window" is a work place set up for provision of postal services in a room, where other kinds of public services is also provided. The right of provision of postal services shall be granted based on a contract with a post operator.

32. (new – SG 102/10, in force from 30.12.2010, revoked - SG 53/19)

33. (new – SG 102/10, in force from 30.12.2010) "Direct postal advertisement" shall be a postage containing only advertisement or marketing materials and containing identical messages, excluding the name, the address and the identity number of the recipient.

34. (new - SG 53/19) "Shipments for the blind and visually impaired persons" are items containing correspondence and literature in any form, including as a sound record, as well as any equipment or materials made or adapted to assist blind or visually impaired persons.

35. (new - SG 53/19) "Hybrid mail" is a postal service for receiving messages submitted in physical or electronic form by the sender, processing and transmitting them by electronic means and delivering these messages to the recipient as items of correspondence.

36. (new - SG 53/19) "Delivery Notice" is an additional service through which the postal operator informs the sender of a registered postal item, postal parcel and / or postal money order for delivery to the recipient or to a person authorized by him / her.

37. (new - SG 53/19) An "unfair financial burden" is the burden that is excessive for the postal operator with the obligation to perform the universal postal service in view of its ability to withstand such a burden arising from the obligation imposed by the law.

38. (new - SG 49/25) "Related parties" under Art. 47, Para. 2, item 4, letter "f" is a concept within the meaning of § 1 of the additional provisions of the Commerce Act.

39. (new - SG 49/25) "Beneficial owner" under Art. 43, Para. 1, item 12 and Art. 47, Para. 2, letter "e" and letter "f" is a concept within the meaning of § 2 of the additional provisions of the Measures Against Money Laundering Act.

Transitional and concluding provisions

§ 2. The Communications Act is repealed (prom. SG No 27/1975; am. No 63/1976, No 36/1979, No 36/1986, No 12/1988 & No 77/1996).

§ 3. The following changes are made in the Concessions Act (prom. SG No 92/1995, Decision No 2 of the Constitutional Court of the year 1996 - No. 16/1996; am. No 44/1996; No 61 & 123/1997, No 93/1998, No 23, 56, 64 & 67/1999, No 12/2000):

1. Par. 1, item 5 of Art. 4 is repealed.

2. Item 2 of Art. 5 is repealed.

§ 4. (Effective date January 1, 2001) Paragraph 6 is created in Art. 113 of the Act on the Defence and Armed Forces of the Republic of Bulgaria (prom. SG No. 112/1995; am. No 67/1996 & No 122/1997, No 70, 93, 152 & 153/1998, No 12, 67 & 69/1999, No 49/2000):

"(6) The services under par. 1 through 5 are paid for by the Ministry of Defence to the post operators that have provided them."

§ 5. The following amendments are made to the Telecommunications Act (prom. SG No 93/1998; am. No 26/1999, No 10/2000):

1. Item 5 of Art. 15 is repealed.

2. The following amendments are made to Art. 19, par. 1:

a) a new item 2 is created:

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"2. licence fees and registration fees for performing non-universal postal services;"

b) the former items 2, 3, 4 & 5 become items 3, 4, 5 & 6, respectively.

3. Item 7 is created in Art. 20, par. 1:

"7. Financial support to the main post operator in performing the universal postal service under unfavourable financial terms."

4. The words "as well as the postal messages" in Art. 22, par. 3 are obliterated.

§ 6. (1) (amend., SG 26/03; amend. - SG 37/06, in force from 01.01.2006; amend. – SG 109/08) On the grounds of Art. 18, par. 4 of the Constitution of the Republic of Bulgaria, a state monopoly is established until December 31, 2008 on a reserved sector of the universal postal service provided through the post network. The services in the reserved sector comprise accepting, carrying and delivering domestic correspondence items and international incoming and outgoing correspondence items.

(2) (new - SG 37/06, in force from 01.01.2006) From 1 January 2006 the limits of weight and price of the services of the reserved sector shall be:

1. for domestic correspondence items – weight of up to 150g and price which shall not exceed more than three times (but shall be not equal to three times) the price of standard domestic correspondence item of up to 20g or the price of priority standard domestic correspondence item of up to 20g of the main post operator;

2. for international incoming or outgoing correspondence items – weight of up to 150g and price which shall not exceed more than three times (but shall be not equal to three times) the price of priority international correspondence item by air of up to 20g of the main post operator.

(3) (new - SG 37/06, in force from 01.01.2006) From 1 January 2007 the limits of weight and price of the services of the reserved sector shall be:

1. (amend – SG 87/09, in force from 03.11.2009) for domestic correspondence items – weight of up to 50g and price which shall not exceed more than 2,5 times (but shall be not equal to 2,5 times) the price of standard domestic correspondence item of up to 20g and/or the price of priority standard domestic correspondence item of up to 20g applied by the post operator, obliged to provide the universal postal service;

2. (amend – SG 87/09, in force from 03.11.2009) for international incoming or outgoing correspondence items – weight of up to 50g and price which shall not exceed more than 2,5 times (but shall be not equal to 2,5 times) the price of priority international correspondence item by air of up to 20g applied by the post operator, obliged to provide the universal postal service.

(4) (new, SG 26/03; prev. text of para 02, amend. - SG 37/06, in force from 01.01.2006) The state shall submit the provision of the services under para 1, 2 and 3 by an individual licence issued to "Bulgarian posts" EAD.

(5) (prev. para 2 - SG 26/03; prev. text of para 03 - SG 37/06, in force from 05.05.2006) The following are excluded from the services under par. 1:

1. the printed word if not containing or not having enclosed thereto any messages destined for the receiver;

2. documents accompanying goods in transportation;

3. exchange of documents between institutions and companies if done through employees of theirs.

(6) (prev. para 3 - SG 26/03; prev. text of para 04, amend. - SG 37/06, in force from 01.01.2006) The prices of services under para 2 and 3 are formed in accordance with Art. 66 of this Act.

(7) (prev. para 4 - SG 26/03; prev. text of para 05 - SG 37/06, in force from 01.01.2006; suppl. – SG 87/09, in force from 03.11.2009) Until the period under par. 1 expires, "Bulgarian Posts" EAD carries out the accounting both as a whole and itemized by reserved and unreserved sectors of the universal postal

service by types of services according to Art. 29, par. 3 of this Act.

(8) (prev. para 5 - SG 26/03; prev. text of para 06 - SG 37/06, in force from 01.01.2006) In those cases where the incomes from the reserved sector exceed the expenses, the difference is used for covering the proved deficit from the services included in the universal postal service, others than those in the reserved sector.

(9) (prev. para 6 - SG 26/03; prev. text of para 07, amend. - SG 37/06, in force from 01.01.2006; amend. – SG 87/09, in force from 03.11.2009) When the excess of incomes over expenses under para 7 is not sufficient for covering the proved deficit from the provision of the universal postal service by types of services, others than those in the reserved sector, and also where the expenses on the reserved sector exceed the incomes therefrom, the total deficit is covered from the state budget according to Art. 29 of this Act.

§ 7. (amend., SG 88/05) The special courier service of the Ministry of administration and administrative reform continues to perform its activities of accepting, carrying and delivery in accordance with Art. 11, par. 1 of this Act until its being transformed by the Council of Ministers in compliance with Art. 11, par. 2 of this Act.

§ 8. Within five months from the entry into force of this Act, the Minister of Transport and Communications shall issue the acts of secondary legislation provided for therein.

§ 9. Within six months of the effective date of this Act the Minister of Transport and Communications issues to "Bulgarian Posts" EAD an individual licence for performing the universal postal service.

§ 10. (amend., SG 26/03; amend. - SG 37/06, in force from 01.01.2006; amend. – SG 109/08; amend. – SG 87/09, in force from 03.11.2009; revoked – SG 102/10, in force from 30.12.2010)

§ 11. (1) The persons - individuals and legal entities performing postal services as on the effective date of this Act are obligated to take actions within six months for obtaining a licence or registration in the procedure under this Act. In those cases where they fail to file an application to the Minister of Transport and Communications within the specified term their activity is discontinued.

(2) Within three months of the day the application under par. 1 is filed, the Minister of Transport and Communications grants or refuses to grant licences or registrations for non-universal postal services.

§ 12. The Act shall take effect on August 1, 2000 with the exception of § 4, which takes effect on January 1, 2001.

The Act was passed by 38th National Assembly on July 20, 2000 and the official seal of the National Assembly is affixed thereto.

Transitional and concluding provisions

Of the Act Amending and Supplementing the Postal Services Act – SG 112/01

§ 46. (1) The individual licenses, issued by the Minister of Transport and Communications before this Act enters into force, for rendering universal postal service and certificates for implementing non universal postal services, shall preserve their effect.

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(2) Applications, submitted till this Act enters into force by persons, who have not yet individual licenses for rendering universal postal service and certificates for implementing not universal postal services, shall be considered by the Communications Regulation Commission under the conditions and by the order of the Postal Services Act.

§ 47. In three months term after this Act enters into force the Minister of Transport and Communications shall submit to the Council of Ministers updated Sector postal policy of the Republic of Bulgaria in compliance with the Postal Services Act.

§ 48. The official and the labour legal relations of the employees of the administration of the Ministry of Transport and Communications, who have supported the Minister of Transport and Communications in exercising his authorities in connection with the regulation and the control of the postal services, shall be transferred to the Communications Regulation Commission.

§ 49. This Act shall enter into force 37 days after its promulgation in State Gazette.

The law was passed by the 39th National Assembly on December 20, 2001 and was affixed with the official seal of the National Assembly.

Transitional and concluding provisions (SG 26/03)

§ 62. This Act shall enter into force on January 1, 2003, with exception of art. 103, para 2, art. 104, art. 105a. and art. 105b.

Transitional and concluding provisions TO THE TAX-INSURANCE PROCEDURE CODE

(PROM. – SG 105/05, IN FORCE FROM 01.01.2006)

§ 88. The code shall enter in force from the 1st of January 2006, except Art. 179, Para 3, Art. 183, Para 9, § 10, item 1, letter "e" and item 4, letter "c", § 11, item 1, letter "b" and § 14, item 12 of the transitional and concluding provisions which shall enter in force from the day of promulgation of the code in the State Gazette.

Transitional and concluding provisions TO THE MINISTRY OF INTERIOR ACT

(PROM. – SG 17/06)

§. 21. The provisions concerning the legal status of the civil servants in the Ministry of Interior shall be also applied to the civil servants under Art. 11 of the Postal Services Act.

§ 24. The Act shall enter in force from 1st of May 2006.

**Transitional and concluding provisions
TO THE COMMERCIAL REGISTER ACT**

(PROM. – SG 34/06, IN FORCE FROM 01.10.2006)

§ 56. This Act enters in force from 1st of October 2006, except § 2 and § 3, which enter in force from the date of promulgation of the Act in the State Gazette.

**Transitional and concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE POSTAL SERVICES ACT**

(PROM. – SG 37/06, IN FORCE FROM 05.05.2006)

§ 100. The Communications Regulation Commission within a 6-month period from entering into force of this Act shall set in compliance with it all issued licenses for providing universal postal service or a part thereof.

§ 101. The Act shall enter into force from the day of its promulgation in State Gazette except:

1. § 98 which shall enter into force from 1 January 2006, and § 62 which shall enter into force from 11 June 2006;

2. § 13, item 1, letter "g" (regarding art. 15, para 1, item 21), § 32, item 1, letter "b" (regarding art. 34, para 1, item 2) and § 34 (regarding art. 36, para 1 and 2) which shall enter into force from 1 January 2007;

3. § 3 (regarding art. 7, item 2), § 38, item 2, letter "a" (regarding art. 43, para 2, item 1a) and § 55, item 1 (regarding art. 59, para 2, item 1a) which shall enter into force from the date of accession of the Republic of Bulgaria to the European Union.

**Transitional and concluding provisions
TO THE STATE AID ACT**

(PROM. – SG 86/06, IN FORCE FROM 01.01.2007)

§ 11. The Act shall enter into force from the day of entering into force of the Contract for accession of the republic of Bulgaria to the European Union.

**Transitional and concluding provisions
TO THE ACT ON THE DEFENCE AND ARMED FORCES OF THE REPUBLIC OF
BULGARIA**

(PROM. – SG 35/09, IN FORCE FROM 12.05.2000)

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

Additional provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE POSTAL SERVICES ACT

(PROM. – SG 87/09, IN FORCE FROM 03.11.2009)

§ 110. This Act shall introduce the provisions of Directive 2008/6/EC of the European Parliament and of the Council of 20 February 2008 amending the Directive 97/67/EC with regard to the full accomplishment of the internal market of Community postal services (OJ, L 52/3 of 27 February 2008)

Transitional and concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE POSTAL SERVICES ACT

(PROM. – SG 87/09, IN FORCE FROM 03.11.2009)

§ 111. The secondary legislative acts issued prior to entering of this Act into force shall keep their validity, unless they contradict it.

§112. The Communications Regulation Commission within 6 months after entering of this Act into force shall bring the granted individual licenses in compliance with it.

.....

§ 115. The Act shall enter into force from the day of its promulgation in the State Gazette, except for the provision of § 109, item 2 which shall enter into force from 1 January 2011.

Transitional and concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE MINISTRY OF INTERIOR
ACT

(PROM. – SG 93/09, IN FORCE FROM 25.12.2009)

§ 100. The Act shall enter into force one month after its promulgation in the State Gazette, except for § 1, 2, 21, 36, 39, 41, 44, 45, 49, 50, 51, 53, 55, 56, 57, 59, 62, 63, 64, 65, 70 and 91, which shall enter into force from the day of its promulgation.

ACT AMENDING AND SUPPLEMENTING THE POSTAL SERVICES ACT

(PROM. – SG 102/10, IN FORCE FROM 30.12.2010)

§ 66. In the remaining texts of the Act the words "Art. 38, Items 2 and/or 3" shall be replaced by "Art. 38, Items 1 – 3".

§ 67. In the remaining texts of the Act the words "places for access" shall be replaced by "points of access".

Additional provisions

ACT AMENDING AND SUPPLEMENTING THE POSTAL SERVICES ACT

(PROM. – SG 102/10, IN FORCE FROM 30.12.2010)

§ 69. This Act shall implement the requirements of Directive 2008/6/EC of the European Parliament and of the Council of 20 February 2008 amending Directive 97/67/EC with regard to the full accomplishment of the internal market of Community postal services (OJ L 52/3 of 27 February 2008) regarding the funding of the universal postal service after the removal of the reserved sector from 1 January 2011.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE POSTAL SERVICES ACT

(PROM. – SG 102/10, IN FORCE FROM 30.12.2010)

§ 70. [*] The postal operator obliged under Art. 24 to provide the universal postal service shall be the company "Bulgarian Posts" EAD for a term of 15 years as from the day of promulgation of this Act in the State Gazette.

§ 71. Within 6 months from entry into force of this Act the Communications Regulation Commission shall make the issued individual license of a post operator obliged to provide the universal postal service compliant with it.

§ 72. The acts of secondary legislation issued until the entry into force of this Act shall preserve their effect insofar as they do not contradict to it.

§ 73. The Minister of Transport, Information Technologies and Communications shall issue the ordinance under Art. 14, Para 2 within 6 months from entry into force of this Act.

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

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE CIVIL SERVANTS ACT

(PROM. - SG 38/12, IN FORCE FROM 01.07.2012)

§ 84. (In force from 18.05.2012) Within one month from the promulgation of the Act in the State Gazette:

1. the Council of Ministers shall bring the Classifier of Administration Positions in compliance with this Act;

2. the competent authorities shall bring the statutory rules of the respective administration in compliance with this Act.

§ 85. (1) Legal relations with the persons from administrations under the Radio and Television Act, the Independent Financial Audit Act, the Electronic Communications Act and the Financial Supervision Commission Act, Act on Access to and Disclosure of the Documents and Announcing Affiliation of Bulgarian Citizens with the State Security Service and the Intelligence Services of the Bulgarian Popular Army, Confiscation by the State of Proceeds of Crime, Act on Prevention and Findings of Conflict of Interests, Code of Social Insurance, Health Insurance Act, Agricultural Producers Assistance Act and the Roads Act shall be regulated under the terms and following the procedure of § 36 of the Transitional and Final provisions of the Act Amending and Supplementing the State Servant Act (SG 24/06).

(2) By the act appointing the civil servant shall be:

1. awarded the minimum rank for the position occupied defined in the Classifier of Administration Positions, unless the civil servant has a higher rank;

2. determined the individual basic monthly salary.

(3) The funds additionally needed for insurance instalments of the persons referred to in para 2 shall be provided within the costs for salaries, remuneration and insurance instalments of the budgets of the respective budget credit spending units.

(4) The Council of Ministers shall carry out the changes required in the extra-budgetary account of State Fund Agriculture according to this Act.

(5) The managing bodies of the National Insurance Institute and the National Health Insurance Fund shall carry out the changes requires according to this Act in the respective budgets.

(6) Unused leaves under employment relationships shall be retained and may not be compensated by cash benefits.

§ 86. (1) Within one month from entry into force of this Act the individual basic monthly salary of the employee shall be determined in such a manner as to ensure that the said salary, reduced by the tax due and the mandatory insurance instalments at the expense of the insured person, if they were due, is not lower than the gross monthly salary received hitherto, reduced by the mandatory insurance instalments due at the expense of the insured person, if they were due, as well as by the tax due.

(2) The gross salary under para 1 shall include:

1. the basic monthly salary or basic monthly remuneration;

2. bonuses paid regularly along with the basic monthly salary or basic monthly remuneration due, which are related solely to the hours worked off.

§ 87. The Act shall enter into force from July 1, 2012 except for § 84, which shall enter into force from the date of its promulgation in the State Gazette.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE CONSUMER PROTECTION ACT

(PROM - SG 61/14, IN FORCE FROM 25.07.2014)

§ 91. The Act shall enter into force from the date of its promulgation in the State Gazette.

Relevant acts from the European legislation

DIRECTIVE 2002/39/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 10 JUNE 2002 AMENDING DIRECTIVE 97/67/EC WITH REGARD TO THE FURTHER OPENING TO COMPETITION OF COMMUNITY POSTAL SERVICES

DIRECTIVE 97/67/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 15 DECEMBER 1997 ON COMMON RULES FOR THE DEVELOPMENT OF THE INTERNAL MARKET OF COMMUNITY POSTAL SERVICES AND THE IMPROVEMENT OF QUALITY OF SERVICE

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE MINISTRY OF INTERIOR ACT

(PROM. - SG 81/16, IN FORCE FROM 01.01.2017)

§ 102. This Act shall enter into force on January 1, 2017, except for:

1. paragraphs 6-8, § 12, items 1, 2 and 4, § 13, § 14, § 18-20, § 23, § 26-31, § 32, items 1 and 4, § 33-39, § 41-48, § 49 on Art. 187, para. 3, first sentence, § 50-59, § 61-65, § 81-85, § 86, item 4 and 5, § 87, item 3, § 90, item 1, § 91, item 2 and 3, § 92, § 93 and § 97-101, which shall enter into force from the day of the Act's promulgation in the State Gazette.

2. paragraph 32, item 2 and 3, § 49 on Art. 187, para. 3, new second sentence, § 69-72, § 76 concerning persons under § 70, § 78 with respect to employees under § 69 and § 70, § 79 regarding employees under § 69 and § 70, § 91, item 1 and § 94, which shall enter into force on February 1, 2017.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE VALUE ADDED TAX ACT

(PROM. - SG 97/17, IN FORCE FROM 01.01.2018)

§ 52. The Act shall enter into force on 1 January 2018, with the exception of § 8 and 9, which shall enter into force on 1 December 2017, and § 41 concerning item 17, letter "a", which shall enter into force 20 May 2019.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE ADMINISTRATIVE PROCEDURE CODE

(PROM. - SG 77/18, IN FORCE FROM 01.01.2019)

§ 156. The Act shall enter into force on 1 January 2019, with the exception of:

1. paragraphs 4, 11, 14, 16, 20, 30, 31, 74 and § 105 item 1 on the first sentence, and item 2

which shall enter into force on 10 October 2019;

2. paragraphs 38 and 77, which shall enter into force two months after the promulgation of this Act in the State Gazette;

3. paragraph 79, items 1, 2, 3, 5, 6 and 7, § 150 and 153, which shall enter into force on the day of the promulgation of this Act in the State Gazette.

Additional provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE POSTAL SERVICES ACT

(PROM. - SG 53/19)

§ 65. This law provides for measures to implement Regulation (EC) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE POSTAL SERVICES ACT

(PROM. - SG 53/19)

§ 66. Compensations for 2018 and 2019, determined by the order of Art. 29, para. 4 shall be deferred over the next 5 budget years as planned in the Act on the State Budget of the Republic of Bulgaria for the respective year at the proposal of the Minister of Transport, Information Technology and Communications.

§ 67. The Communications Regulation Commission shall, within six months of the entry into force of this Act, align the issued individual licenses with it.

§ 68. (1) The secondary legislation issued before the entry into force of this Act shall retain their effect, as long as they do not contradict it.

(2) The secondary legislation on the application of the Act shall be brought into compliance with this Act within 6 months of its entry into force.

§ 69. Paragraph 20, item 3 shall enter into force on 1 January 2020.

Concluding provisions

TO THE ACT ON THE STATE BUDGET OF THE REPUBLIC OF BULGARIA FOR 2020

(PROM. - SG 100/19, IN FORCE FROM 01.01.2020)

§ 23. The Act shall enter into force on January 1, 2020, with the exception of § 14, 15 and 20, which shall enter into force on the day of its promulgation in the State Gazette.

Transitional and concluding provisions

TO THE ACT, AMENDING THE POSTAL SERVICES ACT

(PROM. – SG 31/22)

§ 17. (1) The secondary legislation issued by the Minister of Transport, Information Technology and Communications under the Postal Services Act shall remain in force.

(2) The secondary legislation implementing the Act shall be brought into conformity with this Act within 6 months of its entry into force.

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(3) The Council of Ministers shall, by a Decree, designate the Deputy Prime Minister under Art. 10 of the Postal Services Act and shall regulate the legal relations arising from this Act within six months of its entry into force.

Transitional and concluding provisions

TO THE ACT ON THE STATE BUDGET OF THE REPUBLIC OF BULGARIA FOR 2023

(PROM. - SG 66/23, IN FORCE FROM 05.08.2023)

.....
§ 36. (In force from 05.08.2023) In the Postal Services Act (promulgated, SG 64 of 2000; amend. 12 of 2001, SG 45 and 76 of 2002, SG 26 of 2003, SG 19, 88, 99 and 105 of 2005, SG 34, 37, 80 and 86 of 2006, SG 41, 53 and 109 of 2007, SG 109 of 2008, SG 35, 87 and 93 of 2009, SG 101 and 102 of 2010, SG 105 of 2011, SG 38 of 2012, SG 61 of 2014, SG 81 and 95 of 2016, SG 97 of 2017, SG 77 of 2018, SG 53 and 100 of 2019 and SG 31 of 2022) the following amendments shall be made:

.....
10. In the other texts of the Act, the words "Deputy Prime Minister under Art. 10" and "Deputy Prime Minister under Art. 10" shall be replaced by "The Minister of Transport and Communications" and "the Minister of Transport and Communications", respectively.

.....
§ 46. The act shall enter into force on January 1, 2023, with the exception of:
1. paragraph 1, Para. 3 and 5, § 25, Para. 3 - 7, § 27 and 28 which enter into force on August 1, 2023;
2. paragraph 3, § 29, item 1 and § 30 which enter into force on July 1, 2023;
3. paragraph 4, § 29, item 2, letter "a" and letter "b", regarding Para. 10, § 33 and 38, which enter into force from the day of its promulgation in the State Gazette;
4. paragraph 7, items 1 and 2, § 8 and § 26, item 3 which enter into force on September 1, 2023;
5. paragraph 7, item 3, § 14, item 9, § 26, item 4, § 27, item 8 and § 40 which enter into force on December 1, 2023;
6. paragraph 13, § 14, items 7 and 8, item 10 regarding Art. 182e, items 11, 12, 13 and item 19, letter "a", § 15, 21, 22, 23, 34, 35, 36 and 37 which enter into force three days after its promulgation in the State Gazette ;
7. paragraph 14, items 1, 3, 4 and 5, item 6, letters "a" - "c" and "e" - "m" and item 16 and § 29, item 2, letter "b" regarding Para. 11 which enter into force on October 1, 2023;
8. paragraph 14, item 2, item 10 regarding Art. 182a - 182d, items 14, 15, 17, 18 and item 19, letter "b", § 17, 18 and 20 which enter into force 9 months after its promulgation in the State Gazette;
9. paragraph 14, item 6, letter "d", § 24, items 3 - 9 and item 10, letters "a" - "d", § 25, Para. 1 and 2 and § 26, items 1 and 2 which enter into force on January 1, 2024;
10. paragraph 19 which enters into force 8 months after its promulgation in the State Gazette;
11. paragraph 32 which enters into force on January 1 of the second year following the publication of the results of the population and housing census in the Republic of Bulgaria in 2021.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE MEASURES AGAINST MONEY LAUNDERING ACT

(PROM. - SG 84 OF 2023)

.....
§ 82. Until the entry into force of this law, administrative proceedings under the Financial Instruments Markets Act, the Act on the Activities of Collective Investment Schemes and other Collective Investment Enterprises, the Insurance Code, the Social Security Code, the Postal Services Act, the Payment Services and Payment Systems Act and under the Credit Institutions Act are completed according to the previous order.
.....

Concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE MEASURES AGAINST
MONEY LAUNDERING ACT

(PROM. - SG 49 OF 2025)

.....
§ 37. In the Postal Services Act (prom. in the State Gazette № 64 of 2000; amend., SG 112 of 2001; SG 45 and 76 of 2002; SG 26 of 2003, SG 19, 88, 99 and 105 of 2005; SG 34, 37, 80 and 86 of 2006; SG 41, 53 and 109 of 2007; SG 109 of 2008; SG 35, 87 and 93 of 2009; SG 101 and 102 of 2010; SG 105 of 2011; SG 38 of 2012; SG 61 of 2014; SG 81 and 95 of 2016; SG 97 of 2017; SG 77 of 2018; SG 53 and 100 of 2019; SG 31 of 2022; SG 66 and 84 of 2023 and SG 79 of 2024), the following amendments and additions shall be made:

.....
9. In the remaining texts of the Act, the words "the Act on Measures Against the Financing of Terrorism" shall be replaced by "the Act on Measures Against Financing of Terrorism and the Proliferation of Weapons of Mass Destruction".
.....

Transitional provisions
TO THE ACT AMENDING THE POSTAL SERVICES ACT

(PROM. - SG 81 OF 2025)

§ 7. Until the adoption of the act on assigning the service under Art. 24 to "Bulgarian Posts" EAD, the company shall bear the obligation to provide the universal postal service according to the current procedure.

§ 8. The period of time as per § 70 of the transitional and concluding provisions of the Act Amending and Supplementing the Postal Services Act (SG issue 102 of 2010), for which the "Bulgarian Posts" EAD trade company is assigned the obligation to provide the universal postal service, shall be extended by 5 years as of December 30, 2025.