## CONFERENCE ON ACCESSION TO THE EUROPEAN UNION - BULGARIA -

Brussels, 3 July 2002

**CONF-BG 31/02** 

## **Document provided by Bulgaria**

Subject: Additional information (including Annexes 1-4)

Chapter 25 - Customs Union

## Supplementary Information to Negotiating Position On Chapter 25 – Customs Union (CONF-BG 56/00, 2/01, and 70/01)

Bulgaria wishes to refer to its Negotiating Position on Chapter 25 "Customs Union" (CONF-BG 56/00, 2/01, and 70/01) and to the European Union Common Position on Chapter 25 (CONF-BG 29/01) and to provide supplementary information on issues raised in Document CONF-BG 29/01.

# Developments in the Community Legislation on Tariff and Statistic Nomenclature and Common Customs Tariff – Council Regulation (EEC) 2658/87

The Provisions of Regulation 2658/87 related to the adoption of the Combined Nomenclature and the introduction of the Integrated Customs Tariff structure are fully implemented by Decree 289 of 20.12.2001 of the Council of Ministers.

Pursuant to Article 8 of Regulation 2658/87, the Decree sets up a Committee on the Integrated Customs Tariff, which is in charge of:

Delivering of opinions related to issues concerning the implementation of the tariff and non-tariff measures reflecting the respective legislation, and Delivering of opinions on the compatibility with the Combined Nomenclature and the Integrated Customs Tariff of amendments to the legislative framework concerning other policies like commercial policy, agricultural policy, environmental policy, etc.

The committee consists of representatives of all ministries and representatives from public organisations, registered under the Law on non-profit legal persons. Its opinions are not binding.

A Decree of the Council of Ministers, introducing the rules of procedure for administering the duty suspension policy and opening of tariff quotas on autonomous basis defined in Regulation 1255/96 will be adopted until the end of 2002.

## Amendments to the Customs Legislation and Regulation 339/93

The amendments to the Customs Code, as amended by Regulations 955/99 and 2700/2000, and the Provisions of Regulation (EC) 339/1993 on checks for conformity with the rules on product safety will be fully reflected in an amendment to the Customs Act, scheduled for the second half of 2002. The amendment will define the relationship between customs controls and market surveillance bodies and will set out rules of procedure for defining certain groups of goods as subject to customs and market surveillance control.

## Preferential Rules of Origin needed to enable the Pan-European Cumulation System to function

Bulgaria has concluded a Free Trade Agreement (FTA) with Lithuania – in force as of 01.03.2002.

The FTA with Estonia is implemented on a provisional basis as of 01.01.2002, before entering into force.

The FTA with Latvia has been initialled. Signature is pending.

As regards the discussion on a possible enlargement of the Pan-European Cumulation System, Bulgaria would like to inform that:

The FTA between Bulgaria and the State of Israel is in force as of 01.01.2002. The FTA between Bulgaria and Croatia is being implemented since 01.02.2002.

The FTAs between Bulgaria and Yugoslavia and between Bulgaria and Morocco are currently being negotiated.

## **Cultural goods**

Bulgaria wishes to refer to its position stated in CONF-BG 2/01 and to clarify that additional improvement to the draft Act on Museums, Galleries, Protection and Distribution of Cultural Goods has been undertaken. The new draft has been approved by the Council of Ministers and forwarded to the Parliament. The Act will be adopted by the Parliament by 30.09.2002 at the latest. Pursuant to this Act, an Ordinance of the Council of Ministers on the exports of works of cultural value will be adopted, introducing Regulation 3911/92 and Regulation 752/93 by 30.10.2002 at the latest to achieve full harmonization with the *acquis*.

## Implementation of the Business Strategy for the National Customs Agency

An updated version of the Business Strategy for the Bulgarian Customs Administration and a Detailed Financial Plan<sup>1</sup> for the human and budget resources necessary for the full implementation of the Business Strategy are attached to Document CONF-BG 70/01.

Some further updates to the Business Strategy were made to take into account the commitments of the consulting Company "Crown Agents" in the context of its contract with the Ministry of Finance, to assist the BCA in the following fields:

Increasing the effectiveness of the intelligence and investigation activities of the customs administration;

Introducing a highly effective system for internal audit;

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20437/02 CONF-BG 31/02

<sup>&</sup>lt;sup>1</sup> The Budget of Crown Agents is not a part of the BCA budget. Crown Agents use a separate budget line of the Ministry of finance, which could be regarded as supplementary to the budget for the Detailed Financial Plan for the human and budget resources necessary for the full implementation of the Business Strategy.

Enhancing the procedures for prevention and investigation of customs offences; Raising the level of professional ethics in the customs administration;

Further introducing of risk analysis though elaboration of risk profiles and application of selectivity principles;

Enhancing revenue collection procedures.

An indication of the activities planned in the above-mentioned areas, as well as the budget allocated, is provided in Annex 1: *Activities planned in the areas where the Crown Agents will assist the BCA*. A short description of the goals of the contract with Crown Agents, its main aims and budget is provided in Annex 2: *Short description of the contract with Crown Agents (main aims and budget)*.

## **Administrative Structure of the Bulgarian Customs Administration**

In compliance with the Customs Act and the Administration Act, the administrative structure and functions of the Bulgarian Customs Administration are defined by Decree 1/2001 of the Council of Ministers on the Rules of Procedure and Internal Structure of the Customs Agency. (See Annex 3 Decree 1/2001 of the Council of Ministers on the Rules of Procedure and Internal Structure of the Customs Agency and Annex 4: Central Customs Directorate and Regional Offices Organisation Chart<sup>1</sup>).

Any changes to enhance the investigation and intelligence functions, audit and the ability to operate the customs-related aspects of the CAP to the administrative structure will be dully communicated and consulted with the EU.

## **Development of Communication Infrastructure**

The communication infrastructure of WAN type is in the final stages of development, it connects all services of the Ministry of Finance. The customs regional structures will be connected to the WAN by the end of 2002.

## **Interconnection with the EU Customs IT Systems**

In March 2002, the Strategy for Development and Implementation of Bulgarian Integrated Customs Information System (BICIS) was updated into a broader and much more detailed IT Strategy for the Customs Agency (See Annex 5: *IT Strategy of the Bulgarian Customs Administration* and the Attachment to Annex 5: *BCA IT Strategy Plan*), providing for the establishment of a fully compatible with the IT systems of DG TAXUD Bulgarian IT system.

. The update of the Strategy provides for smooth implementation of the requirements of NCTS and ITMS (TARIC, QUOTA, EBTI and others) in the national system and ensures the necessary conditions for the functioning of BICIS in the same environment, thus minimising the risk of incompatibility with EU customs IT systems. The Strategy is financed both by the PHARE

20437/02 CONF-BG 31/02 4

 $<sup>^{1}</sup>$  The Organisation chart is fully compliant with Decree 1/2001 and the financial plan attached to doc. 70/01

programme and the state budget. In June 2002, BCA created the Interoperability Implementation Strategy (BCA IIS) as a detailed extract of the IT strategy. The BCA IIS working document (See Annex 6: *BCA Inter-connectivity/operability strategy*), states the detailed strategy and the status of the works undertaken in BCA to achieve interoperability with the EC and the Member States systems.

Training of IT personnel and specialists in procedural requirements has been carried out in co-operation with Eurocustoms under the PHARE program "Customs Training Connected with IT System Operated by DG TAXUD".

Data needed by Crown Agents to make recommendations on the improvement of the intelligence and investigation procedures could be obtained through TIMS modules attached to BICIS as temporary patches. The patches would be removed when BICIS becomes capable of performing their specific functions. Patches will be added only after consultations with EU experts. The TIMS modules will in no way affect the functionality of BICIS.

## Rationalisation of the Bulgarian Customs Administration's Border Operations

In the framework of a PHARE project BG98-06-02-03-0004 on border control improvement, a Strategy for Rationalisation of the Bulgarian Customs Administration's Border Operations and Detailed Plan of the Activities for the Achievement of the Tasks and Goals Included in the Strategy have been adopted.

Pursuant to the Strategy, Bulgaria is building a framework of Bilateral Agreements on joint border-crossing operations or joint border checkpoints with the neighbouring countries. Such possibility is envisaged in the development of the infrastructure at Bulgarian-Romanian border in the region of Vidin-Kalafat and Rousse-Gyurgevo. In the framework of the Facilitating of Border Crossings along Danube River Project a cable connection between the Customs Offices in Rousse and Gyurgevo is envisaged, as well as a plan for wireless communication between the other Customs offices along Danube River in Bulgaria and Rumania. A Protocol for Exchange of Information is annexed to the Bilateral Co-operation Agreement with Macedonia.

An amendment to the Ordinance on the Border Check-Points has been adopted to improve the co-ordination between the bodies in charge of border control;

With the aim of improving the infrastructure and the capacity of the border check – points, which by the date of accession will become external border of EU, there are several ongoing projects financed by different sources:

The National PHARE Programme – equipment supplied under Specification No1:

PHARE 2002 – Strengthening the Border Control Capacities Project – developing of Kapitan Andreevo architectural plan since it is one of the basic border crossings on the future external border of EU;

Trade and Transport Facilitation in South-East Europe Project carried out in context of the World Bank Regional Program on the Capacity and Infrastructure of Some Border Crossings – under Specification No2;

Facilitation of Danube River Border Crossing Project;

Under the SECI Regional Centre – anti-drug traffic technical equipment granted by the USA (19 types of instruments for control);

Equipment, facilities and training of personnel, financed by the British Government, to help examination of refrigerated/frozen goods at the Kapitan Andreevo border crossing point.

## **Protection of Intellectual Property Rights**

As regards the legislative and administrative framework of trade aspects of intellectual property rights, detailed information could be found in the Information to Negotiating Position on Chapter 5 "Company Law" (these negotiations were provisionally closed on the basis of existing *acquis*).

The procedures applied by the customs authorities as regards protection of intellectual property rights, are defined by the Ordinance on Border Control Measures Related to the Protection of Intellectual Property Rights, in force as of 01.01.2001, introducing Regulations 3295/94 and 1367/95. Detailed rules on the application of border control measures by customs officers have been developed. Under the Ordinance a total of 88 requests for intervention have been submitted. 3 requests are related to copyright and related rights, 4 to industrial design and 81 to trade marks. Proceedings on 66 requests have been held, resulting in about 20 seizures.

Following the experience of a number of member states, some of the measures for protection of intellectual property rights will be included at national level into the Integrated Customs Tariff in 2004 as non-tariff measures (quantity restrictions and prohibitions). This will enable the customs officers to receive additional information on goods, which could potentially be pirated or counterfeited.

## Fight against Economic Crime and Organised Crime

Instruction for co-operation between the customs authorities and the Financial Intelligence Bureau has been signed and is being implemented since the beginning of March 2002. It regulates the exchange of information in the process of prevention of money laundering as well as organising and carrying out of joint initiatives.

The Bulgarian Customs Administration is actively involved in regional cooperation activities targeted at combating drug trafficking, customs offences, financial and computer crimes and car theft by participating in the working groups with the Bucharest based SECI Regional Centre for fighting tranceborder offences. In compliance with the approved program "Alliance between Customs and Commercial Sector for Fighting Illegal Drug Trafficking" Memorandums of Understanding for prevention of illicit traffic of drugs have been signed between Customs and LOT airlines, Olympic airways, express courier services TNT – Bulgaria and UPS in 2001.

Negotiations on signing such memorandums are carried out with container carriers and shipping agents.

## Implementation of Selectivity Methods and Risk Analysis

The Bulgarian Customs Administration consistently improves its control activities through implementation of methods for risk analysis. Priority is attached to analysis of certain goods, mainly excised, and verification of adequate classification, value and origin declarations. In 2001 twenty-one cases of ascertained customs violations discovered as a result of implementation of methods of risk analysis have been reported. Six more similar cases have been registered in the first two months of 2002.

Since March customs control with active implementation of risk analysis is being performed in the Plovdiv Customs Office. Eight risk profiles have been prepared – one for representation purposes and seven – for different groups of goods. The profiles have been prepared on the basis of the specific features of the region. They analyse the factors influencing the degree of the respective risk fields. During the pilot stage as a result of the application this method, full customs control is being performed on approximately 120 cases per month on the average, which represents about five percent of the total cases.

The Customs Intelligence and Investigation Module of BICIS, which will strongly enhance the implementation of risk analysis, is due to be operational by 30.06.2003.

## **Post-Clearance Control**

At present, post-clearance control covers documents issued with regard to the implementation of preferential duties, as well as the correct classification of goods and the calculation of customs duties. The activity is centralised but there is no separate, specialised structure. Post-clearance control is carried out at the discretion of customs officers on the basis of suspicious appearance or content of filed documents, or using "random selection".

In the framework of the PHARE Project BG 0103.05 implemented in cooperation with the Customs Administration of Germany, detailed rules on the implementation of post-clearance control on the premises of economic subjects will be developed.

20437/02 CONF-BG 31/02

The expected outputs of the project are:

A Strategy for development of the functions and of the necessary structures for post-clearance control;

Analysis of the human resources needs;

Elimination of existing overlaps of responsibilities with other structural units and administrative bodies;

Analysis of the legislation on the responsibilities of the Customs Administration as regards post-clearance control on the basis of which recommendations will be made;

Instructions for auditors and specialised training of auditors.

## **Professional Integrity and Training Systems**

BCA employs 668 civil servants under the Civil Servant Law and 3159 customs officers, inspectors and others under the Labour Code. The number of employees and their denominations are given in Annex 7: *Number of persons employed by BCA and denominations*.

Civil Servants are appointed with an order of the Director-General. Customs officers employed under the Labour Code are contracted by the Director-General.

The management staff at central, regional, and local level and the specialised staff at central level have a Civil Servant Status.

The specialised staff at regional and local level is employed under the Labour Code due to the following reasons:

The Civil Servant Law sets out a number of criteria, which should be met by the Civil Servants to ensure a high quality civil service. These relate to certain educational and length of service requirements which at this stage cannot be met by some of the regional and local customs officers;

Due to budgetary constraints the customs administration is currently/at this stage not in a position to significantly increase the number of civil servants.

BCA employees, regardless of their status:

Are subject to the Customs Act and the Rules of Procedure of BCA; Are paid from the BCA budget;

Participate on equal terms in the relevant training programmes of BCA.

In compliance with the Rules for the Internal Structure of the Customs Agency, job descriptions and entry requirements for all positions have been elaborated.

Administrative penalties for the civil servants are defined in the Civil Servant's Law. Administrative penalties for those employed under the Labour Code are defined by the Labour Code. The most severe administrative penalty for both types of employees is dismissal from work.

The Customs Inspectorate is in charge of preventing and investigating violations of the Customs Act and its Implementing Regulation, the Rules of Procedure of BCA, and other violations for which administrative penalties are imposed.

Integrity rules are defined in the Rules of Procedure of BCA. Confidentiality is required by article 17 of the Customs Act.

All BCA officers have the right to seek out-of-court settlement or to appeal to a court of law all administrative penalties.

Bulgaria will introduce the practices and the standards of EU with regard to the management of the human resources in the framework of PHARE Project BG 0103.05 implemented in co-operation with the Customs Administration of Germany through the component "Organisation and Management of Human Resources". The project envisages full analysis and recommendations on:

Administrative structures at central and regional level; Provisions regarding the administrative management; Internal communication system, and Management training.

## **Conditions for career development**

The training system is constantly adapted to the changes in the Customs Administration. The Strategy for Qualification and Specialisation of the Human Resources in the Customs Administration was developed in 1998. In the process of bringing it up-to-date with the help of EU experts, in 2002 it was harmonised with some of the requirements of the Public Administration and European Administration Institute to the Council of Ministers. The specific requirements of the particular workplaces in the Customs Administration were taken into account.

By virtue of Decree No85 of the Council of Ministers, a training programme for customs officers was adopted. A training programme for newly appointed customs inspectors was adopted as well. A new training component on customs ethics was included in the two programmes. The component was elaborated in co-operation with the Customs Administration of France.

BCA participates actively in the implementation of the National Anti-Corruption Strategy. The necessary measures for practical realisation of the recommendations of the twinning "Anti-Corruption" are implemented. The internal control on the activities of customs officers was improved through the introduction of:

On-the-spot checks of complaints,

Strengthened control on the property status of the employees on all levels.

A mechanism for additional financial motivation of customs officers through the Fund for motivation of customs officers is envisaged under Ordinance No2 of the Minister of Finance of December 2001. The Fund is actually an item of the budget of BCA, amounting to not more 25% of the total yearly staff remuneration. The Ordinance envisages three types of additional financial motivation:

For personal contribution to the fight against customs and currency offences; For personal contribution to the fight against corruption or other illegal activities of customs officers;

For model performance at the workplace – at the discretion of the management, based on a set of criteria related to expertise, productivity, quality of work, extra workload, etc.

### **Grant of Powers**

To expand the investigation and intelligence powers of the customs officers, in the legislative programme of the Government are included:

Amendments to the Penal Procedure Code, granting investigation powers to customs officers (interministerial co-ordination procedure), and

Amendments to the Road Traffic Act, giving right to customs officers to stop vehicles on the road for control purposes (passed first reading in Parliament). On the basis of this amendment up to 10 "mobile" teams, each composed of two customs officers, will be set up. The teams will be under the Customs Intelligence and Investigation Directorate. Detailed operational rules for the teams will be adopted. The teams are expected to be operational by the end of 2002.

## Improving the Relationship between Customs Services and Businesses

A draft Decree of the Council of Ministers on the establishment of a consultative body to assist the Minister of Finance has been prepared. The participants in that body, their role, and the rules of procedure will be based on the examples of the best practices of the EU Member States. The consultative body will play an essential role in discussing the customs policy and will become an open forum for discussions with the businesses and society. Its basic functions will be:

To ensure that the proposals of the businesses and society as regards the development of customs policy are duly taken into account;

To provide a link between the customs administration, businesses and NGOs to guarantee proper co-ordination and exchange of information with a view of ensuring as high as possible facilitation of trade;

To collect, analyse and distribute information about the progress in the modernisation of BCA through consulting the business society, customs officials and other parties concerned;

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20437/02 CONF-BG 31/02 10

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The official website οf the National Customs Agency (http://www.customs.government.bg) was designed in the beginning of 2002 both in Bulgarian and English languages. It includes:

The structure of the administration with access to the addresses, telephone numbers and e-mail addresses of all customs offices in the country, as well as an information about their working time and infrastructure;

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Tables with the applied duty rates for the year 2002 in compliance with the **Integrated Customs Tariff** 

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Legal Acts:

- Customs Act and Implementing Regulation
- Rules for Internal Procedure and Regulations for organisation of the National Customs Agency's activity on central and regional level (Sofia, Plovdiv, Russe, Varna, Bourgas);

Instructions for the application of the protocols on the rules of origin to the free trade agreements signed by the Republic of Bulgaria.

Information on the rights and obligations of the passengers crossing the border of the Republic of Bulgaria:

Information from the Press centre of the National Customs Agency on the latest events concerning the customs activity and "Customs Chronicle" magazine;

## **Customs Laboratories**

The Strategy for the Customs Laboratories provides for increase in the experttechnical capacity of the Bulgarian Customs Administration as regards the application of tariff and non-tariff measures, as well as measures connected with the agricultural and other policies. The capacity of the administration will be improved by means of introducing effective methods of analysis, modern analytic instruments and standardised system to secure and control the quality of the laboratory analysis.

The Strategy will be updated to reflect the recommendations of the EU experts made on the basis of an analysis of the activities and the equipment available. Financing under PHARE project 2003 (postponed from PHARE 2002) is foreseen in order to complete the equipment of the Central Customs Laboratory in Sofia and the chemical laboratory in Rousse, as well as to upgrade the laboratory IT system. After the upgrade, the IT system will be connected with BIMIS, which will provide for:

More efficient implementation of the regulations and decisions concerning the tariff classification of the goods in the Combined Nomenclature;

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Appropriate keeping of results from laboratory tests, and

Making the test results accessible to all interested parties.

20437/02 CONF-BG 31/02

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The Bulgarian government proposes the negotiations on this chapter to be provisionally closed on the basis of the existing *acquis*.

Should new elements of the *acquis* make it necessary, Bulgaria will recognise the possibility of opening supplementary negotiations before the end of the Intergovernmental Conference.

#### **List of Annexes**

- Annex 1: Activities planned in the areas where the Crown Agents will assist the BCA
- Annex 2: Short description of the contract with Crown Agents (main aims and budget)
- Annex 3: Decree 1/2001 of the Council of Ministers on the Rules of Procedure and Internal Structure of the Customs Agency
- Annex 4: Central Customs Directorate and Regional Offices Organisation Chart
- Annex 5: IT Strategy of the Bulgarian Customs Administration

Attachment to Annex 6: BCA IT Strategy Plan

- Annex 6: BCA Inter-connectivity/operability strategy
- Annex 7: Number of persons employed by BCA and denominations

## ACTIVITIES PLANNED IN THE AREAS WHERE THE CROWN AGENTS WILL ASSIST THE BULGARIAN CUSTOMS **ADMINISTRATION**

	Activity and Description	CA <sup>1</sup> Budget <sup>2</sup>	Deadline of CA
1.	<ul> <li>Increasing the effectiveness of the intelligence and investigation activities of the customs administration</li> <li>Development of overall investigation and intelligence strategies</li> <li>Enhancement of the intelligence and investigation functions through allocation of increased resource, training of staff, provision of additional equipment and improved management of resources</li> <li>Development of new and improved systems for the collection,</li> </ul>	<b>Allocation</b> (€) 982,000	Dec 2004
2.	<ul> <li>analysis and dissemination of information</li> <li>Enhancement of inter-agency cooperation</li> <li>Introducing a highly effective system for internal audit</li> <li>Creation of a dedicated internal audit function</li> <li>Development of a comprehensive internal audit system and procedures for system and management audits</li> </ul>	530,400	Nov 2004
3.	<ul> <li>Staffing, training and equipping of the internal audit unit function Enhancing the procedures for prevention and investigation of customs offences</li> <li>Deployment of mobile teams to target all types of revenue fraud and raise levels of compliance</li> <li>Professional training of staff in rummage,</li> <li>Inclusion of Ministry of Interior personnel in teams to promote closer inter-agency working</li> </ul>	5,397,600	Dec 2004

<sup>&</sup>lt;sup>1</sup> Crown Agents
<sup>2</sup> The Budget of Crown Agents is not a part of the BCA budget. Crown Agents use a separate budget line of the Ministry of finance, which could be regarded as supplementary to the budget for the Detailed Financial Plan for the human and budget resources necessary for the full implementation of the Business Strategy

	Activity and Description	CA¹ Budget² Allocation (€)	Deadline of CA activities
	• Equipping of mobile teams with vehicles and equipment		
4.	<ul> <li>Raising of professional ethics in the customs administration</li> <li>Finalisation of draft policy on customs ethics</li> <li>Development of a dedicated system for the investigation of staff irregularities</li> <li>Analysis of existing systems to identify weaknesses</li> <li>Implementation of an ethics awareness-raising campaign</li> <li>Development of a module on ethics for inclusion in staff induction</li> </ul>	951,600	Nov 2004
5.	training  Further introducing of risk analysis through the elaboration of risk profiles and application of selectivity principles  • Development/enhancement of risk profiles at the national, regional and local levels, as well as traffic-based risk profiles  • Promulgation of risk profiles to local offices  • Development of a system for refining and updating profiles  • Training of staff in all aspects of risk-based controls	858,000	Mar 2003
6.	<ul> <li>Enhancing revenue collection procedures</li> <li>Development of a strategy and enhanced systems for management controls over the revenue collection process</li> <li>Development of improved and more uniform systems for revenue collection</li> <li>Development of improved and detailed staff instructions on application of controls</li> </ul>	702,000	Feb 2003

## SHORT DESCRIPTION OF THE CONTRACT WITH CROWN AGENTS

(MAIN AIMS AND BUDGET)

Crown agents have been contracted by the Ministry of Finance for a period of three years. They are providing technical assistance and equipment in support of the strategic aims of the BCA:

To improve the legislated and operational capacity to apply the acquis communautaire

To increase government revenue through the effective and efficient collection of all customs duties and other taxes

To develop customs procedures which facilitate and promote legitimate trade

To reduce corruption, fraud and other crimes

Crown Agents are deploying approximately 40 technical experts in total, including 17 long-term advisers in Bulgaria. Their personal will act as technical advisers to BCA to support:

Development of the investigation function

Development of the intelligence function

Development of the internal audit function

Improving customs ethics and standards of integrity

Establishment of mobile teams

Development of improved external communications

Development of improved trade facilitation measures

Support for the creation of a Customs Consultative Board

In addition, Crown Agents will provide vehicles and other equipment to support the work of BCA, particularly in relation to the mobile teams

Their programme is designed to deliver significant revenue enhancement, within the context of a wider process of modernisation of the BCA. It has been designed and is being implemented in partnership with the BCA and in close consultation with other key stakeholders.

The total contract price is approximately 12.7 MEURO (8.13 L), net of Bulgarian taxes.

This includes 8.7 MEURO for remuneration for services and 4 MEURO for expenses and equipment.

20437/02 CONF-BG 31/02 15

#### THE RULES FOR THE INTERNAL PROCEDURE OF THE CUSTOMS AGENCY

Adopted with Decree No1 of the Council of Ministers on 8 January 2001 (published in State Gazette (SG), No 4/12 Jan 2001; amended in SG, No 28/28 March 2001, No 73/21 Aug. 2001; in force since 21 August 2001).

Chapter One

#### **GENERAL PROVISIONS**

#### Article 1.

These Rules shall settle the organization, procedures, functions and number of personnel in the Customs Agency, hereinafter called the Agency, as well as the number of personnel in the General Customs Directorate.

#### Article 2.

The Agency is centralized system with the Minister of Finance.

#### Article 3.

The Agency is a legal person acting as a secondary budget funds administrator with the Minister of Finance, situated in Sofia, 1"Aksakov" str.

#### Article 4.

The financial support of the Agency is based on budget funds and revenues under article 14 of the Customs Act, which the Agency shall administer.

#### Chapter Two

POWERS OF THE DIRECTOR GENERAL OF THE CUSTOMS AGENCY

### Article 5.

- (1) (Amended in SG, No 73/2001) The Agency is managed and represented by a Director General. In carrying out his duties the Director General is assisted by four deputies.
- (2) (Amended in SG, No 73/2001) In the absence of the Director General his duties are carried out by a deputy appointed in an order issued by the Minister of Finance.

## Article 6.

The Director General of the Agency shall:

- 1. Represent the Agency;
- 2. Manage and control its functions and tasks;
- 3. Manage directly the activities of the General Customs Directorate;
- 4. Plan, distribute, and control the use of the budget funds as well as the revenues of the Agency;
- 5. Appoint the state employees and terminate their employment;
- 6. Conclude, amend and terminate the employment contracts of the persons employed in the Agency;
- 7. Grant leaves and send the officials on business trips;

- 8. Affirm rules for organization, activities, internal procedures, salaries and rewards in the Agency;
- 9. Affirm the employment schedule of the Agency;
- 10. Affirm the employment requirements;
- 11. Issue penal orders in the cases defined by law;
- 12. Issue individual administrative acts;
- 13. Propose to the Minister of Finance or to a deputy appointed by the Minister measures for defining customs policy;
- 14. Propose to the Minister of Finance or to a deputy appointed by the Minister concluding of international contracts and international agreements in the sphere of customs matters;
- 15. Cooperate with other bodies in forming, carrying out, and controlling the activities related to customs issues;
- 16. Carry out other duties defined by law or other legal acts.

Chapter Three

#### STRUCTURE, FUNCTIONS AND ORGANIZATION

Section one

General Provisions

#### Article 7.

- (1) The Agency is structured as follows: General Customs Directorate and Regional Customs Directorates in Bourgas, Varna, Plovdiv, Rousse and Sofia.
- (2) The Regional Customs Directorates are managed by a Director who also manages directly the activities of the Regional Customs Houses/Offices.

#### Article 8.

- (1) The whole number of positions in the Customs Agency is 3826.
- (2) The whole number of positions in the General Customs Directorate is 320 under the terms of annex #1.
- (3) One position in Customs Investigation and Intelligence Directorate within the General Customs Directorate is reserved for the contact officer in the Regional Centre for Transborder Crime Control with the Southeastern Europe Cooperation Initiative (SECI) situated in Bucharest, Rumania.

## Article 9.

The administration of the General Customs Directorate is structured into two directorates of general administration and seven directorates of specialized administration and Inspectorate Directorate.

#### Article 10.

The organization and activities of the Regional Customs Directorates are defined by Rules adopted by the Minister of Finance upon the proposition of the Director General.

#### Article 11.

- (1) The administrative management of the Agency is executed by a Secretary General.
- (2) The Secretary General shall manage, coordinate and control the activities of the administration in the process of carrying out the legal orders of the Director General of the Agency in compliance with the legal acts, and shall also:
- 1. Provide the organizational link between the Director General and the administrative units as well as between the different administrative units;
- 2. Distribute the tasks between the different administrative units in the Agency;
- 3. Provide for the normal working environment in the Agency;
- 4. Control the carrying out of the administrative tasks;
- 5. Control and take the responsibility for the work with documents and their filing as well as for the professional security;
- 6. Affirm internal rules for administrative service in compliance with the Administrative Service to the Natural and Legal Persons Act, art.7(2);
- 7. Carry out other duties assigned by the Director General.

#### Section three

Inspectorate Directorate

## Article 12.

- (1) The Inspectorate Directorate is a directly subordinated to the Director General and is structured in departments specified in a written order issued by the Director General.
- (2) The Inspectorate Directorate shall have control over the activities of the Customs administration; the Inspectorate Directorate shall:
  - 1. Carry out verifications (complex, on definite theme, specific) in compliance with the customs legislation;
  - 2. Submit to the Director General the results from the verifications and suggest measures for overcoming the malpractice;
  - 3. Monitor the undertaken actions for overcoming of the weaknesses and malpractice, disclosed in the frames of the carried out verifications;
  - 4. Fulfil activities on disclosing and fighting against corruption within Customs administration.
- (3) The Inspectorate Directorate shall execute control as follows:
  - 1. On the base of annual program for verifications approved by the Director General:
  - 2. On the base of order of the Director General in urgent cases and for specific verifications.

Section four

General Administration

## Article 13.

The General Administration of the Central Customs Directorate of the Agency is organized as follows: Financial and Economic Activities and Management of Property Diractorate and Administrative, Legal and Information Service Directorate.

#### Article 14.

Financial and Economic Activities and Management of Property Directorate shall:

- 1. Provide financial-accounting service of the General Customs Directorate;
- 2. Take part in elaboration of normative order as regards the planning and management of financial resources and budget of the Agency;
- 3. Work out a general draft budget of the Agency;
- 4. Prepare, prove and submit for approval in compliance with the budget procedure the allocation of the budget credits to third-rate operators and control their expenses;
- 5. Carry out systematic management of the accountancy of the customs administration and applying of the financial legislation;
- 6. Organize and control current fulfillment of the approved budget;
- 7. Prepare regular reports as well as annual report and balance of the payment of the Agency
- 8. Organize the activity for collection and accounting of the customs receipts and other state claims for the state budget;
- 9. Work out methodical instructions for collection and accounting of revenues from customs receipts and other state claims under the control of customs
- 10. Summarize and analyze the monthly reports for the customs receipts and other state claims that have been entered into account;
- 11. Control the accountancy of the financial security in cash deposits and bank
- 12. Exercise preventive, current and subsequent internal financial control of the
- 13. Organize and provide material and technical supply of the Agency;
- 14. Take responsibility for the correct use, upkeep and management of the property of the Agency;
- 15. Take responsibility for the security services of the Agency.

## Article 15.

Administrative, Legal and Information Service Directorate shall:

- Develop the problems of customs debt in terms of legal acts, organization, structure and procedure, including the elaboration of the module "Customs Debt" in the Bulgarian Integrated Customs Informational System and the elaboration of the integrated customs tariff;
- Render legal assistance with decision taking on incurrence, security to cover, extinction, repayment and remission, and compulsory collection of public state claims assigned to be administered by the customs administration;
- Render legal assistance with applying customs legislation and the other legal acts related to the obligations and responsibilities of the customs authorities;
- Defend through administrative or judicial means the state interests in disputes to which customs authorities are litigants and represents them in the proceedings;
- Analyze the results of the proceedings in which customs authorities have been litigants and organize the correct application of the legislation in accordance with the court practice;
- Deliver opinions on legal issues raised by natural or legal persons concerning the activity and function of the customs authorities, and on appeals against administrative acts in customs matters;

- Assist the Director General of the Agency so that the provisions of the Administrative Procedure Act, the Administrative Services to the Natural and Legal Persons Act and of other legal provisions regulating the activities of the customs be observed;
- 8. Elaborate legal opinions on legal provisions submitted for coordination;
- 9. Participate in elaboration of models for management, structure, control and providing for resources of the Agency;
- 10. Elaborate criteria and specific requirements for the job positions in the Agency for both state officials or for employees working under employment contracts;
- 11. Keep the files of the state officials and the persons working under employment contracts and maintain them in compliance with the legal requirements;
- 12. Participate in elaboration of legal provisions for staff development in positions and ranks and in determining the remuneration;
- 13. Organize the elaboration of rules for determining of the remuneration of the employees and coordinate the application of state requirements for rationing and payment of labor in the Agency;
- 14. Organize the elaboration and coordinates the application of the legal provisions in safety and protection of labor;
- 15. Elaborate the strategy of the Agency in qualification of customs officers; organize holding of the related courses; monitor their effectiveness and assess their outcome:
- 16. Organize, coordinate and control all forms and activities of training, performed by the national and the regional training centers;
- 17. Organize and do the secretary work with the usual and confidential documents; assure keeping and accountancy of the documentation and the correspondence; work with the files that provide to the employees information related to facts and data which constitutes state or service secret;
- Organize and control the activity of preparation, printing and distribution of the publications of the Agency, including the periodical specialized magazine "Customs chronicle" and its appendixes;
- 19. Organize the public relations; elaborate the information policy of the Agency, plan and coordinate its realization.

Section Five

Specialized Administration

#### Article 16.

The specialized administration in the General Customs Directorate is structured into:

- 1. Customs Regimes and Procedures Directorate;
- 2. Tariff Policy Directorate;
- 3.Post-clearance Directorate;
- 4. Customs Investigation and Intelligence Directorate;
- 5. Customs Statistics and Automation Directorate;
- 6. European Integration and International Cooperation Directorate;
- 7. Central Customs Laboratory

#### Article 17.

Customs Regimes and Procedures Directorate shall:

- 1. Participate in the development of the customs policy in the field of the customs procedures and other approved treatments, import taxes of goods and exportation and importation of Bulgarian and foreign currency in cash, precious metals and gems, called further "customs regimes and procedures";
- 2. Develop or participate with its representatives in the development of draft regulations concerning the customs regimes and procedures;
- 3. Guide methodically and support the customs offices in the field of the customs regimes and procedures;
- 4. Elaborate opinions on draft regulations prepared in other administrative structures concerning the customs regimes and procedures;
- 5. Provide information related to the application of the customs legislation within the competence of the directorate;
- 6. Elaborate draft decisions for the application of the customs regulations related to the customs regimes and procedures;
  - 7. Support database within the competence of the directorate, when it is necessary;
- 8. Participate, within the competence of the directorate, in the preparation of the position of the Republic of Bulgaria in the negotiations with the European Union as well as in the review of the legislation in Chapter "Customs Union";
- 9. Participate in meetings, discussions and negotiations and other similar events on the questions within the competence of the directorate;
  - 10. Administer activities such as:
  - a) Comprehensive guarantees for transit in the territory of the country;
  - b) Authorizations for customs agents;
  - c) Authorizations for certain customs warehouses;
  - d) Authorizations for access to the TIR procedure;
  - e) Guarantee waivers for the customs procedures with economic impact;
- 11. Provide coordination, monitoring and supervision on the activities of the customs offices for the implementation of the regulations and the administrative acts within the competence of the directorate;
- 12. Participate in committees, sessions, working groups and other similar forums, within the framework of the United Nations Economic Commission for Europe (WP. 30), the World Customs Organization, the European Commission, the Convention on a Common Transit Procedure and other international events in the terms of reference of the directorate;
  - 13. Provide assistance in the training of customs officers and trade operators.

## Article 18.

Tariff Policy Directorate shall:

- 1. Develop or take part with its representatives in the developing of drafts of legal acts related to the Customs Tariff nomenclature, the customs value, the origin of goods or the customs relieves, as well as give statements about drafts of legal acts related to those problems sent for coordination from other state bodies;
- 2. Manage methodically the customs offices in the field of the Customs Tariff nomenclature, the customs value, the origin of goods and the customs relieves;
- 3. Give information to the parties concerned for the application of the customs legislation in the field of classification of goods, determination of the customs value or the origin of goods and application of the customs relieves;

- 4. Develop the nomenclature of the Customs Tariff of the Republic of Bulgaria for reflecting of all structural changes derived from the changes in the Harmonized System Nomenclature and in the Combined Nomenclature of the European Union (EU), as well as from the tariff policy of the country;
- 5. Coordinate the proceedings on the tariff classification in accordance with the principles and practices of the World Customs Organization and the EU in that field;
- 6. Develop drafts for binding tariff information and binding information on the origin in accordance with Art. 23 of the Customs Act and maintains information sub-system for the binding information;
- 7. Take part in the creation and maintenance of the information sub-system for the classification of chemicals;
- 8. Develop drafts of decisions at the settlement of arguments or in response to the requests from the customs offices for the classification of goods, determining of the customs value or the origin of goods and application of the customs relieves;
- 9. Investigate, collect data and specify the kinds of goods with high risk level for the tariff classification in order to assist the customs offices with the risk managing;
  - 10. Assist with the control on the classification of goods with high risk level;
  - 11. Perform current analyses of the determined by the customs offices customs value;
- 12. Develop drafts of authorization for duty-free import of goods in the cases for which the Implementing Regulations to the Customs Act provide authorization by the Central Customs Directorate;
- 13. Organize the implementation of the obligations which the Republic of Bulgaria observes on multilateral and bilateral international agreements envisaging relieves of customs duties;
- 14. Develop drafts of licenses for "approved exporters" within the meaning of the protocols on the rules of origin to the free trade agreements;
- 15. Accomplish post-clearance control of the proof of origin in accordance with the procedures for administrative cooperation with external customs administrations;
- 16. Take part, in terms of reference, in the proceedings of the Harmonized System Committee, Harmonized System Review Sub-committee, Technical Committee on Customs Valuation and Technical Committee on Rules of Origin within the World Customs Organization;
- 17. Take part in the European Commission activities: conferences of the Sections on the nomenclature, the valuation and rules of origin to the Customs Code Committee;
- 18. Take part, in terms of reference, in the preparation for the position of the country during the negotiations with the European Commission on the review of the legislation of Section "Customs Union" and in other work groups at expert level within the Coordination Council for preparation of the Republic of Bulgaria for accession to the European Union;
- 19. Take part in the development of the customs policy in the field related to the commitments in bilateral and multilateral trade agreements, and takes part, in terms of reference, in development of tariff requests in the negotiations for market access of countries joining to the World Trade Organization (WTO);
- 20. Take part in the negotiations for creation of free trade zones and coordinates schemes for trade liberalization and grants of concessions on agricultural goods under preferential trade agreements and takes part, in terms of reference, in development of tariff requests in the negotiations for market access of countries joining the WTO;
- 21. Take part in the coordination and reflects in the Customs Tariff the rates of duties, according to its commitments to the WTO, the other sector agreements and the agreements with international financial institutions as well as granting preferences to the developing countries;

- 22. Take part in the coordination of other tariff measures as anti-dumping and protective duties, temporary suspension of duties, temporary charge on import and other charges with equivalent effect corresponding to the provisions of GATT 1994;
- 23. Analyze the existing national legislation related to non-tariff measures of the trade policy and other restrictions and prohibitions, introduced for protection of life and health of people and animals, environmental protection, protection of cultural valuables, etc. and coordinates the introduction of new ones in order to ensure a unified and correct application; ensures the application of these measures by the customs administration;
- 24. Develop and maintains National Integrated Tariff that includes data-base of all tariff and non-tariff measures, and restrictions and prohibitions applied at importation, exportation and transiting of goods;
- 25. Administer the autonomous tariff quotas and tariff quotas under preferential agreements and creates information sub-system for tariff quotas;
- 26. Analyze the functional characteristics of the Customs Tariff (simple average, average weighted and other rates of duties) and give them to the national and international institutions concerned;
- 27. Create information sub-system for surveillance of goods after their placing under customs procedure;
- 28. Analyze the effect of the application of preferential agreements and suggest improvements of the effective access to the market;
  - 29. Take part in the activities related to the customs officials qualification.

#### Article 19.

Post Clearance Directorate shall:

- Work out drafts of legal acts for development and improvement of the post clearance in compliance with the legislation of the European Union which aims to perform verifications of all kinds of documents at the place of the declarer, or of every person connected directly or indirectly to operations under customs regimes and destinations including follow-up trade actions with goods, with the following aims:
- a/ Accurate application of the legislation and prevention from customs and currency violations and offenses against customs regime;
- b/ Establishment of the conformity with the law of the fulfilled operations and authenticity of the data;
- c/ Verification of availability and amount of due and fully paid customs receipts and other government revenues collected by customs authorities;
- d/ Observance of the foreign trade regime;
- 2. Report the results of the control activity and analyze the reasons and conditions for violations of legislation, and propose measures for their elimination;
- 3. Create and support data base in connection with the post clearance;
- 4. Exercise systematic management of the activity of the post clearance carried out by the regional customs directorates.

#### Article 20.

Customs Intelligence and Investigation Directorate shall:

- 1. Organize, coordinate, manage and control the activities of the customs offices in the field of:
  - a) Fight against customs and currency violations;
  - b) Fight against illegal drugs and precursors traffic;
  - c) Stating administrative violations and imposing administrative penalties;

- d) Investigation of crimes in the cases, under the conditions and following the order provided for in the Penal Procedure Code;
- e) Fight against violations of the rights on intellectual property, perpetrated at introduction, import and transit of goods;
  - f) Admittance, storage and destruction of drugs and precursors;
  - g) Sale of abandoned and confiscated goods;
- h) Control of foreign trade activity with arms and possible dual use goods and technologies;
  - i) Control performed by customs mobile groups;
  - 2. Perform methodical management and ensure legal maintenance of the activity;
  - 3. Collect, process, analyze, keep and distribute information concerning the activity;
- 4. Plan verifications or order accomplishment of verifications, and when necessary directly perform their operative management;
- 5. Ensure the cooperation of the Directorate with the prosecutors' office, investigation office and the court as well as the interaction with other state departments;
- 6. Ensure the cooperation of the Directorate with the authorities of the Ministry of Internal Affairs in compliance with the Instruction in relation to Article 15 (3) of the Customs Act:
- 7. Ensure the cooperation with the State Revenue Agency in case of sale of confiscated goods, enforcement collecting of public revenues and at bankruptcy proceedings;
- 8. Ensure the exchange of information and cooperation with the relevant authorities of other countries and international organizations;
- 9. Participate in the activity of specialized international organizations and perform the contact with information systems;
- 10. Organize and perform different forms of training and qualification of customs officers in the sphere of customs intelligence and investigation, examine appropriate personnel and draw up a proposals for their nomination, organize their special training.

#### Article 21.

Customs Statistics and Automation Directorate shall:

- 1. Draw up the strategy and priorities for the NCA information ensuring;
- 2. Determine the course of development, organize and control the implementation of new information, communication and management technologies in the NCA;
- 3. Ensure the interaction with the automated information systems of other state bodies and institutions;
- 4. Plan and organize the implementation of the information projects and their modifications;
- 5. Ensure the compatibility of the customs information systems with the EU requirements;
- 6. Develop the main principles of the development of the NCA web page in order to offer services to the information society;
- 7. Examine the NCA information needs, make analyses and propose solutions to the development of the customs information systems and the development of the integrated customs information system;
- 8. Make proposals for the enhancement of the existing computer integrated environment;
- 9. Organize, manage and ensure the activities in the field of customs statistics and prepare information, make analyses and prognoses for the customs administration activity;
- 10. Ensure relation and coordination with other administrations in terms of statistics, information exchange with other state bodies, international data exchange with other customs administrations;
  - 11. Perform methodological management in the archiving of specific customs documents in the customs offices and organize NCA central archive activity.

#### Article 22.

European Integration and International Cooperation Directorate shall:

- Take the responsibility for the implementation and help the other directorates in
  the fulfillment of the European Agreement for association between the European
  Communities and the Republic of Bulgaria in the part within the competence of the
  Agency; observes the implementation of the National strategy for Accession to the
  European Union, the National strategy for Adoption of the Achievements of the
  European Community Legislation and others in the part within the competence of
  the Agency;
- 2. Take part in the preparation and conducting of the negotiations for Accession to the European Union under chapter 25 "Customs Union" in the bilateral analytic review of the law of the European Community, and coordinates the activity of the Agency's experts participating in the work on other chapters of the review;
- Assist the process of Accession of the Republic of Bulgaria to customs
  conventions and signing of agreements in the customs area; help the other
  directorates in fulfillment of their commitments evolving from the international
  customs conventions and agreements;
- 4. Explore the possibilities for signing of bilateral and multilateral customs agreements; prepare and coordinate the projects;
- Participate in sessions of the Standing Technical Committee of the World Customs
  Organization and in other activities in connection with the administration of
  customs conventions;
- 6. Participate and coordinate the representation of the National Customs Agency in regional initiatives and projects;
- 7. Prepare the materials and coordinate the positions in negotiations with international monetary-financial institutions, as far as they carry out activities within the competence of the National Customs Agency;
- 8. Take part in the preparation of the financial documents and reports, which are necessary for the work of the Central Group for Financing and Contracting to the Ministry of Finances;
- 9. Control the use and coordination of the technical aid under the PHARE program and under other programs of the European Union with the help received from other sources; assist for programming, defining and working out the documentation for new projects to PHARE program;
- Participate in the organizing and conducting of activities with international representation.

#### Article 23.

Central Customs Laboratory Directorate shall:

- 1. Investigate, analyze and identify goods for the purposes of the customs supervision and control;
- 2. Investigate, analyze and identify goods for the needs of their classifying in the Nomenclature of the Customs Tariff;
- 3. Investigate, analyze and identify goods which are object of special measures, including non-tariff, in accordance with the legislation in force;
- 4. Organize, control, coordinate and report the activity of the regional customs laboratories;
- 5. Collect, process, classify and keep documents and specialized information in science and technique connected with the subject of activity;
- 6. Adopt, develop and introduce standard, new, modified and alternative methods for investigation, analysis and identification of goods;

- 7. Ensure, keep and make standard models and samples;
- 8. Render customs administration expert assistance in science and technique;
- 9. Cooperate with Bulgarian and foreign laboratories, organizations, natural and legal persons connected with the subject of activity.

Section VI

Organization of the Work in the Central Customs Directorate

#### Article 24.

The Directors of Directorates in the Central Customs Directorate of the National Customs Agency shall manage, organize, control, plan, coordinate, report and bear the responsibility for the activity and fulfillment of the tasks of the respective Directorate in exercising of the functions defined in the Rules.

#### Article 25.

The Directorates shall carry out other tasks within their competence, along with those prescribed in the Rules, as assigned to them by the Director General of the Agency within their competence.

#### Article 26.

The state officials and persons working under employment contract in the Agency shall perform their obligations strictly, conscientiously and impartially in compliance with the laws and other legal acts of the state and according to their employment requirements.

#### Article 27.

The correspondence in writing and working meetings with the representatives of the Ministries and other administrations are carried out by the Director General of the Agency or officials appointed by the Director General.

#### Article 28.

- (1) The hours of work for the officials in the Central Customs Directorate of the Agency for a five-day working week are 8 hours per day and 40 per week.
- (2) The working time is from 9 o'clock till 17,30 with lunch break from 12,30 till 13 o'clock.

Chapter four

OFFICIALS IN THE AGENCY

#### Article 29.

State officials and persons working under employment contracts shall carry out the activities of the Agency.

#### Article 30.

In carrying out their activities the customs officials must show their identification cards.

## Article 31.

(Supplement-SG, issue 28 / 2001) State officials, occupying expert positions with executive functions in the Agency are entitled to receive uniforms, which they must wear at the time of fulfillment of their official duties.

20437/02 CONF-BG 31/02 26

#### Article 32.

- (1) (Supplement-SG, No. 28/2001). Persons working in the Agency under employment contracts concluded for a period longer than 10 months, occupying expert positions with executive functions, or the positions "technical assistant" (customs policeman) and "executive assistant" (security guard) are entitled to receive uniforms which they must wear at the time of fulfillment of their official duties.
- (2) The uniforms cannot be given for use to other people.
- (3) The type of uniforms is defined in annex #2.
- (4) The Director General defines the fabrics, color, model and insignia on the uniforms.

#### Article 33.

- (1) Persons under article 32, paragraph 1 are entitled to receive uniforms at the amount to 250 BGL per one legal year. Upon entrance into the customs administration these persons have the right to uniforms to 500 BGL for one legal year, in spite of the remaining months until the end
- (2) When a person under Article 32, paragraph 1 leaves the position, for which they have the right to uniform, they shall refund the amount for the uniform received fixed proportionally to the months not worked off until the end of the year.
- (3) The funds for the uniforms are included in the budget of the Agency.

#### Article 34.

- (1) Uniforms destroyed or damaged at the time of official duties not by person's fault, established by a record drawn up by the chief of the Customs Office and approved by the Director of the Regional Customs Directorate are restored by the amount from the budget of
- (2) Uniforms lost, destroyed or damaged by person's fault are restored from their personal
- (3) The insignia on the uniforms are supplied free of charge to the persons who are entitled to these uniforms. The insignia lost, destroyed or damaged by person's fault are restored from personal funds.
- (4) In cases under paragraph 1,2 and 3 the head of the customs office can transfer the person to another place of work until the uniform is restored.

#### Article 35.

- (1) The state officials and persons working under employment contracts can be rewarded by the Director General of the Agency for exemplary fulfillment of their official duties. The type of insignia of honor or prize is specified in the order for rewarding. The Director General of the Agency in his opinion can award an insignia of honor and a money prize at a time. The reward can amount to 3 minimum salaries for one calendar year.
- (2) The Director General of the Agency approves a model for golden and silver badge of honor for the customs administration.
- (3) The money for the rewards is paid from the budget of the Agency.

#### **Final Provisions**

- §1. These Rules for the Internal Structure shall be adopted on the ground of Article11 (1) of the Customs Act and Article 11 of the Administration Act.
- §2. Implementation of these Rules shall be assigned to the Director General of the Customs Agency.

## Annex #1

## To Art.8 (2)

(Amendment: SG #73/2001; in force from 21 August 2001)

Number of Positions in the General Customs Directorate in the Customs Agency

(Amended: SG #73/2001)

Director General Deputies of the Director General Customs Directorate Secretary General Customs Directorate Inspectorate	1 4 1 20		
General Administration, Including:			
Financial and Economic Activities and Management of Property Directorate Administrative, Legal and Informational Service Directorate			
Consistent Administration	212		
Specialized Administration,	213		
Including: 1. Customs Regimes and Procedures Directorate 2. Tariff Policy Directorate	37 43		
3. Post-clearance Directorate	10		
4.Customs Investigation and Intelligence Directorate			
5. Customs Statistics and Automation Directorate			
6. European Integration and International Cooperation Directorate			
7. Central Customs Laboratory Directorate			

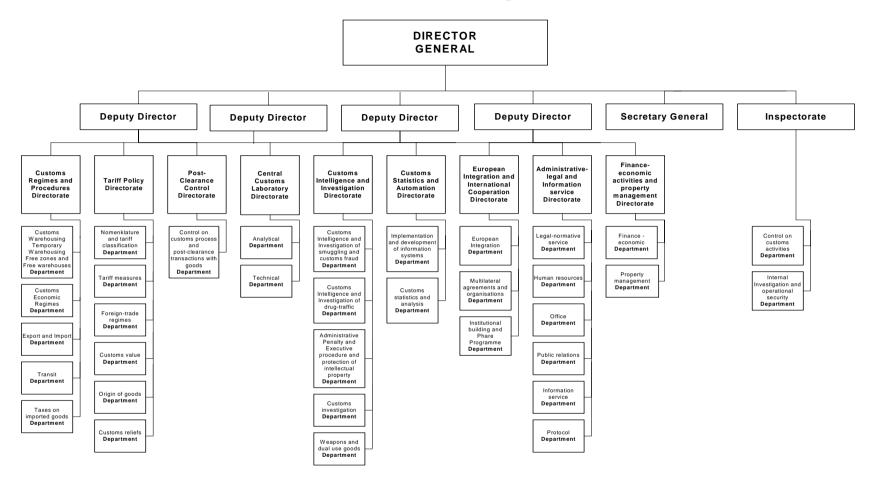
## Annex #2

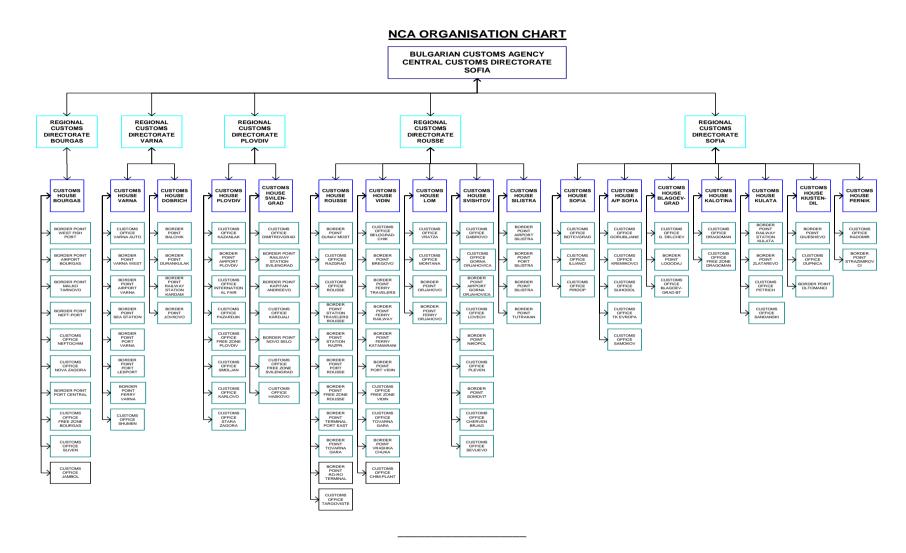
To art.32(3)

### Uniforms:

- 1. Winter jacket.
- 2. Winter suit consisting of coat and 2 pairs of trousers (skirts).
- 3. Summer Suit consisting of coat and two pairs of trousers (skirts) or jacket and trousers (skirt).
- 4. Shirt or winter blouse.
- 5.Shirt or summer blouse
- 6. Ties for both summer and winter suits.
- 7.Shoes
- 8.Summer and winter hats.
- 9. Sweater with long sleeves.
- 10. Sweater without sleeves.

## **Central Customs Directorate Organisation Chart**





20437/02 CONF-BG 31/02 30 **EN**