

ACT ON THE ACTIVITIES OF PROVISION OF SERVICES

In force from 23.02.2010

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Chapter one. GENERAL PROVISIONS

Art. 1. (1) This act shall regulate the general rules for exercising the freedom of establishment of service providers and free movement of services while keeping their high quality.

(2) The purposes of the act are:

1. facilitating exercising activities of service provision by providers, established in an EU Member State;
2. guaranteeing the rights of providers and receivers of services;
3. decreasing the administrative burden for service providers, established in EU Member States and facilitating the procedures for the competent bodies in the Republic of Bulgaria through establishing a single contact unit and provision of services in electronic way;
4. establishing a system for information exchange and mutual cooperation between the competent bodies in the Republic of Bulgaria and the ones in the EU Member States.

Art. 2. (1) In the meaning of this act "service" is every economic activity, carried out for remuneration or for own costs by a service provider.

(2) This act shall not apply to the following services:

1. non-economic services of general interest;
2. financial services;
3. (suppl. – SG 21/18, in force from 09.03.2018) electronic communication services and networks and the related to them structures and services, subject to regulation under the Act on Electronic Communications – only in relation to the provision, which introduce Directive 2002/19/EC of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities, Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services, Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services, Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector and under the Electronic Communications Networks and Physical Infrastructure Act;
4. services in the transport area;
5. services for hiring of workers, provided by agencies for temporary employment;
6. medical and health services;
7. audio-visual services;
8. services, related to gambling activities under the Act on Gambling;
9. services and activities, related to exercising public power;
10. social services of social accommodation, care for children and assistance of families or persons, temporary or permanently in need, which are provided by the state, or by suppliers and charity organizations, authorized by it;
11. security services, provided by private persons;
12. services, provided by notaries and bailiffs.

(3) The provisions of this act shall not apply in the area of taxation, labour legal rights and related to them legal rights, employment, social insurance, basic human rights, penal law and international private law.

(4) Where the provision of this act contradict to an EU Regulation or to a special act, introducing the requirements of EU instruments. Which regulate activities of provision of services in a specific sector or for specific professions, their provisions shall apply. This provision shall also apply to:

1. Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services

2. Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community

3. Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by Law, Regulation or Administrative Action in Member States concerning the pursuit of television broadcasting activities, Directive 97/36/EC of the European Parliament and of the Council of 30 June 1997 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities and Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities (OJ L 332/27 of 18 December 2007)

4. Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications

Chapter two.

SINGLE CONTACT UNIT

Art. 3. (1) The [single portal for access to the electronic administrative services](#), built up and maintained under Art. 12, of the Electronic Government Act shall implement the functions of a Single contact unit (SCU).

(2) (amend. – SG 83/13) The single contact unit shall provide to service providers the opportunity for:

1. easy access to information, needed for beginning and exercising their activity or certain rights;
2. filling in and filing the needed forms and other documents for exercising their activity or certain rights;
3. receiving response by the competent bodies on initiated procedures.

(3) (amend. – SG 83/13; amend. – SG, 14/2015) The Council of Minister shall adopt an ordinance on the conditions and procedure for maintain functioning of SCU upon a joint proposal of the Minister of Economy and the Minister of Transport, Information Technology and Communications.

Art. 4. (amend. – SG 83/13) The single contact unit shall provide access to service providers and receivers to:

1. information for all the requirements, applicable to providers, established on the territory of the country, including the needed procedures and forms of documents through which rights are received for exercising an activity of service provision;
2. possibility for receiving upon request explanations, instructions, etc, which should inform the providers and receivers of services about the ways, in which the requirements under p. 1 are understood and applied, including description of the needed actions in chronologic order;
3. all forms of documents, needed for receiving permit. License, registration, etc;
4. information for contact with the competent bodies, which should allow establishment of a direct

connection with them, including information about the concrete authorizations of the bodies, related to issues of exercising of service provision activities;

5. information about contact with organizations, chambers and association, different from the competent bodies, by whom providers or receivers of services may receive practical assistance;

6. public registers and data base, containing information about service providers;

7. information about protection means in case of dispute between the competent bodies and provider or receiver of services, between provider and receiver or between providers;

8. information – if available – about:

a) the significance of certain quality signs;

b) criteria for applying the quality signs;

c) other quality indications of services;

d) moral code, established at EU level, aiming facilitating the access to service provision.

Art. 5. (amend. – SG 83/13) The competent bodies, which have authorizations, related to exercising the activities on service provision shall be obliged to provide to the SCU in a clear and unambiguous way complete and updated information under art. 4.

Art. 6. (1) The competent bodies under Art. 5, upon request on behalf of providers and/or receivers of services shall provide the information, which should facilitate the implementation of the legislative and administrative requirements in the shortest term.

(2) Where the body is not competent to provide the required information, to undertake actions on the application, or the request is not grounded, he/she shall be obliged immediately and in a motivated way to inform the person about this.

Art. 7. (amend. – SG 83/13) The single contact unit shall provide through the [Single portal access to the electronic administrative services](#) possibility for exchange of communication between service provider and the competent bodies under Art. 5.

Art. 8. (amend. – SG 83/13) The single contact unit and the competent bodies under Art. 5 shall process personal data while observing the Protection of Personal Data Act.

Chapter three.

RIGHT TO ESTABLISHMENT

Section I.

Access to Services and Exercising the Activity of Provision of Services

Art. 9. (1) Access to services and exercising of activity of provision of services shall be carried out freely, unless an EU instrument, or special act, which introduces requirements of EU acts, provides otherwise.

(2) (amend. – SG 83/13) Apart from the cases under Para. 1, a special act may introduce permission regime only where it is in compliance with the following principles:

1. non-discrimination – direct or indirect, on the grounds of nationality or the location of the supplier's registered address;

2. relevance – the permission regime is required because of the necessary protection of public interest;

3. proportionality – public interest protection may not be achieved with less restrictive measures,

including by subsequent control.

Art. 10. (1) The competent body shall be obliged to permit exercising of activity of service provision with establishing compliance with all legal requirements, regulated for the relevant permission regime.

(2) The permit regimes are based on the following principles:

1. legal establishment, equality and non-discrimination;
2. need of protection of public interest;
3. proportionality of the objective of the protected public interest;
4. objectivity and impartiality;
5. transparency, publicity, accessibility, clearness and unambiguousness.

Art. 11. (1) For provision of access permit to services or exercising an activity of provision of services requirements shall not be put:

1. related to nationality of the provider, of his/her staff, of the persons, holders of shares and assets, of the members of the management of supervision bodies of the provider or for place of residence in the Republic of Bulgaria to those persons, and in the cases of legal persons – about the management address in the Republic of Bulgaria;

2. restricting the right to establishment in more than 1 EU Member State and/or for entering in identical registers and members in professional organizations or associations of more than one EU Member State;

3. restricting the freedom of the provider to choose between basic or secondary place of establishment, as well as to choose the way of establishment through representation, branch or subsidiary company;

4. for reciprocity with an EU Member state, in which the provider has been established, unless in the cases of reciprocity, provided by the EU law on energy;

5. for proof of market need, assessment of the economic effect of the activity or assessment up to what extent the activity is appropriate for the economic purposes, laid down by the competent body in its strategic documents;

6. for direct or indirect inclusion of competitors, including in consultative bodies; this prohibition shall not refer the cases, where the competent body is a professional organization or company;

7. for provision of financial guaranty or insurance by a provider or institution, established on the territory of the Republic of Bulgaria;

8. (amend. – SG 83/13) for preliminary registration or for preceding carrying out an activity for a certain period on the territory of the Republic of Bulgaria.

(2) (new – SG 83/13) Where it is justified by an imperative reason for public interest protection, which cannot be protected with less restrictive measures and does not discriminate the service provider, granting of a permit for access to services or for practicing of activity for provision of services may be achieved depending on:

1. quantitative or territorial limitations, including limits, related to a fix number of residents or minimum geographical distance between the providers;

2. an obligation for the supplier to have a specific legal and organizational form;

3. requirements related to holding of shares or stake in a particular company;

4. requirements which are not provided in the European Union laws, which keep the access to an activity for provision of a particular service for specific suppliers because of the specific nature of the activity;

5. a ban for more than one getting based on the territory of one country;

6. requirements for a minimum number of employees;

7. fixed minimum and/or maximum tariffs to be taken into consideration by the supplier;
8. obligations for the supplier, except for their service, to provide also other specific services together with it;

9. requirements to suppliers to exercise only a particular type of activity or restrictions for exercising of different activities in joint ventures.

(3) (prev. par. 2, suppl. – SG 83/13) In case of provision of access permit to services or exercising an activity of service provision, the competent body shall not request evidence of compliance with the requirements or control measures, which are duplicated with such, required in another EU Member State or in the Republic of Bulgaria.

(4) (prev. par. 3, suppl. – SG 83/13) For proving of compliance with normative requirements for granting a permit, the competent body shall not request the documents, come out from another Member State in original or as a certified copy or translation, unless in the cases, provided by other EU instruments or upon reasons, related to public interests, order and security.

(5) (prev. par. 4, suppl. – SG 83/13) Where for evidence of the compliance with a certain requirement a document has been produced from a Member State, which serves for an equivalent purpose, or from which is evident, that the requirement is fulfilled, the competent body shall not require production of another document.

(6) (prev. par. 5 – SG 83/13) Where certain circumstances have been established by another body on the territory of the Republic of Bulgaria, the competent body shall not request their proof from the provider, but shall be obliged to collect them officially.

Art. 12. The permit shall give to the provider access to services or exercising an activity of service provision:

1. on the whole territory of the Republic of Bulgaria, unless where the restriction is needed because of reasons, related to public interest;

2. for an unlimited term unless in the cases, where:

a) the permit is subject to automatic renewal or depends only on a continuing fulfillment of the requirements;

b) the term of number of permits are restricted by a normative instrument because of a reason, related to public interest.

Art. 13. The competent body shall be obliged to motivate each decision for refusal for issuance, restriction, deprivation or termination of a permit for access to services or exercising an activity of service provision. The decision shall be subject to appeal.

Art. 14. The service provider shall be obliged to inform the relevant competent body about the following changes in the circumstances:

1. establishing subsidiary companies, branches and representations, whose activity falls in the scope of the promotion regime;

2. in which it cannot be considered that the conditions for issuance of permit have been fulfilled.

Section II.

Procedure of Issuing Permits

Art. 15. The procedures of issuance of permits shall be carried out while observing the principles of Art. 10, Para. 2. For provision of permit, the competent body shall inform in advance the applicant in a clear, understandable and unambiguous way about:

1. the needed documents for issuance of permit, their legal significance and the terms of the procedure;
2. the size of charges, which shall be proportional to the costs of realization of the procedure;
3. the possibilities for submitting proposals and signals about the procedure of appeal of his/her actions and of the issued by him/her instruments;
4. other information, provided by a normative instrument.

Art. 16. (1) The procedures of issuance of permits shall not have restraining action and make the service provision difficult or slow.

(2) all submitted documents, related to issuance of permit shall be registered. The registration shall include:

1. term for pronouncing of the competent body, which shall be fixed and preliminary determined by a normative or administrative instrument and starts to run from the moment of submission of the documents;
2. the means for protection of the applicant;
3. remarking, that failure to pronounce in term shall mean that the permit has been granted, in the cases where this is applicable.

(3) The term for pronouncing may be extended by the competent body once in case of factual or legal complexity. The extension shall be motivated and shall be announced to the applicant before expiry of the initially established term.

(4) Where the submitted documents are not complete, the competent body shall inform in the shortest term the applicant about the need to produce additional information within a certain term and about the fact, that the term for pronouncing starts to run from the date of their producing.

(5) Where the submitted documents are not regular or no additional information has been produced within the term of Para. 4, the competent body shall inform the applicant, that his/her application has been rejected.

Art. 17. Where the competent body has not pronounced on the application for granting a permit for access to services or for exercising activity of service provision by the end of the term, it shall be considered that the permit has been granted, unless an act provides other conditions, related to protection of public interest or legal interest of third parties.

Art. 18. (1) Where the number of permits for a certain type of activity is limited because of insufficiency of material resources or of technical capacity, a procedure of selection of the potential candidates shall be held while observing the principles of lawfulness, publicity, transparency and impartiality.

(2) While determining the criteria for selection in the cases of Para. 1, the issues, related to the following shall be taken in consideration: national security and defence of the country; protection of public health and environment; safety and health of working people; the protected territories and zones, sites and cultural values by an act.

The procedure for selection under Para. 1 may determine also other criteria, related to protection of public interest.

(3) In the cases under Para. 1 the permit shall be granted for a certain term and shall not be subject to automatic renewal, but a new selection shall be held, in which previous titulars or related to them persons shall not privileged.

Chapter four.

FREE MOVEMENT OF SERVICES

Section I.

Temporary provision of services (Title amend. – SG 83/13)

Art. 19. (1) (amend. – SG 83/13) Any provider, who has the right to exercise activity for provision of services under the laws of another Member State may freely exercise this activity on the territory of the Republic of Bulgaria, without being subject to a permissive regime, where they will be carrying out this activity temporary of only once without getting based.

(2) (amend. – SG 83/13) Temporary or single provision of services may be restricted only by requirements, introduced by a law, complying with the following principles:

1. non-discrimination – the requirements may not discriminate directly or indirectly on grounds of nationality, or establishment in a certain EU Member State in relation to legal persons;

2. relevance – the requirements shall be protected because of reasons, related to public order, public security, public health or environmental protection;

3. proportionality – the requirements shall be appropriate and comply with the set objectives.

(3) (amend. – SG 83/13) The requirements of Para. 2 shall not restrict temporary or single provision of services by a provider, established in another EU Member State through:

1. obligation the provider to be established on the territory of the Republic of Bulgaria;

2. obligation for the provider to have received permit by a competent body, to be entered in a register or to have been registered in a professional organization or association in the Republic of Bulgaria, unless where this has been provided by the EU law;

3. obligation for the provider to hold identification document, issued by a competent body in the Republic of Bulgaria, specific for exercising a certain type of activity on provision of services;

4. prohibition for the provider to establish in the Republic of Bulgaria a certain infrastructure for provision of services;

5. applying specific contractual conditions between the provider and receiver, which stop or restrict the service provision by a self-employed person;

6. requirements, which refer to using equipment and materials – inseparable part of the provided service with the exception of those, needed for healthy and safe conditions at labour;

7. (amend. – SG 83/13) requirements to the service receiver, restricting the use of a service by a provider, based in another Member State, which:

a) require to have received permit or filed a declaration before a competent body in the Republic of Bulgaria;

b) impose discrimination restrictions in relation to provision of financial assistance because of a reason, that the provider has been established in another Member State or in relation to the place, where the service is provided;

c) impose discrimination limitations, based on nationality or location of residence.

(4) (amend. – SG 83/13) Competent bodies shall apply the requirements in case of temporary provision of services, taking into account the nature of the service, duration, regularity and frequency of provision, and also the specific characteristics of the service on a by case basis.

(5) (new – SG 83/13) Competent bodies, when applying the requirements to temporary and single provision of services, shall be obliged to accept documents, issued according to the laws of another Member State, which are equivalent or in itself are comparable with the purpose of the requirements, set out in the laws of the Republic of Bulgaria.

(6) (prev. par. 5 – SG 83/13) In relation to the conditions for hiring at work and the rules of the collective labour contracts, the legislation of the Republic of Bulgaria shall be applicable.

Art. 20. Art. 19 shall not apply in relation to provision of the following types of services:

1. services of general economic interest, which are regulated by:

a) the provision of the Postal Services Act, which introduce 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;

b) the provision of the Energy Sector Act, which introduce Directive 2003/54/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in electricity and repealing Directive 96/92/EC - Statements made with regard to decommissioning and waste management activities and Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC;

c) (new – SG 83/13) water distribution and water supply services and services related to waste waters;

d))new – SG 83/13) waste treatment;

2. services in the scope of Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services;

3. for protection of natural persons while processing personal data and for free movement of these data in the scope of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, amended by Regulation (EC) N 1882/2003;

4. lawyer services in the scope of Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services

5. services, related to judicial restoration of debts;

6. (suppl. – SG 83/13) services, which may be provided only by persons with acknowledged professional qualification on issues within the scope of Section Two of the Recognition of Professional Qualifications Act;

7. (amend. – SG 83/13) services in the area of the social security, which are within the scope of Regulation No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the Coordination of Social Security Systems;

8. (suppl. – SG 97/16) services, related to administrative procedures under the Act on Entering, Residing and Leaving The Republic of Bulgaria by European Union Citizens, who are not Bulgarian Citizens and Their Family Members;

9. services of provision of visa or permit for residence of third state nationals;

10. (new – SG 83/13) waste shipment services, covered by Regulation (EC) No. 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste;

11. (prev. item 10 – SG 83/13) services in the area of copy right and neighboring rights, rights of the industrial ownership, legal defence and topologies of semi-conductors items and of data base;

12. (prev. item 11 – SG 83/13) services, related to acts, which require by law participation of a notary;

13. (prev. item 12, suppl. – SG 83/13) in the field of independent financial audit and accountancy on issues regulated by the provisions of the Accountancy Act and Independent Financial Audit Act, introducing the requirements of Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual accounts and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC;

14. (prev. item 13 – SG 83/13) on registration of vehicles long-term employed in another Member State;

15. (prev. item 14 – SG 83/13) in the area of obligations - contractual and out of a contract and the form of the contracts, under the Code of Private International Law.

Art. 21. (1) (amend. – SG 83/13) Temporary or single provision of services by a provider,

established in another EU Member State may be restricted upon exception through measures, related to safety of services.

(2) The measures under Para. 1 may be undertaken, where the procedure is realized for mutual assistance under Art. 36.

(3) The measures under Para. 1 shall apply, without restricting judicial procedures, including preliminary procedures or actions, carried out within the frames of a penal procedure.

Section II.

Exercising More than One Activity of Service Provision

Art. 22. (1) Service providers may exercise more than 1 type activity of provision of services by their own or jointly with other persons.

(2) Restriction of the rights of providers under Para. 1 shall be admissible in case of need of guaranteeing their independence and impartiality in relation to services on:

1. regulated profession in view to observation of the rights of professional ethic and behaviour;
2. certification, accreditation, technical monitoring or testing.

(3) Exercising more than one activity of service provision by the providers under Para. 2 shall be permitted only if they have fulfilled the following conditions:

1. there is not conflict of interests between the exercised activities;
2. the requirements for independence and impartiality have been provided for exercising of some types of activities;
3. compatibility of the rules about the ethic and behaviour while exercising different activities, especially in relation to professional secret.

Section III.

Assistance for Receivers of Services

Art. 23. (1) (amend. – SG 83/13) The Single Contact Unit shall provide access of receivers of services to the following information:

1. general information about the requirements, applicable in other EU Member States, about the access to services and exercising of activities of provision of services, especially those, related to consumer protection;
2. general information about the protection means, available in dispute between provider and receiver;
3. information about contacts with organizations and associations by which the providers of receivers may receive practical assistance.

(2) (amend. – SG 83/13) The information under Para. 1, p. 2 and 3 shall be provided to the SCU by the competent bodies on the territory of the Republic of Bulgaria, which have authorizations in relation to exercising activities of provision of services.

(3) (amend. – SG 83/13) The Single Contact Unit shall announce to the European Commission the names and contact addresses of the competent bodies on the territory of the Republic of Bulgaria, which have authorizations, related to realization of control or issuance permits for exercising activities of provision of Services.

(4) The competent bodies in the Republic of Bulgaria shall be obliged to give assistance to receivers of services, where they shall be obliged to introduce all the measures for cooperation with the relevant competent bodies in the EU Member States and provide the practical conditions for application of Para. 1.

(5) For implementation of the requirements under Para. 4, the competent body, who has been

referred to by the receiver of services in case of need shall establish contact with the competent body in the relevant Member State in order to provide the information, requested by the receiver, who has given the question.

Chapter five. **OBLIGATIONS OF SERVICE PROVIDERS**

Section I. **Information Provision**

Art. 24. (1) The service providers shall be obliged to provide to their receivers the following information:

1. name, legal status, legal-organizational form, central office and address of the provider, telephone N, fax N e-mail;
2. registration of the provider in trade or other public register, name of the register, number of the registration or equivalent means of identification of the provider in the register;
3. permissible regime, where the activity is subject to such, information about the relevant competent body, which grants the permit or SCU;
4. identification number for VAT, where the provider exercises an activity, subject to VAT;
5. professional organization, in which the provider has been registered, professional title and EU Member State, in which the title has been granted – in the cases of regulated professions;
6. general conditions for using the service – if any;
7. existence of contractual clauses about the law, applicable to the contract, and/or competent courts or arbitration institutions, if any;
8. guarantees after the sale, which are not imposed under an act, if any;
9. the service price, where it has been set preliminary by the provider for a certain type of service;
10. the basic characteristics of the service, if they are not apparent;
11. the insurance or guaranties under Art. 26 – particularly information about contacts with the insurer or guarantee and the territorial scope;
12. another type of information, provided by the EU law.

(2) The information under Para. 1 shall be provided by the provider:

1. in person, or
2. accessible for the receiver – on site, where the service is provided or the contract has been signed, or
3. electronically via an address, provided by the provider, or
4. in all information documents, provided to the receiver by the provider, which describe in details the provided service.

(3) Upon request of the receiver, the provider shall provide the following additional information about:

1. the service price, if it has not been determined in advance; in case that it is impossible an exact price to be given, the provider shall provide information about the method for calculation of the price, so that it may be checked;
2. the professional rules, applicable in the Member State of establishment and the way of access to them – in relation to the regulated professions;
3. other carried out services and partnerships, which are directly connected to the provided service and about the measures, undertaken in view to avoiding conflict of interests; this information shall be included to every information document, in which the providers provide detailed description of their services;
4. moral codes, with which the provider must obey and the address, where electronically

information may be made about the, by indicating also the available language versions;

5. the access to extra- court means for solving disputes, regulated in a moral code or by a trade company or professional organization, whose member the provider is, as well as the way of access to detailed information about the characteristics and conditions for using these means for solving disputes.

(4) The information, which the provider provides to the receiver of the service must be accessible, clear and unambiguous. The information under Para. 1 and 3 shall be provided before signing a contract and in case of provision of a written contract – before the beginning of the service provision.

(5) (new –SG 83/13) Service providers may not discriminate the service recipient in terms of nationality and residence.

(6) (new – SG 83/13) General terms and conditions for access to a particular service, presented before the wide public by the provider may not contain discrimination provisions, related to recipient nationality or residence, without however excluding the opportunity to provide different terms and conditions of access, where the said differences are directly justified by objective criteria.

Art. 25. (1) The service providers, who exercise regulated professions, may freely use trade communications while observing the professional rules of the relevant profession, by guaranteeing independence, dignity and good name of the profession, as well as protecting the professional secret.

(2) Restrictions of the contents of the trade communications under Para. 1 shall be admissible only if they are non-discriminatory, proportional and related to protection of public interest.

Section II.

Insurance for Professional Responsibility and Guarantees

Art. 26. (1) Where a special act, or an instrument of the EU provides so, a provider which has been established on the territory of the Republic of Bulgaria shall be obliged to sign insurance for professional responsibility or to provide another guaranty for covering the risks of the provided services.

(2) In the cases under Para. 1, where the provided services are direct and specific risk for health or safety of the receiver, or of a third person or for financial safety of the receiver, the provider shall sign insurance for professional responsibility or provides guaranty, or another type of security in compliance with the character and level of risk.

Art. 27. (1) The competent body may not request insurance for professional responsibility or guaranty from provider, who established on the territory of the Republic of Bulgaria and has provided an equivalent guaranty in another Member State.

(2) In the cases under Para. 1, where the provided guaranty cover only partially the risks, the competent body may request additional guaranty, which should cover uncovered risks.

(3) Where the competent body requires from the provider to sign insurance for professional responsibility or to provide another guaranty, he takes as sufficient evidence certificates or other documents for insurance coverage, issued by credit institutions and insurers, established in other Member States.

Section III.

Settling Disputes

Art. 28. Service providers shall be obliged to respond to the claimed reclamations or complaints of receivers in the shortest term in view settling the dispute.

Art. 29. (1) The disputes between providers and receivers of services shall be settled:

1. by mutual agreement;
2. by extra judicial means, where the provider is member of a trade company or professional organization, which offer this mechanism or by conciliation procedure under the Consumer Protection Act;
3. by judicial procedure.

(2) While settling disputes between providers and receivers of service the provision of the Consumer Protection Act and the Obligations and Contracts Act shall apply.

Chapter six.

INFORMATION EXCHANGE AND MUTUAL COOPERATION BETWEEN THE COMPETENT BODIES

Art. 30. (suppl. – SG 83/13) The competent bodies, who have authorizations, related to exercising activities of service provision, shall participate in the information exchange with the competent bodies of other Member State through the Information system of the internal market (ISIM) according to Regulation (EC) No. 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC ("the IMI Regulation") (OJ, L 316/1 of 14 November 2012).

Art. 31. (1) For the purposes of the system under Art. 30 by a Council of Ministers decision the following shall be determined:

1. national coordinator;
2. delegated coordinator/s in service area;
3. list of the competent bodies, who are subject to registration in the ISIM system in service area;

the list shall contain the official name of the body and area of competence.

(2) The Council of Ministers shall adopt an ordinance on the terms and conditions for operation of the coordinators under Para. 1. P. 1 and 2 and for maintaining the list under Para. 1, p. 3.

Art. 32. (1) The competent bodies shall apply measures for effective mutual cooperation with the competent bodies of the other Member State in view of control of service providers, which they provide.

(2) The measures under Para. 1 shall include requests for provision of information, for conducting checkups or investigations, for giving assistance, for submitting signals, warnings, etc. They shall be motivated and indicate the grounds for the request.

(3) The information under Para. 2, required by the competent body of another Member State or by the European Commission, shall be provided electronically in the shortest term.

(4) The exchanged information shall be used only in relation to the issues, for which it has been requested.

(5) In case of difficulties while fulfilling a request under Para. 2, the competent national body shall inform timely the body about this fact, sent the inquiry in view to finding decision.

(6) Where a competent body from a Member State fails to fulfill his/her obligation for giving mutual assistance, the national or delegated coordinator on ISIM shall inform the European Commission.

Art. 33. The competent bodies shall provide access to the registers, which contain the service providers about competent bodies on the territory of the Republic of Bulgaria and about the relevant competent bodies in the EU Member States in equal conditions.

Art. 34. (1) The control of the activity of service providers, established in the Republic of Bulgaria shall be carried out by the authorized bodies under the national legislation.

(2) In relation to providers, established on the territory of the Republic of Bulgaria and providing services in another Member State, the competent bodies, in case of request from the relevant bodies of another Member State shall:

1. provide confirmation, that the provider has been established on the territory of the Republic of Bulgaria;
2. carry out checkups and investigations and inform about the results and the measures undertaken; the most appropriate measures shall apply for each case in view to fulfillment of the request of a competent body of another Member State.

(3) In relation to providers, established on the territory of the Republic of Bulgaria and providing services in another Member State, who could cause serious harm of health and safety of people or environment, the competent body shall refer the national or the delegated coordinator of ISIM, who, in the shortest term shall inform all the Member States and the European Commission.

(4) IN case of found breaches, the competent bodies shall impose administrative punishments or shall apply compulsory administrative measures on the territory of the Republic of Bulgaria and in the cases, where the service is provided or causes harm on the territory of another Member State.

Art. 35. (1) (suppl. – SG 83/13) Relating to providers, established on the territory of another EU Member State and providing temporary services on the territory of the Republic of Bulgaria, the competent bodies in compliance with their authorizations shall exercise control on their activity for observation of the requirements, applicable thereto in compliance with Art. 19 and 20 for access to services and exercising the activity.

(2) In the cases under Para. 1 the carried out checkups and investigations on site shall be non-discriminatory, not to be motivated by the provider's establishment in another EU Member State and shall be proportional.

(3) Upon request of a competent body of the Member State of establishment in relation to a provider, who provides services on the territory of the Republic of Bulgaria, the competent body in compliance with their authorizations shall carry out checkups and investigations for the purposes of the effective control of the one, who has made the request. The most appropriate measures shall be applied to each case in view to implementation of the request of the competent body of another Member State.

Art. 36. (1) In exceptional cases the competent bodies may under take measures, related to safety of services, in relation to a provider, established in another Member State in presence of the following conditions:

1. the normative ground for undertaking the measure does not comprise form introduction or application of the EU law;
2. the measure provides greater protection for the service receiver than the measures of the Member State of the provider's establishment;
3. the Member State of establishment has not undertaken measures or has undertaken such measures, which are not sufficient for guaranteeing the safety of the service receivers;
4. the measures are proportional.

(2) For undertaking the measures under Para. 1, the following procedure shall apply:

1. the competent body shall send a request to the competent body of the Member State of the provider's establishment for undertaking measures, while providing the whole relevant documentation for the services and for the circumstances on the case;

2. the competent body shall have to receive an announcement by the competent body of the Member State of the provider's establishment, which shall contain:

- a) information, whether the provider carried out his/her activity legally, and
- b) evidencing the basic facts of the request, and

c) information about the envisaged measures, about the undertaken measures or about the reasons, because of which no measures have been undertaken;

3. after receiving the announcement under p 2, the competent body, who has made the request, shall notify the European Commission and the Member State of establishment about their intention to undertake measures, while indicating the grounds, because of which they consider the measures, under taken of envisaged by the Member State of establishment for non-adequate and that the measure, which they intend to undertake fulfill the requirement of Para. 1;

4. The measures shall apply after expiry of 15 working days after the notification under p. 3, in case that the European Commission fails to undertake a decision, with which requests from the competent body to restrain form undertaking the proposed measures or urgently to stop their application.

(3) In urgent cases the competent body may not apply the procedure under Para. 2, while announcing the measures in the shortest term to the European Commission and to the Member State of establishment and motivates their urgency.

Art. 37. Where the competent body learns about actions, lack of actions or circumstances, related to an activation of provision of services, which have caused or may cause serious harm to people's health or safety or of the environment, they shall refer the national or delegated coordinator of ISIM, which in the shortest term shall inform the relevant competent bodies of the Member State of establishment, of the other Member States concerned and the European Commission.

Art. 38. (1) Upon request of a competent body of another Member State, the competent bodies in compliance with the national legislation shall provide information about disciplinary, administrative or penal sanctions and measures about insolvency or bankrupts, including also cases of fraud, undertaken in relation of a provider, which are directly related to his/her professional competence. The national competent bodies may request such information from competent bodies in another Member State.

(2) The request under Para. 1 shall be motivated, by indicating also the ground for the requested information.

(3) The competent body, which provides the information under Para. 1, shall obligatorily inform about this the service provider in relation of whom the request has been made. If the information is public, it shall be announced to the consumers in an appropriate way.

(4) The sanctions and measures, defined in Para. 1 shall be announced only if they have been enforced. In case of appeal, the date on which the decision on the appeal will be decreed shall be indicated. The competent body shall obligatorily indicate the legislative ground for undertaking the measures and/or for imposing the sanctions.

(5) The provision of the information under Para. 1 shall be carried out while observing the Protection of Personal Data Act.

Chapter seven.

CONTROL AND ADMINISTRATIVE-PENAL PROVISIONS

Art. 39. The control on application of this act shall be carried out by:

1. the competent bodies in a procedure, provided in the special acts;
2. The Commission of Consumer Protection under the Consumer Protection Act;
3. (revoked – SG 83/13)

Art. 40. (1) (amend. – SG 83/13) An official, who commits or admits committing a breach of Art. 8, 11, 13, 15, 16, 18, Art. 22, Para. 2, Art. 23, Para. 4 and 5, Art. 27, Art. 32, Para. 3 or Art. 33, shall be

punished by a fine in the amount of BGN 50 to 250, unless the breach represents a crime.

(2) In case of a repeated breach, the fine under Para. 1 shall be in the amount of BGN 150 to 750.

(3) A professional organizations or association, which has authorizations in relation to the activities of provision of services and regulates the access to services or exercising activities of provision of services, in the cases under Para. 1 shall be imposed by a property sanction in the amount of BGN 300 to 3 000.

(4) In case of a repeated breach under Para. 3, the property sanction shall be in the amount of BGN 2000 to 7000.

Art. 41. (1) Any provider, who commits a breach of Art. 14, 24, Art. 25, Para. 1, Art. 26 or Art. 28, shall be punished by a fine or property sanction in the amount of BGN 500 to 5000, unless the deed represents a crime.

(2) In case of a repeated breach under Para. 1, the fine or the property sanction shall be I doubled.

Art. 42. (1) The instruments for found breaches under Art. 40 shall be drawn up by officials, determined by the controlling body, where it is one person or by his/her head, where the body is collective. The penal decrees shall be issued by the one person controlling body or by the head of the collective controlling body.

(2) (amend. – SG 83/13) Where the breaches under Art. 40 have been committed by Municipality Mayors, the instruments for founding out the administrative breaches shall be drawn up and the penal decrees shall be issued by the relevant Regional Governor or by officials, authorized by him/her.

(3) The instruments for found breaches under Art. 41 shall be drawn up by officials, determined by the head of the Commission of Consumer Protection, and the penal decrees shall be issued by the president of the Commission of Consumer Protection, or by officials, authorized by him/her.

(4) Establishing the breaches, issuing, appeal and implementation of the penal decrees shall be carried out under the Administrative Violations and Penalties Act.

Additional provisions

§ 1. In the meaning of this act:

1. "Competent body" is a body, which belongs to the system of the executive and/or has been authorized according to a normative act to regulate or carry out control on the access to services or exercising activities of service provision.

2. "Provider" is any natural person, national of an EU Member State or legal person in the meaning of Art. 54 of the Treaty on the Establishment of the European Union in a Member State, who provides a service.

3. "Receiver" is any natural person, national of an EU Member State or legal person in the meaning of Art. 54 of the Treaty on the Establishment of the European Union and established in a Member State, who uses or wishes to use a service for professional or non-professional purposes.

4. "Permissive regime" is any procedure, under which a provider or receiver must receive official permit by a competent body for access to services or exercising an activity of provision of services, as certificate, permit, license or registration.

5. "Establishment" is carrying out an economic activity by the provider under Art. 49 of the Treaty on the Establishment of the European Union for indefinite period of time and through a stable infrastructure at the place, where the service is really provided.

6. "Member State" is an EU Member State, or another state- party on the EEAA.

7. "Member State of establishment" is the Member State on the territory of which the service provider has been legally established.

8. "Member State where the service is provided" is the Member State, on whose territory the service is provided by a provider, established in another Member State.

9. "Non-economic service of general interest" is a service, which is not carried out against money remuneration and does not represent a service in the meaning of Art. 57 of the Treaty on the Establishment of the European Union

10. "Financial service" is any service of a bank activity, including activities of accepting deposits and other restorable means; crediting; insurance and re-insurance; investment funds; financial leasing; services on money transfers; issuance and administration of payment means; guarantees; trade with instruments of the money market, currency, financial futures and options, currency and interest instruments, securities; participation in emissions of securities and service provision with such emissions; storage and management of securities, money brokerage activity; management of portfolios and consultations; consultations in the area of payment and investments; services of trusts keeping, pension services.

11. "Electronic communication service" is a service, provided for remuneration, which wholly or predominantly includes transfer of signals on electronic communication networks, including services of transfer, through networks for radio-broadcasting, without including services, related to the contents and/or control on it. The scope of the electronic communication services do not include the services of the IT society, which are not thoroughly of transfer of signals through electronic communication networks.

12. "Electronic communication network" is a combination of transferable facilities and if needed equipment for commutation or other resources, which serve for transfer of signals through conductor, radio, optical or other electric magnet ways, including satellite networks, fixed and mobile ground networks, electric distributing networks, used for transfer of signals, networks, used for radio and TV broadcasting and cable electronic communication networks for broadcasting of radio and TV programmes, notwithstanding of the type of the broadcast information.

13. "Service in the area of transport" is a service in the area of road, railway, air, sea transport and the transport of internal water ways, including port and airport services, city transport and carriage by taxis and ambulances, with the exception of the services of training of drivers, services of moving, hiring cars and funeral services.

14. "Medical and health services" are services, provided by persons holding special professional qualification in the area of healthcare of patients in cases of assessment, maintenance or recreation of their health, notwithstanding if they are public or private and of they are provided through medical or health establishments.

15. "Audio-visual service" is a service, whose basic purpose is provision of movable pictures with or without sound, including TV and broadcasting of films in cinemas, notwithstanding of the way of production, broadcasting and transfer, including radio-broadcasting.

16. "Gambling activity" is any service, which includes bets with material value in games of luck, including lotto, scratch cards, betting, bingo, gambling services, offered in casinos or licensed sites and managed by or in favour of charitable foundations or non-profitable organizations.

17. "Social service" which assists and expands the possibilities of persons to lead independent way of life and is carried out in specialized institutions and in the Community.

18. "Services for security, provided by private persons" are services of supervision of property and premises, protection of persons, patrols for safety or observation of buildings, as well depositing, safe storage, transportation and distribution of money in cash and valuables with the exception of services of sale, supply, mounting and maintenance of technical facilities for safety.

19. "Regulated profession" is an activity or combination of activities, included in the List of regulated professions in the Republic of Bulgaria, which is of social importance and/or is of substantial significance for life and health of people and the right for whose exercising is determined by laws, legislative and administrative provisions, for holding a specific professional qualification, competence or membership in a professional organization, working for maintaining high level in the relevant professional area for which a specific acknowledgment by the state has been received.

20. "Requirement" is any obligation, prohibition, condition of limitation, provided by a normative or administrative act, as well as in rules of professional organizations and associations. Rules in collective labour contracts, signed by social partners shall not be requirements.

21. "Information system of the internal market" is an electronic multilingual information system for assistance and exchange of information between competent bodies of the Member States.

22. "Public interest" is grounds, acknowledged as such in the practice of the EU Court, including public order, public security, public safety, public health, observing financial stability of the system of public insurance, protection of consumers, receivers of services and workers, good faith in trade deals, fight with fraud, protection of environment, health of animals, intellectual property, protection of national historical and cultural heritage objectives of social and cultural policy.

23. "Trade communication" is any form of communication, intended for popularization, direct or indirect, goods, services or reputation of an undertaking, organization or person, dealing with trade activity, economic or craft activity or practicing regulated profession. As trade communication is not considered information, allowing direct access to the activity of an undertaking, organization or person, as domain or electronic address, as well as information, which is collected in an independent way.

24. "Direct and specific risk" is a risk, comprising directly from the provision of the service.

25. "Health and safety" is a risk for health and safety of the receiver or of a third person, including death or serious traumatic or non-traumatic disability.

26. "Financial security" is prevention of substantial monetary losses or value of property in relation to the receiver.

27. "Insurance of professional responsibility" is signing a contract for insurance on the account of the provider in relation to his/her potential responsibility, comprising from the provision of the service, towards the receivers and if applicable – to third persons.

28. "Notification" is provision of information about adoption of acts, which introduce measures at national level, needed for implementation and application of EU directives.

29. "Repeated breach" is a breach, committed within 1 year term from the enforcement of the penal decree, by which the breaker has been punished for the same type of a breach.

30. (new – SG 83/13) "temporary or single provision of services" is provision of services according to Art. 56 of the Treaty on the Functioning of the European Union by a provider who is legally based in another member State and once or for a specific period of time will exercise their activities in the Republic of Bulgaria, without being based there.

31. (new – SG 83/13) "Objective criteria" are: additional costs, related to the distance or technical parameters of the provision of the service, different market conditions, such as season-based increased or decreased demand, different periods of breaks in the Member States, prices of various competitors or additional risks related to different regulatory requirements compared to the Member State of establishment.

§ 2. (1) (amend. – SG 83/13; amend. – SG, 14/2015) For planning or drawing of a regulatory act out, providing introduction of requirements to service providers, related to access to services or to exercising of an activity for provision of services, the body having proposed its inclusion in the legislative programme of the Council of Ministers, or the body responsible for its drawing up, shall inform the Minister of Economy.

(2) (amend. – SG 83/13) For the notification under Para. 1 the competent body shall prepare a report with information about:

1. permissive regimes, which do not introduce EU law;
2. the grounds for the requirements to service providers;
3. compliance with the principles referred to in Art. 9, par. 2.

(3) (revoked – SG 83/13).

(4) (amend. – SG 83/13; amend. – SG, 14/2015) The Minister of Economy shall notify the European Commission about the acts under Para. 1.

(5) The notification about a national draft act in compliance with Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations shall fulfill the obligation for notification under this paragraph.

§ 3. This act shall introduce Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.

Transitional and concluding provisions

§ 4. The competent bodies in the Republic of Bulgaria, which have authorization in relation to exercising activities on service provision, within the term of 1 month from the enforcement of the act shall be obliged to undertake all the needed actions for registration in ISIM.

§ 5. In the Act on Tourism (publ., SG, 56/2002; amend., 119 and 120/2002, 39/ 2004, 28, 39, 94, 99 and 105/2005, 30, 34, 80, 82 and 105/2006, 42, 53 and 80/2007, 31, 36 and 66/2008 and 19 and 82/2009) the following amendments and supplements shall be made:

1. In Art. 17 , Para. 5 shall be added:

"(5) Tour-operators or tourist agent activity may be carried out also by a person established in an EU Member State or in another state – party of the EEAA, if with establishment on the territory of the Republic of Bulgaria he/she produces a copy of a document, evidencing his/her right to carry out such an activity and a certificate or another document of a credit or insurance institution, containing data about an insurance, covering his/her responsibility about caused damages, which may occur after a guilty failure to fulfill his/her professional obligations."

2. In Art. 18:

a) in Para. 2 the words "shall be filed" shall be replaced by "and the documents under Art. 17, Para. 5 shall be filed";

b) in Art. 6 the words "Explicit or silent refusal" shall be replaced by "the refusal";

c) Para. 11 shall be added:

"(11) Persons under Para. 17, Para. 5 shall be entered officially in the register of tour-operators and tourist agents, where the action of registration shall be considered to the term of the produced by them documents".

3. In Art. 20, Para. 1:

a) a new p. 3 shall be added:

"3. with expiry of the registration – for the cases under Art. 17, Para. 5;"

b) the previous p. 3 shall become p. 4 and in it letter "d" , after the words "insurance contract" shall be added "Art. 17, Para. 5 and".

4. In Art. 21, Para. 1:

a) in p. 5 at the end a come shall be placed and the following shall be added: "tax or registration code or other identification, used in the relevant Member State";

b) p. 6 shall be amended as follows:

"6. the names of persons with the right to manage and/or represent the registered person; ";

c) in p. 8 after the words "insurance contract" shall be added "Art. 17, Para. 5 and".

5. In Art. 45, Para. 1, p. 1 at the end a come is placed and shall be added "including under the legislation of an EU Member State or another state – party of the EEAA".

6. In Art. 50, Para. 3 p. 1 shall be replaced as follows:

"1. copies of documents, certifying that the person has the right under another act to carry out

economic activity, including the legislation of an EU Member State or another state – party of the EEAA".

7. In Art. 50a, p. 1 at the end comma is placed and shall be added: including the legislation of an EU Member State or another state – party of the EEAA".

8. In Art. 50b, Para. 1 p. 1 shall be amended as follows:

"1. copies of documents, certifying that the person has the right under another act to carry out economic activity, including the legislation of an EU Member State or another state – party of the EEAA".

9. In Art. 50c, Para. 1 p. 1 shall be amended as follows:

"1. copies of documents, certifying that the person has the right under another act to carry out economic activity, including the legislation of an EU Member State or another state – party of the EEAA".

10. In Art. 50d, Para. 1p. 1 shall be amended as follows:

"1. copies of documents, certifying that the person has the right under another act to carry out economic activity, including the legislation of an EU Member State or another state – party of the EEAA".

11. In Art. 53, Para. 1 p. 6 shall be repealed.

12. In Art. 61, Para. 1:

a) in p. 1:

aa) in letter "e" at the end a comma is placed and shall be added: "tax or registration code or another identification, used in the relevant Member State";

bb) letter "f" shall be amended as follows:

"f) the names of persons with the right to manage and represent the registration person;";

cc) in letter "i" after the words "insurance contract" the following shall be added: "Art. 17, Para. 5 and";

b) in p. 2:

aa) letter "h" shall be amended as follows:

"h) IIC, tax or registration code or another identification, used in the relevant Member State of the site owner";

bb) in letter "i" after the words: "SIC" a comma is placed and shall be added: "tax or registration code or other identification, used by the relevant Member State".

13. In Art. 64c, Para. 1 the words "Art. 53, Para. 1, p. 3 - 6" shall be replaced by "Art. 53, Para. 1, p. 3 - 5".

§ 6. In the Act on Territory Planning (publ., SG, 1/2001; amend., 41 and 111/ 2001 , 43/2002, 20, 65 and 107/2003, 36 and 65/2004, 28, 76, 77, 88, 94, 95, 103 and 105/2005, 29, 30, 34, 37, 65, 76, 79, 82, 106 and 108/2006, 41, 53 and 61/2007, 33, 43, 54, 69, 98 and 102/2008 and 6, 17, 19, 80, 92 and 93/2009) the following amendments and supplements shall be made:

1. In Art. 142, Para. 8 at the end a comma is placed and shall be added "or in equivalent list or register, maintained by competent body in an EU Member State or another state- party of the EEAA".

2. In Art. 157, Para. 2, sentence 2, the words "in the Central professional register of the builder" shall be replaced by: "under Art. 3, Para. 2 of the Act on the Chamber of Builders".

3. In Art. 166 Para. 7 shall be added:

"(7) The activities as consultant under Para. 1 may be carried out also by persons, who have produced a copy of a document, certifying the right to carry out such an activity, issued by a competent body of an EU Member State or another state- party of the EEAA".

4. In Art. 230 Para. 5 shall be amended as follows:

"(5) Foreigners and nationals of EU Member States or other states - party of the EEAA, of whom the professional qualification has been recognized under the Act on Recognition of Professional Qualification, may carry out the activities under Art. 229, Para. 1 in the scope of their qualification under the Act on Chambers of Architects and Engineers in the Investment Design".

§ 7. IN the Act on Chamber of Builders (publ., SG, 108/2006; amend., 19, 35 and 92 /2009) the following supplements shall be made:

1. In Art. 3, Para. 2 a sentence second shall be added: "Entry in a relevant register of an EU Member State or another state- party of the EEAA shall have the force of entry in the Central professional register of builders for the scope of the activities, for which it has been issued".

2. In Art. 16, Para. 3,p. 11 at the end shall be added: "or on the relevant legislation of an EU Member State or another state- party of the EEAA".

3. In Art. 17:

a) in Para. 2, p. 8 at the end a coma is placed and shall be added: or an equivalent information, issued by the competent bodies of an EU Member State or another state- party of the EEAA";

b) Para. 3 shall be added:

"(3) In cases where the builder is registered in an EU Member State or another state- party of the EEAA, the document under Para. 2, p. 1 may not be certified".

§ 8. In the Act on Chambers of Architects and Engineers in the Investment Design (publ., SG, 20/2003; amend., 65/2003, 77/2005, 30 and 79/2006, 59/ 2007, 13/2008 and 28 /2009) in Art. 13 the following amendments shall be made:

1. In Para. 1 sentence two shall be amended as follows: "In case of refusal the decision shall be motivated."

2. In Para. 3 the words: "or silent refusal" shall be deleted.

§ 9. In the Act on Energy Effectiveness (publ., SG, 98/2008; amend. and suppl., 6, 19, 42 and 82/2009) the following supplements shall be made:

1. In Art. 23, Para. 1, p. 3, letter "b" after the words: "under the Act on Higher Education" shall be added: "or under the relevant legislation of an EU Member State or another state- party of the EEAA".

2. In Art. 34, Para. 1, p. 3, letter "b" after the words: "under the Act on Higher Education" shall be added: "or under the relevant legislation of an EU Member State or another state- party of the EEAA".

§ 10. IN the Act on Crafts (publ., SG, 42/2001; amend and suppl., 112 /2001, 56/ 2002, 99 and 105/2005,10, 30, 34, 80 and 81/2006, 53/2007 and 19 and 82/2009) the following amendments and supplements shall be made:

1. In Art. 23, Para. 1:

a) p. 1 shall be amended as follows:

"1. the name, ICN/PNF, residence and correspondence address of the crafter – natural person, the company, central office, management address, data of trade registration, SIC of the owner of the craft undertaking – legal person";

b) p. 3 shall be amended as follows:

"3. address, at which the crafts will be exercised;";

c) in p. 4 sentence two shall be added: "Where the masters certificate is issued by "under the Act on Higher Education" shall be added: "or under the relevant legislation of an EU Member State or another state- party of the EEAA, also the state and organization, which has issued the document shall be entered".

2. In Art. 24:

a) in Para. 2, p. 2 at the end shall be added: "under Art. 23, Para. 1";

b) in Para. 3 p. 2 shall be repealed;

c) Para. 4 and 5 shall be added:

"(4) Where the application has been submitted by a person – national of "under the Act on Higher Education" shall be added: "or under the relevant legislation of an EU Member State or another state- party of the EEAA, who wants to establish on the territory of the Republic of Bulgaria and carry out craft activity,

he/she shall produce copy of a document, evidencing holding qualification, meeting the requirements for master or another document, evidencing his/her right to carry out craft activity.

(5) Where a person under Para. 4 wishes temporary to carry out craft activity on the territory of the Republic of Bulgaria without establishing, he/she shall notify about this the relevant craft chamber on the territory of which he/she will carry out the activity before beginning doing it. The notification shall contain:

1. the state, in which he/she is established and address in it;
2. address on the territory of the Republic of Bulgaria, related to carrying out the craft activity;
3. a copy of a document, evidencing holding qualification, meeting the requirements of a master, or another document, evidencing his/her right to carry out craft activity".

3. In Art. 25, Para. 1 , sentence second shall be deleted.

4. Art. 55 shall be amended as follows:

"Art. 55. (1) master in a certain craft is a person, who has successfully passed master's test and has received master's certificate, issued by the National craft chamber.

(2) Master is also a person, recognized for such in an EU Member State or another state- party of the EEAA and holding a document, evidencing the needed qualification.".

(3) Persons under Para. 1 and 2 may hold unlimited number of master's certificates".

5. In Art. 64, Para. 2 sentence two shall be deleted.

§ 11. In the Act on Consumer Protection (publ., SG, 99/2005; amend. and suppl. 30, 51, 53, 59, 105 and 108/2006, 31, 41, 59 and 64/2007, 36 and 102/2008 and 23, 42 and 82/ 2009) in Art. 186, Para. 2, p. 9 letter "o" shall be added:

"o) Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market."

§ 12. Within the term of 2 months after the enforcement of the act:

1. The competent bodies according to their competence shall undertake immediate actions and shall comply with this act all permitting regimes and requirements, related to activities of service provision;
2. The Council of Ministers shall adopt the instruments under Art. 3, Para. 3 and Art. 31.

§ 13. The act shall come into force on the day of its publication in the State Gazette.

The act has been adopted by the 41st National Assembly on 11 February 2010 and has been sealed by the official stamp of the National Assembly.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTATING THE ACT ON PROHIBITION OF CHEMICAL WEAPONS AND ON CONTROL OF TOXIC CHEMICAL AGENTS AND THEIR PRECURSORS

(PROM. – SG, 14/2015)

§ 17. In the Act on the Activities of Provision of Services the words "the Minister of Economy, Energy and Tourism" and "the Ministry of Economy, Energy and Tourism" shall be replaced by "the Minister of Economy" and "the Ministry of Economy" everywhere.

Transitional and concluding provisions

TO THE ELECTRONIC COMMUNICATIONS NETWORKS AND PHYSICAL

INFRASTRUCTURE ACT

(PROM. - SG 21/18, IN FORCE FROM 09.03.2018)

§ 12. This Act shall enter into force on the day of its promulgation in the State Gazette, with the exception of Art. 4, Para. 3, which is to enter into force two years after the promulgation of the Act in the State Gazette.