

Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act

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Text in Bulgarian: Закон за противодействие на корупцията и за отнемане на незаконно придобитото имущество

Chapter One GENERAL DISPOSITIONS

Article 1. This Act shall regulate:

1. the counter-corruption measures;
2. the terms and procedure for forfeiture to the Exchequer of unlawfully acquired assets;
3. the status and functions of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission, hereinafter referred to as "the Commission";
4. the interaction of the Commission with other State bodies and international cooperation.

Article 2. The objective of this Act shall be to protect public interests by means of:

1. effective counter-corruption;
2. ensuring that senior public office holders execute the powers or perform the duties thereof with honesty and integrity while observing the Constitution and the laws;
3. preventing the possibilities for unlawful acquisition of assets and disposition thereof.

Article 3. (1) Within the meaning of this Act, corruption shall be a situation in which, as a result of the senior public office held thereby, the holder misuses power, breaches or refrains from performing official duties in order to derive, directly or indirectly, an undue tangible or intangible benefit for the holder himself or herself or for other persons.

(2) Counter-corruption shall be implemented by means of:

1. preventive activities according to the procedure established by Chapter Four herein and operational detection activities according to the procedure established by Chapter Nine herein;
2. declaring incompatibility;
3. declaring the assets and the interests of senior public office holders and of the parties related thereto;
4. ensuring public access to the declarations;
5. verifying the declarations;
6. a check, analysis and evaluation of the assets status;
7. ascertaining a conflict of interest and imposing sanctions and other measures in case of an ascertained conflict of interest;
8. making public the names of the persons who have failed to submit declarations or in the declarations of whom incompatibility has been ascertained, and the names of the persons in respect of whom a conflict of interest has been

ascertained;

9. referral to the competent authorities in the cases provided for in this Act;

10. other methods and means provided for in this Act.

Article 4. (1) This Act shall be applied while respecting the following principles:

1. legality, transparency, independence, objectivity and impartiality;
2. enhanced liability of senior public office holders;
3. public disclosure of the assets of senior public office holders;
4. respecting and guaranteeing the rights and freedoms of citizens;
5. proportionality of the interference with private and family life;
6. protection of information and of the sources wherefrom information is obtained;
7. protection of whistleblowers;
8. coordination and interaction between State bodies;
9. political neutrality.

(2) For the attainment of the objective referred to in Paragraph (2), restrictions may be imposed on ownership while respecting the right to defence of the persons affected and of the victims of crimes, and preventing a risk of injustice. The restrictions on ownership provided for in this Act shall be applied to the extent necessary to attain the objective of this Act.

Article 5. (1) Any assets for the acquisition of which a legitimate source has not been identified shall be treated as assets referred to in Item 2 of Article 1 herein.

(2) The unlawfully acquired assets forfeiture proceeding shall be conducted without prejudice to the criminal proceeding against the person under examination and the parties related thereto.

(3) The procedures and sanctions under Chapter Eight and Chapter Ten of this Act shall be applied without prejudice to the taking of steps and measures under other laws, including the commencement of a criminal proceeding.

Article 6. (1) Within the meaning given by this Act, senior public office holders shall be:

1. the President and the Vice President;
2. the National Representatives;
3. the Prime Minister, the Deputy Prime Ministers, the Ministers and the Deputy Ministers;
4. the Members of the European Parliament for the Republic of Bulgaria;
5. the members of the European Commission from the Republic of Bulgaria and the Bulgarian citizens holding positions in the bodies of the European Union, who have been elected or appointed by a decision or on a nomination of a Bulgarian State body;
6. the President and the judges of the Constitutional Court;
7. the Presidents of the Supreme Court of Cassation and of the Supreme Administrative Court, the Vice Presidents of the said courts, the Prosecutor General, the Deputy Prosecutors General, the administrative heads and the deputy administrative heads of the judicial authorities, the members of the Supreme Judicial Council, the Inspector General and the inspectors at the Inspectorate with the Supreme Judicial Council, the judges, prosecutors and investigating magistrates;
8. the National Ombudsman and the Deputy Ombudsman;
9. the Chairperson, the Deputy Chairperson and the members of the Communications Regulation Commission;

10. the President, the Vice President and the members of the Bulgarian National Audit Office;
11. the Chairperson and the members of the Commission for the Protection of Competition;
12. the Governor, the Deputy Governors and the members of the Governing Council of the Bulgarian National Bank;
13. the Chairperson, the Deputy Chairpersons and the members of the Financial Supervision Commission;
14. the Chairperson, the Deputy Chairperson and the members of the Commission for Protection against Discrimination;
15. the Chairperson and the members of the Energy and Water Regulatory Commission;
16. the Chairperson, the Deputy Chairpersons and the members of the Supervisory Board, the Governor and the Deputy Governor of the National Social Security Institute;
17. the Director and the Deputy Director of the National Health Insurance Fund and the directors of Regional Health Insurance Funds;
18. the chairpersons and deputy chairpersons of State agencies, the chairpersons and members of State commissions, the executive directors of executive agencies, the heads and deputy heads of State institutions established by law or by a decree of the Council of Ministers;
19. the Chairperson, the Deputy Chairperson and the members of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission and the directors of the territorial directorates of the said Commission;
20. the members of the Executive Board and of the Supervisory Board of the Privatisation and Post-privatisation Control Agency;
21. the Director General, the Deputy Directors General and the Secretary General of the National Customs Agency, the directors of directorates at the Central Customs Directorate, the heads and deputy heads of customs houses, the heads of customs bureaus and customs posts;
22. the Director General, the Deputy Directors General and the Secretary General of the National Revenue Agency and the directors of directorates at the Headquarters and the directors of territorial directorates of the National Revenue Agency;
23. the heads of regional food safety directorates, of regional health inspectorates, of the National Construction Control Directorate and of the regional offices thereof, of State Fund Agriculture and of the regional directorates thereof, of the Road Transport Regional Departments, of the National Institute for Immovable Cultural Heritage and of the territorial units thereof, of the Directorate General for the Implementation of Penal Sanctions, the deputies thereof and the heads of the territorial services of the said Directorate General, of the Directorate General for Security, the deputy thereof and the directors of regional directorates, of the regional inspectorates of environment and water, of the water basin management directorates, of the national parks, of the enterprises for management of environmental protection activities;
24. the Chairperson and the Deputy Chairpersons of the State Agency for National Security, the State Intelligence Agency and the State Agency for Technical Operations, the Chief and the deputy chiefs of the National Service for Protection, and the Director and deputy directors of the Military Information Service;
25. the Chairperson, the Deputy Chairperson and the members of the National Special Intelligence Devices Control Bureau;
26. the Secretary General and the Deputy Secretary General of the Ministry of Interior, the Administrative Secretary, the directors and deputy directors of general directorates, the Director of the Internal Security Directorate, the directors and deputy directors of regional directorates of the Ministry of Interior;
27. the officers of the senior command of the armed forces according to the Republic of Bulgaria Defence and Armed Forces Act;
28. the Secretaries General of the National Assembly, of the President of the Republic and of the Council of Ministers, the secretaries general and the administrative secretaries at the executive administration, the Permanent Secretary of the Ministry of Foreign Affairs and the Permanent Undersecretary of Defence;
29. the heads of inspectorates under the Administration Act;
30. the chiefs of political cabinets;

31. the Regional Governors and the Regional Vice Governors;
32. the municipality mayors and deputy mayors, the borough mayors and deputy mayors, the chairpersons of municipal councils, the municipal councillors and the chief architects of municipalities and boroughs;
33. the members of the Central Election Commission;
34. the Chairperson and the members of the Council for Electronic Media;
35. the Directors General of the Bulgarian National Television, of the Bulgarian National Radio and of the Bulgarian News Agency;
36. the Bulgarian citizens holding positions at the North Atlantic Treaty Organisation, who have been elected or who have been appointed by a decision or on a nomination of a Bulgarian State body;
37. the heads of the overseas missions of the Republic of Bulgaria;
38. the Bulgarian citizens who, by a decision or on a nomination of Bulgarian public authorities, are members of management or monitoring bodies of international organisations co-financed by the Republic of Bulgaria;
39. the members of the Management Board and of the Supervisory Board of the Bulgarian Development Bank;
40. the members of the management bodies and monitoring bodies of the Natsionalna Elekrticheska Kompania and of the Bulgarian Energy Holding, the directors of directorates at the Natsionalna Elekrticheska Kompania, the members of management bodies and monitoring bodies of subsidiary companies of the Bulgarian Energy Holding, the members of management bodies and monitoring bodies of the Electricity System Operator;
41. the chairpersons and deputy chairpersons of political parties which receive a State subsidy and the persons who, according to the statute, represent the political party;
42. the members of the governing and control bodies of the Bulgarian Red Cross;
43. the heads of budgetary organisations or other empowered officials who perform functions of bodies entrusted with the financial management and control of European Union funds and national funding related thereto or external funds according to the provisions of the Public Finance Act;
44. the persons authorised according to the procedure established by the Public Procurement Act by public contracting entities which are obliged persons under this Act to organise and to conduct public procurement award procedures and to conclude contracts;
45. the President of the Bulgarian Academy of Sciences, the rectors of State higher schools and the commandants of military academies and of higher military schools;
46. the managing directors and the executive directors of medical-treatment facilities for hospital care which are financed by the budget of the National Health Insurance Fund and/or by the State or municipal budget;
47. the members of the management boards of State-owned enterprises under the Forestry Act and the directors of State forest enterprises and State hunting enterprises;
48. the Executive Director and the heads of territorial divisions of the Prison Service Fund State-Owned Enterprise;
49. the members of the Management Board and the Executive Director of the Bulgarian Sports Totalizator State-Owned Enterprise;
50. the members of the management bodies of the economically separated persons and business units under Article 13 (4) of the Public Finance Act.

(2) The submission and verification of the declarations of assets and the examination for conflict of interest of judges, prosecutors and investigating magistrates, including the Presidents of the Supreme Court of Cassation and the Supreme Administrative Court, the Prosecutor General, the administrative heads and the deputy administrative heads of the judicial authorities, shall follow the terms and procedure established by the Judiciary System Act. The rules on conflict of interest in this Act shall apply save insofar as otherwise provided for by the Judiciary System Act.

(3) The heads of central-government departments who designate and release the persons referred to in Paragraph (1) shall be obliged to notify the Commission of this within 14 days from the issuing of the relevant instrument. In respect of the persons referred to in Items 5, 34 and 36 of Paragraph (1), the notification shall be made by the head of the authority

which adopted the decision or nomination.

Chapter Two

COUNTER-CORRUPTION AND UNLAWFULLY ACQUIRED ASSETS FORFEITURE COMMISSION

Article 7. (1) The Counter-Corruption And Unlawfully Acquired Assets Forfeiture Commission shall be a counter-corruption authority within the meaning given by this Act for senior office holders.

(2) The Commission shall be an independent specialised standing State body for the implementation of the counter-corruption and unlawfully assets forfeiture policy.

(3) The Commission shall be a public-financed legal person seated in Sofia. The budget of the Commission shall be drawn up, implemented and reported according to the procedure established by the Public Finance Act.

(4) The activity of the Commission shall be assisted by administration which shall furthermore include the territorial units of the Commission, which shall enjoy the status of directorate. The Administration Act shall apply to the administration of the Commission save insofar as otherwise provided for by this Act.

(5) The areas of the territorial units of the Commission and the working arrangements shall be determined by the Rules referred to in Article 23 herein. The territorial units shall be headed by directors and shall be assisted in the activity thereof by inspectors.

Article 8. (1) The Commission shall be a collective body which shall consist of five members: a Chairperson, a Deputy Chairperson and three other members.

(2) A Bulgarian citizen of high professional standing and moral integrity, who holds a university degree in law and has practised law for at least ten years, shall be elected Chairperson of the Commission.

(3) A Bulgarian citizen of high professional standing and moral integrity, who holds a university degree in economics or in law, has been awarded the educational qualification degree of Master and has at least five years of relevant experience, shall be elected Deputy Chairperson of the Commission.

(4) Bulgarian citizens of high professional standing and moral integrity, who hold a university degree, have been awarded the educational qualification degree of Master and have at least five years of relevant experience, shall be elected members of the Commission.

(5) The Chairperson of the Commission shall be elected by the National Assembly on a nomination by the National Representatives.

(6) The Deputy Chairperson and the members of the Commission shall be elected by the National Assembly on a nomination by the Chairperson of the Commission.

(7) The term of office of the Commission shall be six years and shall commence as from the date of the election of the full complement thereof. The members of the Commission shall carry out the activity thereof until the new complement of the Commission is constituted.

(8) The Chairperson of the Commission shall be a budget authoriser by delegation.

Article 9. (1) Nominations for Chairperson of the Commission shall be laid before the National Assembly not earlier than three months and not later than two months prior to the expiry of the term of office of the Commission and shall be published on the Internet site of the National Assembly. Any such nominations shall be accompanied by:

1. detailed reasoning in writing about the professional standing and moral integrity of the candidates;
2. documentary proof of compliance with the requirements to hold the position.

(2) The nominations, together with detailed curriculum vitae of the candidates and the documents referred to in Paragraph

(1), shall be published on the Internet site of the National Assembly within two working days from the receipt thereof. The name and reasons of the National Representative who has nominated the respective candidate shall be published as well.

(3) The nominations and documents referred to in Paragraph (1) shall be published in accordance with the Personal Data Protection Act and the Classified Information Protection Act.

(4) Within seven days from the publication of the nominations, each candidate shall submit to the committee preparing the election a written concept on his or her work as member of the Commission. Within the same time limit, the candidates shall submit a declaration of incompatibility and a declaration of assets and interests under this Act. All concepts and declarations shall be published within three working days from the expiry of the time limit referred to in sentence one on the Internet site of the National Assembly.

(5) Not later than seven days prior to the hearing, non-profit legal entities registered for the pursuit of public benefit activities, higher schools and scientific organisations may submit opinions about a candidate to the commission, including questions to be put to the said candidate. Anonymous opinions and alerts shall be ignored.

(6) For each candidate, the specialised committee of the National Assembly responsible for combating corruption and conflict of interest shall require from the Committee on Disclosure of the Documents and Announcing the Affiliation of Bulgarian Citizens with the State Security Service and the Intelligence Services of the Bulgarian National Army to conduct a check in order to ascertain and announce affiliation to the State Security Service and the intelligence services of the Bulgarian National Army, and the results of the said check shall be published on the Internet site of the National Assembly.

(7) The specialised committee of the National Assembly responsible for combating corruption and conflict of interest shall give a hearing to each candidate, who shall present the concept referred to in Paragraph (4) to the said committee. The hearing shall be conducted at a public meeting of the committee not later than seven days prior to the conduct of the election. A full verbatim record of proceedings shall be drawn up for the hearing and shall be published on the website of the National Assembly. Considering the opinions received under Paragraph (5), the members of the committee may also require additional documents which the candidates must submit.

(8) The committee shall prepare a detailed and reasoned report on the professional standing and moral integrity of the candidates, thereby moving the nominations for a debate and taking a vote at the National Assembly. The said report shall include an opinion on the performance of the candidate, prepared after his or her hearing by the committee, and a conclusion on:

1. the minimum legal requirements to hold the position;
2. the existence of data that call into question the moral integrity, qualification, experience and professional standing of the candidate;
3. the specific background, qualities and motivation for the position concerned.

(9) The report shall be published on the Internet site of the National Assembly.

(10) The provisions of Paragraphs (1) to (9) shall apply to the election of a Deputy Chairperson and members of the Commission, *mutatis mutandis*. The National Assembly shall elect each of the candidates separately.

Article 10. (1) Eligibility for membership of the Commission shall be limited to Bulgarian citizens of full capacity to act who:

1. have not been convicted for a criminal offence, notwithstanding any subsequent rehabilitation, or has been released from criminal responsibility for an intentional offence;
2. have not been disqualified from holding a particular public office or from practising a particular occupation or activity.

(2) A member of the Commission shall be entitled to a single term of office.

(3) A member of the Commission may not:

1. hold office at any State or municipal bodies;
2. pursue commercial activity or be a partner, a managing director or a member of supervisory, management bodies or monitoring bodies of any commercial corporation, cooperative, State-owned enterprise or non-profit legal entity;

3. receive remuneration for pursuit of activities under contract or under a civil-service relationship with any State or public organisation, with any commercial corporation, cooperative or non-profit legal entity, natural person or sole trader, except for scientific research and teaching or for exercise of copyright;

4. practise a liberal profession or another remunerative professional activity;

5. be a member of any political party or coalition, of any organisation pursuing political goals, engage in political activity or engage in any activities which affect the independence thereof.

(4) If an elected member of the Commission is incompatible under Paragraph (3), the said member must take the necessary steps for remedying the incompatibility within one month from the election.

(5) Upon assumption of office, the members of the Commission shall sign a declaration of political neutrality.

(6) After the expiry of the term of office of the Commission or upon early termination of the legal relationship on the basis of Item 2 of Article 11 (1) herein, a member of the Commission, who has held the position of a judge, prosecutor or investigating magistrate, shall be reinstated to the position held prior to the election thereof, and the time during which he or she has been a member of the Commission shall count as service record under Article 164 (1) to (7) of the Judiciary System Act.

(7) The members of the Commission may not be related parties.

Article 11. (1) The legal relationship with a member of the Commission shall be terminated before the expiry of the term of office by the National Assembly upon:

1. death;

2. resignation;

3. objective inability to perform the duties thereof for a period exceeding six months;

4. conviction for the commission of a criminal offence or release from criminal responsibility for an intentional criminal offence;

5. incompatibility under Article 10 (3) herein, unless the necessary steps for remedying the incompatibility were taken within one month from the election;

6. incompatibility under Article 10 (6) herein;

7. serious breach or systematic dereliction of official duties;

8. entry into effect of an instrument whereby a conflict of interest has been ascertained under Chapter Eight herein.

(2) Upon occurrence of any circumstances referred to in Paragraph (1) with regard to the Chairperson of the Commission, the Deputy Chairperson shall forthwith convene the Commission, which shall pronounce by a decision. In case the Commission adopts a decision on making a proposal for early termination of the legal relationship with the Chairperson of the Commission, the said decision shall be transmitted to the National Assembly.

(3) Upon occurrence of any circumstances referred to in Paragraph (1) with regard to the Deputy Chairperson or another member of the Commission, the Chairperson shall forthwith notify the National Assembly. In case the National Assembly resolves on an early termination of the legal relationship, the Chairperson of the Commission shall submit a proposal for a new election within one month.

(4) A procedure for early release on the grounds referred to in Paragraph (1) may alternatively commence on a motion by one-fifth of the National Representatives.

(5) Upon early termination of the legal relationship with a member of the Commission, the National Assembly shall elect a new member within two months from the termination, and the said member shall serve for the remainder of the term of office.

Article 12. (1) The Chairperson of the Commission shall receive basic monthly remuneration equivalent to 90 per cent of the basic monthly remuneration of the Chairperson of the National Assembly.

(2) The Deputy Chairperson shall receive basic monthly remuneration equivalent to 90 per cent of the remuneration of the

Chairperson of the Commission.

(3) The remaining members of the Commission shall receive basic monthly remuneration equivalent to 80 per cent of the remuneration of the Chairperson of the Commission.

Article 13. (1) The Commission:

1. shall implement preventive activities according to the procedure established by Chapter Four herein;
2. shall gather, analyse and verify information where there is reason to believe that senior public office holders commit acts of corruption;
3. shall verify and analyse the declarations of assets and interests of senior public office holders;
4. shall ascertain a conflict of interest of senior public office holders, shall hear or require the submission of information regarding the examinations related to the ascertainment of a conflict of interest;
5. shall verify alerts in connection with the declarations of incompatibility of senior public office holders and shall refer any such alerts to the electing or appointing authority for an appropriate response;
6. shall check the assets status, shall adopt a decision on extension of the check in the cases provided for by this Act and decisions on termination of the check;
7. shall institute an unlawfully acquired assets forfeiture proceeding, which shall include submission to the court of a motion for the imposition of precautionary measures and lodgement of an action for forfeiture to the Exchequer of unlawfully acquired assets;
8. shall refuse to institute an unlawfully acquired assets forfeiture proceeding;
9. shall terminate the check referred to in Article 107 (2) herein or shall extend the period of any such check;
10. shall terminate unlawfully acquired assets forfeiture proceedings and shall reach settlements under this Act;
11. shall adopt rules on the conduct of integrity tests of the Commission employees and shall organise the conduct of the said tests;
12. shall endorse the standard forms of the declarations referred to in Items 2 and 4 of Article 35 (1) herein;
13. shall exercise other powers as well, provided for in a law.

(2) The decisions of the Commission shall be adopted by a majority of more than one-half of all members and shall be reasoned. The reasons shall state the facts, the evidence on the basis of which the facts have been ascertained, and the legal conclusions drawn.

(3) The decisions of the Commission referred to in Item 4 of Paragraph (1) and the reasoned refusals referred to in Item 8 of Paragraph (1) shall forthwith be published on the Internet site of the Commission subject to the requirements of the Personal Data Protection Act and of the Classified Information Protection Act.

(4) The Commission shall publish on the Internet site thereof all judgments on the court cases in which the Commission has participated, including the judgments which have not become enforceable and which are appealable, as well as the rulings on the termination of court proceedings, including the rulings which have not become enforceable.

(5) The decisions of the Commission referred to in Items 6 to 10 of Paragraph (1) shall be unappealable.

(6) Minutes of proceedings shall be taken on the meetings of the Commission.

Article 14. (1) The Chairperson of the Commission:

1. shall represent the Commission;
2. shall organise and direct the operation thereof;
3. shall schedule and preside over the meetings;
4. shall control and be responsible for the implementation of the budget;

5. shall issue penalty decrees on violations committed under this Act;
6. shall appoint the directors of territorial directorates and the inspectors thereat, shall modify and terminate the legal relationships therewith;
7. shall appoint the director of the directorate referred to in Article 16 (2) herein and the inspectors thereat;
8. shall exercise the functions of an appointing authority with regard to the civil servants and of an employer with regard to the officials working under an employment relationship at the administration of the Commission;
9. shall assign the implementation of preventive activities according to the procedure established by Chapter Four herein;
10. shall implement cooperation with foreign and international institutions and Bulgarian and foreign non-governmental organisations;
11. shall perform other functions as well, provided for in this Act.

(2) The Chairperson may allocate the organisation of the activity by separate remit among the members of the Commission.

(3) The Deputy Chairperson of the Commission shall assist the Chairperson and shall deputise therefor in his or her absence.

Article 15. (1) The administration of the Commission shall consist of:

1. inspectors and other civil servants;
2. civil servants referred to in Chapter Nine herein: inspectors and a director of the directorate referred to in Article 16 (2) herein;
3. persons working under an employment relationship.

(2) The status of the civil servants referred to in Item 1 of Paragraph (1) shall be governed by the Civil Servants Act.

(3) The status of the civil servants referred to in Item 2 of Paragraph (1) shall be governed by this Act.

(4) The status of the persons working under an employment relationship shall be regulated under the terms and according to the procedure established by the Labour Code.

(5) Persons who hold a university degree and who have successfully undergone an integrity test shall be appointed inspectors and directors under Item 1 of Paragraph (1), and any such appointment shall follow the conduct of a competition.

(6) More than one-half of the persons appointed inspectors at the central administration of the Commission must hold a university degree in law or economics.

(7) The inspectors and the directors at the Commission shall grant consent to be subjected to periodic and random integrity tests while holding the position thereof.

(8) The integrity tests shall be implemented according to rules adopted by the Commission, and the said tests shall mandatorily include a check of the circumstances which are declared according to the procedure established by this Act. The said rules shall be published on the Internet site of the Commission.

(9) A failure to undergo an integrity test shall be a ground for release from the position held.

(10) Upon appointment to the relevant position, the employees shall sign a declaration of political neutrality.

Article 16. (1) The directors of territorial directorates and the inspectors thereat shall be authorities of the Commission.

(2) The director of the directorate which carries out counter-corruption activities by gathering, analysing and verifying information where there is reason to believe that senior public office holders commit acts of corruption and the inspectors at the said directorate shall likewise be authorities of the Commission.

(3) Persons who hold a university degree in law or in economics and have at least five years of relevant experience and satisfy the requirements for holding the position under Article 10 (1), as well as the requirements for incompatibility

under Article 10 (3) herein, shall be appointed directors of the territorial directorates referred to in Paragraph (1).

(4) Persons who hold a university degree in law or in economics and who satisfy the requirements for incompatibility under Article 10 (3) herein shall be appointed inspectors at the territorial directorates referred to in Paragraph (1).

Article 17. (1) The National Assembly shall oversee the activity of the Commission.

(2) When invited to do so, the members of the Commission shall be obliged to appear at the National Assembly and to provide the information requested.

(3) Control over the activity under Chapter Nine herein shall be implemented by the National Special Intelligence Devices Control Bureau and by the specialised standing committee of the National Assembly under the terms and according to the procedure established by the Special Intelligence Means Act.

Article 18. (1) Annually, by the 31st day of March, the Commission shall present a report on the activity thereof at the National Assembly.

(2) By the same date, the report shall furthermore be provided to the President of the Republic and to the Council of Ministers and shall be published on the Internet site of the Commission.

Article 19. (1) Any information which has come to the knowledge of the members of the Commission, of the authorities referred to in Article 16 (1) and (2) herein, as well as to the administration employees during the checks and proceedings related to unlawfully acquired assets forfeiture, in the course of, or in connection with, the discharge of the duties thereof, shall constitute classified information within the meaning given by the Classified Information Protection Act.

(2) Upon assumption of office, the persons referred to in Paragraph (1), as well as the rest of the administration employees, shall sign a declaration to the effect that they will not disclose the information which have come to the knowledge thereof in the course of, or in connection with, the performance of the duties thereof even after the said persons are released.

(3) The members of the Commission, the directors of directorates and the administration employees shall sign a declaration of private interests and a declaration of a private interest on a particular occasion.

Article 20. The members of the Commission and the authorities referred to in Article 16 (1) and (2) herein shall not incur pecuniary liability for any detriment inflicted upon the exercise of the powers entrusted thereto under this Act except where the detriment has ensued from a publicly prosecutable offence.

Article 21. The members of the Commission and the authorities referred to in Article 16 (1) herein shall be provided with accident insurance and life assurance in the course of, or in connection with, the performance of the official duties thereof for the account of the State budget.

Article 22. (1) The length of employment service of the members of the Commission and of the directors and the inspectors at the directorates, as well as of the persons in the administration holding a position for which a university degree in law and a licence to practise law are required, shall count as length of practice of law.

(2) The length of employment service of the persons referred to in Paragraph (1) holding a position for which graduation in Economics from a higher educational establishment is required, shall count as relevant experience in the public sector.

(3) The work of the members of the Commission and of the authorities referred to in Article 16 (1) and (2) herein shall count as Work Category 1.

(4) In the performance of the official duties thereof, the authorities referred to in Article 16 (1) and (2) herein shall travel by urban public transport free of charge.

Article 23. (1) The organisation and operation of the Commission and of the administration thereof shall be regulated by Rules.

(2) The Rules shall be adopted by the Commission and shall be promulgated in the State Gazette.

Chapter Three

INTERACTION OF COMMISSION WITH OTHER STATE BODIES AND INTERNATIONAL COOPERATION

Article 24. (1) For the attainment of the objective of this Act, the Commission, the authorities of the Commission, the prosecuting magistracy, the Ministry of Interior, the authorities of the State Agency for National Security, the revenue authorities, the authorities of the National Customs Agency, the Chief Inspectorate of the Council of Ministers, the Inspectorate with the Supreme Judicial Council and the inspectorates referred to in Article 46 of the Administration Act shall interact, acting within the competence vested therein.

(2) The terms, procedure and timeframe for the implementation of the interaction shall be established by a joint instruction of the Prosecutor General, the Minister of Finance and the Minister of Interior, the Chairperson of the State Agency for National Security, the Inspector General of the Inspectorate with the Supreme Judicial Council and the Commission.

Article 25. The prosecutor, who is competent to examine the pre-trial proceeding or the case file on a criminal offence referred to in Article 108 (1) herein, shall forthwith notify the director of the relevant directorate of:

1. the warrants whereby the institution of a pre-trial proceeding is refused;
2. the warrants whereby the pre-trial proceeding is suspended or terminated on the grounds referred to in Article 108 (2) herein;
3. the warrants whereby the pre-trial proceeding is suspended on the grounds referred to in Article 108 (3) herein;
4. the submission of an indictment, or a warrant proposing the release of the actor from criminal liability with the imposition of an administrative sanction, or of an agreement to dispose of the case in court;
5. the precautionary measures imposed on the assets of the accused.

Article 26. (1) Upon the execution of the powers vested therein under this Act, the authorities referred to in Article 16 (1) and (2) herein may request assistance, information and documents, including in electronic form, from the State and municipal bodies, the merchants, the credit institutions, from notaries and enforcement agents, as well as from other natural and legal persons.

(2) The authorities and the persons referred to in Paragraph (1) shall be obliged to provide the information within one month after being requested to do so with the exception of information which is provided according to a special procedure.

(3) Classified information shall be exchanged in accordance with the Classified Information Protection Act.

(4) Personal data shall be processed in accordance with the Personal Data Protection Act.

(5) The Commission and the directors of the directorates concerned shall provide the authorities of the National Revenue Agency with information on the assets forfeited to the Exchequer and on the location of the said assets.

Article 27. (1) For the performance of the activities referred to in Chapter Nine herein by the authorities referred to in Article 16 (2) herein, the Commission shall interact with:

1. the prosecuting magistracy;
2. the Ministry of Interior;
3. the State Agency for National Security;
4. the State Agency for Technical Operations;
5. The State Intelligence Agency;

6. the Military Police Service;

(2) The procedure and timeframe for the pursuit of the interaction under Paragraph (1) shall be established by joint instructions.

Article 28. (1) The authorities referred to in Article 16 (1) and (2) herein shall draw up a memorandum on each step performed under this Act, unless the step performed has been attested by another document.

(2) Any persons who, in the course of, or in connection with, the performance of the official duties thereof have become aware of any information about an examination in progress, shall not be at liberty to make public the said information.

Article 29. (1) The Commission shall exchange information for the purposes of this Act with the competent authorities of other States and with international organisations on the basis of international instruments and international treaties which are in force for the Republic of Bulgaria.

(2) The Commission shall conclude international agreements on data exchange when verifying the declaration referred to in Item 2 of Article 35 (1) herein.

Chapter Four

CORRUPTION PREVENTION

Article 30. The Commission shall implement the State policy of corruption prevention and, to this end:

1. shall gather, summarise and analyse information on the national anti-corruption policies and measures;
2. shall analyse, develop and propose prevention-corruption and counter-corruption measures and shall coordinate the application of the said measures, including by sector;
3. shall implement activities for the dissemination of information related to counter-corruption, including anti-corruption policies and measures.

Article 31. For the performance of the duties thereof under Item 1 of Article 30 herein, the Commission:

1. shall gather and summarise information and shall maintain a database on the implementation of anti-corruption policies and measures;
2. shall carry out monitoring and periodic evaluation of the application of anti-corruption measures, including by sector;
3. shall gather and summarise good practices;
4. shall analyse and provide information to the national, European and international anti-corruption institutions and organisations.

Article 32. (1) For the performance of the duties thereof under Item 2 of Article 30 herein, the Commission:

1. shall consult each bill drafted by the executive authorities regarding the presence of corruption risk and shall perform an ex-post analysis of the impact of the law;
2. shall identify and analyse corruption risk zones;
3. shall develop anti-corruption-oriented measures;
4. shall facilitate the application of the measures referred to in Item 3 in methodological terms;
5. shall perform an ex-post analysis of the impact with regard to the applied measures referred to in Item 3;
6. shall develop methodologies for corruption risk assessment, ethical standards of conduct and integrity testing systems and shall assist the application thereof;

7. shall draft proposals for anti-corruption-oriented amendments to legislation.

(2) The analysis and proposals for anti-corruption measures, prepared by the Commission, shall be provided to the competent authorities, which shall be obliged to take a stand on the said measures within one month and to inform the Commission of the measures accepted and the timeframe for the application thereof, as well as of the measures not accepted thereby and the reasons for this. The competent authorities shall be obliged to inform the Commission upon the introduction of the anti-corruption measures and of the results of the implementation of the said measures.

Article 33. For the performance of the duties thereof under Item 3 of Article 30 herein, the Commission:

1. shall organise the delivery of anti-corruption-oriented trainings, seminars and awareness campaigns;
2. shall give opinions when requested to do so by persons concerned on the application of this Act in connection with corruption prevention;
3. shall organise public opinion surveys and analyses;
4. shall take other appropriate steps as well.

Article 34. Upon the implementation of corruption prevention activities, the Commission shall interact with other State bodies, bodies of local self-government, non-governmental organisations, business representatives, as well as with international organisations.

Chapter Five

DECLARATIONS

Section I

Obligation to Declare

Article 35. (1) Senior public office holders, with the exception of those obliged under the Judiciary System Act, shall submit the following declarations:

1. declaration of incompatibility;
2. declaration of assets and interests;
3. declaration of change in circumstances declared in the declaration referred to in Item 1;
4. declaration of change in circumstances declared in Item 2 in the part on the interests and on the source of the funds upon early repayment of obligations and loans.

(2) The declarations referred to in Items 1 and 3 of Paragraph (1) shall be submitted to the electing or appointing authority, and the declarations referred to in Items 2 and 4 of Paragraph (1) shall be submitted to the Commission.

(3) The declarations referred to in Items 1 and 3 of Paragraph (1) shall be submitted in a standard form endorsed by the electing or appointing authority.

(4) The declarations referred to in Items 2 and 4 of Paragraph (1) shall be submitted in a standard form endorsed by the Commission.

(5) The declarations shall be submitted on paper and on an electronic data medium. A declaration submitted on an electronic data medium only shall be considered unsubmitted unless submitted in accordance with the Electronic Document and Electronic Trust Services Act.

Article 36. (1) Upon assumption of a senior public office for which the Constitution or a law has established incompatibilities, the person shall submit a declaration of incompatibility to the electing or appointing authority or, if a person referred to in Items 1 and 3 of Article 72 (2) herein, to the relevant commission within one month from the assumption of the office.

(2) Upon change of the office held, the person who remains obliged under this Act shall not submit a new declaration of incompatibility, unless different incompatibilities are provided for the new office.

(3) Where the person has declared the existence of incompatibility, the said person shall be obliged to take the necessary steps for remedying the incompatibility and to provide evidence of this within one month from the submission of the declaration.

(4) In case the person fails to take steps for remedying the incompatibility within the time limit referred to in Paragraph (3), the electing or appointing authority shall take steps for the termination of the legal relationship.

(5) Where a special law provides for an obligation to submit a declaration of incompatibility by the persons concerned prior to the formation of the employment relationship or civil-service relationship, the said persons shall not submit an additional declaration of incompatibility after the formation of the legal relationship.

Article 37. (1) Senior public office holders, with the exception of those obliged under the Judiciary System Act, shall submit a declaration of assets and interests in Bulgaria and abroad to the Commission, whereby they shall declare:

1. any immovable property;
2. any land motor vehicles, watercraft and aircraft, as well as any other means of transport subject to registration by law;
3. any sums of money, including deposits, bank accounts and receivables, of an aggregate value exceeding BGN 10,000, including in a foreign currency;
4. any investments in investment funds and pension funds and equivalent forms of savings and investments, if the aggregate value thereof exceeds BGN 10,000;
5. any certificated securities, any participating interests in limited liability companies and limited partnerships and any financial instruments under Article 3 of the Markets in Financial Instruments Act;
6. any obligations and loans exceeding BGN 10,000, including credit cards, if the credit limit absorbed during the previous calendar year in local or in foreign currency exceeds BGN 10,000 in aggregate;
7. any labour income received during the previous calendar year;
8. any income other than such for the office held, received during the previous calendar year, where exceeding BGN 1,000;
9. any immovable property of another and any land motor vehicles, watercraft and aircraft of another, of a value exceeding BGN 10,000, which the person or the spouse thereof or the de facto cohabitant therewith uses continuously regardless of the grounds for this and the conditions for use;
10. any collaterals furnished and any expenditures incurred thereby or to the benefit thereof, or to the benefit of any persons referred to in Paragraph (4) with the consent thereof, where not paid by own funds, by public funds or by funds of the institution whereat the persons are office holders, for:
 - (a) training;
 - (b) travel;
 - (c) other payments at a unit price exceeding BGN 1,000;
11. any expenditure on training other than those under Item 10, including to the benefit of any persons referred to in Paragraph (4), of a unit value exceeding BGN 1000;
12. any participation in commercial corporations, in management bodies or monitoring bodies of commercial corporations, of non-profit legal entities or of cooperatives, as well as carrying on business as a sole trader by the date of election or appointment and 12 months prior to the date of election or appointment;
13. contracts with any persons who or which carry out any activity in areas related to the decisions made by the senior public office holder within the range of the official powers or duties thereof;

14. particulars of any related parties in whose activity the senior public office holder has a private interest.
- (2) The balances by the 31st day of December of the previous calendar year shall be stated upon the annual declaration of the assets referred to in Items 3 to 6.
- (3) The legal grounds and the source of the funds on which the assets referred to in Paragraph (1) have been required shall also be stated when declaring the said assets, if the said assets were acquired while holding the office.
- (4) Senior public office holders shall furthermore declare the assets and income of the spouses thereof or of the de facto cohabitants therewith, and of the children who have not attained majority.
- (5) Senior public office holders shall not declare the assets of the spouses thereof upon de facto separation and of the children who have not attained majority where the said office holders do not exercise parental rights.
- (6) The obliged person shall submit a declaration on the circumstances referred to in Paragraph (5).
- (7) Senior public office holders may declare that they do not wish the information regarding the de facto cohabitant therewith and regarding the assets and income of the said person to be published.

Article 38. (1) A declaration of assets and interests shall be submitted:

1. within one month from the assumption of the senior public office;
 2. annually, by the 15th day of May: for the previous calendar year;
 3. within one month from the release from office;
 4. within one month from the expiry of one year after the submission of the declaration referred to in Item 3.
- (2) Within one month from the submission of a declaration of assets and interests, the person concerned may modify the declaration thereof, where so required to rectify any deficiencies or errors in the circumstances declared.

Article 39. Senior public office holders shall submit declarations under Items 3 and 4 of Article 35 (1) herein within one month from the occurrence of the change.

Article 40. (1) Within one month from the expiry of the time limits referred to in Article 36 (1) and Article 39 herein, the electing or appointing authority shall publish on the Internet site thereof the declarations of the senior public office holders and a list of the persons who have failed to submit declarations when due.

(2) Within two months from the expiry of the time limits referred to in Articles 38 and 39 herein, the Commission shall publish on the Internet site thereof the declarations of the senior public office holders and a list of the persons who have failed to submit declarations when due.

Section II

Registers of Declarations

Article 41. (1) The electing or appointing authority shall maintain a public register of the declarations of incompatibility and the declarations of change in circumstances declared in the declarations of incompatibility for the persons referred to in Article 35 (1) herein.

(2) The Commission shall accept the declarations of assets and interests and of change in circumstances declared in the declaration of assets and interests and shall enter the said declarations into the public register referred to in Item 1 of Article 169 (1) herein.

(3) The public register referred to in Item 1 of Article 169 (1) herein shall contain the information referred to in Article 37 (1) herein.

Article 42. (1) Every person shall be entitled to access the data of the registers referred to in Article 169 (1) herein.

(2) Access shall be available through the Internet site of the Commission or, respectively, of the electing or appointing authority in conformity with the Personal Data Protection Act.

(3) Every person shall be entitled to obtain information related to the data of the registers referred to in Article 169 (1) according to the procedure established by the Access to Public Information Act.

(4) The terms and procedure for the storage of the data of the registers referred to in Article 169 (1) herein shall be regulated in the Rules referred to in Article 23 herein.

Section III

Verification of Declarations and Check of Assets Status

Article 43. (1) Within six months from the expiry of the time limits referred to in Articles 38 and 39 herein, the inspectors of the Commission shall verify and analyse the information in the declarations of assets and interests of senior public office holders as to the veracity of the facts declared.

(2) The verification of the declarations of assets of judges, prosecutors and investigating magistrates, including the Presidents of the Supreme Court of Cassation and the Supreme Administrative Court, the Prosecutor General, the administrative heads and the deputy administrative heads of the judicial authorities, shall follow the terms and procedure established by the Judiciary System Act.

Article 44. (1) The declarations shall be verified by means of direct access to the electronic registers, databases and other information repositories maintained by other State bodies, with the exception of the security services. Information shall be exchanged with the security services according to the procedure established by the instructions referred to in Article 24 (2) and Article 27 (2) herein.

(2) The inspectors of the Commission may request additional information from the State bodies, the bodies of local self-government and local administration, the judicial authorities and from other institutions wherewith the facts declared are subject to entry, disclosure or attestation.

(3) The bodies and institutions referred to in Paragraph (1) shall be obliged to provide the necessary information within 30 days from the receipt of the request.

(4) The verification shall be carried out by comparing the facts declared with the information received according to the procedure established by Paragraph (1).

(5) (Amended, SG No. 20/2018, effective 6.03.2018) The Commission may receive information from the Information System referred to in Article 56 and 56a of the Credit Institutions Act, as well as require the disclosure of data covered by banking secrecy.

(6) The Commission may furthermore require the disclosure of data covered by insurance secrecy, as well as of tax and social-insurance information.

Article 45. (1) The verification shall be concluded by a report on correspondence, where no difference has been established between the facts declared and the information obtained. In the rest of the cases, the verification shall be concluded by a report on lack of correspondence.

Article 46. (1) Where a lack of correspondence is established, the Commission shall notify the person concerned and shall allow the said person a 14-day time limit to rectify the deficiencies and errors in the circumstances declared. The deficiencies and errors shall be rectified according to the procedure established for the submission of a declaration.

(2) Where a lack of correspondence is established upon verification of the declarations, the Commission shall publish on the Internet site thereof the conclusions about the persons in respect of whom a lack of correspondence in the declarations has been established and where any such lack of correspondence has not been rectified within the time limit under Paragraph (1).

(3) Where a lack of correspondence amounting to not less than BGN 5,000 is established after the expiry of the time limit referred to in Paragraph (1), the Commission shall adopt a decision on the transmittal of the verification file to the National Revenue Agency for taking steps according to the procedure established by the Tax and Social-Insurance Code.

(4) Where a lack of correspondence amounting to not less than BGN 20,000 is established after the expiry of the time limit referred to in Paragraph (1), the Commission shall adopt a decision on a check of the assets status of the senior public office holder according to the procedure established by Chapter Ten herein.

(5) Where the Inspectorate with the Supreme Judicial Council ascertains a lack of correspondence between the facts declared and the facts established amounting to not less than BGN 20,000, the said Inspectorate shall notify the Commission for the conduct of a check of the assets status of the senior public office holder according to the procedure established by Chapter Ten herein.

Chapter Six

ALERTS

Article 47. (1) Any person, who has reason to believe that a senior public official commits corruption or a conflict of interest within the meaning given by this Act, may submit an alert to the Commission.

(2) A publication in the mass communication media shall also be eligible as an alert if it satisfies the conditions under Items 2 to 4 of Article 48 (1) herein.

(3) Each alert shall be registered at the Commission immediately after the said alert is received.

(4) Alerts shall be examined subject to compliance with the principles indicated in Article 4 herein.

(5) Any alerts which do not fall within the competence of the Commission shall forthwith be forwarded to the competent authority.

(6) Anonymous alerts shall be ignored and shall not be forwarded to the competent authority,

(7) Any alerts about a conflict of interest or about corruption within the meaning given by this Act, which are submitted to the Commission against a judge, prosecutor or investigating magistrate and which contain data about any acts damaging the prestige of the judiciary and such related to impairment of the independence of judges, prosecutors and investigating magistrates, shall be transmitted for a check to the Inspectorate with the Supreme Judicial Council within the ambit of the competence thereof.

Article 48. (1) Each alert must state:

1. forename, patronymic and surname, Single Public Registry Personal Number, address, telephone number, fax number and e-mail address, if any, of the whistleblower;

2. the names of the person against whom the alert is submitted, and the senior public office held thereby;

3. specific data about the alleged breach, including place and period of commission of the breach, description of the act and other circumstances whereunder it was committed;

4. reference to documents or other sources which contain information supporting the allegations in the alert, including indication of particulars of persons who could confirm the data reported or provide additional information;

5. date of submission of the alert;

6. signature of the whistleblower.

(2) Any kind of sources of information supporting the allegations set forth in the alert may be attached thereto.

(3) The Chairperson of the Commission shall endorse a standard form of an alert, which shall be accessible on the Internet site of the Commission, as well as on site.

Chapter Seven

PROTECTION OF WHISTLEBLOWERS

Article 49. (1) The persons who are entrusted with examining the alert shall be obliged:

1. not to disclose the identity of the whistleblower;
2. not to make public and facts and data of which they have become aware in connection with the examination of the alert;
3. to safeguard the written documents entrusted thereto against unauthorised access by third parties.

(2) The persons referred to in Paragraph (1) shall propose to the respective heads the taking of specific measures for safeguarding the identity of the whistleblower, including measures preventing acts whereby mental or physical pressure is exerted thereon.

Article 50. In special cases, the Chairperson of the Commission may seek the assistance of the Ministry of Interior for the taking of additional measures for the protection of the whistleblower.

Article 51. Any person, who has been dismissed, persecuted or subjected to acts leading to mental or physical harassment by reason of having submitted an alert, shall be entitled to compensation for any material and non-material damage suffered thereby, according to a judicial procedure.

Chapter Eight

CONFLICT OF INTEREST

Section I

Definitions

Article 52. A conflict of interest shall arise where a senior public office holder has a private interest that may affect the impartial and objective execution or performance of the official powers or duties thereof.

Article 53. Private interest shall be any interest which results in a tangible or intangible benefit for a senior public office holder, or for any parties related thereto, including any obligation assumed.

Article 54. Benefit shall be any income in money or in property, including acquiring participating interests or shares, as well as granting, transferring or renouncing rights, receiving goods or services gratuitously or at prices below the market prices, receiving a privilege or honours, assistance, vote, support or influence, advantage, obtaining or receiving a promise to obtain a job, position, gift, reward or a promise to avoid a loss, liability, sanction or another adverse event.

Section II

Prohibitions and Limitations Related to Execution of Senior Public Office

Article 55. A senior public office holder may not represent the State or a municipality in the cases where the said office holder has a private interest in the taking of a particular decision.

Article 56. A senior public office holder shall not have the right, upon the performance of the duties thereof, to vote in a private interest.

Article 57. A senior public office holder shall not have the right to use the official status thereof in order to exert influence in a private interest on other authorities or persons when any instruments are drawn up, adopted, issued or rendered or when any control or investigating functions are performed.

Article 58. A senior public office holder shall not have the right to participate in the drawing up, debate, adoption, issuance or rendition of any instruments, to perform any control or investigating functions or to impose any sanctions in a private interest. Any such office holder shall not have the right to conclude any contracts or to carry out any other activities in a private interest upon the execution or performance of the official powers or duties thereof.

Article 59. (1) Any senior public office holder shall not have the right to dispose of any State or public property, to spend any on-budget resources, including such from funds belonging to the European Union or made available by the European Union to the Bulgarian State, to issue any certificates, authorisations or licences, or to exercise control over any such activities in the interest of any non-profit legal entities, commercial corporations or cooperatives wherein the said office holder or any parties related thereto are members of a management body or monitoring body, managing directors, partners, or own participating interests or shares.

(2) The prohibition referred to in Paragraph (1) shall furthermore apply to any parties related to the senior public office holder who are sole traders.

(3) A senior public office holder shall furthermore not have the right to carry out any activities referred to in Paragraph (1) in the interest of any non-profit legal entities, commercial corporations or cooperatives wherein the said office holder has been a member of a management body or monitoring body, managing director, partner or has owned participating interests or shares one month prior to the date of election or appointment of the said office holder or for the duration of holding office.

Article 60. A senior public office holder shall not have the right to use or to authorise the use in a private interest of any information obtained upon the execution or performance of the official powers or duties thereof, for the duration of holding office and one year after vacating office, unless otherwise provided for in a special law.

Article 61. A senior public office holder shall not have the right to engage in consulting activity in respect of any persons who are concerned with the instruments of the said office holder issued upon the implementation of the official powers or duties thereof.

Article 62. A senior public office holder shall not have the right to grant consent or to use the official status thereof for commercial advertising.

Section III

Steps for Conflict of Interest Prevention

Article 63. (1) Where a senior public office holder has a private interest, the said office holder shall be obliged to recuse himself or herself from the execution or performance of a particular official power or duty, notifying the electing or appointing authority.

(2) Where a collective State body or a body of local self-government is meeting and deliberates and decides a matter in which a member of the said body has declared a private interest, the said member may not participate in the deliberation and may not vote. In such cases, the decisions shall be adopted by the requisite majority of members of the body excluding the person who has declared a private interest. The circumstances referred to in this Paragraph shall be recorded in the minutes of proceedings on the meeting concerned.

Article 64. The electing or appointing authority shall be obliged to recuse a senior public office holder if the said authority has reason to believe that the said office holder has a private interest in connection with a particular official power or duty.

Article 65. (1) The self-recusals and recusals shall be effected immediately after a private interest arises or after awareness of the data on the existence of a private interest.

(2) Self-recusals and recusals shall be reasoned, indicating the private interest which is the reason for the withdrawal from the execution or performance of the particular power or duty.

Article 66. Where a law provides for special grounds for recusals and self-recusals, the special law shall apply.

Section IV

Limitations after Vacation of Senior Public Office

Article 67. A senior public office holder, in respect of whom a conflict of interest or, respectively, a violation of Article 68 or 69 herein has been ascertained, shall not have the right to hold public office in the course of one year after the decision whereby a conflict of interest is ascertained becomes enforceable.

Article 68. (1) Within one year after vacating office, a senior public office holder shall not have the right to conclude employment contracts, contracts for consultancy services or other contracts for the performance of management or monitoring functions with any commercial corporations, sole traders, cooperatives or non-profit legal entities in respect of which the said office holder has taken any steps for the disposition, regulation or control or has concluded any contracts therewith during the last year of execution or performance of the official powers or duties thereof, nor to be a partner, to own participating interests or shares, to be a managing director or member of a management body or monitoring body of any such commercial corporation, cooperative or non-profit legal entity.

(2) The limitations shall furthermore apply to any commercial corporations related to the corporations referred to in Paragraph (1).

Article 69. (1) A former senior public office holder who, during the last year of execution or performance of the official powers or duties thereof, participated in the conduct of any public procurement procedures or in any procedures related to the provision of resources from any funds belonging to the European Union or made available by the European Union to the Bulgarian State, shall not have the right to participate or to represent any natural or legal person in any such procedures before the institution wherein the said office holder held office or before any legal person controlled by the said institution within one year after vacating office.

(2) The prohibition of participation in public procurement procedures or in procedures related to the provision of resources from any funds belonging to the European Union or made available by the European Union to the Bulgarian State shall furthermore apply to any legal person wherein the person referred to in Paragraph (1) has become a partner, owns participating interests, or is a managing director or member of a management body or monitoring body after vacating office.

Article 70. The provisions of this Section shall apply save insofar as otherwise provided for in a special law.

Section V

Conflict of Interest Ascertainment

Article 71. (1) A conflict of interest shall be ascertained acting on an alert submitted to the Commission, by a decision of

the Commission, or at the request of the senior public office holder.

(2) A conflict of interest may not be ascertained acting on an anonymous alert.

(3) A conflict of interest ascertainment proceeding in respect of members of the Commission shall be instituted by a decision of the Commission adopted unanimously by secret ballot, excluding the person in respect of whom the decision is put to the vote.

Article 72. (1) In a conflict of interest ascertainment proceeding, the Commission shall require and receive the requisite information and documents from the commissions referred to in Items 1 and 3 of Paragraph (2) or, respectively, from the electing or appointing authority.

(2) Any such information shall be compiled in respect of:

1. the President, the Vice President, the judges of the Constitutional Court, the National Representatives, the Prime Minister, the Deputy Prime Ministers, the Ministers, the National Ombudsman and the Deputy Ombudsman, the elected members of the Supreme Judicial Council, the Inspector General and the inspectors of the Inspectorate with the Supreme Judicial Council, the President, Vice Presidents and the members of the Bulgarian National Audit Office, the Governor, the Deputy Governors and the members of the Governing Council of the Bulgarian National Bank, the Governor and the Deputy Governor of the National Social Security Institute, the members of bodies who are elected in whole or in part by the National Assembly: by a standing committee of the National Assembly;

2. the Deputy Ministers, the Regional Governors and the Regional Vice Governors, the single-person authorities, the deputies thereof and the members of the collegial authorities covered under Article 19 (4) of the Administration Act other than such referred to in Item 1: by the Chief Inspectorate of the Council of Ministers;

3. the municipal councillors and the mayors: by a standing committee of the competent municipal council;

4. the senior public office holders other than those referred to in Items 1 to 3: by the inspectorates or by the electing or appointing authority.

(3) In a conflict of interest ascertainment proceeding, the Commission shall require and receive information from bodies of State power, bodies of local self-government, as well as from legal and natural persons.

(4) The bodies and the persons referred to in Paragraphs (1) and (3) shall be obliged to provide the requisite information and documents within seven days from the receipt of the request.

(5) In a conflict of interest ascertainment proceeding, evidence shall be taken according to the procedure established by the Administrative Procedure Code and the person whereagainst the proceeding has been instituted shall be heard.

(6) All evidence taken shall be made available for familiarisation to the person whereagainst the proceeding has been instituted, and the said person shall be afforded an opportunity to lodge an objection within seven days from the provision of the said evidence.

(7) The person whereagainst the proceeding has been instituted may provide and cite new evidence to be taken and shall be entitled to defence by counsel in the proceedings under this Section, provided that the whistleblower is protected under Chapter Seven herein.

Article 73. A conflict of interest ascertainment proceeding, as well as a proceeding in connection with any violations under Articles 68 and 69 herein, shall be instituted within six months from the detection but not later than three years after the commission of the violation.

Article 74. (1) The Commission shall pronounce by a reasoned decision in writing within two months from the institution of the proceeding. In cases of factual and legal complexity, the time limit may be extended on a single occasion by 30 days.

(2) The decision referred to in Paragraph (1) shall state:

1. the factual and legal grounds for rendering the decision;

2. the objections lodged by the person and reasons in case of non-acceptance;

3. an operative part, wherein the existence of non-existence of a conflict of interest is ascertained; a fine is imposed under

Article 171 herein, the amount of the said fine is fixed, and forfeiture under Article 81 herein is decreed, if warranted;

4. time limit for appeal and appellate authority.

(3) The decision referred to in Paragraph (1) shall furthermore specify a time limit for voluntary compliance with the fine imposed.

(4) A written statement ascertaining an administrative violation shall not be drawn up and a penalty decree shall not be issued for the administrative penalty liability enforced by the decision referred to in Paragraph (2).

Article 75. The decision of the Commission shall be communicated to:

1. the person concerned;

2. the authority competent to terminate the legal relationship;

3. 2. the district prosecution office exercising jurisdiction over the head office of the authority referred to in Item 2.

Article 76. (1) The decision of the Commission whereby a conflict of interest is ascertained may be contested by the person concerned before the court according to the procedure established by the Administrative Procedure Code.

(2) The prosecutor may lodge an appeal with the court within one month after the communication of the decision whereby the non-existence of a conflict of interest has been ascertained.

Article 77. Should there be reason to believe that a criminal offence has been committed, the records shall forthwith be transmitted to the prosecuting magistracy.

Article 78. (1) The provisions of Articles 71 to 76 herein shall apply, mutatis mutandis, to the proceedings for violations under Section IV herein.

(2) A fine under Article 171 herein shall be imposed by the decision whereby a violation of a provision of Section IV herein is ascertained.

Article 79. The Administrative Procedure Code shall apply to any matters unregulated in this Section.

Section VI

Consequences upon Conflict of Interest Ascertainment

Article 80. (1) The ascertainment of a conflict of interest by an enforceable instrument shall be a ground for release from office, unless otherwise provided for in the Constitution.

(2) The release shall follow the procedure established in the relevant laws.

Article 81. (1) The remuneration received from the legal relationship or the act which has given rise to a conflict of interest for the period during which the conflict of interest has been concealed shall be forfeited to the Exchequer or to the municipality.

(2) Where it is ascertained that, as a result of a conflict of interest, a senior public office holder or a party related thereto has obtained a tangible benefit, the cash equivalent thereof shall be forfeited to the Exchequer, unless forfeitable on another ground.

Chapter Nine

COUNTER-CORRUPTION BY WAY OF DISCLOSING ACTS COMMITTED BY

SENIOR PUBLIC OFFICE HOLDERS

Article 82. (1) The Commission shall carry out counter-corruption activities by way of gathering, analysing and verifying information where there is reason to believe that senior public office holders commit acts of corruption.

(2) The activities referred to in Paragraph (1) shall be carried out by the authorities referred to in Article 16 (2) herein.

Article 83. The authorities referred to in Article 16 (2) herein shall carry out the activities referred to in Article 82 herein by way of:

1. planning, organising, directing, controlling and being responsible for the fulfilment of tasks entrusted thereto by an order of the Chairperson of the Commission;
2. managing information arrays;
3. clarifying information received at the Commission;
4. carrying out operational detection;
5. interacting with the other administrative units at the Commission;
6. interacting with the bodies of State powers and local self-government;
7. verifying the alerts referred to in Article 47 (1) and (2) herein;
8. conducting checks assigned by the prosecuting magistracy according to the procedure established by the Judiciary System Act;
9. performing other functions entrusted by a decision of the Commission or by an order of the Chairperson thereof.

Article 84. (1) The Chairperson of the Commission shall be an authority appointing the civil servants referred to in Article 16 (2) herein.

(2) The grades of the positions depending on the functions performed, the qualification and professional experience possessed by the civil servants referred to in Article 16 (2) herein shall be determined by the Rules referred to in Article 23 herein.

Article 85. (1) Eligibility for appointment as civil servants referred to in Article 16 (2) herein shall be limited to persons who satisfy the requirements of Article 10 (1) herein, the requirements for incompatibility under Article 10 (3) herein, as well as who:

1. have not been constituted as accused parties or are not tried for an intentional publicly prosecutable offence;
2. have not been dismissed from a previous position as a disciplinary sanction;
3. satisfy the general and specific requirements to hold the position.

(2) The specific requirements for entry of civil service under this Chapter shall be established by an ordinance adopted by the Commission.

(3) Persons who have been granted the relevant clearance shall be appointed to positions which require authorised access to classified information.

(4) Upon the initial appointment of a civil servant referred to in Article 16 (2) herein, a one-year probationary period shall commence, reckoned from the date of assumption of position.

(5) The period referred to in Paragraph (4) shall cease to run while the civil servant:

1. is on a statutory leave;
2. is undergoing initial professional training.

Article 86. The procedure for the formation, modification and termination of the civil-service relationship of a civil servant referred to in Article 16 (2) herein shall be regulated by the Rules referred to in Article 23 herein.

Article 87. (1) The civil servants referred to in Article 16 (2) herein may not carry out any activities which are incompatible with the service thereof.

(2) Incompatibility with the service shall apply:

1. where the circumstances referred to in Article 10 (3) herein exist;
2. where the civil servants referred to in Article 16 (2) are in a direct hierarchical relationship of direction and control with a spouse, a de facto cohabitant therewith, a lineal relative up to any degree of consanguinity, a collateral relative up to the fourth degree of consanguinity inclusive or an affine up to the fourth degree of affinity inclusive.

Article 88. (1) The civil servants referred to in Article 16 (2) herein shall have the right to carry a service weapon under terms and according to a procedure established by an instruction adopted by the Commission.

(2) The civil servants referred to in Paragraph (1) may use weapons only when this is absolutely necessary if the said servants come under an armed attack or are threatened with firearms.

(3) When using a weapon, the civil servants referred to in Paragraph (1) shall be obliged to do everything possible to preserve the life of the person targeted and not to jeopardise the life and health of other persons.

(4) The civil servants referred to in Paragraph (1) shall discontinue the use of a weapon immediately after the lawful purpose for the said use has been achieved.

(5) After using a weapon, the civil servants referred to in Paragraph (1) shall draw up a report.

Article 89. (1) The civil servants referred to in Article 16 (2) herein shall mandatorily undergo initial professional training, in case they have not undergone any such training.

(2) The training, qualification and professional training of the civil servants referred to in Article 16 (2) herein shall follow a procedure established in the Rules referred to in Article 23 herein.

Article 90. (1) The civil servants referred to in Article 16 (2) herein shall be appraised by way of performance evaluation.

(2) The appraisal shall be carried out on the basis of a system of criteria used to evaluate the attainment of pre-agreed objectives, the extent to which the duties are performed, and the professional competences of the civil servants.

(3) The terms and procedure for conduct of the appraisal shall be established by the Rules referred to in Article 23 herein.

Article 91. The working time of the civil servants referred to in Article 16 (2) herein, as well as the right thereof to rest and leave, shall be determined according to Articles 82 to 84 of the State Agency for National Security Act.

Article 92. The civil servants referred to in Article 16 (2) herein shall be obliged to perform the duties arising out of the activities of the Commission under this Chapter even outside the fixed working time.

Article 93. The gross monthly remuneration of the civil servants referred to in Article 16 (2) herein shall consist of a basic monthly remuneration and supplementary remunerations.

Article 94. (1) The civil servants referred to in Article 16 (2) herein shall receive a basic monthly remuneration contingent on the position held thereby within the meaning given by Item 5 of § 1 of the Supplementary Provisions herein.

(2) Supplementary remunerations to the basic monthly remuneration of the civil servants referred to in Article 16 (2)

herein in an amount at least equal to the amount fixed under Article 72 (1) of the State Agency for National Security Act.

Article 95. (1) The civil servants referred to in Article 16 (2) herein shall be paid allowances and shall be provided with supplies according to Article 74 (1) to (4) and (6) of the State Agency for National Security Act.

(2) The amount of the allowances and the supplies referred to in Paragraph (1) and the conditions for the provision thereof shall be determined annually by an order of the Chairperson of the Commission.

Article 96. The compulsory health and social insurance of the civil servants referred to in Article 16 (2) herein, the use of medical-treatment facilities, as well as of recreation facilities, sanatoria and preventive-care establishments, shall be implemented according to Article 77 of the State Agency for National Security Act.

Article 97. The civil servants referred to in Article 16 (2) herein shall be compulsorily insured against death, temporary disability or permanent loss or reduction of working capacity as a result of an accident for the account of the State budget.

Article 98. The provisions of Articles 110 to 116 of the State Agency for National Security Act shall apply, *mutatis mutandis*, to the termination of the civil-service relationship with the civil servants referred to in Article 16 (2) herein.

Article 99. The civil servants referred to in Article 16 (2) herein shall be paid compensations of a type and in an amount for the determination of which the provisions of Articles 117 to 122 of the State Agency for National Security Act shall apply *mutatis mutandis*.

Article 100. For the execution of the powers entrusted thereto by this Act, the Commission shall create, maintain and use information arrays.

Article 101. (1) The provisions of Articles 29 to 31 and Articles 34 to 36 of the State Agency for National Security Act shall apply, *mutatis mutandis*, to the organisation of the information handling activities of the Commission, the authorities for the management and control of the said activity, as well as the use of information.

(2) The rules on protection of classified information shall be complied with upon the exercise of control over information handling activities.

Article 102. (1) The objective of operational detection shall be:

1. to prevent, forestall, detect and counter any violations and criminal offences related to act of corruption in the activity of senior public office holders;
2. to acquire information and data on actions or omissions which reveal acts of corruption, and to provide the said information and data to the competent judicial authorities, as well as to the investigating authorities;
3. to prepare and keep physical means of proof and to provide the said means to the competent judicial authorities;
4. to identify unlawfully acquired assets

(2) Operational detection shall be implemented by the authorities referred to in Article 16 (2) herein by overt and covert methods and means depending on the competence of the said authorities under terms and according to a procedure established by an ordinance adopted by the Commission.

(3) Operational-detection steps shall be taken while respecting and safeguarding the dignity, rights and fundamental freedoms of citizens.

Article 103. Carrying out operational detection shall be warranted by:

1. data received about senior public office holders who prepare, commit or have already committed acts of corruption which are insufficient to institute or initiate a criminal proceeding;

2. data received about events or actions giving rise to a corruption risk, which involved senior public office holders;
3. a request from the pre-trial proceeding authorities and from the court;
4. implementation of international treaties whereto the Republic of Bulgaria is a party.

Article 104. (1) Operational detection shall be carried out by means of:

1. searching the information arrays for senior public office holders;
2. identifying persons and objects;
3. verifying the data collected and documenting the said data;
4. conducting cross-checks on the basis of documents;
5. taking statements from citizens.

(2) Operational detection shall be implemented by specific methods and means according to a procedure established by an instruction adopted by the Commission.

(3) The Commission shall request the use of special intelligence under terms and according to a procedure established by the Special Intelligence Means Act.

Article 105. The physical means of proof which are prepared and collected in the course of operational detection shall be provided to the competent judiciary authorities under terms and according to a procedure established by a law.

Article 106. (1) Operational detection shall be completed by a report from the director referred to in Article 16 (2) herein to the Commission on the counter-corruption steps taken on the basis of the information gathered, analysed and verified where there is reason to believe that senior public office holders commit acts of corruption.

(2) On the basis of the report referred to in Paragraph (1), the Commission shall adopt a decision on:

1. operational interaction with the prosecuting magistracy and the investigating authorities;
2. commencement of a check for identification of unlawfully acquired assets under Chapter Ten herein, where a lack of correspondence amounting to not less than BGN 20,000 has been established;
3. termination of the check.

Chapter Ten

IDENTIFICATION OF UNLAWFULLY ACQUIRED ASSETS

Article 107. (1) The Commission shall institute an unlawfully acquired assets forfeiture proceeding where a reasonable assumption can be made that particular assets have been acquired unlawfully.

(2) A reasonable assumption shall be warranted by the establishment, after an examination, of a significant lack of correspondence in the assets of the person under examination.

Article 108. (1) The examination referred to in Article 107 (2) herein shall commence by an instrument issued by of the director of the territorial directorate concerned, where a person has been constituted as a party accused of a criminal offence under:

1. Article 108a (1) to (3) and Article 109 (3);
2. Items 7 and 10 of Article 116 (1);
3. Article 142;

4. Articles 155, 156, Article 158a (2) and Article 159 (5);
5. Articles 159a to 159d;
6. Article 196a;
7. Article 199;
8. Articles 201 to 203;
9. Article 208 (3), (4) and (5);
10. Article 209 (1) and (2), Articles 210 and 211, Article 212 (3), (4) and (5) and Article 212a;
11. Articles 213a and 214;
12. Items 1 and 3 of Article 215 (2);
13. Article 219 (3) and (4), Article 220 (2) and Article 225c (1) and (2);
14. Article 227c (2);
15. Article 233 (1) and (2), Article 234 (2), Articles 234a, 234b and Article 235 (3) to (5);
16. Articles 242 and 242a;
17. Articles 243 to 246, Article 248a (5) and Articles 249 to 252;
18. Article 253, Article 253a (1) and (2), Article 253b, Article 254b (2), Articles 255 and 256, Article 259 and Article 260 (1);
19. Article 280;
20. Articles 282, 283 and 283a;
21. Articles 301 to 305a, Articles 307c and 307d;
22. Article 308 (2) and (3) and Article 310 (1);
23. Article 321 (1) to (3) and (6), Article 321a (1) and (2) and Article 327 (1) to (3);
24. Article 337 (1) to (4), Article 339 (2) and Item 4 of Article 346 (2) and Article 346 (3) and (6);
25. Article 354a (1), (2) and (4), Article 354b (4) to (6) and Article 354c (1) to (3) of the Criminal Code.

(2) An examination shall furthermore commence where a person has not been constituted as a party accused of a criminal offence covered under Paragraph (1) by reason of a refusal to institute a criminal proceeding or a termination of a criminal proceeding in progress because:

1. an amnesty has ensued;
2. the prescription period, provided for in the law, has lapsed;
3. after commission of the offence, the actor has lapsed in a sustained mental derangement which precludes sanity;
4. the actor has passed away;
5. a transfer of a criminal proceeding against the person to another State has been admitted.

(3) An examination shall furthermore commence where the criminal proceeding in connection with any criminal offence covered under Paragraph (1) has been suspended and the person cannot be constituted as an accused party because:

1. after commission of the offence, the said person has lapsed in a short-term mental derangement which precludes sanity or suffers from another grave disease;
2. the said person enjoys immunity;
3. the address of the said person is unknown and he or she cannot be found.

(4) An examination under this Chapter shall continue notwithstanding the suspension or termination of the criminal proceeding.

(5) An examination shall furthermore commence where a lack of correspondence amounting to not less than BGN 20,000 is established in the cases referred to in Article 46 (4) and (5) and Item 2 of Article 106 (2) herein, as well as where a conflict of interest has been ascertained by an enforceable instrument.

(6) An examination shall furthermore commence upon a failure to submit a declaration under Item 2 or 4 of Article 35 (1) herein when due, unless the said failure is due to reasons beyond the control of the person.

Article 109. (1) An examination referred to in Article 107 (2) herein shall commence acting on a notification from the administrative sanctioning authority where an enforceable written statement has ascertained an administrative violation of a nature to generate a benefit of a value exceeding BGN 50,000 by the time of acquisition of the said benefit and the said benefit cannot be forfeited according to another procedure.

(2) Any notification referred to in Paragraph (1) shall contain information on:

1. the person whereupon an administrative sanction has been imposed by an enforceable written statement;
2. the administrative violation;
3. the assets of the person, if data about the said assets are available.

Article 110. (1) An examination in the cases referred to in Article 108 (1) to (3) herein shall commence acting on an instrument issued by the director of the territorial directorate concerned on the basis of a notification from the prosecutor supervising the pre-trial proceeding or case file, addressed to the director of the territorial directorate concerned.

(2) A copy of the warrant whereby the person has been constituted as an accused party shall be transmitted with the notification referred to in Paragraph (1), and where an indictment has been drawn up, a copy of the said indictment shall be transmitted therewith. Any notification referred to in Paragraph (1) shall contain information on:

1. the person whereto the relevant ground under Article 108 (1) to (3) herein applies;
2. the criminal offence of which the person has been constituted as an accused party;
3. the assets of the person, if data about the said assets are available.

(3) The Ministry of Justice shall notify the Commission of each case of a criminal proceeding instituted in another State or of an enforceable sentence passed by a foreign court on Bulgarian citizens for criminal offences equivalent to the offences covered under Article 108 (1) herein.

(4) The Supreme Cassation Prosecution Office and the Ministry of Justice shall notify the Commission upon the transfer of a criminal proceeding.

Article 111. An examination referred to in Article 107 (2) herein shall furthermore commence where an instrument of a foreign court concerning any of the criminal offences covered under Article 108 (1) herein or an administrative violation referred to in Article 109 (1) herein has been recognised according to Bulgarian legislation.

Article 112. (1) The examination referred to in Article 107 (2) herein shall continue for up to one year.

(2) The Commission may extend the time limit referred to in Paragraph (1) on a single occasion by six months.

(3) The examination shall cover a period of ten years reckoned backwards from the date of commencement of the said examination.

Article 113. On the basis of the results of the examination, within one month after the completion thereof the director of the territorial directorate concerned shall draw up a reasoned report to the Commission with a conclusion on:

1. extension of the time limit for the examination;
2. termination of the examination;

3. refusal to institute an unlawfully acquired assets forfeiture proceeding.

Chapter Eleven

POWERS OF COMMISSION AUTHORITIES UPON CONDUCT OF EXAMINATION FOR IDENTIFICATION OF UNLAWFULLY ACQUIRED ASSETS

Article 114. (1) In respect of the period under examination, referred to in Article 112 (3) herein, the authorities referred to in Article 16 (1) herein shall gather information on:

1. the assets, the location thereof, the value and the legal grounds for the acquisition thereof;
2. the fair market value of the assets by the time of acquisition;
3. the fair market value of the assets by the time of the examination;
4. transformation of the assets;
5. the revenue and costs of ordinary activities and the extraordinary revenue and costs of the legal person;
6. the customary and extraordinary income and maintenance expenses of the natural person and of the family members thereof;
7. the paid pecuniary obligations at public law to the State and the municipalities;
8. the transactions in the assets of the legal person;
9. the transactions in the assets of the person under examination and of the family members thereof;
10. the trips abroad of the person under examination and of the family members thereof, as well as of the persons who represent the legal person;
11. the injunctions and charges imposed on the assets, as well as the liabilities assumed;
12. any other circumstances relevant to clarifying the source of the assets, the manner of acquisition and of transformation thereof.

(2) Upon the implementation of the examination referred to in Article 107 (2) herein, the authorities referred to in Article 16 (1) herein shall have the right:

1. to afford the person under examination and the parties related thereto an opportunity to give explanations and to lodge objections.
2. to require information.

Article 115. (1) The Commission and the directors of territorial directorates may approach the court with a motion for lifting of bank secrecy, of the trade secret referred to in Article 35 (1) of the Markets in Financial Instruments Act and for disclosure of the information covered under Article 133 (2) of the Public Offering of Securities Act, where this is necessary for the accomplishment of the objective of this Act.

(2) The Commission and the directors of territorial directorates may require from insurers to lift the insurance secrecy with regard to the persons under examination.

(3) The Commission and the directors of territorial directorates may require from the National Statistical Institute to provide information on the annual financial statements of the legal persons covered by statistical secrecy.

(4) The Commission and the directors of territorial directorates may receive information from the electronic database of the Central Credit Register and the Register of Bank Accounts and Safe Deposit Boxes.

(5) The Commission and the directors of territorial directorates may approach the revenue authorities with a request in writing for the provision of tax and social-insurance information on the persons under examination.

Chapter Twelve

PRECAUTIONARY MEASURES AND FORFEITURE TO THE EXCHEQUER OF UNLAWFULLY ACQUIRED ASSETS

Section I

Precautionary Measures

Article 116. (1) The Commission shall adopt a decision on submission to the court of a motion for an injunction securing a future action for forfeiture of assets on the basis of a report by the director of the territorial directorate concerned where sufficient data have been collected by the examination to make a reasonable assumption that the said assets have been acquired unlawfully.

(2) The decision referred to in Paragraph (1) shall specify the charges and injunctions imposed on the assets theretofore.

(3) The Commission shall submit a motion for an injunction securing a future action for forfeiture of the unlawfully acquired assets to the district court exercising jurisdiction over the permanent address of the person or, respectively, over the registered office of the legal person. Where the assets incorporate a corporeal immovable, the motion shall be submitted to the district court exercising jurisdiction over the situs of the immovable, and where the assets incorporate more than one corporeal immovable, the motion shall be submitted to the district court exercising jurisdiction over the situs of the immovable of the highest tax assessed value.

(4) The Commission may not move for the imposition of precautionary measures on the assets of a natural person which is not subject to coercive enforcement according to Article 444 of the Code of Civil Procedure or on any cash of a legal person and of a sole trader intended for payment of labour remunerations and social insurance contributions for the staff solely if charged on a separate analytical account.

(5) Where sufficient data are not available to make a reasonable assumption that the assets have been acquired unlawfully, the Commission shall adopt a decision on a refusal to institute a proceeding under this Act and on termination of the examination or shall adopt a decision on a return of the case file for the collection of additional data.

Article 117. (1) The court shall forthwith pronounce by a ruling granting or refusing the imposition of a precautionary measure.

(2) An injunction securing the action shall be granted:

1. where exercise of the rights arising from the judgment on forfeiture of the assets would be impossible or impeded without such injunction, and

2. if the motion is supported by sufficient evidence on the basis of which a reasonable assumption can be made that the person owns or controls any unlawfully acquired assets.

(3) The ruling granting the imposition of a precautionary measure shall be subject to immediate enforcement.

(4) The ruling of the court on securing the action shall be appealable by means of an interlocutory appeal within seven days. The period shall begin to run, in respect of the petitioner, as from the date of service of the said ruling, and in respect of the respondent, as from the date of service of the communication of the precautionary measure imposed by the enforcement agent, by the Registry Service or by the court.

(5) Acting on a motion by the Commission, separate injunctive orders shall be issued on the basis of the ruling of the court for the movable things and for the corporeal immovables respecting the *ratione loci* competence of the enforcement agent.

Article 118. (1) The court may impose the precautionary measures covered under Article 397 (1) of the Code of Civil Procedure.

(2) The precautionary measures shall extend to the interest, as well as to other civil fruits derived from the assets whereupon the said measures have been imposed.

(3) The court may grant several types of precautionary measures up to the amount of the cost of action.

(4) Acting on a motion by the Commission or by the director of the territorial directorate concerned, the court may order the sealing of premises, plant and means of transport where there is a risk of the assets kept therein being squandered, destroyed, concealed or disposed of.

Article 119. (1) After the ruling imposing precautionary measures becomes enforceable, acting on the basis of a reasoned petition by the person concerned or on a motion by the Commission, the court may authorise the effecting of a payment or of other steps disposing of the assets whereupon an injunction has been imposed in the cases of urgent need.

(2) The court shall pronounce forthwith by a ruling which shall be appealable.

(3) The striking of the preventive attachment, the lifting of the garnishment, as well as the revocation of the other precautionary measures, shall be effected on the basis of the enforceable ruling of the court.

Article 120. (1) The precautionary measures shall be enforced, acting on an assignment from the Commission, by the competent recording magistrate and by the enforcement agents respecting the *ratione loci* competence as defined in Article 427 (1) of the Code of Civil Procedure.

(2) A preventive attachment shall be recorded and a garnishment shall be imposed forthwith.

(3) No stamp duty shall be collected on the steps for the enforcement of the precautionary measures.

Article 121. (1) The imposition of preventive attachment on a corporeal immovable shall be effected at the request of the authorities referred to in Article 16 (1) herein by means of recording of the injunctive order on a direction by the competent recording magistrate.

(2) The recording magistrate shall dispatch a communication of the recording effected to the owner of the assets whereupon the preventive attachment has been imposed.

(3) A special pledge of a commercial undertaking wherein the corporeal immovable referred to in Paragraph (1) is incorporated, which has been recorded after the preventive attachment, shall be inopposable to the State.

Article 122. (1) Garnishment of a movable thing shall be imposed forthwith acting at the request of the authorities referred to in Article 16 (1) herein by means of dispatch of a communication by the enforcement agent to the respondent under the injunction.

(2) The garnishment shall be considered imposed once the garnishment communication is received.

(3) Acting at the request of the authorities referred to in Article 16 (1) herein, the enforcement agent shall take an inventory, shall conduct an appraisal and shall deliver the corporeal thing for safekeeping to the respondent under the injunction or to a third party or shall seize the thing and shall deliver the said thing for safekeeping to the authorities referred to in Article 16 (1) herein. A garnishment mark (sticker) may be affixed to the corporeal thing.

(4) Where the corporeal things are owned by a commercial corporation, the enforcement agent shall dispatch a communication on the garnishment imposed to the Special Pledges Registry as well.

Article 123. (1) Upon garnishment of a ship or another water-craft, the enforcement agent shall dispatch a communication to the Maritime Administration Executive Agency for recording of the garnishment in the relevant registers.

(2) Upon garnishment of a means of transport, a communication shall be dispatched to the authorities of the Ministry of Interior.

(3) Upon garnishment of a civil aircraft, the enforcement agent shall dispatch a communication to the Directorate General of Civil Aviation Administration for recording in the register of civil aircraft.

(4) Upon garnishment of agricultural or forestry machinery subject to registration according to the procedure established

by the Agricultural and Forestry Machinery Registration and Control Act, the enforcement agent shall dispatch a communication to the respective Regional Directorate of Agriculture.

Article 124. (1) The garnishment under Article 123 herein shall be considered imposed as from the date of receipt of the garnishment communication by the authorities responsible for the relevant registers.

(2) A communication of the garnishment imposed shall be dispatched to the respondent under the injunction after the garnishment communication is served upon the official with the relevant register.

(3) Any alteration of the registration of the means and machinery specified in Article 123 herein shall be inadmissible before lifting of the garnishment.

(4) The enforcement agent may approach the authorities of the Ministry of Interior with a request for suspension from operation of a motor vehicle whereupon garnishment has been imposed for a period not exceeding three months.

Article 125. (1) Garnishment of receivables which the respondent under the injunction is owed by a natural or legal person shall be imposed by the enforcement agent by means of dispatch of a garnishment communication to the garnishee and to the bank wherewith the said garnishee holds accounts.

(2) The garnishment shall be considered imposed as from the date and hour of receipt of the garnishment communication by the garnishee or by the bank wherewith the said garnishee has opened bank accounts.

(3) A communication of the garnishment imposed shall be dispatched to the respondent under the injunction after the garnishment communication is served upon the garnishee.

(4) Where the garnished receivable is secured by a pledge, the pledgee shall be ordered to surrender the corporeal thing pledged to the enforcement agent who shall deliver the said thing for safekeeping to a person designated by the authority referred to in Article 16 (1) herein.

(5) Where the garnished receivable is secured by a mortgage, the garnishment shall be noted in the relevant book at the Registry Service.

(6) Where a writ of execution has been issued for the receivables referred to in Paragraph (1), the enforcement agent shall seize the said writ from the person who holds it and shall deliver the said writ for safekeeping to the authority referred to in Article 16 (1) herein.

(7) The extinctive prescription for the receivable shall cease to run as from the time of receipt of the garnishment communication by the garnishee.

Article 126. (1) In the cases referred to in Article 125 (6) herein, the authorities referred to in Article 16 (1) herein shall have the right to move that the collection of the receivable be entrusted to the Commission and that a separate enforcement case be instituted against the person who is the debtor under the writ of execution.

(2) The sums collected under the enforcement case shall be transferred by the enforcement agent to an account of the Commission.

Article 127. (1) The imposition of garnishment on cash in national or foreign currency shall be effected by means of taking an inventory, seizing and depositing the cash on a special bank account of the Commission. The exchange rate of the Bulgarian National Bank for the foreign currency concerned shall be applied when translating the exchange rate of the currency.

(2) The imposition of garnishment on all types of bank accounts of the respondent under the injunction in national or foreign currency shall be effected by means of dispatch of the garnishment communication to the bank.

(3) Garnishment may furthermore be imposed on all types of corporeal things deposited in safe-deposit vaults or boxes, as well as on sums held in trust for the respondent under the injunction.

(4) The garnishment under Paragraphs (2) and (3) shall be considered imposed once the garnishment communication is received by the bank. A communication of the garnishment imposed shall be dispatched to the respondent under the injunction after the garnishment communication is received by the bank.

(5) The server shall record the hour and date of receipt. Where the communication has been dispatched by post, the competent official shall record the hour and date of receipt.

Article 128. (1) The imposition of garnishment on certificated securities shall be effected by means of taking an inventory at the nominal value thereof and seizing the said securities by the enforcement agent.

(2) Upon the imposition of garnishment on certificated registered shares or bonds, the enforcement agent shall notify the commercial corporation of this. The garnishment shall take effect in respect of the commercial corporation as from the receipt of the garnishment communication.

(3) The enforcement agent shall deliver the certificated securities for safekeeping at a bank, the said delivery being attested by a memorandum.

Article 129. (1) The imposition of garnishment on non-certificated securities and units of collective investment schemes shall be effected by means of dispatch of a garnishment communication to the Central Depository, simultaneously notifying the issuer and, respectively, the management company.

(2) The garnishment shall take effect once the garnishment communication is served upon the Central Depository.

(3) The Central Depository shall forthwith notify the relevant regulated market of the garnishment imposed.

(4) Within three days from the receipt of the garnishment communication, the Central Depository shall be obliged to provide the enforcement agent with information on the securities owned by the respondent under the injunction and on the other garnishments imposed under other claims. The enforcement agent shall notify the authorities referred to in Article 16 (1) herein of the information received.

Article 130. (1) The imposition of garnishment on government securities shall be effected by means of dispatch of a garnishment communication to the keeper of a register of government securities.

(2) The garnishment shall be considered imposed as from the date of receipt of the garnishment communication by the keeper of a register of the government securities.

(3) Within three days from the receipt of the garnishment communication, the keeper of a register of government securities shall be obliged to provide the enforcement agent with information on the securities owned by the respondent under the injunction and on the garnishments imposed under other claims. The enforcement agent shall notify the authorities referred to in Article 16 (1) herein of the information received.

Article 131. (1) The garnishment of securities shall extend to all proprietary rights conferred by the security.

(2) Any disposition of the securities after the receipt of the garnishment communication shall have no effect in respect of the State.

Article 132. (1) Garnishment of a participating interest in a commercial corporation shall be imposed by means of dispatch of a garnishment communication by the enforcement agent to the Registry Agency.

(2) The garnishment shall be recorded according to the procedure applicable to the recording of a pledge of a participating interest in a commercial corporation and shall be considered imposed once recorded in the commercial register. The Registry Agency shall notify the commercial corporation of the garnishment as recorded.

(3) The Registry Agency shall forthwith notify the Commission in cases of receipt of a request for an increase of the capital of a commercial corporation in respect of which a participating interest in a commercial corporation has been garnished as a precautionary measure.

Article 133. (1) The transfer of the right of ownership, the creation and transfer of real rights and the creation of real charges in respect of any corporeal immovable under preventive attachment, as well as the disposition of any garnished movable things, securities, participating interests and receivables, effected once the preventive attachment or garnishment is considered imposed, shall have no effect in respect of the State.

(2) Any applications for alterations in the capital of commercial corporations in respect of whose participating interests a

precautionary measure under Article 132 (1) herein has been imposed shall not be considered until the expiry of the time limit referred to in Article 153 (1) herein.

Article 134. (1) Upon commencement of coercive enforcement according to the procedure established by the Code of Civil Procedure, the Tax and Social-Insurance Procedure Code and by the Special Pledges Act against any assets and receivables whereupon precautionary measures have been imposed according to the procedure established by this Act, the enforcement authority shall forthwith notify the Commission and shall dispatch a duplicate copy of the instrument on the basis of which the enforcement is carried out. The Commission may approach the court with a motion to revoke the precautionary measures and to replace the said measures by another equivalent injunction.

(2) Any assets and receivables, whereupon precautionary measures have been imposed or coercive enforcement has commenced according to the procedure established by the Tax and Social-Insurance Procedure Code prior to the imposition of the precautionary measures according to the procedure established by this Act, shall be realised by a public enforcement agent according to the procedure established by the Tax and Social-Insurance Procedure Code before the judgment on forfeiture to the Exchequer of the assets becomes enforceable. Prior to the commencement of coercive enforcement according to the procedure established by the Tax and Social-Insurance Procedure Act, the public enforcement shall notify the Commission and shall dispatch a duplicate copy of the instrument on the basis of which the enforcement is carried out. The Commission may approach the court with a motion to revoke the precautionary measures or to replace the said measures by another equivalent injunction.

Article 135. The provisions of the Code of Civil Procedure shall apply to any matters unregulated in this Section.

Section II

Steps after Imposition of Precautionary Measures

Article 136. (1) After the imposition of the precautionary measures, the authorities referred to in Article 16 (1) herein shall invite the natural person under examination to submit a written declaration on:

1. the corporeal immovables and motor vehicles, ships and aircraft, limited real rights to corporeal immovables, cash deposits, securities, works of art, movable cultural assets, participating interests in commercial corporations, receivables, patents, trademarks and industrial designs, as well as other assets owned by the said person and by the family members thereof;
2. a list of the bank accounts held by the said person and by the family members thereof in Bulgaria and abroad;
3. the sources of funds and the grounds for acquisition of the assets and for maintenance of the family of the said person;
4. any transactions in corporeal immovables, movable things, participating interests and shares in commercial corporations, transfer of an undertaking or other commercial or legal transactions in assets of the person and of the family members thereof effected during the period under examination, as well as the sources of the funds for effecting the said transactions;
5. any obligations to third parties;
6. other circumstances related to the assets of the person under examination.

(2) The circumstances stated under Paragraph (1) must be documented.

(3) Where the person under examination is deceased, the heirs or legatees thereof who have accepted the succession shall be invited to submit the declaration referred to in Paragraph (1). Where the succession has not been accepted, the authorities referred to in Article 16 (1) herein shall extend a request under Article 51 of the Succession Act.

(4) The person shall submit the declaration within 14 days from the receipt of the communication or, if the said person is abroad, within one month.

(5) The standard form of the declaration shall be endorsed by a decision of the Commission and shall be published in the State Gazette.

Article 137. The authorities referred to in Article 16 (1) herein shall furthermore invite the following to submit a declaration:

1. the persons referred to in Articles 143, 144 and 145 herein;
2. the persons who represent, manage or control a legal person referred to in Article 145 (1) herein.

Article 138. (1) After the imposition of the precautionary measures, the Commission shall afford the person under examination an opportunity to participate in the proceeding.

(2) The authorities referred to in Article 16 (1) herein shall notify the person under examination, shall provide the said person with all materials which have been gathered in the course of the examination instituted against the said person so as to familiarise himself or herself therewith, and shall allow the said person a period of one month to lodge objections and to provide evidence.

(3) Legal persons shall be represented before the Commission by the persons who represent the said legal persons by law or according to the rules of organization thereof. In the absence of a rule for representation, the legal person shall be represented by two members of the management thereof.

(4) In the proceeding before the Commission, the person under examination may be represented by a lawyer or by another person according to the procedure established by the Code of Civil Procedure, authorised in writing.

(5) The explanations given by the person under examination and the declarations submitted under Articles 136 and 137 herein may not warrant the commencement of criminal prosecution against the persons, nor may be used as evidence in support of a criminal charge.

Article 139. Conclusions adverse to the person under examination and to the family members thereof may not be drawn upon a refusal to submit a declaration.

Article 140. (1) After considering the objections of the person under examination and taking the evidence indicated by the said person, the director of the territorial directorate concerned shall submit a reasoned report to the Commission within one month. The said report shall state:

1. the type and value of the assets acquired;
2. the existence or the non-existence of a significant lack of correspondence in the assets of the person under examination;
3. evidence that the third parties knew or could have presumed that the assets had been acquired unlawfully;
4. evidence of the existence or non-existence of any charges or of other injunctions imposed on the assets;
5. other evidence whereon the motion is based;
6. final conclusion.

(2) Within one month from the submission of the report referred to in Paragraph (1), the Commission shall adopt a decision on:

1. termination of the proceeding under the case file, if the evidence taken does not establish or cannot support a reasonable assumption that the assets have been acquired unlawfully; whereupon the Commission may refer the case to the Executive Director of the National Revenue Agency;
2. bringing an action for forfeiture to the Exchequer of unlawfully acquired assets.

Section III

Forfeitable Assets

Article 141. Unlawfully acquired assets shall be forfeited to the Exchequer according to the procedure established by this Act.

Article 142. (1) Where it is not possible to forfeit self-contained assets referred to in Article 141 herein, the cash equivalent thereof, determined at a market price at the time of bringing the action for forfeiture, shall be forfeited.

(2) The assets referred to in Article 141 herein shall include:

1. the personal assets of the person under examination;
2. the assets acquired jointly by the two spouses or by the de facto cohabitants;
3. the assets of the children who have not attained majority, and
4. the assets of the spouse of the person under examination, regardless of the regime of proprietary relations chosen by the spouses;
5. the assets of the de facto cohabitant with the person under examination.

Article 143. Any transactions effected in unlawfully acquired assets shall be ineffective in respect of the State and the consideration given under any such transactions shall be forfeitable where the said transactions are:

1. gratuitous transactions with natural or legal persons;
2. onerous transactions with third parties, if the said parties knew or could have presumed that the assets had been acquired unlawfully or if the said parties acquired the assets for the purpose of concealing the unlawful source thereof or the actual rights related thereto.

Article 144. Forfeitability shall furthermore apply to any unlawfully acquired assets which the person has transferred during the period under examination to a spouse, to a de facto cohabitant with the person, to a former spouse, to any lineal relatives up to any degree of consanguinity, to any collateral relatives up to the fourth degree of consanguinity, and to any affines up to the second degree of affinity.

Article 145. (1) Forfeitability shall apply to any assets which the person under examination has transferred or contributed as a cash asset or a non-cash asset to the capital of a legal person if the persons who manage or control the said legal person knew or, judging from the circumstances, could have presumed that the said assets have been acquired unlawfully.

(2) Forfeitability shall furthermore apply to any assets unlawfully acquired by a legal person which is controlled by the person under examination or by the persons closely linked therewith, whether independently or jointly.

(3) The assets shall furthermore be forfeited upon succession in title of the legal person.

Article 146. Forfeitability shall furthermore apply to any assets which have been acquired by a third party for the account of the person under examination in order to evade the forfeiture of the said assets or to conceal the source of, or the actual rights to, the said assets.

Article 147. Until otherwise proven, any movable things and cash found on the person of the person under examination, in the dwelling thereof or on other premises, means of transport, strong boxes or safes, whether owned or rented thereby, shall also be considered movable things and cash belonging to the person under examination.

Article 148. (1) The unlawfully acquired assets shall be appraised according to the actual value thereof by the time when the said assets were acquired or alienated.

(2) The assets shall be appraised by the time when the said assets were acquired or alienated as follows:

1. the corporeal immovables and the limited real rights thereto: at fair market value;
2. the foreign currency and precious metals: at the central exchange rate of the Bulgarian National Bank;
3. the securities: at fair market value;

4. the means of transport: at fair market value;
5. any other movable things and rights: at fair market value;
6. undertakings or participating interests in commercial corporations or cooperatives: at fair market value, and where such value cannot be determined, according to accounting data.

Article 149. In the cases where any unlawfully acquired assets have been transformed, in part or in whole, into other assets, forfeitability shall apply to the assets so transformed.

Article 150. Any unlawfully acquired assets shall furthermore be forfeited by heirs or legatees up to the portion received thereby.

Article 151. In case the assets are unavailable or have been alienated, the cash equivalent thereof shall be forfeited.

Article 152. (1) The rights of the State under this Act shall be extinguished upon the lapse of a ten-year prescription period.

(2) The prescription period shall run from the date of acquisition of the assets.

(3) The prescription period shall be interrupted for the duration of the proceeding under Section IV herein.

Section IV

Proceeding before Court for Forfeiture to the Exchequer of Unlawfully Acquired Assets

Article 153. (1) The Commission shall bring an action for forfeiture to the Exchequer of unlawfully acquired assets before the district court within whose geographical jurisdiction the permanent address of the person under examination is located within three months after the last instrument imposing the precautionary measures.

(2) Where the assets incorporate, inter alia, a corporeal immovable, the action shall be brought before the district court exercising jurisdiction over the situs of the immovable, and in the cases where the assets incorporate more than one corporeal immovable, the action shall be brought before the district court exercising jurisdiction over the situs of the immovable of the highest tax assessed value.

(3) The statement of action and the enforceable judgment shall be subject to recording in the Property Register of the Registry Agency.

(4) Acting of its own motion or on a motion by the persons concerned, the court shall revoke the precautionary measures imposed on the assets if the Commission fails to provide evidence that the Commission has brought the action within the statutory time limit.

(5) The court proceeding under this Chapter shall continue notwithstanding the termination of the criminal proceeding.

Article 154. (1) An action for performance shall be brought against the person under examination and the persons referred to in Articles 143, 144, 145, 146 and 150 herein for forfeiture to the Exchequer of unlawfully acquired assets.

(2) The Commission shall bring actions against third parties for establishment of the circumstance that the assets have been acquired unlawfully and for declaration of the ineffectiveness of legal transactions.

(3) Upon submission of the statement of action, the Commission shall not remit stamp duty.

Article 155. (1) The district court shall institute a case and shall publish in the State Gazette a notice stating: the number of the case; particulars of the motion received; an inventory of the assets, indication as to the time limit within which the persons concerned may present the claims thereof to the assets, as well as the date for which the first hearing is

scheduled, which may not be earlier than three months after the publication of the notice.

(2) The person under examination and the persons referred to in Articles 143, 144, 145, 146 and 150 herein shall be constituted as respondents in the proceeding.

Article 156. (1) The court shall examine the case sitting in public session.

(2) The Commission shall be represented by the Chairperson or by an employee licensed to practise law who has been authorised by the Chairperson.

(3) All evidence admissible under the Code of Civil Procedure shall be provided in the proceeding.

(4) In the proceeding before the court, the Commission shall provide evidence of:

1. the type and value of the assets acquired during the period under examination;
2. the circumstances under Articles 108, 109 and 111 herein;
3. the existence of a significant lack of correspondence in the assets of the person under examination;
4. the circumstances that the third parties knew or could have presumed that the assets had been acquired unlawfully;
5. other circumstances relevant to clarifying the source of the assets and the manner of acquisition thereof;
6. the existence of any charges and injunctions on the assets other than those imposed under this Act.

(5) Where proving by means of a written document is required, conclusions adverse to the respondent may not be drawn if it is proved that the document has been lost or destroyed not through the fault of the party.

(6) Where the respondent under the relevant action provides the court with evidence that the said respondent could have provided by the declarations referred to in Article 136 or 137 herein and the said evidence was not taken for reasons beyond the control of the Commission, the court may award the court costs against the respondent regardless of the outcome of the case.

Article 157. (1) After the examination of the case is concluded, the court shall pronounce by judgment which shall be appealable according to the standard procedure.

(2) By the judgment, the court shall award stamp duty and the costs incurred depending on the outcome of the case.

Article 158. (1) In the proceeding under this Act, the parties may reach a settlement whereby not less than 75 per cent of the assets or the cash equivalent thereof would be forfeited.

(2) Any such settlement shall be approved by the court if it is not contrary to the law and to good morals.

(3) The settlement shall have the consequences of an enforceable judgment as from the day of the approval thereof and shall be non-rescindable.

(4) The stamp duty on the proceeding shall be determined on the sum for which the settlement has been reached and shall be borne by the parties in equal shares.

(5) The costs of the proceeding shall be awarded against the parties as incurred.

Article 159. The provisions of the Code of Civil Procedure shall apply to any matters unregulated in this Section.

Chapter Thirteen

MANAGEMENT OF ASSETS WHEREUPON PRECAUTIONARY MEASURES HAVE BEEN IMPOSED. MANAGEMENT OF FORFEITED ASSETS

Section I

Management of Assets under Injunction

Article 160. (1) The assets whereupon an injunction has been imposed on the basis of this Act shall be managed and safekept by the Commission.

(2) The assets referred to in Paragraph (1) may be left for safekeeping with the person under examination or with the person who holds the assets at the time when the precautionary measures are imposed.

(3) On a motion by the Commission, the court shall appoint another person as a keeper of the assets and shall fix the remuneration thereof.

(4) The remuneration shall be remitted by the Commission.

(5) The keeper shall be selected in consideration of the person thereof, as well as of the nature of the corporeal thing, and of the place where the said thing is situated or will be stored.

(6) The corporeal thing shall be delivered for safekeeping against signed acknowledgment.

Article 161. (1) In addition to the obligations referred to in Articles 469 and 471 of the Code of Civil Procedure, the person referred to in Article 160 herein shall furthermore be obliged to notify the Commission:

1. of all damages to the assets;

2. of all proceedings affecting the assets;

3. of all steps related to a transfer or arising of rights of third parties to the assets, submitting copies of the documents establishing the transfer or the creation of the rights;

4. of all steps related to a change in the identification of the immovable;

5. where the assets are at risk of being destroyed or damaged.

(2) The person referred to in Article 160 herein shall be obliged to afford the authorities referred to in Article 16 (1) herein access in order to check the condition of the assets.

(3) If the person under examination or the person who holds the assets when the injunction is imposed fails to fulfil the obligations thereof, the Commission may approach the enforcement agent with a request to deliver the assets under injunction for safekeeping to another person.

(4) The costs incidental to the storage and maintenance of the assets under injunction shall be paid by the Commission.

Article 162. (1) Movable things of historical value shall be provided for safekeeping to the National Museum of History or to another museum.

(2) Movable things of scientific value shall be provided for safekeeping to the National Library, to the relevant institute of the Bulgarian Academy of Sciences, or to a university.

(3) Movable things of precious metals, precious stones and articles thereof shall be provided for safekeeping to the Bulgarian National Bank.

(4) Movable things of artistic, antiquarian or numismatic value shall be provided for safekeeping to the Ministry of Culture.

(5) Exotic animals and plants shall be provided to zoological gardens and other institutes.

(6) In the cases covered under Paragraphs (1) to (5), the costs incidental to the safekeeping and maintenance of the assets under injunction shall be paid by the Commission.

Article 163. (1) As an exception, the Commission may approach the court with a motion to authorise the sale of movable things which:

1. may be substantially diminished in value during the period of safekeeping and the preservation thereof requires disproportionate costs;
 2. are perishable.
- (2) The movable things referred to in Paragraph (1) shall be sold by the enforcement agent at an open-bidding auction which shall be conducted within seven days after the receipt of the request or shall be left for sale by a merchant at a retail establishment, on a wholesale market or a commodity exchange designated by the Commission. The owner may enter the auction without restraint.
- (3) The delivery of the corporeal thing shall be attested by a memorandum signed by the enforcement agent or by the merchant. The merchant shall be paid a commission charge for the sale as effected.
- (4) Where no documents are available on sanitary control carried out, as well as where no data are available on origin, composition and expiry date, the sale shall be effected after authorisation from the Bulgarian Food Safety Agency and the authorities of the regional health inspectorates with the Ministry of Health.
- (5) Animals belonging to the national genetic pool, plant-variety seeds and planting stock of a guaranteed origin shall be sold by the enforcement agent by authorisation from the Minister of Agriculture, Food and Forestry or from a person empowered thereby solely to other agricultural producers.
- (6) The authorities referred to in Paragraphs (4) and (5) shall pronounce on the request within three days after the receipt thereof.
- (7) Where the person who holds the corporeal thing refuses to deliver the said thing to the buyer, the police, acting at the request of the Commission, shall seize the said thing and shall deliver it to the buyer.
- (8) Within seven days from the delivery of the corporeal thing to the buyer, the Commission shall petition the court for vacation of the injunction.

Article 164. (1) The proceeds from the sale of the assets according to the procedure established by Article 163 herein shall be transferred by the enforcement agent to the special bank account of the Commission.

(2) In case the action for forfeiture brought by the Commission is dismissed, the proceeds from the sale of the assets according to the procedure established by Article 163 (2) herein shall be transferred by the Commission to an account of the person wherefrom the assets were seized.

Section II

Management of Forfeited Assets

Article 165. (1) There shall be established an Interdepartmental Board for Management of Forfeited Assets, hereinafter referred to as "the Board".

(2) The Board shall be a collective body which shall consist of deputy ministers designated by the Minister of Justice, the Minister of Finance, the Minister of Economy, the Minister of Labour and Social Policy, and the Minister of Regional Development and Public Works.

(3) The Board shall be chaired by a Deputy Minister of Finance.

(4) The administration of the Ministry of Finance shall ensure the technical support for the operation of the Board.

Article 166. (1) On a monthly basis, the Commission shall notify the Board of the enforceable judgments on forfeiture to the Exchequer of unlawfully acquired assets.

(2) The Commission shall forthwith submit the enforceable judgments for recording at the competent registry services, in respect of the corporeal immovables, and to the competent structural units of the Ministry of Interior, in respect of the motor vehicles.

(3) The enforceable judgments on forfeiture, the writs of execution issued on the basis of the said judgments and all other

documents required for the enforcement of the judgment on forfeiture shall be dispatched by the Commission to the Board within three days after the full set of documents comprising the case file has been procured.

(4) For the meetings of the Board, the Commission shall prepare a separate report on each particular case.

Article 167. (1) The Board shall propose to the Council of Ministers to allocate for management the assets forfeited according to the procedure established by this Act to budgetary organisations and municipalities for the performance of the functions thereof or to order the sale of the said assets.

(2) The Board shall meet at least once every two months and shall adopt decisions by a simple majority.

(3) Representatives of the National Association of Municipalities in the Republic of Bulgaria, of non-profit organisations, branch and professional organisations may be invited to the meetings of the Board.

(4) The Board shall endorse rules of organisation of the operation thereof.

Article 168. (1) The assets in respect of which a decision on sale has been adopted shall be sold by the National Revenue Agency according to the procedure established by the Tax and Social-Insurance Procedure Code.

(2) The Board shall dispatch to the National Revenue Agency the decision referred to in Paragraph (1) for execution within seven days after the adoption thereof together with the full set of documents comprising the case file referred to in Article 166 (3) herein.

(3) If after exhaustion of the methods of public sale according to the procedure established by the Tax and Social-Insurance Procedure Code the assets are not sold, the National Revenue Agency shall notify the Board in writing, returning the case file for the adoption of a subsequent decision on management and disposition of the assets.

(4) In the cases where assets have been allocated for management, the public-financed organisation or municipality concerned shall reimburse to the National Revenue Agency the costs incidental to the management, storage and arrangement of the sale of the said assets.

(5) At least 30 per cent of the value of any assets forfeited to the Exchequer shall be used for social purposes, and the terms and procedure for this shall be established by an act of the Council of Ministers.

Chapter Fourteen

ELECTRONIC REGISTERS

Article 169. (1) The Commission shall keep and maintain the following public electronic registers:

1. for the declarations of senior public office holders;
2. of the enforceable conflict of interest ascertainment decisions;
3. of the written statements ascertaining administrative violations as drawn up and of the enforceable penalty decrees.

(2) The Commission shall keep other registers as well, which are necessary for the operation thereof.

Article 170. (1) The Commission shall keep an electronic register of the assets under injunction, which shall contain information on:

1. the person whereagainst a proceeding has been instituted;
2. the assets whereupon an injunction has been imposed;
3. particulars of the owner and of the person who holds the assets when the injunction is imposed, as well as of the keeper of the relevant assets;
4. other particulars which are necessary for identification of the assets whereupon an injunction has been imposed.

(2) Disposition of the immovables or encumbering the said immovables with charges, or the assumption of any obligations whatsoever by the person under examination, which would lead to impediments to the satisfaction of the rights under the judgment on forfeiture to the Exchequer of unlawfully acquired assets, shall have no effect in respect of the State.

(3) The Commission shall issue certificates on the existence of precautionary measures imposed under this Act within seven days after the receipt of a request from the court, the enforcement agents, the authorities of the National Revenue Agency and from other State bodies.

(4) The standard forms of the registers shall be endorsed by an order of the Chairperson of the Commission.

Chapter Fifteen

ADMINISTRATIVE PENALTY PROVISIONS

Article 171. (1) Any senior public office holder, who violates any provision of Section II of Chapter Eight herein, shall be liable to a fine of BGN 5,000 or exceeding this amount but not exceeding BGN 10,000.

(2) For a violation under Paragraph (1), the persons referred to in § 2 (1) herein shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000.

(3) A repeated commission of the violation shall be punishable by a fine of BGN 10,000 or exceeding this amount but not exceeding BGN 20,000, whereas the fine for the persons referred to in § 2 (1) herein shall amount to BGN 2,000 or exceeding this amount but not exceeding BGN 10,000.

Article 172. (1) Any senior public office holder who, after vacating office, violates any limitation provided for in Section IV of Chapter Eight herein, shall be liable to a fine of BGN 5,000 or exceeding this amount but not exceeding BGN 15,000.

(2) For a violation under Paragraph (1), the persons referred to in § 2 (1) herein shall be liable to a fine of BGN 2,500 or exceeding this amount but not exceeding BGN 7,500.

(3) Any sole trader or any legal person, wherewith the person referred to in Article 68 or 69 herein has concluded a contract or who or which is represented or managed by a person referred to in Article 68 or 69 herein, shall be liable to a pecuniary penalty of BGN 10,000 or exceeding this amount but not exceeding BGN 20,000.

(4) The penalty for a repeated violation shall be:

1. in the cases referred to in Paragraph (1): a fine of BGN 10,000 or exceeding this amount but not exceeding BGN 30,000;

2. in the cases referred to in Paragraph (2): a fine of BGN 7,500 or exceeding this amount but not exceeding BGN 15,000;

3. in the cases referred to in Paragraph (3): a fine of BGN 20,000 or exceeding this amount but not exceeding BGN 50,000.

Article 173. (1) Any public office holder, who fails to submit a declaration under this Act when due, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 3,000.

(2) For a violation under Paragraph (1), the persons referred to in § 2 (1) herein shall be liable to a fine of BGN 300 or exceeding this amount but not exceeding BGN 1,000.

(3) A repeated commission of the violation shall be punishable by a fine of BGN 3,500 or exceeding this amount but not exceeding BGN 6,000, whereas the fine for the persons referred to in § 2 (1) herein shall amount to BGN 1,000 or exceeding this amount but not exceeding BGN 2,000.

Article 174. (1) Any senior public office holder, who fails to declare or who misdeclares any circumstance which the said office holder is obliged to declare under this Act, shall be liable to a fine of BGN 1,000 or exceeding this amount but

not exceeding BGN 3,000, unless a severer punishment is provided for.

(2) For a violation under Paragraph (1), the persons referred to in § 2 (1) herein shall be liable to a fine of BGN 300 or exceeding this amount but not exceeding BGN 1,000.

(3) A repeated commission of the violation shall be punishable by a fine of BGN 3,000 or exceeding this amount but not exceeding BGN 6,000, whereas the fine for the persons referred to in § 2 (1) herein shall amount to BGN 1,000 or exceeding this amount but not exceeding BGN 2,000.

Article 175. (1) Any person who fails to cooperate or fails to provide any information and documents required by the Commission within the set time limits, including in electronic form, shall be liable to a fine of BGN 200 or exceeding this amount but not exceeding BGN 1,000.

(2) A repeated commission of the violation under Paragraph (1) shall be punishable by a fine of BGN 500 or exceeding this amount but not exceeding BGN 2,000.

(3) Any legal person, which fails to provide the information and documents required by the Commission within the set time limits, shall be liable to a pecuniary penalty of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000.

(4) A repeated commission of the violation under Paragraph (3) shall be punishable by a pecuniary penalty of BGN 2,000 or exceeding this amount but not exceeding BGN 20,000.

Article 176. Any official blameworthy of a breach of the obligations referred to in Article 49 (1) herein shall be liable to a fine of BGN 5,000 or exceeding this amount but not exceeding BGN 20,000, unless the said breach constitutes a criminal offence.

Article 177. (1) The written statements ascertaining the violations shall be drawn up by officials designated by the Chairperson of the Commission, and the penalty decrees shall be issued by the Chairperson of the Commission.

(2) The written statements ascertaining a violation under Articles 173 and 174 herein concerning the declarations of incompatibility shall be drawn up by persons empowered by the electing or appointing authority. The penalty decrees shall be issued by the electing or appointing authority.

(3) The drawing up of the statements, the issuing, appellate review and enforcement of the penalty decrees shall follow the procedure established by the Administrative Violations and Sanctions Act.

Article 178. Fines and pecuniary penalties shall be credited in revenue to the State budget.

SUPPLEMENTARY PROVISIONS

§ 1. Within the meaning given by this Act:

1. "Sufficient data" shall be data on the basis of which a reasonable assumption can be made about corruption or a lack of correspondence in assets within the meaning given by this Act.

2. "Income, revenue and sources of financing" shall be: remuneration received by a person under an employment relationship and under a civil-service relationship, income from services provided through work done in person, income from the practice of liberal professions, the net income from entrepreneurship, dividends and interest, other income from movable and immovable property, for the acquisition of which a legitimate source has been identified, income from agricultural activity and retail trade, other income from betting in lotteries and on sports events, interest, licence royalties and commission fees, proceeds from the sale of assets, for the acquisition of which a legitimate source has been identified, income from insurance, from litigation, bank credits and loans extended by natural persons.

3. "Significant lack of correspondence" shall be an extent of the lack of correspondence between the assets and the net income which exceeds BGN 150,000 for the entire period under examination.

4. "Assets" shall be any kind of property, whether tangible or intangible, movable or immovable, limited real rights, as

well as legal instruments providing the right of ownership or other rights to property.

5. "Inspector" shall be a civil servant holding the position of inspector, senior inspector, chief inspector, special inspector or State inspector.

6. "Control of a legal person" shall be a situation in which:

(a) a natural person holds, whether directly or indirectly, more than 50 per cent of the participating interests in, or of the capital of, the legal person and controls the said legal person, whether directly or indirectly;

(b) a natural person exercises control within the meaning given by § 1c of the Supplementary Provisions of the Commerce Act or exercises control within the meaning given by Item 4 of § 1 of the Supplementary Provisions of the Tax and Social-Insurance Procedure Code;

(c) 50 per cent or more of the assets of a non-profit legal entity is managed or distributed to the benefit of a natural person;

(d) a non-profit legal entity has been established or operates to the benefit of a group of natural persons.

7. "Incompatibility" shall be the holding of another position or the carrying of an activity which, according to the Constitution or a law, is incompatible with the status of the senior public office holder.

8. "Net income" shall be income, revenue or sources of financing net of the amount of the customary and extraordinary expenses incurred by the person under examination and the family members thereof.

9. "Customary expenses" shall be the expenses on maintenance of the person and of the family members thereof according to data provided by the National Statistical Institute.

10. "Electing or appointing authority" shall be the authority who elects or appoints, and where there is no such authority, the employer within the meaning given by Item 1 of § 1 of the Supplementary Provisions of the Labour Code.

11. "Repeated violation" shall be any violation committed within one year after the entry into effect of a penalty decree or a judgment whereby a sanction was imposed on the offender for a violation of the same type.

12. "Transformation of assets" shall be a situation in which, in consideration of a proprietary right, another proprietary right is acquired, in whole or in part, except where the part acquired is insignificant.

13. "Integrity test" shall be a test which is intended to ascertain that the person tested executes the powers or performs the duties thereof with honesty and integrity while observing the Constitution and the laws of the land in the interest of citizens and society.

14. "Proportionality of the interference with private and family life" shall be interference to an extent not exceeding what is necessary for the attainment of the objectives of this Act.

15. "Related parties" shall be:

(a) the spouses or the de facto cohabitants, the lineal relatives, the collateral relatives up to the fourth degree of consanguinity inclusive, the affines up to the second degree of affinity inclusive; for the purposes of the unlawfully acquired assets forfeiture proceeding, a former spouse wherewith the marriage had been terminated up to five years prior to the commencement of the examination by the Commission shall likewise be considered a related party;

(b) any natural and legal persons wherewith the senior public office holder is in economic or political dependencies that give rise to reasonable doubts about the impartiality and objectivity of the said senior office holder.

16. "Continuous use" shall be use of a thing or another for the satisfaction of needs of the user or of specified persons, which continues for more than three months within one calendar year.

17. "De facto separation" shall be a situation in which the spouses do not live together and do not share a household.

18. "De facto cohabitation" shall be the voluntary joint cohabitation of two adults with regard to whom a kinship constituting an impediment to entry into marriage does not exist, which has continued for more than two years, and whereupon the persons take care of one another and of a shared household.

19. "Family members" shall be a spouse, the de facto cohabitant with the person under examination and the children who have not attained majority.

§ 2. (1) The provisions of Chapters Five, Eight and Fifteen herein shall apply, mutatis mutandis, to:

1. the employees at the Administration of the President, at the administration of the legislative and the judicial authorities, of the Supreme Judicial Council, of the Inspectorate with the Supreme Judicial Council and of the National Institute of Justice, at the administration of the executive authorities, including of the territorial units thereof, the employees at the local administration, the employees at the administration of authorities established by a law, with the exception of employees who hold technical positions;

2. the representatives of the State or of the municipalities on the management bodies or monitoring bodies of commercial corporations wherein the State or a municipality holds an interest in the capital or of non-profit legal entities, where not falling within the scope of Article 6 (1) herein;

3. the managing directors and the members of the management bodies or monitoring bodies of municipal-owned or State-owned enterprises and the heads of the territorial divisions thereof, as well as of other legal persons which are budgetary organisations within the meaning given by Item 5 of § 1 of the Supplementary Provisions of the Public Finance Act, where not falling within the scope of Article 6 (1) herein;

4. the members of political cabinets other than those referred to in Article 6 (1) herein, the advisors and experts to political cabinets;

5. the mayoralty mayors, the lieutenant mayors and the municipality secretaries;

6. the notaries, the recording magistrates, and the public and private enforcement agents.

(2) The persons referred to in Paragraph (1) shall submit the declarations referred to in Article 35 (1) herein within the time limits under Article 36 (1) and under Items 1 and 2 of Article 38 (1) herein before the electing or appointing authority, with the exception of the mayoralty mayors, who shall submit declarations to a standing committee of the municipal council concerned.

(3) The electing or appointing authority, with the exception of the authorities appointing employees of the security services, shall keep a public register of the declarations submitted subject to the requirements of the Personal Data Protection Act, and with regard to the declarations of assets and interests, only the part on interests according to Items 12 to 14 of Article 37 (1) herein shall be public.

(4) The security services shall keep registers of the employees thereof, containing the data referred to in Paragraph (3), which shall not be public.

(5) The verification of declarations, as well as the conflict of interest ascertainment proceeding, shall be conducted by the competent inspectorate or by a commission of employees expressly empowered by the electing or appointing authority to implement these functions as well, and with regard to mayoralty mayors, the said verification and proceeding shall be conducted by a standing committee of the competent municipal council.

(6) The organisation and procedure for the conduct of the verification of declarations and for conflict of interest ascertainment shall be regulated by an ordinance of the Council of Ministers, and with regard to the judicial authorities, the Supreme Judicial Council, the Inspectorate with the Supreme Judicial Council and the National Institute of Justice, the said organisation and procedure shall be regulated by an ordinance of the Plenum of the Supreme Judicial Council. The organisation and procedure for the conduct of the verification of declarations and for conflict of interest ascertainment with regard to the experts referred to in Article 55 (2) of the Judiciary System Act shall be regulated by the rules referred to in Article 55 (5) of the Judiciary System Act.

(7) Where a lack of correspondence amounting to not less than BGN 5,000 has been established upon a verification of declarations, the electing or appointing authority shall refer the case to the National Revenue Agency for taking steps according to the procedure established by the Tax and Social-Insurance Code.

(8) A conflict of interest shall be ascertained by the electing or appointing authority, and an administrative sanction shall be imposed by the instrument ascertaining a conflict of interest and, with regard to mayoralty mayors, any such conflict shall be ascertained by a standing committee of the competent municipal council. A written statement ascertaining an administrative violation shall not be drawn up and a penalty decree shall not be issued in such cases.

(9) The instrument referred to in Paragraph (7) may be contested according to the procedure established by the Administrative Procedure Code.

(10) The written statements ascertaining administrative violations under Article 176 herein shall be drawn up by the electing or appointing authority or by officials designated thereby and, with regard to mayoralty mayors, any such statements shall be drawn up by the chairperson of the standing committee of the competent municipal council. The penalty decrees shall be issued by the electing or appointing authority or by officials designated thereby and, with regard

to mayoralty mayors, any such decrees shall be issued by the municipality mayor.

(11) Should the verification of declarations or the conflict of interest ascertainment proceeding give rise to a reason to believe that a criminal offence has been committed, the electing or appointing authority shall forthwith refer the case to the competent authorities for taking steps for criminal prosecution.

TRANSITIONAL AND FINAL PROVISIONS

§ 3. This Act shall supersede:

1. the Act on Forfeiture to the Exchequer of Unlawfully Acquired Assets (promulgated in the State Gazette No. 38 of 2012; [modified by] Constitutional Court Decision No. 13 of 2012, [promulgated in] No. 82 of 2012; amended in Nos. 102 and 103 of 2012, No. 15 of 2013; [modified by] Constitutional Court Decision No. 2 of 2013, [promulgated in] No. 50 of 2013; amended in No. 66 of 2013, No. 98 of 2014, Nos. 14, 22, 74 and 95 of 2015, No. 103 of 2016 and Nos. 58 and 91 of 2017);

2. the Public Disclosure of Financial Interests of Officials Holding High State and Other Positions Act (promulgated in the State Gazette No. 38 of 2000; amended in Nos. 28 and 74 of 2002, No. 8 of 2003, No. 38 of 2004, No. 105 of 2005, Nos. 38 and 73 of 2006, No. 109 of 2007, Nos. 33, 69 and 94 of 2008, No. 93 of 2009, Nos. 18 and 62 of 2010, No. 38 of 2012, Nos. 30 and 71 of 2013, Nos. 12 and 17 of 2015, Nos. 39, 43 and 62 of 2016 and No. 85 of 2017);

3. the Conflict of Interest Prevention and Ascertainment Act (promulgated in the State Gazette No. 94 of 2008; amended in Nos. 10, 26 and 101 of 2009, Nos. 62 and 97 of 2010, No. 38 of 2012, No. 15 of 2013, No. 12 of 2015 and No. 62 of 2016).

§ 4. (1) (Effective 1.12.2019 regarding municipal councilors - SG No. 21/2018) The persons for whom an obligation to declare arises for the first time by this Act shall submit initial declarations under the terms and according to the procedure established by this Act within one month from the endorsement of the standard forms of the declarations referred to in Items 2 and 4 of Article 35 (1) herein.

(2) The obliged persons, who have submitted initial declarations according to the procedure established by the Public Disclosure of Financial Interests of Officials Holding High State and Other Positions Act as hereby superseded, shall not submit new initial declarations after the entry into force of this Act. The said persons shall submit declarations under the terms and according to the procedure established by this Act within the time limits referred to in Article 36 herein.

(3) (New, SG No. 41/2018, effective 14.05.2018) The obligated parties under Article 6 (1) and § 2 (1) of the Supplementary provisions, with exception of paragraph 1, shall submit by 8 June 2018 a declaration of assets and interests for 2017 under item 2 of Article 35 (1).

§ 5. (1) Any examinations and proceedings in connection with the Act on Forfeiture to the Exchequer of Unlawfully Acquired Assets and the Criminal Assets Forfeiture Act (promulgated in the State Gazette No. 19 of 2005; amended in Nos. 86 and 105 of 2005, Nos. 33 and 75 of 2006, Nos. 52, 59 and 109 of 2007, No. 16 of 2008, Nos. 12, 32 and 42 of 2009, Nos. 18 and 97 of 2010, Nos. 33 and 60 of 2011 and No. 38 of 2012; repealed in No. 38 of 2012) as superseded, which are not concluded until the entry into force of this Act, as well as any conflict of interest ascertainment proceedings and administrative sanction imposition proceedings, shall be completed according to the hitherto effective procedure by the Commission.

(2) The procedural representation in pending disputes of the Commission for Forfeiture of Unlawfully Acquired Assets, the Commission for Prevention and Ascertainment of Conflict of Interest and the Centre for Prevention and Countering Corruption and Organised Crime with the Council of Ministers, of the competent specialised directorate of the State Agency for National Security for the suppression of acts of corruption among senior public office holders, as well as of the competent unit of the Bulgarian National Audit Office, shall be implemented by the Chairperson of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission.

(3) (New, SG No. 20/2018, effective 6.03.2018) The procedure established in Articles 166 - 168 shall also apply to property forfeited to the Exchequer in accordance with the procedure established by the repealed Act on Forfeiture to the Exchequer of Unlawfully Acquired Assets and Criminal Assets Forfeiture Act.

§ 6. (1) The Commission for Forfeiture of Unlawfully Acquired Assets is hereby renamed Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission.

(2) The Commission for Prevention and Ascertainment of Conflict of Interest, the Centre for Prevention and Countering Corruption and Organised Crime with the Council of Ministers, the competent unit of the Bulgarian National Audit Office related to the activity under the Public Disclosure of Financial Interests of Officials Holding High State and Other Positions Act as hereby superseded, and the competent specialised directorate of the State Agency for National Security related to the suppression of acts of corruption among senior public office holders shall merge into the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission.

(3) The Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission shall be a successor in title to the assets, liabilities, archive, information resources, rights and obligations of the Commission for Prevention and Ascertainment of Conflict of Interest, the Centre for Prevention and Countering Corruption and Organised Crime with the Council of Ministers, to the respective part of the assets, liabilities, archive, rights and resources of the Bulgarian National Audit Office related to the activity under the Public Disclosure of Financial Interests of Officials Holding High State and Other Positions Act as hereby superseded, as well as of the competent specialised directorate of the State Agency for National Security for the suppression of acts of corruption among senior public office holders.

(4) The State Agency for National Security shall deliver to the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission all archive files and active files on operational record kept until the entry into force of this Act in connection with the implementation of the activities referred to in Item 4 of Article 4 (1) of the State Agency for National Security Act. The information regarding any such files remaining in the database of the Agency shall forthwith be destroyed. The files shall be delivered within six months according to a procedure established by a joint instrument of the Chairperson of the State Agency for National Security and the Chairperson of the Commission.

(5) The employment relationships and civil-service relationships with the heads and employees of the administrations under Paragraphs (1) and (2) shall be settled under the terms established by Article 123 of the Labour Code and in Article 87a of the Civil Servants Act.

(6) The civil-service relationships with the civil servants referred to in Item 1 of Article 43 (1) of the State Agency for National Security Act holding positions at the competent specialised directorate of the State Agency for National Security for the suppression of acts of corruption among senior public office holders shall be transformed into civil-service relationships with the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission as civil servants referred to in Article 16 (2) herein and shall be treated as such relationships with an unchanged appointing authority.

(7) Upon transfer of any civil servants referred to in Article 16 (2) herein of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission to a position at a security, public order and protection service, a competition shall not be conducted if the said civil servants satisfy the requirements to hold a position at the State service concerned according to the relevant special law.

(8) The basic remuneration and the supplementary remunerations of the civil servants referred to in Article 16 (2) herein may not be lower than the amount of the remunerations received at the State Agency for National Security by the date of transfer of the said civil servants.

(9) The seniority attained under the State Agency for National Security Act shall count as work for the same employer of appointing authority, as the case may be, including for the purposes of payment of the compensations due upon termination of the legal relationships with the Commission.

(10) The time served as a civil servant under the State Agency for National Security Act, for which no compensations have been received prior to the transfer to the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission, shall count when fixing the amount of the compensation under this Act.

(11) The persons referred to in Paragraphs (5) and (6) shall transfer to the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission without a probationary period with the exception of the civil servants who are undergoing a probationary period.

(12) Any persons referred to in Paragraph (2), who held a position as head of the administration or employee in the general administration and who transfer to a position of identical or similar functions in the general administration of the Commission, may be offered by the appointing authority another position adequate to the qualification, professional experience and seniority.

(13) Upon a refusal by the employee to hold the position offered thereto, the relevant legal relationship shall be terminated without notice. The refusal shall be attested by the employee in writing. In case the employee refuses to attest

the said refusal in writing, this circumstance shall be attested by the signatures of two witnesses.

(14) Within six months from the reappointment, the persons referred to in Paragraph (5) shall undergo an integrity test, and a failure to undergo an integrity test shall be a ground for release from the position held.

(15) Until the entry into force of the Rules referred to in Article 23 herein, the employees of the Commission shall perform the official duties thereof in conformity with the regulatory framework in force.

(16) Within three months from the entry into force of this Act, the Council of Ministers shall regulate the relationships in connection with the transformation of the administrative structures referred to in Paragraphs (1) and (2).

§ 7. (1) Within one month from the entry into force of this Act, the National Assembly shall elect a Chairperson of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission according to the procedure established by Article 9 herein.

(2) Within two months from the entry into force of this Act, the National Assembly shall elect a Deputy Chairperson and members of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission on a motion by the Chairperson as elected according to the procedure established by Article 9 herein.

(3) The newly elected Chairperson and members of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission shall assume office simultaneously as from the date of the election of the full complement of the Commission. Until the assumption of office of the newly elected Chairperson and members of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission, the incumbent Chairperson and members of the Commission for Forfeiture of Unlawfully Acquired Assets shall implement the activity under this Act.

(4) The term of office of the Chairperson and members of the Commission for Forfeiture of Unlawfully Acquired Assets who are incumbent upon the entry into force of this Act shall be terminated upon the election of the members of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission and shall not count as term of office according to Article 10 (2) herein.

(5) The term of office of the Chairperson and members of the Commission for Prevention and Ascertainment of Conflict of Interest who are incumbent upon the entry into force of this Act shall be terminated upon the entry into force of this Act and shall not count as term of office according to Article 10 (2) herein.

§ 8. The authorities appointed under Article 16 (1) and (2) herein until the entry into force of this Act shall be obliged to take the necessary steps for remedying the incompatibility under Items 1, 3 and 5 of Article 10 (3) herein within one month from the constituting of the Commission.

§ 9. This Act shall furthermore apply to any assets acquired unlawfully prior to the entry into force of the said Act.

§ 10. The Act on the Liability for Damage Incurred by the State and the Municipalities (promulgated in the State Gazette No. 60 of 1988; amended in No. 59 of 1993, No. 12 of 1996, No. 67 of 1999, No. 92 of 2000, No. 105 of 2005, Nos. 30 and 33 of 2006, No. 43 of 2008, No. 17 of 2009 and Nos. 38 and 98 of 2012) shall be amended as follows:

1. In Article 2 (2), the words "the Act on Forfeiture to the Exchequer of Unlawfully Acquired Assets" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

2. In Article 2a:

(a) in the heading, the words "the Commission for Forfeiture of Unlawfully Acquired Assets" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission";

(b) the words "the Act on Forfeiture to the Exchequer of Unlawfully Acquired Assets" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 11. The Measures against the Financing of Terrorism Act (promulgated in the State Gazette No. 16 of 2003; amended in No. 31 of 2003, No. 19 of 2005, No. 59 of 2006, Nos. 92 and 109 of 2007, Nos. 28 and 36 of 2008, Nos. 33 and 57 of 2011, Nos. 38 and 102 of 2012 and Nos. 27 and 81 of 2016) shall be amended as follows:

1. In Article 3 (2), the words "the Commission for Forfeiture of Unlawfully Acquired Assets" shall be replaced by "the

Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission".

2. In Article 4a, the words "the Commission for Forfeiture of Unlawfully Acquired Assets" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission".

§ 12. In the Markets in Financial Instruments Act (promulgated in the State Gazette No. 52 of 2007; amended in No. 109 of 2007, No. 69 of 2008, Nos. 24, 93 and 95 of 2009, No. 43 of 2010, No. 77 of 2011, Nos. 21, 38 and 103 of 2012, Nos. 70 and 109 of 2013, Nos. 22 and 53 of 2014, Nos. 14, 34, 62 and 94 of 2015, Nos. 42, 48 and 76 of 2016 and Nos. 62 and 95 of 2017), in Item 4 of Article 35 (6), the words "the Commission for Forfeiture of Unlawfully Acquired Assets" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission".

§ 13. In the Notaries and Notarial Practice Act (promulgated in the State Gazette No. 104 of 1996; amended in Nos. 117, 118 and 123 of 1997, No. 24 of 1998, No. 69 of 1999, No. 18 of 2003, Nos. 29 and 36 of 2004, Nos. 19 and 43 of 2005, Nos. 30, 39 and 41 of 2006, Nos. 59 and 64 of 2007, Nos. 50 and 69 of 2008, Nos. 42, 47 and 82 of 2009, No. 87 of 2010, Nos. 32, 41 and 82 of 2011, Nos. 38 and 95 of 2012, No. 66 of 2013, No. 98 of 2014, No. 50 of 2015 and No. 105 of 2016), in Article 25 (2), the words "the Act on Forfeiture to the Exchequer of Unlawfully Acquired Assets" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 14. The Credit Institutions Act (promulgated in the State Gazette No. 59 of 2006; amended in No. 105 of 2006, Nos. 52, 59 and 109 of 2007, No. 69 of 2008, Nos. 23, 24, 44, 93 and 95 of 2009, Nos. 94 and 101 of 2010, Nos. 77 and 105 of 2011, Nos. 38 and 44 of 2012, Nos. 52, 70 and 109 of 2013, Nos. 22, 27, 35 and 53 of 2014, Nos. 14, 22, 50, 62 and 94 of 2015, Nos. 33, 59, 62, 81, 95 and 98 of 2016 and Nos. 63 and 97 of 2017) shall be amended and supplemented as follows:

1. In Item 5 of Article 56a (3), the words "the Commission for Forfeiture of Unlawfully Acquired Assets" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission".

2. In Item 4 of Article 62 (6), the words "the Commission for Forfeiture of Unlawfully Acquired Assets" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission".

3. In Article 64 (1):

(a) there shall be inserted a new Item 6:

"6. the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission and/or of the authorities thereof;"

(b) the existing Items 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 shall be renumbered to become Items 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17, respectively.

§ 15. In the Tax and Social-Insurance Procedure Code (promulgated in the State Gazette No. 105 of 2005; amended in Nos. 30, 33, 34, 59, 63, 73, 80, 82, 86, 95 and 105 of 2006, Nos. 46, 52, 53, 57, 59, 108 and 109 of 2007, Nos. 36, 69 and 98 of 2008, Nos. 12, 32, 41 and 93 of 2009, Nos. 15, 94, 98, 100 and 101 of 2010, Nos. 14, 31, 77 and 99 of 2011, Nos. 26, 38, 40, 82, 94 and 99 of 2012, Nos. 52, 98, 106 and 109 of 2013, No. 1 of 2014; [modified by] Constitutional Court Decision No. 2 of 2014, [promulgated in] No. 14 of 2014; amended in Nos. 18, 40, 53 and 105 of 2014, Nos. 12, 14, 60, 61 and 94 of 2015, Nos. 13, 42, 58, 62, 97 and 105 of 2016 and Nos. 58, 85, 86 and 92 of 2017), in Item 3 of Article 74 (1), the words "the Commission for Forfeiture of Unlawfully Acquired Assets" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission".

§ 16. The Labour Code (promulgated in the State Gazette Nos. 26 and 27 of 1986; amended in No. 6 of 1988, Nos. 21, 30 and 94 of 1990, Nos. 27, 32 and 104 of 1991, Nos. 23, 26, 88 and 100 of 1992; [modified by] Constitutional Court Decision No. 12 of 1995, [promulgated in] No. 69 of 1995; amended in No. 87 of 1995, Nos. 2, 12 and 28 of 1996, No. 124 of 1997, No. 22 of 1998; [modified by] Constitutional Court Decision No. 11 of 1998, [promulgated in] No. 52 of 1998; amended in Nos. 56, 83, 108 and 133 of 1998, Nos. 51, 67 and 110 of 1999, No. 25 of 2001, Nos. 1, 105 and 120 of 2002, Nos. 18, 86 and 95 of 2003, No. 52 of 2004, Nos. 19, 27, 46, 76, 83 and 105 of 2005, Nos. 24, 30, 48, 57, 68, 75, 102 and 105 of 2006, Nos. 40, 46, 59, 64 and 104 of 2007, Nos. 43, 94, 108 and 109 of 2008, Nos. 35, 41 and 103 of 2009, Nos. 15, 46, 58 and 77 of 2010; [modified by] Constitutional Court Decision No. 12 of 2010, [promulgated in] No. 91 of 2010; amended in Nos. 100 and 101 of 2010, Nos. 18, 33, 61 and 82 of 2011, Nos. 7, 15, 20 and 38 of 2012; [modified by] Constitutional Court Decision No. 7 of 2012, [promulgated in] No. 49 of 2012; amended in No. 77 and 82 of 2012, Nos. 15 and 104 of 2013, Nos. 1, 27 and 61 of 2014, Nos. 54, 61, 79 and 98 of 2015, Nos. 8, 57, 59, 98 and 105

of 2016 and Nos. 85, 86 and 96 of 2017) shall be amended and supplemented as follows:

1. In Article 107a, Paragraph (5) shall be amended to read as follows:

"(5) Upon entry into employment and annually by the 15th day of May, the employee shall be obliged to submit to the person referred to in Paragraph (35) a declaration of assets and interests under A This obligation shall not apply to the employees who hold technical positions. An employee who is a senior public office holder shall submit a declaration of assets and interests solely according to the procedure established by the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act."

2. In Article 330 (2):

(a) in Item 9, the words "the Conflict of Interest Prevention and Disclosure Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act";

(b) there shall be added an Item 11:

"11. the factory or office worker fails to undergo an integrity test provided for in the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act."

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

1. In Article 19a (3), the words "Article 13 (2) of the Conflict of Interest Prevention and Ascertainment Act or upon the entry into effect of an act whereby a conflict of interest has been ascertained under the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "Article 36 (3) of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act and upon the ascertainment of a conflict of interest or upon the entry into force of an instrument whereby a conflict of interest has been ascertained under the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

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

§ 18. The Civil Servants Act (promulgated in the State Gazette No. 67 of 1999; amended in Nos. 1 of 2000, Nos. 25, 99 and 110 of 2001, No. 45 of 2002, No. 95 of 2003, No. 70 of 2004, No. 19 of 2005, Nos. 24, 30 and 102 of 2006, Nos. 59 and 64 of 2007, Nos. 43, 94 and 108 of 2008, Nos. 35, 42, 74 and 103 of 2009, Nos. 15, 46, 58 and 77 of 2010; [modified by] Constitutional Court Judgment No. 12 of 2010, [promulgated in] No. 91 of 2010; amended in No. 97 of 2010, Nos. 1, 18 and 100 of 2011, Nos. 15, 20, 38 and 82 of 2012, Nos. 15 and 68 of 2013, Nos. 14, 24, 54 and 98 of 2015; [modified by] Constitutional Court Judgment No. 5 of 2016, [promulgated in] No. 38 of 2016; amended in Nos. 57, 81 and 105 of 2016 and No. 86 of 2017) shall be amended and supplemented as follows:

1. Article 29 shall be amended to read as follows:

"Obligation to Declare Assets and Interests

Article 29. Upon assumption of position and annually by the 30th day of April, each civil servant shall be obliged to submit to the appointing authority a declaration of assets and interests under Article 35 of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act. An employee who is a senior public office holder shall submit a declaration of assets and interests solely according to the procedure established by the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act."

2. In Article 107 (1):

(a) in Item 8, the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act";

(b) there shall be added an Item 11:

"11. the civil servant fails to undergo an integrity test provided for in the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act."

§ 19. The Local Self-government and Local Administration Act (promulgated in the State Gazette No. 77 of 1991; amended in Nos. 24, 49 and 65 of 1995, No. 90 of 1996, No. 122 of 1997, Nos. 33, 130 and 154 of 1998, Nos. 67 and 69 of 1999, Nos. 26 and 85 of 2000, No. 1 of 2001, Nos. 28, 45 and 119 of 2002, No. 69 of 2003, Nos. 19 and 34 of 2005, Nos. 30 and 69 of 2006, Nos. 61 and 63 of 2007, Nos. 54 and 108 of 2008, Nos. 6, 14, 35, 42 and 44 of 2009, Nos. 15 and 97 of 2010, Nos. 9 and 32 of 2011; [modified by] Judgment No. 4 of 2011 of the Constitutional Court, [promulgated in] No. 36 of 2011; amended in No. 57 of 2011; No. 38 of 2012, No. 15 of 2013, Nos. 1, 19 and 53 of 2014, Nos. 39, 43 and 51 of 2016 and No. 9 of 2017) shall be amended and supplemented as follows:

1. In Article 15:

(a) there shall be inserted a new Paragraph (3):

"(3) An inspectorate, directly subordinate to the municipality mayor, shall be established for the exercise of control and the conduct of checks under § 2 of the Transitional Provisions of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act. Where the staff size of the municipal administration is insufficient for the establishment of an inspectorate as a separate entity, the functions thereof shall be performed by a commission of employees expressly empowered by the municipality mayor to implement these functions as well.";

(b) the existing Paragraphs (3) and (4) shall be renumbered to become Paragraphs (4) and (5), respectively.

2. (Effective 1.12.2019 - SG No. 21/2018) In Article 34, Paragraph (5) shall be amended to read as follows:

"(5) A Municipal Councillor may not:

1. be a member of a management, supervisory or monitoring board, a board of directors, a controller, managing director, managerial agent, business attorney, trustee in bankruptcy or liquidator of any commercial corporations wherein a municipality holds a participating interest or a director of a municipal-owned enterprise;

2. hold office as municipal councillor or any similar office in another Member State of the European Union;

3. be a sole trader, partner, shareholder, member of a management, supervisory or monitoring board of any commercial corporation which has concluded contracts with the municipality wherein he or she is a Municipal Councillor, as well as with any commercial corporations wherein a municipality holds a participating interest or with any municipal-owned enterprises."

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

§ 20. The Ministry of Interior Act (promulgated in the State Gazette No. 53 of 2014; amended in Nos. 98 and 107 of 2014, Nos. 14, 24, 56 and 61 of 2015, Nos. 81, 97, 98 and 103 of 2016, No. 13 of 2017; [modified by] Constitutional Court Judgment No. 4 of 2017, [promulgated in] No. 26 of 2017, Nos. 58 and 97 of 2017) shall be amended as follows:

1. In Item 5 of Article 36 (6), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

2. In Article 154:

(a) in Paragraph (1), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act";

(b) in Paragraph (3), the words "head of the structure in the time-frames and the procedures established by the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "authority within the time-frame and according to the procedure established by the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

3. In Article 160:

(a) in Paragraph (1), the words "their assets and income" shall be replaced by "assets and interests under the terms and according to the procedure established by the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act";

(b) Paragraph (3) shall be amended to read as follows:

"(3) Annually by 15 May, the civil servants shall submit a declaration of assets and interests under the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act. A civil servant who is a senior public office holder shall submit a declaration of assets and interests solely according to the procedure established by the Counter-Corruption

and Unlawfully Acquired Assets Forfeiture Act."

4. In Item 14 of Article 226 (1), the words "the Conflict of Interest Prevention and Disclosure Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

5. In Item 19 of § 1 of the Supplementary Provisions, the words "§ 1, item 1 of the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "Item 15 of § 1 of the Supplementary Provisions of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 21. The State Agency for National Security Act (promulgated in the State Gazette No. 109 of 2007; amended in Nos. 69 and 94 of 2008, Nos. 22, 35, 42, 82 and 93 of 2009, Nos. 16, 80 and 97 of 2010, Nos. 9 and 100 of 2011, No. 38 of 2012, Nos. 15, 30, 52, 65 and 71 of 2013, No. 53 of 2014, Nos. 14, 24 and 61 of 2015 and Nos. 15, 101, 103 and 105 of 2016) shall be amended as follows:

1. Item 4 of Paragraph 1 of Article 4 shall be repealed.

2. In Article 54 (8), the words "at other security or public order services" shall be replaced by "at other security services, the public order services, as well as for the civil servants referred to in Article 16 (2) of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

3. In § 1 of the Supplementary Provision, Items 4 and 5 shall be amended to read as follows:

"4. "Senior public office holders" shall be the persons referred to in Article 6 (1) of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

5. "Related parties" shall be the persons referred to in Item 15 of § 1 of the Supplementary Provisions of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act."

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

§ 22. In the Diplomatic Service Act (promulgated in the State Gazette No. 78 of 2007; amended in No. 42 of 2009, Nos. 97 and 100 of 2010, No. 69 of 2011; [modified by] Constitutional Court Judgment No. 11 of 2011, [promulgated in] No. 95 of 2011; amended in Nos. 15 and 38 of 2012 and No. 15 of 2013), Item 3 of Article 31 (2) shall be amended as follows:

"3. "a declaration of assets and interests under Article 35 of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act."

§ 23. The Social Insurance Code (promulgated in the State Gazette No. 110 of 1999; [modified by] Constitutional Court Judgment No. 5 of 2000, [promulgated in] No. 55 of 2000; amended in No. 64 of 2000, Nos. 1, 35 and 41 of 2001, Nos. 1, 10, 45, 74, 112, 119 and 120 of 2002, Nos. 8, 42, 67, 95, 112 and 114 of 2003, Nos. 12, 21, 38, 52, 53, 69, 70, 112 and 115 of 2004, Nos. 38, 39, 76, 102, 103, 104 and 105 of 2005, Nos. 17, 30, 34, 56, 57, 59 and 68 of 2006; corrected in No. 76 of 2006; amended in Nos. 80, 82, 95, 102 and 105 of 2006, Nos. 41, 52, 53, 64, 77, 97, 100, 109 and 113 of 2007, Nos. 33, 43, 67, 69, 89, 102 and 109 of 2008, Nos. 23, 25, 35, 41, 42, 93, 95, 99 and 103 of 2009, Nos. 16, 19, 43, 49, 58, 59, 88, 97, 98 and 100 of 2010; [modified by] Constitutional Court Judgment No. 7 of 2011, [promulgated in] No. 45 of 2011; amended in Nos. 60, 77 and 100 of 2011, Nos. 7, 21, 38, 40, 44, 58, 81, 89, 94 and 99 of 2012, Nos. 15, 20, 70, 98, 104, 106, 109 and 111 of 2013, Nos. 1, 18, 27, 35, 53 and 107 of 2014, Nos. 12, 14, 22, 54, 61, 79, 95, 98 and 102 of 2015, Nos. 62, 95, 98 and 105 of 2016 and Nos. 62, 92 and 99 of 2017) shall be amended and supplemented as follows:

1. In Article 37 (4), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

2. In Article 69 (2), after the words "the Postal Services Act", there shall be placed a comma and there shall be inserted "the civil servants referred to in Article 16 (2) of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 24. In the National Revenue Agency Act (promulgated in the State Gazette No. 112 of 2002; amended in No. 114 of 2003, No. 105 of 2005, Nos. 105 of 2006, No. 109 of 2007, Nos. 12, 32, 42 and 95 of 2009, Nos. 15, 51, 54, 97, 98 and

99 of 2010, Nos. 38 and 94 of 2012, Nos. 109 of 2013, Nos. 60, 94 and 95 of 2015 and Nos. 58 and 105 of 2016), in Item 4 of Article 9 (3), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 25. In the National Accreditation of Conformity Assessment Bodies Act (promulgated in the State Gazette No. 100 of 2005; amended in No. 105 of 2005, No. 30 of 2006, Nos. 42 and 82 of 2009, Nos. 41 and 97 of 2010, No. 38 of 2012, No. 14 of 2015 and No. 43 of 2016), in Item 6 of Article 10a (2), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 26. In the National Standardisation Act (promulgated in the State Gazette No. 88 of 2005; amended and supplemented in No. 42 of 2009, No. 97 of 2010 and No. 82 of 2012), in Item 5 of Article 16 (2), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 27. In the National Endowment Fund 13 Centuries of Bulgaria Act (promulgated in the State Gazette No. 12 of 2001; amended in Nos. 32 and 94 of 2005, No. 113 of 2007, Nos. 42 and 74 of 2009, No. 97 of 2010 and No. 68 of 2013), in Item 6 of Article 7 (6), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 28. In the Public Procurement Act (promulgated in the State Gazette No. 13 of 2016; amended in No. 34 of 2016, Nos. 63, 85 and 96 of 2017), the words "Article 2 (3) of the Conflict of Interest Prevention and Ascertainment Act" shall be replaced passim by "Article 54 of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 29. In the Climate Change Mitigation Act (promulgated in the State Gazette No. 22 of 2014; amended in Nos. 14, 17, 41 and 56 of 2015, No. 47 of 2016 and Nos. 12, 58 and 85 of 2017), in Article 54 (5), the words "under Items 2 and 4 of Article 12 of the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "of a private interest within the meaning given by Article 63 (1) of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 30. In the Ombudsman Act (promulgated in the State Gazette No. 48 of 2003; amended in Nos. 30 and 68 of 2006, No. 42 of 2009, No. 97 of 2010, No. 29 of 2012 and No. 15 of 2013), in Item 5 of Article 15 (1), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 31. The Republic of Bulgaria Defence and Armed Forces Act (promulgated in the State Gazette No. 35 of 2009; amended in Nos. 74, 82, 93 and 99 of 2009, Nos. 16, 88, 98 and 101 of 2010, Nos. 23, 48, 99 and 100 of 2011, Nos. 20, 33 and 38 of 2012, Nos. 15, 66 and 68 of 2013, Nos. 1 and 98 of 2014, Nos. 14, 24, 61, 79 and 88 of 2015, Nos. 13, 17, 50, 81, 98 and 103 of 2016, Nos. 58 and 85 of 2017) shall be amended as follows:

1. In Article 188a:

(a) Paragraph (1) shall be amended to read as follows:

"(1) Upon appointment to a position and annually by 15 May, the servicemen referred to in § 2 (1) of the Supplementary Provisions of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act shall submit to the Minister of Defence or, respectively, to officials empowered thereby under Items 2 and 3 of Article 146, a declaration of assets and interests under Article 35 of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act. A serviceman who is a senior public office holder shall submit a declaration of assets and interests solely according to the procedure established by the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act.";

(b) in Paragraph (4), the words "the circumstances referred to in Paragraph (1)" shall be replaced by "the circumstances referred to in Paragraph (2)".

2. In Article 285a:

(a) Paragraph (1) shall be amended to read as follows:

"(1) Upon appointment to a position and annually by 15 May, the civilian employees referred to in § 2 (1) of the Supplementary Provisions of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act shall submit to the

appointing authority or to the employer a declaration of assets and interests under Article 35 of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act. A civilian employee who is a senior public office holder shall submit a declaration of assets and interests solely according to the procedure established by the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act.";

(b) in Paragraph (4), the words "the circumstances referred to in Paragraph (1)" shall be replaced by "the circumstances referred to in Paragraph (2)".

3. In § 1 of the Supplementary Provisions, Item 17b shall be amended to read as follows:

"17b. "Related parties" shall be the persons referred to in Item 15 of § 1 of the Supplementary Provisions of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act."

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

§ 32. In the National Revenue Agency Act (promulgated in the State Gazette No. 79 of 2005; amended in No. 105 of 2005, Nos. 17 and 30 of 2006, No. 42 of 2009, Nos. 32, 97 and 99 of 2010, Nos. 9, 82 and 99 of 2011, No. 82 of 2012, Nos. 15 and 28 of 2013, No. 53 of 2014, No. 97 of 2016 and Nos. 13 and 63 of 2017), in Item 4 of Article 14 (1), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 33. The Privatisation and Post-privatization Control Act (promulgated in the State Gazette No. 28 of 2002; amended in No. 78 of 2002, Nos. 20 and 31 of 2003; [modified by] Constitutional Court Decision No. 5 of 2003, [promulgated in] No. 39 of 2003; amended in Nos. 46 and 84 of 2003, Nos. 55 and 115 of 2004, Nos. 28, 39, 88, 94, 103 and 105 of 2005, Nos. 36, 53, 72 and 105 of 2006, No. 59 of 2007, Nos. 36, 65, 94, 98 and 110 of 2008, Nos. 24, 42, 82 and 99 of 2009, Nos. 18, 50, 89 and 97 of 2010, Nos. 19 and 98 of 2011, Nos. 20, 38, 54 and 60 of 2012, Nos. 15, 23, 66 and 68 of 2013, No. 98 of 2014, Nos. 14, 34, 41 and 61 of 2015, Nos. 13 and 60 of 2016 and Nos. 13, 58 and 96 of 2017) shall be amendeded as follows:

1. In Article 25 (2), the words "Item 1 of § 1 of the Supplementary Provision of the Interest Prevention and Ascertainment Act" shall be replaced by "Item 15 of § 1 of the Supplementary Provisions of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

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

§ 34. In the Vocational Education and Training Act (promulgated in the State Gazette No. 68 of 1999; amended in Nos. 1 and 108 of 2000, No. 111 of 2001, Nos. 103 and 120 of 2002, No. 29 of 2003, Nos. 28, 77 and 94 of 2005, Nos. 30 and 62 of 2006; corrected in No. 63 of 2006; amended in Nos. 13 and 26 of 2008, Nos. 36 and 74 of 2009, Nos. 50) and 97 of 2010, Nos. 66, 68 and 70 of 2013, Nos. 61, 98 and 107 of 2014, Nos. 14 and 79 of 2015, No. 59 of 2016 and No. 58 of 2017), in Item 5 of Article 45 (7), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 35. The Radio and Television Act (promulgated in the State Gazette No. 138 of 1998; [modified by] Constitutional Court Decision No. 10 of 1999, [promulgated in] No. 60 of 1999; amended in No. 81 of 1999, No. 79 of 2000, Nos. 96 and 112 of 2001, Nos. 77 and 120 of 2002, Nos. 99 and 114 of 2003, Nos. 99 and 115 of 2004, Nos. 88, 93 and 105 of 2005, Nos. 21, 34, 70, 80, 105 and 108 of 2006, Nos. 10, 41, 53 and 113 of 2007, No. 110 of 2008, Nos. 14, 37, 42 and 99 of 2009, Nos. 12, 47, 97, 99 and 101 of 2010, Nos. 28, 99 and 105 of 2011, Nos. 38 and 102 of 2012, Nos. 15, 17 and 27 of 2013; [modified by] Constitutional Court Decision No. 8 of 2013, [promulgated in] No. 91 of 2013; amended in No. 109 of 2013, Nos. 19 and 107 of 2014, No. 96 of 2015, Nos. 46, 61, 98 and 103 of 2016 and Nos. 8, 63, 75, 92 and 99 of 2017) shall be amended as follows:

1. In Article 28a (3), the words "according to the procedure established by the Conflict of Interest Prevention and Ascertainment Act" shall be deleted.

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

§ 36. In the National Audit Office Act (promulgated in the State Gazette No. 12 of 2015; amended in No. 98 of 2016, Nos. 96 and 99 of 2017), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced passim by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 37. In the Social Assistance Act (promulgated in the State Gazette No. 56 of 1998; amended in Nos. 45 and 120 of 2002, Nos. 18, 30 and 105 of 2006, Nos. 52 and 59 of 2007, No. 58 of 2008, Nos. 14, 41 and 74 of 2009, No. 15 of 2010, Nos. 9 and 51 of 2011, No. 32 of 2012, Nos. 15 and 66 of 2013, No. 98 of 2014, No. 8 of 2016 and No. 85 of 2017), in Item 6 of Article 28 (5), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 38. The Special Intelligence Means Act (promulgated in the State Gazette No. 95 of 1997; amended in No. 70 of 1999, No. 49 of 2000, No. 17 of 2003, No. 86 of 2005, Nos. 45 and 82 of 2006, No. 109 of 2007, Nos. 43 and 109 of 2008, Nos. 88, 93 and 103 of 2009, Nos. 32 and 88 of 2010, Nos. 1 and 13 of 2011, No. 44 of 2012, Nos. 17, 52, 70 and 111 of 2013, Nos. 53 and 107 of 2014, Nos. 14, 42, 56, 74 and 79 of 2015, Nos. 39, 81 and 103 of 2016 and No. 63 and 84 of 2017) shall be amended and supplemented as follows:

1. In Article 13 (1), there shall be added an Item 7:

"7. the directorate referred to in Article 16 (2) of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act."

2. In Article 14 (1), after the words "the body pursuant to Article 13, paragraph (3)", there shall be placed a comma and there shall be inserted "and the director of the directorate referred to in Item 7 of Article 13 (1)".

3. In Article 15 (1), after the words "the supervising prosecutor", there shall be placed a comma and there shall be inserted "and, applicable to the directorate referred to in Item 7 of Article 13 (1), the Chairperson of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission".

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

§ 39. In the Statistics Act (promulgated in the State Gazette No. 57 of 1999; amended in No. 42 of 2001, Nos. 45 and 74 of 2002, No. 37 of 2004, Nos. 39, 81 and 88 of 2005, No. 100 of 2007, No. 98 of 2008, Nos. 42 and 95 of 2009, No. 97 of 2010, No. 38 of 2012 and No. 15 of 2013), in Item 5 of Article 8 (3), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 40. In the Commodity Exchanges and Wholesale Markets Act (promulgated in the State Gazette No. 93 of 1996; amended in Nos. 41 and 153 of 1998, No. 18 of 1999, No. 20 of 2000, No. 41 of 2001, Nos. 30, 34, 80 and 85 of 2006, No. 53 of 2007, Nos. 42 and 82 of 2009, Nos. 18 of 97 of 2010, Nos. 39 and 42 of 2011, Nos. 38 and 77 of 2012, Nos. 12 and 14 of 2015 and No. 85 of 2017), in Item 4 of Article 7 (1), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 41. In the Carbon Dioxide Geological Storage Act (promulgated in the State Gazette No. 14 of 2012; amended in No. 82 of 2012 and No. 14 of 2015), in Item 2 of Article 31 (4), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 42. In the Safe Use of Nuclear Energy Act (promulgated in the State Gazette No. 63 of 2002; amended in No. 120 of 2002, No. 70 of 2004, Nos. 76, 88 and 105 of 2005, No. 30 of 2006, Nos. 11 and 109 of 2007, No. 36, 67 of 2008, Nos. 42 and 74 of 2009, Nos. 80, 87, 88 and 97 of 2010, No. 26 of 2011, Nos. 38 and 82 of 2012, Nos. 15, 66 and 68 of 2013, No. 98 of 2014, No. 14 of 2015 and Nos. 58 and 99 of 2017), in Item 6 of Article 7 (1), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 43. In the Bulgarian National Bank Act (promulgated in the State Gazette No. 46 of 1997; amended in Nos. 49 and 153 of 1998, Nos. 20 and 54 of 1999, No. 109 of 2001, No. 45 of 2002, Nos. 10 and 39 of 2005, Nos. 37, 59 and 108 of 2006, Nos. 52 and 59 of 2007, Nos. 24, 42 and 44 of 2009, Nos. 97 and 101 of 2010, Nos. 48 and 62 of 2015, Nos. 51 and 59 of 2016 and No. 97 of 2017), in Article 12, Paragraph (9) shall be amended to read as follows:

"(9) The Governor, the Deputy Governors and the other members of the Governing Council shall submit the declarations referred to in Items 1 and 3 of Article 35 (1) of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act before the authority which elects or appoints them. The declaration of a private interest within the meaning given by Article 63 (1) of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act shall be submitted to the Governing Council according to the procedure established by Article 17 (4)."

§ 44. In the Bulgarian News Agency Act (promulgated in the State Gazette No. 99 of 2011; [modified by] Constitutional Court Decision No.11 of 2012, [promulgated in] No. 78 of 2012; amended in No. 15 of 2013, No. 19 of 2014, Nos. 74 and 79 of 2015 and No. 98 of 2016), in Item 5 of Article 14 (2), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 45. In the Bank Deposit Guarantee Act (promulgated in the State Gazette No. 62 of 2015; amended in Nos. 96 and 102 of 2015), in Item 8 of Article 6 (1), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 46. In the Access to and Disclosure of the Documents and Announcing the Affiliation of Bulgarian Citizens with the State Security Service and the Intelligence Services of the Bulgarian Popular Army Act (promulgated in the State Gazette No. 102 of 2006; amended in Nos. 41, 57 and 109 of 2007, No. 69 of 2008, Nos. 25, 35, 42, 82 and 93 of 2009, Nos. 18, 54 and 97 of 2010, Nos. 23, 32 and 48 of 2011, Nos. 25, 38, 87 and 103 of 2012, No. 15 of 2013, No. 53 of 2014, No. 79 of 2015, No. 71 of 2016 and No. 13 of 2017), in Item 4 of Article 5 (7), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 47. The Electronic Communications Act (promulgated in the State Gazette No. 41 of 2007; amended in No. 109 of 2007, Nos. 36, 43 and 69 of 2008, Nos. 17, 35, 37, 42 of 2009; [modified by] Constitutional Court Decision No. 3 of 2009, [promulgated in] No. 45 of 2009; amended in Nos. 82, 89 and 93 of 2009, Nos. 12, 17, 27 and 97 of 2010, No. 105 of 2011, Nos. 38, 44 and 82 of 2012, Nos. 15, 27, 28, 52, 66 and 70 of 2013, Nos. 11, 53, 61 and 98 of 2014, No. 14 of 2015; [modified by] Constitutional Court Decision No. 2 of 2015, [promulgated in] No. 23 of 2015; amended in Nos. 24, 29, 61 and 79 of 2015, Nos. 50, 95, 97 and 103 of 2016 and Nos. 58 and 85 of 2017) shall be amended and supplemented as follows:

1. In Article 251b (2), at the end of sentence one, there shall be placed a comma and there shall be added "including for the purposes of preventing serious criminal offences within the framework of operational detection activities according to the procedure established by Chapter Nine of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

2. In Article 251c:

(a) in Paragraph (1), there shall added an Item 5:

"5. the directorate referred to in Article 16 (2) of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act.";

(b) in Paragraph (3), in the text before Item 1, after the words "a person authorized thereby", there shall be inserted "and, applicable to the directorate referred to in Item 5 of Paragraph (1), the director of the directorate or a person empowered thereby".

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

§ 48. In the Energy Act (promulgated in the State Gazette No. 107 of 2003; amended in No. 18 of 2004, Nos. 18 and 95 of 2005, Nos. 30, 65 of 74 of 2006, Nos. 49, 55 and 59 of 2007, Nos. 36, 43 and 98 of 2008, Nos. 35, 41, 42, 82 and 103 of 2009, Nos. 54 and 97 of 2010, Nos. 35 and 47 of 2011, Nos. 38, 54 and 82 of 2012, Nos. 15, 20, 23, 59 and 66 of 2013, No. 98 of 2014, Nos. 14, 17, 35, 48 and 56 of 2015, Nos. 42, 47 and 105 of 2016 and Nos. 51 and 58 of 2017), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced passim by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 49. In the Protection and Promotion of Culture Act (promulgated in the State Gazette No. 50 of 1999; amended in No. 1 of 2000; corrected in No. 34 of 2001; amended in No. 75 of 2002, No. 55 of 2004, Nos. 28, 74, 93, 99 and 103 of 2005,

Nos. 21, 41 and 106 of 2006, No. 84 of 2007, Nos. 19, 42 and 74 of 2009, Nos. 13, 50 and 97 of 2010, Nos. 25 and 54 of 2011, Nos. 77 and 102 of 2012, Nos. 15 and 68 of 2013, No. 96 of 2015 and No. 16 of 2016), in Item 5 of Article 26 (5), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 50. In the Protection of Competition Act (promulgated in the State Gazette No. 102 of 2008; amended in No. 42 of 2009, Nos. 54 and 97 of 2010, No. 73 of 2011, No. 38 of 2012, No. 15 of 2013 and No. 56 of 2015), in Item 4 of Article 5 (1), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 51. In the Personal Data Protection Act (promulgated in the State Gazette No. 1 of 2002; amended in Nos. 70 and 93 of 2004, Nos. 43 and 103 of 2005, Nos. 30 and 91 of 2006, No. 57 of 2007, No. 42 of 2009, Nos. 94 and 97 of 2010, Nos. 39, 81 and 105 of 2011, No. 15 of 2013, No. 81 of 2016 and No. 85 of 2017), in Item 2(e) of Article 8 (4), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 52. In the Consumer Protection Act (promulgated in the State Gazette No. 99 of 2005; amended in Nos. 30, 51, 53, 59, 105 and 108 of 2006, Nos. 31, 41, 59 and 64 of 2007, Nos. 36 and 102 of 2008, Nos. 23, 42 and 82 of 2009, Nos. 15, 18 and 97 of 2010, No. 18 of 2011, Nos. 38 and 56 of 2012, Nos. 15, 27 and 30 of 2013, No. 61 of 2014, Nos. 14, 57, 60 and 102 of 2015, Nos. 59 and 74 of 2016 and Nos. 8 and 58 of 2017), in Article 165, the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced passim by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 53. In the Protection Against Discrimination Act (promulgated in the State Gazette No. 86 of 2003; amended in No. 70 of 2004, No. 105 of 2005, Nos. 30 and 68 of 2006, Nos. 59 and 100 of 2007, Nos. 69 and 108 of 2008, Nos. 42, 74 and 103 of 2009, No. 97 of 2010, Nos. 23 and 39 of 2011, Nos. 38 and 58 of 2012, Nos. 15 and 68 of 2013, No. 26 of 2015 and Nos. 33 and 105 of 2016), in Item 5 of Article 44 (1), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 54. In the Health Insurance Act (promulgated in the State Gazette No. 70 of 1998; amended in Nos. 93 and 153 of 1998, Nos. 62, 65, 67, 69, 110 and 113 of 1999, Nos. 1 and 64 of 2000, No. 41 of 2001, Nos. 1, 54, 74, 107, 112, 119 and 120 of 2002, Nos. 8, 50, 107 and 114 of 2003, Nos. 28, 38, 49, 70, 85 and 111 of 2004, Nos. 39, 45, 76, 99, 102, 103 and 105 of 2005, Nos. 17, 18, 30, 33, 34, 59, 80, 95 and 105 of 2006, No. 11 of 2007; [modified by] Constitutional Court Decision No. 3 of 2007, [promulgated in] No. 26 of 2007; amended in Nos. 31, 46, 53, 59, 97, 100 and 113 of 2007, Nos. 37, 71 and 110 of 2008, Nos. 35, 41, 42, 93, 99 and 101 of 2009, Nos. 19, 26, 43, 49, 58, 59, 62, 96, 97, 98 and 100 of 2010, Nos. 9, 60, 99 and 100 of 2011, Nos. 38, 60, 94, 101 and 102 of 2012, Nos. 4, 15, 20, 23 and 106 of 2013, Nos. 1, 18, 35, 53, 54 and 107 of 2014 and Nos. 12, 48, 54, 61, 72, 79, 98 and 102 of 2015; [modified by] Constitutional Court Decision No. 3 of 2016, [promulgated in] No. 20 of 2016; amended in No. 98 of 2016 and No. 85 of 2017), in Item 2 of Article 19 (4), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 55. The Financial Supervision Commission Act (promulgated in the State Gazette No. 8 of 2003; amended in Nos. 31, 67 and 112 of 2003, No. 85 of 2004, Nos. 39, 103 and 105 of 2005, Nos. 30, 56, 59 and 84 of 2006, Nos. 52, 97 and 109 of 2007, No. 67 of 2008, Nos. 24 and 42 of 2009, Nos. 43 and 97 of 2010, No. 77 of 2011, Nos. 21, 38, 60, 102 and 103 of 2012, Nos. 15 and 109 of 2013, Nos. 34, 62 and 102 of 2015, Nos. 42 and 76 of 2016; [modified by] Constitutional Court Decision No. 10 of 2017, [promulgated in] No. 57 of 2017; amended in Nos. 62, 92 and 95 of 2017) shall be amended and supplemented as follows:

1. In Item 6 of Article 6 (2), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

2. In Article 25 (1):

(a) there shall be inserted a new Item 3:

"3. of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission or of the authorities thereof;"

(b) the existing Items 3, 4, 5, 6, 7, 8 and 9 shall be renumbered to become Items 4, 5, 6, 7, 8, 9 and 10, respectively.

§ 56. In the Concessions Act (promulgated in the State Gazette No. 96 of 2017), in Item 8 of § 1 of the Supplementary Provisions, the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 57. In the Cultural Heritage Act (promulgated in the State Gazette No. 19 of 2009; [modified by] Constitutional Court Decision No. 7 of 2009, [promulgated in] No. 80 of 2009; amended in Nos. 92 and 93 of 2009, No. 101 of 2010, No. 54 of 2011, Nos. 15, 38, 45, 77 and 82 of 2012, Nos. 15 and 66 of 2013, No. 98 of 2014, Nos. 16, 52 and 74 of 2016 and No. 96 of 2017), in Article 195 (9), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 58. In the People's Chitalishte Act (promulgated in the State Gazette No. 89 of 1996; amended in No. 95 of 1997, No. 90 of 1999, Nos. 28 and 94 of 2005, No. 108 of 2006, Nos. 42 and 74 of 2009, Nos. 47 and 97 of 2010, No. 68 of 2013 and No. 74 of 2016), in Article 19a, the words "shall submit declarations of conflict of interest under the terms and according to the procedure established by the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "shall declare the private interests thereof within the meaning given by the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 59. The Fisheries and Aquaculture Act (promulgated in the State Gazette No. 41 of 2001; amended in Nos. 88, 94 and 105 of 2005, Nos. 30, 65, 82, 96 and 108 of 2006, Nos. 36, 43 and 71 of 2008, Nos. 12, 32, 42, 80 and 82 of 2009, Nos. 61 and 73 of 2010, Nos. 8 and 19 of 2011, Nos. 38, 59, 77 and 102 of 2012, Nos. 15 and 109 of 2013, Nos. 53 and 107 of 2014, Nos. 12 and 102 of 2015, No. 105 of 2016 and Nos. 58, 63 and 92 of 2017) shall be amended as follows:

1. In Article 21c (2):

(a) in Item 9, the words "Item 1 of § 1 of the Supplementary Provision of the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "Item 15 of § 1 of the Supplementary Provisions of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act";

(b) in Item 10, the words "Articles 21 and 22 of the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "Article 68 or 69 of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act";

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

§ 60. The Judiciary System Act (promulgated in the State Gazette No. 64 of 2007; amended in Nos. 69 and 109 of 2008, Nos. 25, 33, 42, 102 and 103 of 2009; No. 59 of 2010, Nos. 1, 23, 32, 45, 81 and 82 of 2011; [modified by] Constitutional Court Decision No. 10 of 2011, [promulgated in] No. 93 of 2011; amended in Nos. 20, 50 and 81 of 2012, Nos. 15, 17, 30, 52, 66, 70 and 71 of 2013, Nos. 19, 21, 53, 98 and 107 of 2014, No. 14 of 2015, Nos. 28, 39, 50, 62 and 76 of 2016, No. 13 of 2017; [modified by] Constitutional Court Decision No. 1 of 2017, [promulgated in] No. 14 of 2017; amended in Nos. 63, 65, 85 and 90 of 2017) shall be amended and supplemented as follows:

1. In Article 29c (2), the words "Article 19 (4)" shall be replaced by "Article 19 (5)".

2. In Item 2 of Article 175a (1) at the end, there shall be added "an on the sources of the funds upon early repayment of obligations and loans".

3. In Article 175e (1), the words "three months" shall be replaced by "six months".

4. In the Act, the words "Article 2 of the Conflict of Interest Prevention and Ascertainment Act" shall be replaced passim by "Article 52 of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 61. In the Insurance Code (promulgated in the State Gazette No. 102 of 2015; amended in Nos. 62, 95 and 103 of 2016 and Nos. 8, 62, 63, 85, 92 and 95 of 2017), Item 2a of Article 150 (1) shall be amended to read as follows:

"2a. before the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission and the directors of territorial directorates according to the procedure established in the law."

§ 62. In the Classified Information Protection Act (promulgated in the State Gazette No. 45 of 2002; amended in Nos. 5 and 31 of 2003, Nos. 52, 55 and 89 of 2004, Nos. 17 and 82 of 2006, Nos. 46, 57, 95 and 109 of 2007, Nos. 36, 66, 69 and 109 of 2008, Nos. 35, 42, 82 and 93 of 2009, Nos. 16 and 88 of 2010, Nos. 23, 48 and 80 of 2011, Nos. 44 and 103 of 2012, Nos. 52 and 70 of 2013, Nos. 49 and 53 of 2014, Nos. 14, 61 and 79 of 2015, No. 28 of 2016; [modified by] Constitutional Court Decision No. 7 of 2016, [promulgated in] No. 49 of 2016; amended in Nos. 62, 71 and 81 of 2016 and No. 97 of 2017), in Item 1 of § 1 of the Supplementary Provisions, the words "and the State Agency for Technical Operations" shall be replaced by "the State Agency for Technical Operations and the authorities referred to in Article 16 (2) of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 63. In the Measures against Money Laundering Act (promulgated in the State Gazette No. 85 of 1998; amended in Nos. 1 and 102 of 2001, No. 31 of 2003, Nos. 103 and 105 of 2005, Nos. 30, 54, 59, 82 and 108 of 2006, Nos. 52, 92 and 109 of 2007, Nos. 16, 36, 67 and 69 of 2008, Nos. 22, 23 and 93 of 2009, Nos. 88 and 101 of 2010, Nos. 16, 48, 57 and 96 of 2011, Nos. 44, 60 and 102 of 2012, No. 52 of 2013, Nos. 1, 22 and 53 of 2014, Nos. 14 and 79 of 2015, Nos. 27 and 81 of 2016 and No. 96 of 2017), in Article 12 (4), after the words "the prosecutor's office" there shall be placed a comma and there shall be inserted "to the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission".

§ 64. In the Road Traffic Act (promulgated in the State Gazette No. 20 of 1999; amended in No. 1 and 2000, Nos. 43 and 76 of 2002, Nos. 16 and 22 of 2003, Nos. 6, 70, 85 and 115 of 2004, Nos. 79, 92, 99, 102, 103 and 105 of 2005, Nos. 30, 34, 61, 64, 80, 82, 85 and 102 of 2006, Nos. 22, 51, 53, 97 and 109 of 2007, Nos. 36, 43, 69, 88 and 102 of 2008, Nos. 74, 75, 82 and 93 of 2009, No. 54, 98 and 100 of 2010, Nos. 10, 19, 39 and 48 of 2011; [modified by] Constitutional Court Decision No. 1 of 2012, [promulgated in] No. 20 of 2012; amended in Nos. 47, 53, 54, 60 and 75 of 2012, Nos. 15 and 68 of 2013, Nos. 53 and 107 of 2014, Nos. 14, 19, 37, 79, 92, 95, 101 and 102 of 2015, Nos. 13, 50, 81, 86, 98 and 101 of 2016 and Nos. 9, 11, 54, 58, 77 and 97 of 2017), in Article 91 (3), there shall be placed a comma and there shall be inserted "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission upon the implementation of operational detection activities".

§ 65. The Criminal Procedure Code (promulgated in the State Gazette No. 86 of 2005; amended in Nos. 46 and 109 of 2007, Nos. 69 and 109 of 2008, Nos. 12, 27, 32 and 33 of 2009, Nos. 15, 32 and 101 of 2010, Nos. 13, 33, 60, 61 and 93 of 2011; [modified by] Constitutional Court Decision No. 10 of 2011, [promulgated in] No. 93 of 2011; amended in Nos. 19, 20, 25 and 60 of 2012, Nos. 17, 52, 70 and 71 of 2013, No. 21 of 2014, Nos. 14, 24, 41, 42, 60, 74 and 79 of 2015, Nos. 32, 39, 62, 81 and 95 of 2016 and Nos. 13 and 63 of 2017) shall be amended and supplemented as follows:

1. In Article 194 (1):

(a) in Item 2, there shall be added at the end: "and by the authorities referred to in Article 16 (2) of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act";

(b) there shall be inserted a new Item 2a:

"2a. criminal offences under Articles 201 to 205, 212, 212a, 219, 220, 224, 225b, 226, 250, 251, 253 to 253b, 254a, 254b, 256, 282 to 283a, 285, 287 to 289, 294, 295, 299, 301 to 307, 310, 311 and 313 of the Criminal Code, committed by senior public office holders, according to the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act."

2. In Item 6 of Article 196 (1), after the words "of the Ministry of Interior", there shall be placed a comma and there shall be inserted "of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission".

3. In Item 2 of Article 215 (1), after the words "of the Ministry of Interior", there shall be placed a comma and there shall be inserted "of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission".

4. In Article 245 (1), after the words "the State Agency for National Security", there shall be placed a comma and there shall be inserted "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission".

5. In Item 4 (f) of Article 411a (1), the words "the Commission for Forfeiture of Unlawfully Acquired Assets" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission".

§ 66. In the Public Offering of Securities Act (promulgated in the State Gazette No. 114 of 1999; amended in Nos. 63 and 92 of 2000, Nos. 28, 61, 93 and 101 of 2002, Nos. 8, 31, 67 and 71 of 2003, No. 37 of 2004, Nos. 19, 31, 39, 103 and 105 of 2005, Nos. 30, 33, 34, 59, 63, 80, 84, 86 and 105 of 2006, Nos. 25, 52, 53 and 109 of 2007, Nos. 67 and 69 of 2008, Nos. 23, 24, 42 and 93 of 2009, Nos. 43 and 101 of 2010, Nos. 57 and 77 of 2011, Nos. 21, 94 and 103 of 2012, No. 109 of 2013, Nos. 34, 61, 62, 95 and 102 of 2015, Nos. 33, 42, 62 and 76 of 2016 and Nos. 62, 91 and 95 of 2017),

in Item 6 of Article 77g (3), the words "the Conflict of Interest Prevention and Ascertainment Act" shall be replaced by "the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act".

§ 67. (1) The Council of Ministers and the Plenum of the Supreme Judicial Council shall adopt the ordinances referred to in § 2 (6) herein within three months from the entry into force of this Act.

(2) The Rules referred to in Article 23 herein shall be adopted within one month from the entry into force of this Act.

(3) The ordinances referred to in Article 85 (2) and in Article 102 (2) herein shall be adopted within three months from the entry into force of this Act.

(4) The instructions referred to in Article 24 (2), in Article 27 (2), in Article 88 (1) and in Article 104 (2) herein shall be adopted within three months from the entry into force of this Act.

(5) The rules referred to in Item 11 of Article 13 (1), Article 15 (8) and in Article 167 (4) herein shall be adopted within one month from the entry into force of this Act.

(6) The Commission shall adopt a comprehensive methodology for the prevention and forestalling of corruption on the basis of the methodology endorsed theretofore at the Centre for Prevention and Countering Corruption and Organised Crime within three months from the constituting of the Commission.

(7) The authorities referred to in Article 35 (3) herein shall endorse the standard forms of the declarations referred to in Items 1 and 3 of Article 35 (1) herein within three months from the entry into force of this Act.

(8) The Commission shall endorse the standard forms of the declarations referred to in Items 2 and 4 of Article 35 (1) herein within three months from the entry into force of this Act.

§ 68. (New, SG No. 21/2018, effective 23.01.2018) Paragraph 4 (1) regarding municipal councilors and § 19, item 2 shall become effective as of 1st day of December 2019.

This Act was passed by the 44th National Assembly on the 20th day of December 2017 and on the 12th day of January 2018, and the Official Seal of the National Assembly has been affixed thereto.