

State Budget Procedures Act

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Text in Bulgarian: Закон за устройството на държавния бюджет

Chapter One GENERAL PROVISIONS

Article 1. (1) This Act regulates the preparation, adoption, implementation and reporting of the state budget of the Republic of Bulgaria.

(2) Apart from the budget process, this Act furthermore regulates the relationships between the state budget and the municipalities' budgets, as well as the treatment of off-budget resources.

Article 2. (1) The state budget shall encompass the receipts and outlays of the State.

(2) There shall be tax and non-tax receipts of the State, and the said receipts shall be raised from natural and legal persons according to a procedure established by statute.

(3) The tax receipts shall be determined in virtue of the tax laws effective as of the date of entry into force of the annual State Budget Act.

(4) No provisions shall be made for any revision of taxes in all elements of the taxation regulation introduced after the time limit under Paragraph (3) to enter into force earlier than the effective State Budget Act is amended or the State Budget Act for the succeeding budget year enters into force.

(5) The provisions of any statutes, which provide for an increase in outlays or for a decrease in receipts after passage of the annual State Budget Act, shall enter into force not earlier than the said Act has been amended or the State Budget Act for the succeeding year has entered into force.

(6) (Supplemented, SG No. 80/2007) The state budget shall include outlays on maintenance of the state administration, defence and security, the judiciary, education, health care, culture, science, public welfare and other expenditures, including such for the economic sphere, as well as for payments on the internal and external public debt and of the contribution of the Republic of Bulgaria to the general budget of the European Union.

(7) (New, SG No. 80/2007) The contribution of the Republic of Bulgaria to the general budget of the European Union shall be determined annually by the State Budget of the Republic of Bulgaria Act for the respective year according to Community legislation on the Communities' own resources.

(8) (Renumbered from Paragraph (7), SG No. 80/2007) Receipts and outlays shall be grouped according to a uniform budget classification, which shall be endorsed by the Minister of Finance.

(9) (Renumbered from Paragraph (8), SG No. 80/2007) Receipts shall not be for specified purposes and shall serve to defray outlays.

Article 3. (Supplemented, SG No. 46/1997, amended, SG No. 87/2005, 54/2011, effective 1.01.2012) (1) The budget balance represents the difference between the receipts and outlays which do not constitute funding elements as referred to in Paragraph (5).

(2) Where the receipts exceed the outlays under Paragraph (1), the budget balance is positive, i.e. there is a surplus.

(3) Where the outlays exceed the receipts under Paragraph (1), the budget balance is negative, i.e. there is a deficit.

(4) The funding shall be equal to the budget balance, with the opposite sign.

(5) The funding elements shall be the receipts and instalments related to external and internal loans, government security transactions, receipts from privatisation, cash operations related to the acquisition and disposal of financial assets, other funding, and changes in the cash position.

Article 4. (1) (Supplemented, SG No. 80/2007) The state budget shall encompass the executive budget, the National Assembly budget and the judiciary budget.

(2) The executive budget shall consist of a central-government budget and of the budgets of the state bodies.

Article 5. (1) (Previous Article 5, SG No. 98/2008) The central-government budget shall include the executive receipts raised and outlays committed by the Council of Ministers directly or through powers thereby delegated to the Minister of Finance.

(2) (New, SG No. 98/2008) The central-government budget shall include as a separate, self-contained part, the funds and operations of the State Fund for Guaranteeing the Stability of the State Pension System according to a procedure established by statute.

Article 6. (1) (Supplemented, SG No. 80/2007) The bodies which administer the state budget receipts shall be the National Assembly, the Supreme Judicial Council and all state bodies and public-financed organisations which have been entrusted with the raising of and accounting

for budget receipts by a statute or an act of the Council of Ministers.

(2) (Amended, SG No. 80/2007) The state bodies which are spending units shall be designated by the Council of Ministers and shall be first-level and second-level.

(3) The lower-level spending units shall be designated by the Minister of Finance, where so regulated by statute.

Article 6a. (New, SG No. 80/2007) (1) The first-level spending unit on the National Assembly budget shall be the Chairperson of the National Assembly or a person authorised thereby.

(2) The second-level spending units on the National Assembly budget shall be designated by the Rules of Organisation and Procedure of the National Assembly.

(3) The first-level spending unit on the judiciary budget shall be the Supreme Judicial Council, and the judicial authorities which are legal persons, the Inspectorate under the Supreme Judicial Council and the National Institute of Justice. shall be second-level spending units.

Article 7. (1) The budgets of the state bodies and the public-financed organisations shall include all receipts from and outlays on the operation thereof.

(2) The budgets of the state bodies and the public-financed organisations shall consist of the separate budgets of the first-level spending units and the on-budget accounts of the second-level and lower-level spending units.

(3) The Minister of Finance, acting on a motion by the competent first-level spending unit, may allow specified second-level spending units to prepare a budget instead of a on-budget account.

Article 7a. (New, SG No. 80/2007) The National Assembly shall have a separate budget, which shall be prepared by the Chairperson of the National Assembly and shall be adopted by the annual State Budget Act.

Article 8. (1) (New, SG No. 74/2002) The judicial authorities shall have a separate budget, which shall be adopted by the National Assembly by judicial authority.

(2) (Renumbered from Paragraph (1), SG No. 74/2002) The judiciary budget shall include all receipts from the operation of the judicial authorities and the outlays on the maintenance thereof.

(3) (Renumbered from Paragraph (2), SG No. 74/2002) The judiciary budget shall consist of the separate budget of the Supreme Judicial Council and the on-budget accounts of the judicial authorities.

Article 9. (Supplemented, SG No. 80/2007) The receipts and outlays on the budgets of the National Assembly, the state bodies, the public-financed organisations and the judiciary and the

relationship thereof with the central-government budget, grants or contributions shall be regulated by the annual State Budget Act.

Article 10. (1) (Amended, SG No. 87/2005) The state budget shall authorize the cash resources required for performance of the state functions and tasks, applying the principles of legal conformity, economy, effectiveness, efficiency and public openness.

(2) (New, SG No. 87/2005) The spending units shall be responsible for the establishment, maintenance, functioning, updating and reporting of financial management and control systems in accordance with effective legislation.

(3) (New, SG No. 87/2005) The internal audit function in the spending units shall be performed in accordance with effective legislation.

(4) (Renumbered from Paragraph (2), SG No. 87/2005) The Council of Ministers shall introduce before the National Assembly a motion to amend the state budget wherever variances affecting adversely the receipts and outlays by increasing the budget deficit from the level provided for by the annual State Budget Act are likely to emerge during the relevant budget year.

Article 11. (1) (Amended, SG No. 80/2007) The executive budget, the National Assembly budget and the judiciary budget shall provide for reserves for pressing contingent expenditures.

(2) (Amended, SG No. 80/2007) The amount of the reserves on the executive budget, the National Assembly budget and the judiciary budget shall be determined by the annual State Budget Act.

(3) (New, SG No. 80/2007) The reserve on the National Assembly budget shall be resorted to by a decision of the Chairperson of the National Assembly.

(4) (Renumbered from Paragraph (3), SG No. 80/2007) The reserve on the executive budget shall be resorted to by a decision of the Council of Ministers.

(5) (Renumbered from Paragraph (4), SG No. 80/2007) The reserve on the judiciary budget shall be resorted to by a decision of the Supreme Judicial Council.

Article 12. (1) A state budget shall be prepared and implemented for each one budget year.

(2) The implementation of the state budget shall commence on the 1st day of January and shall be completed on the 31st day of December.

Article 12a. (New, SG No. 54/2011, effective 1.01.2012) The maximum amount of outlays under the consolidated fiscal programme may not exceed 40 percent of the estimated gross domestic product.

Article 13. The Council of Ministers shall establish the procedure and manner for preparation and introduction before the National Assembly for endorsement of a wartime budget of the Republic of Bulgaria.

Chapter Two

STATE BUDGET PREPARATION

Article 14. (1) The Ministry of Finance shall prepare a budget projection proceeding from economic elaborations and analyses made thereby and by other institutions of the behaviour of the gross domestic product, prices, incomes, the credit policy and foreign-exchange policy and the main financial results of the operation of the state-owned, municipal-owned and private economic entities.

(2) (Amended, SG No. 54/2011, effective 1.01.2012) The budget projection shall represent an estimate of the planned parameters of the consolidated fiscal programme for the succeeding three years, which shall be updated annually and shall be approved by the Council of Ministers.

(3) (New, SG No. 87/2005) By the budget projection referred to in Paragraph (2), the Council of Ministers shall adopt outlay ceilings on the budgets of the first-level spending units for the succeeding three years.

Article 15. (1) The Minister of Finance, proceeding from the budget projection, shall prepare and circulate to the state bodies a budget manual for preparation of a draft of the annual budgets thereof and shall set time limits for submission of the said drafts.

(2) Simultaneously with the preparation of the drafts of the annual budgets of the state bodies and independently of them, the Ministry of Finance shall prepare a draft of the state budget.

Article 16. (1) The National Audit Office and the Supreme Judicial Council shall prepare drafts of their respective budgets, which shall be submitted to the Ministry of Finance for inclusion as part of the draft of the state budget.

(2) The Ministry of Finance shall examine the drafts as submitted according to the procedure established by Paragraph (1) and shall notify the state bodies in writing of its observations on the said drafts.

Article 16a. (New, SG No. 80/2007) (1) The Chairperson of the National Assembly shall propose to the Minister of Finance for observations a three-year projection of the National Assembly budget, a draft of a budget, including outlays disaggregated by programme for the respective year.

(2) The Minister of Finance shall notify in writing the National Assembly of the observations of the said Minister on the drafts referred to in Paragraph (1)

(3) If there are any differences under Paragraph (1) and (2), a final draft of a National Assembly budget shall be co-ordinated at the level of Chairperson of the National Assembly and Prime Minister or persons authorized thereby, and the said final draft shall be included as part of the draft of the state budget.

Article 17. (1) (Amended, SG No. 80/2007) The President of the Republic, the Council of

Ministers, the Constitutional Court, the ministries, the central-government departments and the other public-financed organisations shall present to the Minister of Finance, within a time limit thereby set, the drafts of the budgets thereof, enclosing a report and estimates specifying the amount of the separate receipt and outlay items.

(2) The Ministry of Finance shall prepare a draft budget for any state body covered under Paragraph (1) where the said body has failed to present a draft thereof within the time limit thereto set.

(3) The Ministry of Finance shall analyse the drafts as submitted, shall verify the expediency of the planned receipts and outlays and the substantiation thereof, and shall conduct a dialogue with the state bodies and public-financed organizations.

Article 18. (Amended, SG No. 80/2007) Any differences over the drafts of the budgets between the Ministry of Finance and the bodies covered under Article 17 (1) herein shall be resolved by the Council of Ministers.

Article 19. The Minister of Finance shall prepare a final draft of the state budget and shall introduce the said draft before the Council of Ministers together with a reasoned report.

Article 20. (1) The Council of Ministers shall consider the draft of the state budget and, if necessary, shall make revisions therein.

(2) The Council of Ministers shall have no right to make revisions in the draft budgets of the judiciary and of the National Audit Office and shall introduce the said draft budgets before the National Assembly on an "as is" basis.

(3) The Council of Ministers may evaluate the draft budgets of the state bodies covered under Paragraph (2) and may work out observations thereon, including the said observations into the general parameters of the draft of a state budget which the Council of Ministers submits to the Council of Ministers.

(4) (Amended, SG No. 87/2005, supplemented, SG No. 54/2011, effective 1.01.2012) The draft state budget shall be accompanied by a consolidated fiscal programme. Where the budget balance under the consolidated fiscal programme constitutes a deficit, it may not exceed 2 percent of the gross domestic product.

(5) The Council of Ministers shall lay the draft of a state budget before the National Assembly not later than two months before the commencement of the relevant budget year.

(6) Should the state budget be not introduced within the time limit required for passage thereof before the commencement of the relevant budget year, the Council of Ministers shall present reasoning for the delay and shall request permission from the National Assembly for extension of the time limit.

Chapter Three

STATE BUDGET ADOPTION

Article 21. (1) The state budget bill shall be debated according to the procedure established by the Rules of Organisation and Procedure of the National Assembly.

(2) Upon consideration of the bill, the standing committee in charge of the budget shall consolidate the observations of the other standing committees of the National Assembly and the motions of the national representatives and shall pass on the said observations and motions without revising the balance of receipts and outlays as moved.

(3) Upon request of the standing committees of the National Assembly, the ministries, central-government departments and other state bodies shall furnish supplementary fact sheets and explanations on receipts and outlays.

Article 22. (1) The National Assembly shall hear a report of the Council of Ministers, presented by the Minister of Finance, and a report of the standing committee in charge of the budget, whereupon the National Assembly shall debate the draft of the annual State Budget Act.

(2) (Amended, SG No. 80/2007) The State Budget Act shall be passed by constituent budgets including main types of receipts, outlays and transfers, an executive budget balance and executive budget balance financing, total amounts of receipts and outlays of the budgets of the state bodies and the relationships of the said budgets with the central-government budget, the relationships of the state budget with the municipalities' budgets, and the relationships with the off-budget funds.

Article 23. (1) The Council of Ministers shall adopt a decree on the implementation of the state budget within one month after the promulgation of the annual State Budget Act.

(2) Any such decree shall particularise the budgets of the state bodies and the public-financed organisations in value and physical terms.

(3) The first-level spending units shall allot the budgets thereof, as approved by the National Assembly and as particularised by the Council of Ministers, according to a comprehensive budget classification and in quarterly terms, and shall endorse the on-budget accounts of the second-level spending units.

(4) (New, SG No. 80/2007) The Chairperson of the National Assembly or a person authorised thereby shall allot the National Assembly budget according to a comprehensive budget classification and in quarterly terms and shall endorse the budgets of the second-level spending units.

(5) (Renumbered from Paragraph (4), SG No. 80/2007) The Supreme Judicial Council shall allot the budget thereof according to a comprehensive budget classification and in quarterly terms and shall endorse the on-budget accounts of the judicial authorities.

Article 24. The first-level spending units shall present the budgets thereof to the Ministry of

Finance within one month after the promulgation of the decree on implementation of the state budget.

Article 25. The Ministry of Finance shall pass on the legal conformity and the quarterly allotment of the budgets as prepared by the state bodies and the public-financed organisations, and shall obligate the said bodies and organisations to eliminate the violations, if any, within a time limit set by the Ministry of Finance.

Article 26. (1) Should any state budget be not adopted by the National Assembly until the commencement of the relevant budget year, the receipts on the budget shall be collected in conformity with the effective laws, and the outlays shall be committed in amounts not exceeding the amount of outlays for the same period of the preceding year, and with consideration for effective statutory instruments of the National Assembly and the Council of Ministers which provide for additional or reduced budget resources.

(2) Should the receipts be insufficient to defray the outlays, the Council of Ministers may obtain monthly public credit, inter alia through issues of government securities, to an amount not exceeding one half of the average monthly amount of such credit which was available during the preceding year.

(3) (Repealed, SG No. 87/2005).

(4) The provision of Paragraph (1) may not be applied for more than three months.

(5) Where the state budget has not been adopted within the time limit under Paragraph (4), the National Assembly shall set an extended time for collection of receipts and commitment of outlays.

Article 27. (1) The Council of Ministers may be mandated by the National Assembly to conclude agreements on the conduct of specified activities whereof the payment shall be effected in whole or in part during the succeeding years, in connection with the implementation of programmes approved by the Council of Ministers.

(2) A motion to the National Assembly for extension of such a mandate shall be moved by the Council of Ministers by the draft of the annual budget.

(3) Any annual state budget shall include the portion of the outlays under agreements concluded by the Council of Ministers which shall be payable during the relevant budget year.

(4) Any obligations for future periods, which presume an increase of the public debt, may be incurred solely by statute.

Chapter Four **STATE BUDGET IMPLEMENTATION**

Article 28. (1) The Council of Ministers shall organise the implementation of the executive budget through the Ministry of Finance and the state bodies which are first-level spending units.

(2) (Repealed, SG No. 80/2007).

(3) (New, SG No. 80/2007) The Chairperson of the National Assembly shall organise the implementation of the National Assembly budget.

Article 29. (1) The state budget shall be implemented on a cash basis.

(2) The cash implementation of the state budget shall be organised and effected by the Bulgarian National Bank according to a procedure established by the Bulgarian National Bank Act.

(3) The cash implementation of the state budget, inter alia the storage of cash resources and valuables, shall be effected gratuitously, observing the sequence of payments to the budget as set by statute.

(4) The Minister of Finance and the Governor of the Bulgarian National Bank shall issue an ordinance on the cash implementation of the state budget, the municipalities' budgets and the funds and off-budget accounts.

Article 30. The bank secrecy regulations shall not apply to the operations and cash balances on the bank accounts held by first-level spending units, where the Minister of Finance shall require information thereon.

Article 31. (1) The Ministry of Finance shall periodically apportion and allot the receipts received in compliance with the quarterly apportionment of receipts.

(2) Outlays shall be committed up to the amount of receipts received on the bank accounts of the executive budget and of the spending units.

Article 32. (Repealed, SG No. 46/1997).

Article 33. (1) Should any temporary cash gaps occur in the executive budget or in the budgets of the spending units, the Ministry of Finance may extend or incur short-term loans for the account of disposable budget and off-budget resources.

(2) Any loan under Paragraph (1) shall be extended for a period of up to three months, which may not expire after the end of the relevant budget year.

Article 34. (1) The Minister of Finance, in implementation of a statutory instrument, may transfer spending authority from one budget to another, provided that the balance of the state budget is not distorted.

(2) The Minister of Finance, on reciprocal motion by the first-level spending units, may transfer spending authority from one budget to another without altering the amount and the intended purpose of the said spending authority.

(3) The Minister of Finance, acting on a motion by the first-level spending units, may give consent to internal offsetting alterations in the spending authority between the elements of the budget classification on the budgets of the said spending units.

(4) The first-level spending units shall adjust the on-budget accounts of the second-level spending units within the alterations covered under Paragraphs (1) to (3).

(5) Any first-level spending unit may alter the spending authority between the on-budget accounts of the second-level spending units, provided that this does not alter the parameters of the approved budget of the said first-level spending unit.

Article 35. (1) The Council of Ministers may approve supplemental budgetary spending authority requiring disbursements from the reserve in the event of pressing contingent expenditures.

(2) (Amended, SG No. 87/2005) The Council of Ministers, acting on a motion by the Minister of Finance, may approve supplemental budgetary spending authority amounting to up to 1.5 per cent of the revenue estimates under the consolidated fiscal programme for the respective year, where the said spending authority is offset by an overperformance of revenues from own sources and/or by newly identified sources of revenue.

(3) (New, SG No. 87/2005) Paragraph (2) shall apply without affecting adversely the balance of the consolidated fiscal programme referred to in Article 20 (4) herein.

(4) (New, SG No. 87/2005, corrected, SG No. 89/2005) Any supplemental budgetary spending authority in excess of the amount referred to in Paragraph (2) shall be approved by the National Assembly, acting on a motion by the Council of Ministers, where the said authority is offset by an overperformance of revenues from own sources and/or by newly identified sources of revenue, without affecting adversely the balance of the consolidated fiscal programme.

(5) (New, SG No. 87/2005) The Minister of Finance may approve supplemental budgetary spending authority for resources from donations, assistance and other gratuitously received amounts.

(6) (New, SG No. 80/2007) The Chairperson of the National Assembly may approve budgetary spending authority requiring disbursements from the reserve on the National Assembly budget in the event of pressing contingent expenditures.

(7) (Renumbered from Paragraph (3), SG No. 87/2005, renumbered from Paragraph (6), SG No. 80/2007) The Supreme Judicial Council may approve supplemental budgetary spending authority requiring disbursements from the reserve of the judiciary budget in the event of pressing contingent expenditures.

Article 36. (1) Commitment of outlays or incurrance of obligations, which affect adversely the balance of the budget, shall be inadmissible save in the instances where the National Assembly, acting on a motion by the Council of Ministers, has enacted the relevant amendments to the annual State Budget Act.

(2) The inception of programmes or projects requiring budgetary spending authority, which are not included in the annual State Budget Act, shall be inadmissible save in the instances where the conditions of Article 27 herein are fulfilled.

(3) The Council of Ministers shall not consider any proposals for granting supplemental budgetary spending authority unless the Minister of Finance has submitted observations in writing on the said proposals.

Article 37. (1) The National Audit Office shall exercise control over the implementation of the state budget in accordance with the National Audit Office Act.

(2) (Amended, SG No. 105/2005) The National Assembly, the Council of Ministers, the Minister of Finance, the heads of the ministries and the other central-government departments and the authorities of the revenue administration and the customs administration shall exercise control over the implementation of the state budget within the respective competences thereof.

Article 38. The Minister of Finance may discontinue the transfer of grants provided by the annual State Budget Act, as well as block the accounts of public-financed organisations in the event of non-compliance with the provisions of effective legislation or upon ascertained violations of financial discipline.

Chapter Five

ADOPTION OF STATE BUDGET REPORT

Article 39. (1) The implementation of the state budget shall be completed on the 31st day of December.

(2) The Minister of Finance and the Governor of the Bulgarian National Bank or persons thereby authorised shall establish a procedure for balancing off of the bank accounts, including the cash balances thereon, held by the spending units.

(3) The latest date for balancing off of the state budget shall be the 31st day of January in the succeeding budget year.

(4) Any obligations incurred as payable within any given budget year must be liquidated by the respective spending units by the 31st day of December.

(5) Any obligations under effective court decisions, unprovided for in the respective budget for any current year, shall be mandatorily paid by the next succeeding budget.

Article 40. (1) The first-level spending units shall compile periodical and annual reports on the cash implementation of the budgets thereof according to a comprehensive budget classification, consolidating the reports of the second-level spending units.

(2) (Supplemented, SG No. 80/2007) The Ministry of Finance shall compile a report on the implementation of the state budget according to a comprehensive budget classification

proceeding from the reports on the central-government budget, the National Assembly, the judiciary and from the reports of the first-level spending units, as certified by the National Audit Office.

(3) The Ministry of Finance, in co-ordination with the National Audit Office, shall establish a procedure and time limits for compilation and presentation of the reports covered under Paragraphs (1) and (2).

Article 41. (1) The annual report on the implementation of the state budget shall be considered by the Council of Ministers and shall be introduced before the National Assembly, presented by the indicators according to which the said state budget has been adopted for the respective year.

(2) The standing committee in charge of the budget, in co-ordination with the other standing committees of the National Assembly, shall consider the report on the implementation of the state budget and shall issue a conclusion thereon.

(3) The National Audit Office shall report to the National Assembly on the report on the implementation of the state budget.

(4) The National Assembly shall adopt the report on implementation of the state budget by resolution not later than the end of the succeeding budget year.

Chapter Six

STATE BUDGET AND MUNICIPALITIES' BUDGETS

Article 42. (1) The executive budget shall provide for resources for financial assistance to the municipalities.

(2) Any resources referred to in Paragraph (1) shall be provided in the form of block grants on the basis of objective eligibility criteria, and action grants or subventions may be resorted to in specified cases.

(3) The State may furthermore assist municipalities through transfer of national revenues.

(4) The amount of resources required for financial assistance to the municipalities, the form of the allocation thereof and the procedure for transfer of national revenues shall be established by the annual State Budget Act.

Article 43. (1) In the event of a temporary deficiency of resources on the municipalities' budgets, interest-free loans may be disbursed from the state budget, which shall be repaid not later than at the end of the budget year according to a procedure and within time limits as shall be established by the Minister of Finance.

(2) The loans disbursed from the state budget for the municipalities' budgets under Paragraph (1) may not exceed the amount of receipts from own sources which have accrued during the month last preceding the month of disbursement.

(3) On any overdue loans disbursed from the state budget, the municipalities shall be charged interest according to the Interest on Taxes, Fees and Other State Receivables Act.

(4) (New, SG No. 87/2005, effective 1.11.2005) In the event of deficiency of resources on the municipalities' budgets, interest-free loans may be disbursed for financing of outlays, including for value added tax, until repayment of the said loans under approved projects and programmes co-financed by the European Union.

(5) (New, SG No. 87/2005, effective 1.11.2005) The interest-free loans referred to in Paragraph (4) shall be disbursed and repaid under terms, according to a procedure and within time limits established by an act of the Council of Ministers.

Article 44. (1) The municipalities shall make contributions from the budgets thereof to the state budget according to a procedure established by statute.

(2) The municipalities shall restore to the state budget any unutilised resources provided in action public grants or subventions.

(3) Any extraordinary revenue accruing and savings realised in the process of implementation of the municipalities' budgets shall not be creditable to the state budget.

(4) Any resources referred to in Paragraph (3) shall be utilised by resolution of the municipal councils.

Chapter Seven OFF-BUDGET RESOURCES

Article 45. (1) Off-budget resources shall include all resources, which are raised and expended in virtue of statute by the state bodies, and the public-financed organisations without being included in the state budget.

(2) Any donations, assistance, as well as the resources received under international programmes and agreements, shall be expended and accounted for according to the procedure applicable to off-budget resources, unless creditable to the state budget.

(3) Conventional budget receipts shall not be treated as off-budget resources, save as otherwise provided by statute.

Article 46. (Repealed, SG No. 154/1998).

Article 47. (1) Off-budget resources shall be raised and expended through funds and off-budget accounts with a credit and debit sides, which shall be prepared in accordance with the uniform budget classification.

(2) Each fund shall be endorsed by the Council of Ministers acting on a motion by the competent primary spending unit co-ordinated with the Minister of Finance, save as where the

statute on the establishment of the said fund provides otherwise.

(3) (Supplemented, SG No. 154/1998) The off-budget accounts within the scope of the executive budget with the exception of any such accounts opened according to the procedure established by Article 45 (2) herein shall be endorsed by the Minister of Finance, acting on a motion by the competent first-level spending unit.

Article 47a. (New, SG No. 154/1998) Any alterations in the off-budget accounts and funds shall follow the procedure established by Articles 34 and 35 herein.

Article 48. Any operations on cash implementation of funds and off-budget accounts shall follow the procedure established by Article 29 herein.

Article 49. (1) The reports on the off-budget accounts and funds shall be compiled and submitted together with the reports on the implementation of the respective budgets and on-budget accounts.

(2) The reports on the off-budget accounts and funds shall be certifiable by the National Audit Office according to the procedure established for certification of the reports on the implementation of the budgets of state bodies.

(3) Any reports covered under Paragraph (1) shall be submitted by the Minister of Finance to the Council of Ministers, who shall consider the said reports and shall introduce them before the National Assembly together with the report on the state budget.

Article 50. The collection, utilisation and accounting for of resources in bond by the state bodies and the public-financed organisations shall follow a procedure established by the Minister of Finance and the Governor of the Bulgarian National Bank.

Article 51. The control over the off-budget resources shall be exercised by the authorities and according to the established procedure applicable to the state budget.

SUPPLEMENTARY PROVISIONS

§ 1. Within the meaning given by this Act:

1. (Amended, SG No. 80/2007) "State bodies" shall be the President of the Republic, the Council of Ministers, the ministries and the other central-government departments, the regional administrations, the Constitutional Court and other public-financed organisations defined as such by statute.

2. "Budget receipts" shall be the cash revenues anticipated and received in the state budget in pursuance of statutory instruments.

3. "Administration of receipts" shall be an activity to collect and account for the receipts in the state budget.

4. "Budget outlays" shall be the cash expenditures appropriated and disbursed from the state budget according to the laws of the land.

5. "Budgetary spending authority" shall be the amount voted within the limits of the budget, which entitles the spending unit to commit an outlay.

6. "Budget grant" shall be the amount provided gratuitously from the state budget for a general or specified purpose.

7. "Budget subvention" shall be the amount provided gratuitously from the state budget under a specified condition.

8. "On-budget account" shall be an entity at financial law regulating the outlays which a public-financed entity may effect during a budget year.

9. "Variation in the indebtedness of the budget" shall be the drawing and repayment of loans from internal and external sources.

10. "Variation in the amount of cash resources of the budget" shall be the increase or reduction of the bank balances of the State.

11. "Fund" shall be an entity at financial law regulating the off-budget receipts and outlays of the state bodies and the public-financed organisations and the relationships thereof with the state budget in connection with tasks of national character.

12. "Off-budget account" shall be an entity at financial law regulating the off-budget receipts and outlays whereof the state bodies and the public-financed organisations may dispose for the relevant budget year within the respective competences thereof.

13. "Resources in bond" shall be common bails, deposits securing temporary importation, bid security for admission to entry in auctions and other such resources held in temporary custody by a state body or a public-financed organisation for the account of other persons.

14. (New, SG No. 87/2005) "Consolidated fiscal programme" shall comprehend the state budget, the Public Social Insurance budget, the budget of the National Health Insurance Fund, the municipalities' budgets, the budgets of the Bulgarian National Television, the Bulgarian National Radio, the state higher schools, the Bulgarian Academy of Sciences, the off-budget accounts and funds, and the other public-financed enterprises within the meaning given by Item 1 of § 1 of the Supplementary Provisions of the Accountancy Act.

§ 2. The provisions of this Act may be amended, supplemented or superseded solely by a new state budget procedure act or by an express act to amend and supplement this Act.

TRANSITIONAL AND FINAL PROVISIONS

§ 3. The State budget Preparation and Implementation Act (promulgated in Transactions of the Presidium of the National Assembly No. 91/1960; amended and supplemented in the State Gazette No. 99/1963, No. 36/1979, No. 27/1992 and No. 104/1995) is hereby superseded.

§ 4. The preparation, adoption and implementation of the state budget of the Republic of Bulgaria and of the off-budget funds and accounts for 1996 and the reporting of the state budgets for the period commencing in 1992 and ending in 1996 shall follow the procedure established by the State budget Preparation and Implementation Act.

§ 5. Until passage of a statute regulating the organisation of the budget of the Council on Mutual Insurance of Members of Producer's Co-operatives, the said budget shall be subsumed under the state budget and shall constitute a self-contained part thereof.

§ 6. Municipalities' budget procedures shall be regulated by a separate statute.

§ 7. (Amended, SG No. 87/2005) The implementation of this Act shall be entrusted to the Council of Ministers.