

National Archives Stock Act

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*Note: An update of the English text of this Act is being prepared following the amendments in SG No. 17/26.02.2019, effective 2.03.2019

Text in Bulgarian: Закон за Националния архивен фонд

Chapter One GENERAL PROVISIONS

Article 1. This act shall regulate the formation, preservation and use of the National Archives Stock of the Republic of Bulgaria, the organisation, management and operation of the work of the archives.

Article 2. The National Archives Stock shall be established to provide with documentary information the country's leadership, the development of science and the arts and to protect the rights and lawful interests of citizens.

Article 3. The National Archives Stock shall be a constantly replenished entity of valuable documents, reflecting society's material and spiritual life.

Article 4. (1) The National Archives Stock shall be replenished with:

1. documents designated for permanent preservation created in the course of operation of the state and municipal institutions and other legal and natural persons regardless of the time, the carrier, the way of creation, the place of preservation and the form of ownership;

2. documents or copies of documents on the history of Bulgaria received from foreign archives and from other legal and/or natural persons.

(2) The documents under paragraph 1 shall be kept on record in a Register of the National Archives Stock.

Article 5. Archives Offices shall be organizations or structural units of organizations which carry out selection, completion, processing, preservation of documents and provide them for public use.

Article 6. (1) Archives Offices which shall keep documents of the National Archives Stock shall be:

1. the state archives;
2. archives and archive collections of cultural and other public institutions;
3. archives collections of state and municipal museums and libraries;
4. archives collections of community centres and religious institutions;

5. private archives.

(2) The documents from the archives under paragraph 1, item 1 shall be preserved in compliance with the principle of origin and ensured uniformity and indivisibility of the archives stocks.

Article 7. (1) The state shall take care of the preservation of the documents from the National Archives Stock through:

1. registering and accounting for their existence;

2. ensuring their preservation in premises with modern equipment, restoration and conservation laboratories and insurance copying;

3. ensuring qualified personnel to work with them;

4. budget financing.

(2) The state shall take care of the preservation of the documents which have been recorded in the Registers of the National Archives Stock and are owned by natural persons.

(3) The state shall take care of the preservation of the documents which have been recorded in the Registers of the National Archives Stock and are located outside the territory of the country, on the territory of another state, complying with its domestic law as well as with the effective international agreements to which the Republic of Bulgaria is a party.

Article 8. (1) The documents in the archives under Article 6, paragraph 1, items 1 - 3 shall be owned by the state, municipalities respectively, and may not be subject to transactions.

(2) In case of transactions with documents which are privately-owned and have been recorded in the Register of the National Archives Stock their owners shall notify the State Archives Agency within one month before concluding the transaction of the impending change of ownership. The state shall be entitled to offer first within one month of the notification through the Chairperson of the State Archives Agency to acquire such documents all other terms being equal.

(3) The documents in the archives under paragraphs 1 and 2 may not be taken out of the country without the permission of the Chairperson of the State Archives Agency.

(4) The terms and procedures for temporary export of documents under paragraphs 1 and 2 shall be determined in the Regulation under Article 91.

Article 9. (1) The documents of the National Archive Stock in the archives under Article 6, paragraph 1 shall be kept, processed and used under the procedures herein.

(2) (Amended, SG No. 78/2009, effective 2.10.2009, SG No. 50/2016, effective 1.07.2016) The terms and procedures for preserving, keeping, the access to and the use of valuable electronic documents in the state archives shall be specified in a regulation adopted by the Council of Ministers upon proposal by the Chairperson of the Electronic Government State Agency in coordination with the Chairperson of the State Archives Agency.

Article 10. The archives shall ensure public access of the users to the documents kept by them and for this purpose they shall create and maintain a scientific reference system.

Chapter Two

MANAGEMENT OF THE NATIONAL ARCHIVES STOCK

Section I

State Archives Agency

Article 11. (1) State policy in the field of selection, collection, registration, processing, preservation, keeping and using

the documents of the National Archive Stock shall be conducted by the State Archives Agency.

(2) The State Archives Agency shall control the preservation of the documents in the records units in the state and municipal institutions and shall exercise scientific and methodological guidance and control over the work organisation with documents, their preservation and use in the departmental archives.

(3) The instructions and guidelines of the bodies of the State Archives Agency relating to documents from the National Archives Stock shall be obligatory for all organisations.

(4) The State Archives Agency shall establish and maintain a Register of the National Archives Stock in an electronic form and shall maintain a computerised information system of the archives.

(5) The State Archives Agency shall carry out publishing, cooperation with similar foreign establishments, institutions and international organisations and shall be a member of the International Council on Archives.

Article 12. (1) The State Archives Agency shall be established with the Council of Ministers and shall be a legal person subsidised by the budget with a seat in Sofia.

(2) The State Archives Agency shall be managed and represented by a Chairperson who shall be appointed with a decision of the Council of Ministers.

(3) In discharging his/her functions the Chairperson shall be assisted by Deputy-Chairpersons.

Article 13. The Chairperson of the State Archives Agency shall:

1. exercise the general management, coordination and control over the activity of collecting, recording and preserving the documents under Article 6, paragraph 1 regardless of where they are kept and shall organise the work with them;

2. within his/her competences issue methodological guidelines and instructions and shall ensure the implementation of the archives standards;

3. determine the criteria for expert assessment of the value of documents including the electronic ones and shall determine the documents for permanent preservation;

4. approve the proposed time-limits for temporary preservation of the documents in the state and municipal institutions until their handing over to the state archives according to the file-lists and the lists beyond the ones specified by law;

5. control the elaboration of file-lists and lists of documents with time-limits for preservation in the state and municipal institutions;

6. keep record of the documents of the National Archives Stock as well under special record the particularly valuable and unique documents and documents at risk;

7. organise the work on preserving the documents, the control on the availability of the files, the restoration and conservation and the establishment of an insurance fund as well a stock of digital copies;

8. draw up acts and issue penal ordinances in the cases provided for by law and authorise other officials from the State Archives Agency to perform this activity;

9. ensure the development of a scientific reference system according to the composition and the contents of the National Archives Stock;

10. determine the procedure for using the documents kept in the archives and ensure public access to them;

11. (amended, SG No. 103/2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010) represent the state

when acquiring valuable documents or copies thereof through legal transactions;

12. organise and carry out scientific research in documentalistics, archivistics and similar sciences;

13. conclude international agreements with foreign partners and carry out international cooperation in the field of archives work;

14. (amended, SG No. 103/2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010) appoint the members of the Central Expert Inspection Board and the Central Expert Evaluation Board and determine the tasks and rules of their work;

15. appoint also other commissions or working groups, where appropriate, to solve specific issues from the theory and practice of archive work;

16. exercise also other powers assigned to him/her by law or by an act of the Council of Ministers;

17. coordinate the activities of the state archives exercised under this act.

Article 14. The structure of the State Archives Agency shall be determined with Rules of Organisation adopted by the Council of Ministers.

Article 15. (1) The following bodies shall be established under the State Archives Agency:

1.a Central Expert Inspection Board, and

2. a Central Expert Evaluation Board.

(2) The board under paragraph 1, item 1 shall be an auxiliary body with the Chairperson of the State Archives Agency for resolving matters of principle related to theory and practice of expert assessment of the value and collection of archive documents.

(3) The board under paragraph 1, item 2 shall be an auxiliary body with the Chairperson of the State Archives Agency for determining the value of documents that are being offered to archive offices by natural or legal persons against payment and for determining its amount.

Article 16. The State Archives Agency shall organise and conduct qualification courses, seminars, conferences and other training events for continuous improvement of the qualification of its employees.

Article 17. The State Archives Agency shall organise and conduct courses, seminars and other training events for employees of departmental archives and for members of expert commissions in state and municipal institutions and shall issue certificates thereof.

Section II

Central and Regional State Archives

(Title amended, SG No. 103/2009, effective 29.12.2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010)

Article 18. (Amended, SG No. 103/2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the

Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010) The structure of the State Archives Agency shall include central and regional state archives. The regional state archives shall be determined by the Regulation on the Structure of the State Archives Agency.

Article 19. The central state archives shall be:

1. the Central State Archive with a seat in Sofia, and
2. the State Archive of Military History with a seat in Veliko Turnovo.

Article 20. (Repealed, SG No. 103/2009, effective 29.12.2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, repealed, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010)

Article 21. (Amended, SG No. 103/2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010) The subject of the work of the Central State Archive shall be the documents assigned for permanent preservation of the central state authorities and of other state and public institutions, the documentary heritage of persons of national significance as well as documents on Bulgarian history kept in foreign archives and other institutions.

Article 22. The subject of the work of the State Archive of Military History shall be the documents assigned for permanent preservation of the Ministry of Defence, the Bulgarian Army and the structures subordinate to the Minister of Defence as well as the documentary heritage of persons of national significance related thereto.

Article 23. (Repealed, SG No. 103/2009, effective 29.12.2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, repealed, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010).

Article 24. (Amended, SG No. 103/2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010) The subject of the work of the regional state archives shall be the documents assigned for permanent preservation of the regional administrations, of the municipalities on the territory of the respective region, of the territorial structures of the state bodies and of other state and municipal institutions located in the region, of bodies and organisations of local significance as well as the documentary heritage of significant personalities of local importance.

Article 25. The archives under Articles 21 - 24 shall carry out:

1. selection, collection and processing of documents;
2. scientific and methodological guidance and control of the work with documents, their preservation and use in the departmental archives of state and municipal institutions and the preservation of the documents in the record offices;
3. expert assistance in drawing up file lists and administrative lists of documents with preservation time-limits in the state and municipal institutions;
4. document registration and record keeping and maintenance of the respective part of the Register of the National Archive Stock;
5. creation of a scientific reference system for the documents kept and maintenance of the respective part of the computerised archive information system;
6. ensuring access and provision of documents for use;

7. preservation, restoration, conservation and establishing an insurance fund for the documents.

Article 26. (Repealed, SG No. 103/2009, effective 29.12.2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, repealed, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010).

Article 27. (1) (Amended, SG No. 103/2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010) Preventive, current and subsequent control over the compliance with the obligations herein shall be exercised by the Agency Chairperson or by officials authorised by him/her.

(2) The persons under paragraph 1 shall be entitled:

1. to access to the documents including on an electronic carrier that are kept in the state and municipal institutions;

2 to be familiarised with the part of the reports of the internal auditors, the inspectorates, the Audit Chamber and other control bodies that are kept in the audited state or municipal institution related to the organisation and preservation of documents.

(3) In the course of performing their duties the persons under paragraph 1 shall be obliged:

1. to identify themselves with their official card;

2. to record objectively and precisely the results of the control work performed on the basis of the facts and circumstances officially inspected by them and to make them known to the managers of the inspected organisation;

3. refrain from making public facts and circumstances they have become aware of in the course of or in relation to the implementation of their official duties unless provided otherwise by law.

(4) (Repealed, SG No. 103/2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, repealed, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010).

(5) (Repealed, SG No. 103/2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, repealed, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010).

Section III

Financing

Article 28. (1) (Repealed, SG No. 15/2013, effective 1.01.2014).

(2) The budget of the State Archives Agency shall accept revenues from:

1. state charges for accepting sample applications, authorisation of archive documents and issuing certificates; the amount of the state charges shall be determined with a tariff adopted by the Council of Ministers;

2. other services ensuing from the work of the State Archives Agency at prices set by an act of the Council of Ministers;

3. Agency publications;

4. incomes for using real property owned by the state including recreational facilities;

5. charges and expenses under Article 64, paragraph 5 of the Code of Civil Procedure;
6. special funds under European, international and other projects and programmes (individual and joint);
7. donations from natural and legal persons;
8. fines and property sanctions imposed pursuant to the provisions herein;
9. other sources and activities permitted by law.

Article 29. (Repealed, SG No. 38/2012, effective 1.07.2012).

Section IV

National Archive Council

Article 30. A National Archive Council shall be established with the Chairperson of the State Archives Agency for coordination in conducting state policies for the development and improvement of work with archives and measures for preserving the National Archive Stock.

Article 31. The National Archive Council shall be an interagency advisory body which shall:

1. discuss and issue opinions on draft strategies, programmes and normative acts related to the preservation of the National Archive Stock and to the development and improvement of archive work in the country and shall make proposals before the Council of Ministers on their adoption;
2. coordinate the interaction between departmental archives and state archives as well as between the State Archives Agency and state archives outside its structure;
3. assist in replenishing and the systematic maintenance of the National Archive Stock Register;
4. coordinate the requirements for collection, keeping record of and preserving archive documents in an archive and for their conservation and restoration and providing for use;
5. propose measures for preserving particularly valuable and unique documents of the National Archive Stock and the documentary heritage at risk through ensuring modern technical facilities and the respective financing.

Article 32. (1) The National Archive Council shall consist of eleven members and shall include representatives from the archives under Article 6, paragraph 1.

(2) The membership of the National Archive Council and its work procedures shall be determined by the Council of Ministers.

Section V

Archives and Archive Collections of Museums, Libraries, Community Centres, Cultural, Religious and Other Public Institutions

Article 33. (1) Archives in which documents of a certain type, period or way of creation are kept shall be the following:

1. (Amended, SG No. 42/2009, effective 6.07.2009) Department "Documental Manuscripts and Book Heritage" of the "St. Cyril and St. Methodius" National Library - for documents from the time of the emergence of the Bulgarian state and for documents of prominent public figures, writers, personalities of culture, the arts and science until 1878;
2. the scholarly archive of the Bulgarian Academy of Sciences - for documents of the Bulgarian Literary Society and the members of the Bulgarian Academy of Sciences;

3. the Bulgarian National Film Archives - for Bulgarian feature films, documentaries, chronicles, popular science and animation films according to their production, for popularising film art and cinematographic culture in Bulgaria;

4. the archive of Bulgarian National Television - for cinema and TV films, videos and sound recordings;

5. the archive of Bulgarian National Radio - "Golden Stock" for audio documents;

6. the State Stock for Geodesy, Cartography and Cadastre (Geocardstock) of the Geodesy Agency - for documents on geodesy, cartography and cadastre;

7. (amended, SG No. 19/2009, effective 10.04.2009, SG No. 92/2009, effective 20.11.2009) the archive of the National Institute of Immovable Cultural Heritage - for the National Register of Immovable Cultural Values, documentation of immovable cultural values, documentation on immovable cultural monuments and the sites related to Bulgarian history and culture abroad;

8. (new, SG No. 93/2009, effective 24.11.2009, amended, SG No. 97/2017) the archives of the Ministry of Interior – for documents created as a result of the activities of the structural units in the Ministry and permanently stored by the Ministry of Interior.

(2) Historically formed archive collections shall be preserved in state and municipal museums and libraries, in community centres, in cultural, religious and other public institutions which shall also receive documents owned by natural or legal persons in case their owners express a wish thereof in writing

(3) The organisations under paragraph 2 shall not be entitled to accept valuable documents from state and municipal institutions that are subject to collection by the state archives.

(4) The documents under paragraphs 1 and 2 shall be provided for public use in compliance with the methodological requirements of the State Archives Agency.

Article 34. (Amended, SG No. 19/2009, effective 10.04.2009) The State Archives Agency and its structures shall provide methodological assistance for work with archive collections in the state museums and libraries, in community centres, religious and other public institutions in compliance with the requirements herein and observing Cultural Heritage Act and applicable legislation in this field.

Section VII

Private Archives

Article 35. (1) Private archives shall be created and financed by natural or legal persons.

(2) Documents obtained legally shall be processed, preserved and provided for use in private archives.

Article 36. (1) The State Archives Agency or its structures shall be notified of documents in private archives on Bulgarian history.

(2) Experts from the State Archives Agency shall conduct assessment of the value of the documents under paragraph 1.

(3) The documents that are designated as valuable shall be recorded in the National Archive Stock Register within one month after the notification.

(4) The documents under paragraph 3 shall be provided for public use.

Article 37. (1) Private archives shall not be entitled to accept for permanent preservation valuable documents from state organisations that are subject to collection by state archives.

(2) Private archives may, as a matter of exception, provide temporarily premises for keeping documents under paragraph 1 until their acceptance in the state archives.

Article 38. The State Archives Agency and its structures shall assist methodologically private archives and shall exercise control over compliance with the provisions herein.

Article 39. Other archives shall be created by a special act of Parliament.

Chapter Three

FORMING THE NATIONAL ARCHIVE STOCK

Section I

Documents of State and Municipal Institutions

Article 40. The main sources for filling in state archives with documents shall be state and municipal institutions.

Article 41. (1) The management bodies of state and municipal institutions shall be responsible for the activities on organising, preserving and current use of their document stocks, the scientific and technical processing of documents and their submission to the state archives.

(2) In order to carry out the work with the documents in the state or municipal institutions their management bodies shall establish a record office, departmental archive and a standing expert commission.

Article 42. (1) The bodies under Article 41 shall appoint standing expert commissions which shall inspect on an annual basis the existence, the conditions for keeping and preserving the documents. The results of the inspections shall be recorded in a statement which shall be sent within a month for information to the respective state archive.

(2) The membership of the expert commissions under paragraph 1 shall include obligatorily the manager of the departmental archive, the records officer and heads of structural units.

(3) In order to carry out the activity of the departmental archives the bodies under Article 41 shall ensure qualified employees, premises and equipment shall be ensured.

Article 43. (1) The standing expert commissions of state and municipal institutions shall draw up lists of the files and list of the document types with time limits for their preservation.

(2) (Amended, SG No. 103/2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010) The file lists and the document type lists shall be approved by the Chairperson of the State Archives Agency.

Article 44. The time limits for preserving the individual files shall be specified in the file lists. In the course of the calendar year the documents shall be referred to files with preservation time limits alongside which the current expert assessment of their value shall take place.

Article 45. (1) All documents completed in the records offices of the state and municipal institutions by 31 December shall be handed over to their departmental archives by 30 June of the following year.

(2) The records offices shall hand the documents over to their departmental archives organised in files according to the approved file list.

(3) The departmental archives of the state and municipal institutions shall keep the documents until they are handed over to the respective state archive or until they are destroyed.

Article 46. (1) The time limit for keeping the documents reflecting the main activities in the state and municipal

institutions shall be 20 years.

(2) The time limit for keeping documents beyond this term shall be prescribed by law.

(3) Bills which determine and amend time-limits for keeping documents under paragraph 2 shall be coordinated in advance with the Chairperson of the State Archives Agency.

Article 47. (1) After the expiry of the term under Article 46, paragraph 1 the standing expert commission shall carry out an expert inspection of the documents' value on the basis of a system of criteria specified with the regulation under Article 52. The results of the expert inspection shall be formed in document inventories divided into the following categories:

1. documents for permanent preservation;
2. documents designated as valueless; and
3. documents with long-term reference value.

(2) (Amended, SG No. 103/2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010) The inventories of the standing expert commission shall be approved by the management body of the respective state or municipal institution and shall be sanctioned by the Chairperson of the State Archives Agency.

Article 48. (1) The documents designated for permanent preservation shall form the organisation's archive stock and shall be handed over to the respective state archive.

(2) Only original documents formed in compliance with the standards shall be included in the archive stock.

(3) The documents designated as valueless shall be listed in an inventory and shall be destroyed.

(4) The documents with long-term reference value shall be listed and shall be kept in the organisation until the expiry of the designated time-limits after which they shall be subject to expert assessment.

(5) The documents containing classified information shall be handed over to the state archives under the procedure specified herein and after the expiry of the terms provided for in the Classified Information Protection Act.

Article 49. (1) Documents of a standard mass nature that are not subject to preservation may be destroyed with an act. The act shall be approved by the head of the respective state or municipal institution.

(2) The act under paragraph 1 shall be drawn up by the standing expert commission in compliance with the prescription terms specified by law and the ones specified in the file lists and in the document lists with preservation terms.

(3) A copy of the act approved under paragraph 1 shall be sent within two months before the destruction of the documents to the respective state archive for information.

Article 50. The departmental archive and the standing expert commission shall carry out their activity under the methodological guidance and control of the state archive to whom the state or municipal institution is the fund-creator.

Article 51. (1) In case of closure of state and municipal institutions, on closure or completion of insolvency proceedings of commercial companies in the meaning of § 1, item 11 of the Supplementary Provision the manager, liquidators or the trustees in bankruptcy shall be obliged in coordination with the State Archives Agency to hand over the valuable documents in the respective state archives within six months. The closure or deletion shall take place after producing a certificate from the respective state archive on handing over the valuable documents.

(2) The documents with reference value of the organisations under paragraph 1 and of the deleted legal persons without an assignee that are not subject to being handed over to the respective state archive and in the territorial structures of the National Social Security Institute shall be preserved under a procedure specified in an act of the Council of Ministers.

Article 52. The procedure for organising, processing, expert assessment, preservation and use of the documents in the departmental archives of state and municipal institutions shall be determined in a regulation adopted by the Council of Ministers.

Section II

Documents of Natural Persons

Article 53. Sources for collecting document archives may be also personal archive stocks and collections of publicly significant persons.

Article 54. The acceptance and recording in the National Archive Stock Register of personal archive stocks or collections shall take place after a stated wish in writing by their owners and following an expert assessment by the State Archives Agency.

Article 55. (1) The documents under Article 53 shall be accepted in the archives as donation, testament or against payment from their creators, inheritors or from persons that have acquired and preserved them.

(2) In case of a donation or a testament their creators or their inheritors may raise conditions on the access to them and for their use.

(3) The conditions for accepting, keeping and using the documents in the archives may be determined with the respective will or donation.

(4) The acquirement of personal archive stocks or collections through donation or testament shall not affect the copyright over them.

(5) (Amended, SG No. 103/2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010) In case documents are acquired from legal or natural persons against payment the amount of the compensation shall be determined by the procedure set forth in the Regulations on the Structure of the State Archives Agency.

Section III

Documents of Political Parties, Non-Profit Legal Persons and Commercial Companies

Article 56. Sources for collecting archive documents may be political parties, non-profit legal persons and commercial companies which have stated their wish to submit documents.

Article 57. The acceptance of the documents shall be done following a stated wish in writing by the competent bodies representing the organisations under Article 56 and following an expert assessment by the State Archives Agency.

Article 58. The terms for accepting, keeping and using the documents in the archives shall be specified in a contract.

Section IV

Documents form Foreign Archives, Other Institutions and Citizens

Article 59. Sources for collecting archive documents may also be documents or copies of documents from foreign archives, other institutions as well as of Bulgarians and Bulgarian organisations abroad.

Article 60. Copies of documents traced in foreign archives and other institutions through financing by the Bulgarian state shall be kept for preservation in the Central State Archive.

Article 61. Documents or copies of documents of Bulgarians and Bulgarian organisations abroad may be accepted by the archive selected by them after a stated wish in writing thereof and following an expert assessment by the State Archives Agency.

Article 62. The terms for accepting, keeping and using the documents in the archives handed over by Bulgarians and Bulgarian organisations abroad shall be specified in a contract.

Chapter Four

REGISTRATION AND ACCOUNTING OF THE DOCUMENTS

Section I

Registration and Accounting Units and Forms

Article 63. Registration and accounting of the documents shall aim at establishing the availability of the documents and at ensuring their preservation and use.

Article 64. All documents in the National Archive Stock shall be subject to registration.

Article 65. The State Archives Agency shall keep a central fund file containing aggregate data on the accounting of the funds registered in the system and shall maintain a single database.

Article 66. (1) Accounting in the state archives shall be done through strictly specified accounting units and forms.

(2) The main accounting units shall be the archive funds, archive collections and partial receipts.

(3) The main accounting forms shall be: fund file, list of receipts, list of funds, list of partial receipts, list of memoirs, special registration list and inventories.

(4) A separate archive fund shall be registered if the entire documentation on the activity of an organisation, natural person respectively, is available.

(5) Documents related by type and/or topic of different contributors to the funds which are insufficient to form separate archive funds shall be organised and registered as archive collections.

(6) Separate documents or groups of documents which are insufficient to form an archive fund or a collection shall be registered as partial receipts.

(7) Within the archive funds or collections the documents shall be grouped in archive units.

Article 67. Uniform forms approved by the Chairperson of the State Archives Agency shall be used for accounting.

Section II

Register of the National Archive Stock

Article 68.(1) The Agency shall maintain a Register of the National Archive Stock in an electronic form.

(2) The Register shall be established with the aim to:

1. centralise the information on the archive funds and documents in the archives, on archive collections and individual archive documents;
2. ensure public access to the archive collections and documents owned by legal and natural persons;
3. expand the possibilities for preserving and using the National Archive Stock.

Article 69. (1) Information on the composition and contents of the archive documents, their owner, locality where they are kept and the carrier type shall be recorded in the Register of the National Archive Stock.

(2) The particulars that shall be subject to recording in the Register of the National Archive Stock shall be specified with a regulation adopted by the Council of Ministers.

Article 70. The archives under Article 6, paragraph 1 as well as the natural and legal persons possessing valuable documents shall provide the necessary information for the Register of the National Archive Stock.

Article 71. The Register of the National Archive Stock shall be public and shall be maintained as a single database.

Chapter Five

PRESERVATION AND KEEPING OF THE DOCUMENTS FROM THE NATIONAL ARCHIVE STOCK

Article 72. State and municipal institutions shall not destroy documents designated for permanent preservation by the State Archives Agency.

Article 73. Owners possessing valuable documents recorded in the Register of the National Archive Stock shall keep them in compliance with the methodological requirements and standards of the State Archives Agency and shall ensure their preservation.

Article 74. (1) Owners possessing valuable documents recorded in the Register of the National Archive Stock shall notify in writing the Chairperson of the State Archives Agency of the need for restoration and conservation of the documents.

(2) The need for restoration and conservation of the documents under paragraph 1 shall be determined by experts of the State Archives Agency.

(3) Restoration and conservation of the documents under paragraph 1 shall be carried out by the State Archives Agency.

Article 75. The heads of state and municipal institutions shall be responsible for the protection and preservation of the documents until the expiry of the term under Article 46, paragraph 1.

Article 76. When terminating their employment relations employees in state and municipal institutions shall hand over all documents located with them to their immediate superior with a protocol.

Article 77. When heads of the respective state and municipal institutions, of their structural units, of the departmental archives are replaced the available documents shall be handed over, received respectively, on the basis of an inventory and a protocol.

Article 78. When state organisations are transformed their heads shall, in coordination with the State Archives Agency and its structures in the country respectively, take steps for the organisation, preservation and use of the documents.

Article 79. (1) The head of the archive and the officials responsible for the preservation of the documents in the archive depositories and the reading rooms shall be responsible for the availability and the condition of the documents accepted in an archive or in another state or municipal institution.

(2) Readers shall be liable if they cause damages to documents on purpose in the course of their use. The violation shall be established with an act of the authorised official.

Article 80. (1) The particularly valuable and unique documents in the National Archive Stock shall be a national treasure and shall be subject to special care by the state.

(2) The documents under paragraph 2 shall be determined by a specialised commission appointed by the Chairperson of the State Archives Agency and operating according to criteria and rules determined by him/her. Information on these documents shall be recorded in the Register of the National Archive Stock.

(3) Persons who have reported documents at risk or have prevented their destruction may receive certificates and/or remuneration from the budget of the State Archives Agency, its amount being determined by the Chairperson on proposal of the Central Expert Evaluation Board.

Article 81. (1) The documents shall be kept in depositories ensuring their physical preservation, their protection from encroachments and their arrangement in a fashion suitable for searching.

(2) Appropriate temperature and humidity regime, protection from fire, floods and controlled access to the facility in compliance with the respective standards shall be ensured for the documents in the depositories.

(3) Control over the availability of funds shall be exercised through periodic passportisations pursuant to the methodological guidelines and instructions issued by the Chairperson of the State Archives Agency.

Article 82. (1) For the purpose of physical stabilisation and restoration of documents in an appearance close to the original one with the maximum possible preservation of their authenticity the archives shall ensure their conservation and restoration in specialised laboratories.

(2) Conservation and restoration of documents shall be carried out only by persons possessing the required qualifications for performing the respective conservation and restoration work.

Article 83. (1) Archives shall ensure obligatorily copies of the particularly valuable documents kept by them as well as of the documents that are provided for use often.

(2) If there is a copy of a document the original shall not be provided for use.

(3) The copies shall be registered in the archive's files and the copies of particularly valuable documents and copies acquired from abroad - in the Register of the National Archive Stock.

Chapter Six

ACCESS TO DOCUMENTS AND THEIR USE

Section I

Access to Documents

Article 84. The archives under Article 6, paragraph 1 shall ensure public access of users to the documents they keep.

Article 85. Access to documents may be restricted when this is provided for by an act of Parliament.

Article 86. Access to documents may be restricted temporarily also when:

1. the documents have not been processed in compliance with the archive methodology requirements;
2. the physical condition of the documents prevents their use;
3. the documents have been given to a different user;
4. the documents are being restored or microfilmed;
5. the interested persons have not provided sufficient information for finding the required data;

6. their use runs counter to the lawful interest of third parties;
7. their use runs counter to the conditions raised by the person who has handed in the documents;
8. their use runs counter to the provisions of the Copyright and Neighbouring Rights Act or of other acts.

Article 87. (1) Access permission and denial shall be issued in writing by the head of the respective archive. Denial of access shall be substantiated on the grounds of the respective law or the will of the donors.

(2) (Supplemented, SG No. 77/2018, effective 1.01.2019) Denial of access may be appealed against by the applicant under the terms and procedures provided for in the Code of Administrative Procedure. The judgment of the administrative court shall be final.

Article 88. (1) In order to ensure access archives under Article 6, paragraph 1 shall introduce a scientific reference system for the documents which shall be public.

(2) The scientific reference system shall contain information also about the access restrictions.

Section II

Use of Documents

Article 89. The documents from the National Archive Stock shall be used for the purposes of government, for the development of science and culture, for protecting the rights and the lawful interests of natural and legal persons.

Article 90. The use of documents from the National Archive Stock shall take place:

1. through their provision as original documents or copies on different carriers in reading rooms;
2. by correspondence through providing copies on different carriers or information on the contents of the documents;
3. through their publication on traditional or digital carriers;
4. through organising exhibitions, making films, radio and TV programmes or through other forms of popularisation.

Article 91. The procedure for using documents from the National Archive Stock shall be specified with a regulation adopted by the Council of Ministers.

Article 92. Documents from the National Archive Stock from funds and collections of persons and families shall be provided for use unless the person or his/her inheritors have placed restricting conditions.

Article 93. (1) The use of documents from the National Archive Stock may be prohibited temporarily for up to three months for a person who has violated the rules for use specified in the regulation under Article 91.

(2) In case of an established repeated violation the person shall be divested from the right to use documents for a period of one year.

(3) In the cases under paragraphs 1 and 2 an order shall be issued by the Chairperson of the State Archives Agency.

Article 94. (1) No use of original documents shall be allowed outside the premises of the state archives.

(2) For the needs of state bodies and organisations, of natural and legal persons only certified copies of documents that belong to the National Archive Stock shall be provided.

Chapter Seven

ADMINISTRATIVE AND PENAL PROVISIONS

Article 95. Persons who have committed violations of Article 8, paragraphs 2 and 3, Article 37, paragraph 1, Article 49, paragraph 3, Article 51, paragraph 1 and Articles 77 and 78 shall be fined from BGN 500 to BGN 3 000.

Article 96. In case of failure to comply with the obligation in Article 73 natural persons shall be fined from BGN 500 to BGN 1 000 and legal persons shall be imposed a property sanction from BGN 1 000 to BGN 2 000.

Article 97. (1) An official under Article 41, paragraph 1 who fails to ensure adequate terms for preserving documents and allows them to be lost, damaged or destroyed shall be fined from BGN 2 000 to BGN 6 000 unless subject to a more serious sanction.

(2) On a repeated violation the sanction shall be a fine from BGN 4 000 to BGN 12 000.

Article 98. A fine from BGN 1 000 to BGN 3 000 shall be imposed on a person, unless subject to a more serious sanction, who:

1. fails to comply with an order or an instruction of the State Archives Agency authorities, of the authorities of its structures in the country respectively;
2. fails to hand over the documents of the state or municipal institution for preservation in the respective state archive;
3. damages, destroys or loses documents in the course of their use.

Article 99. For violations of the regulations on implementing this act for which no sanctions are provided herein natural persons, sole proprietors and legal persons shall be imposed a fine, a property sanctions respectively, amounting from BGN 1 000 to BGN 2 000.

Article 100. (1) Violations of this act shall be established with acts drawn up by officials appointed by the Chairperson of the State Archives Agency.

(2) (Amended, SG No. 103/2009, Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010, SG No. 59/2010, effective 12.06.2010, pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria regarding entering into force from 12.06.2010 - SG No. 101/2010) Penal ordinances shall be issued on the basis of these acts by the Chairperson of the State Archives Agency.

(3) The drawing up of acts, the issuing, appealing against and the implementation of the penal ordinances shall be done under the procedure of the Administrative Violations and Sanctions Act.

SUPPLEMENTARY PROVISIONS

§ 1. In the meaning herein:

1. "Act on Destroying Documents" shall be a document certifying the number and composition of the destroyed documents of a standard mass nature with an expired preservation term.

2. "Archive Fund" shall be such part of the documentary stock of a state organisation/natural person which due to its value is designated for permanent preservation and has been accepted in an archive with a permanent composition, as well as a set of documents formed in the archive which are logically and/or historically related to each other (archive collection).

3. "Archive Unit" shall be a file accepted in an archive and recorded with its own number in an inventory of an archive fund as well as physically separate group of documents (individual document) recorded in an inventory with an individual number (technical project or part thereof, map, album, roll, microfilm, microfiche, magnetic tape, matrix, disc packet, etc.).

4. "File" shall be a group of documents with the same preservation term related by type, topic or another sign.

5. "Record office" (record department, registry) shall be a structural unit in an organisation managing current

documents before their handing over to a departmental archive.

6. "Document" shall be a material object of information fixed on any carrier, created/obtained and saved by an organisation or person in implementing duties specified by law or ensuing from action.

7. "Documents at risk" shall be documents which are in bad physical state and are kept in conditions threatening their physical state.

8. "Documentary fund" of a state organisation/natural person shall be the totality of documents formed in the course of implementing their activity.

9. "Documents with long-term reference value" shall be documents related to employment and official relations, property and civil status, etc.

10. "Documents of a standard mass nature with short-term reference value" shall be documents that are kept in organisations for a period from one to five years.

11. "State and municipal institutions" shall be budget organisations, state-owned enterprises under Article 62, paragraph 3 of the Commerce Act, commercial companies in which the state or a municipality own a majority share, commercial companies in which the state or a municipality owns a blocking share, commercial companies in which the state owns a privileged share ("golden share") and non-personified companies under the Obligations and Contracts Act in the assets of which the state or a municipality participate directly or indirectly.

12. "Assessment of the value" shall be a process of determining the value of documents on the basis of scientifically substantiated criteria for the purpose of categorising some documents for permanent preservation others - for destruction.

13. "Insurance copy of a document" shall be a copy of a document prepared for physical preservation and for replacement of the document in case of its destruction.

14. "Insurance Fund" shall be the totality of insurance copies of archive documents created for the purpose of preserving the information in case of destruction or damage of the originals, in case of natural disasters, military conflicts, terrorist acts, etc. as well as particularly valuable documents.

15. "Collection of archive" shall be systematic replenishment of an archive with documents in compliance with its profile.

16. "Scientific reference system" shall be the reference items created on the records, composition and contents of the documents.

17. "File list" shall be a systematic list of the headings of the files that are about to be formed in the state organisation with specified terms for their preservation.

18. "Preservation" shall be a system of protecting measures including organisational, financial and other strategic solutions for maintaining the wholeness and the life of the documents as well as steps for their physical protection from encroachments.

19. "Particularly valuable document" shall be a document from the National Archive Stock of intransitive cultural or historical significance and scientific value for society and the state in relation to which a special regime for accounting, preservation and use has been established.

20. "Passportisation of a fund" shall be a verification of the existence and condition of the documents in an archive fund carried out periodically or when the conditions and locality of their preservation have changed.

21. "Repeated" shall be a violation committed within one year after the entry into force of the penal ordinance with which the person has been sanctioned for the same type of violation.

22. "Principle of origin" shall be a principle according to which documents in an archive with a permanent composition

are designated to such archive fund from which they originate and inside the fund they preserve their original order given in the record office of the respective state organisation.

23. "Preservation" shall be an activity for ensuring archive depositories and their equipment, the rational placement of the documents in them, the maintenance of an optimal temperature and humidity regime, photochemical processing, conservation and restoration, the preparation of insurance copies.

24. "Current expert assessment" shall be the annual systematisation of the documents in files in the departmental archive in compliance with the file list with specified preservation terms.

25. "Departmental Archive" shall be an archive with a variable composition of the documents in a state organisation in which they are kept until their transfer to the respective state archive or their destruction.

26. "Fund-creator" shall be a state organisation, natural or legal person which have created or about which have been created documents subject to permanent preservation in an archive.

27. "Valuable document" shall be a document which has passed an expert assessment on the basis of scientifically substantiated criteria and has been recognised as such.

TRANSITIONAL AND FINAL PROVISIONS

§ 2. Valuable documents acquired through inheritance, donation, testament or otherwise before the entry into force of this act shall be declared within six months after its entry into force.

§ 3. The documents in the state archives containing personal data of citizens and have been provided for use before the entry into force of the Personal Data Protection Act shall continue to be accessible and shall be provided under the usual procedures.

§ 4. The owners of privatised commercial companies or facilities - formerly owned by the state or a municipality - shall hand over to the state archives within six months after the entry into force of this act the documents located at the companies or the facilities owned by the state or a municipality created since the start of their operation until the date of entry into force of the respective privatisation contract.

§ 5. (1) The State Archives Agency shall be the successor of the documents of the archive, of the assets and liabilities and the other rights and liabilities of the General Department of Archives at the Council of Ministers.

(2) The employment relations of the employees of the General Department of Archives at the Council of Ministers shall be regulated pursuant to Article 123 of the Labour Code and Article 87a of the Civil Servants Act and in compliance with the structure and staff numbers specified in the Regulation on the Structure of the State Archives Agency.

§ 6. Until the entry into force of the regulations under Article 52 and Article 69, paragraph 2 the applicable second-level normative acts shall apply unless they contradict this act.

§ 7. The State Archival Collections Act (promulgated, SG No. 54 of 1974, amended, No. 63/1976, No. 35/1977, No. 55/1987, No. 12/1993, No. 109/2001) shall be repealed.

§ 8. Article 278 of the Criminal Code (promulgated, SG No. 26/1968, amended, No. 29/1968, amended, No. 92/1969, No. 26 and 27/1973, No. 89/1974, No. 95/1975, No. 3/1977, No. 54/1978, No. 89/1979, No. 28/1982, amended, No. 31/1982; amend., No. 44/1984, No. 41 and 79/1985, amended, No. 80/1985, amended, No. 89/1986, amended, No. 90/1986, amended, No. 37, 91 and 99/1989, No. 10, 31 and 81/1990, No. 1 and 86/1991, amended, No. 90/1991, amended, No. 105/1991, No. 54/1992, No. 10/1993, No. 50/1995, No. 97/1995 - Decision No. 19 of the Constitutional Court/1995, amended, No. 102/1995, No. 107/1996, No. 62 and 85/1997, No. 120/1997 - Decision No. 19 of the Constitutional Court /1997; amend. No. 83, 85, 132, 133 and 153/1998, No. 7, 51 and 81/1999, No. 21 and 51/2000, No. 98/2000 - Decision No. 14 of the Constitutional Court /2000; amend. No. 41 and 101/2001, No. 45 and 92/2002, No. 26 and 103/2004, No. 24, 43, 76, 86 and 88/2005, No. 59, 75 and 102/2006, No. 38/2007) shall be amended and supplemented as follows:

1. In paragraph 1 the words "archive material contained in the state archive" shall be replaced by "document(s) from the National Archive Stock".

2. In paragraph 2 after the word "culture" the word "or document(s) from the National Archive Stock" shall be added.

3. In paragraph 3 the words "archive material contained in the state archive" shall be replaced by "document(s) from the National Archive Stock".

§ 9. In Article 12, item 3 of the Cadastre and Property Register Act (promulgated, SG No. 34/2000, amended, No. 45 and 99/ 2002, No. 36/2004, No. 39 and 105/2005, No. 29 and 30/2006) the word "State" shall be replaced by "National".

§ 10. The following amendments shall be made to the Accountancy Act (promulgated, SG No. 98/2001, amended, No. 91/2002, No. 96/2004, No. 102 and 105/2005, No. 33, 63, 105 and 108/2006):

1. In Article 42, paragraph 1 the word "State" shall be replaced by "National".

2. In Article 43 the word "State" shall be replaced by "National".

§ 11. In Article 8, item 2 of the Access to Public Information Act (promulgated, SG No. 55/2000, amended, No. 1 and 45/2002, No. 103/2005, amended, No. 24, 30 and 59/2006, No. 49/2007) the word "State" shall be replaced by "National".

§ 12. In Article 20, paragraph 1 and Article 21, paragraph 5 of the Geodesy and Cartography Act (SG No. 29/2006) the word "State" shall be replaced by "National".

§ 13. At the end of Article 1, paragraph 7 of the Personal Data Protection Act (promulgated, SG No., 1/2002, amended, No. 70 and 93/ 2004, No. 43 and 103/2005, No. 30 and 91/2006) the text "as well as for the information preserved in the National Archive Stock" shall be added.

§ 14. In Article 33, paragraph 2 of the Classified Information Protection Act (promulgated, SG No. 45/2002; amended, No. 5/2003, amended, No. 31/2003, No. 52, 55 and 89/2004, No. 17 and 82/2006, No. 46/2007) the words "The state archive shock" shall be replaced by "the respective state archive".

§ 15. In Article 23, paragraph 1, item 22 of the Election of Members of Parliament Act (promulgated, SG No. 37/2001; No. 44/2001 - Decision No. 8 of the Constitutional Court of 2001, amended No. 45/2002, No. 28, 32 and 38/2005, No. 24, 30, 63 and 95/2006) the word "State" shall be replaced by "National".

§ 16. § 11 of the Transitional and Final Provisions of 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, SG No. 102/2006, amended, No. 41/2007) the word "State" shall be replaced by "National".

§ 17. In Article 3, paragraph 2 of the War Veterans Act (promulgated, SG No. 152/1998, amended, No. 49/2000, No. 40/2007) the words "The General Department on Archives at the Council of Ministers" shall be replaced by "State Archives Agency".

§ 18. In Article 9 of the Compulsory Deposit of Copies of Printed and Other Works Act (promulgated, SG No. 108/2000, amended, No. 28, 88 and 94/2005 a new item 6 shall be created:

"6. The State Archives Agency - the items under Article 3, paragraph 1, items 1 - 5 which have been created using archive documents from the National Archive Stock."

§ 19. In Article 116, paragraph 3 of the Ministry of the Interior Act (promulgated, SG No. 17/2006, amended, No. 30, 102 and 105/2006, No. 11, 312, 41 and 46/2007) the word "State" shall be replaced by "National".

§ 20. In Article 38, paragraphs 1 and 2 of the Tax and Social Insurance Procedure Code (promulgated, SG No.

105/2005, amended, No. 30, 33, 34, 59, 63, 73, 82, 86, 95 and 105/2006, No. 46/2007) the word "State" shall be replaced by "National".

§ 21. The regulations under Article 52, Article 69, paragraph 2 and Article 91 shall be adopted by the Council of Ministers within six months after the entry into force of this act. The regulation under Article 9, paragraph 2 shall be adopted by the Council of Ministers within one year after the entry into force of this act.

§ 22. The implementation of this act shall be assigned to the Chairperson of the State Archives Agency.

§ 23. This act shall enter into force on the date of its promulgation in the State Gazette.

This act has been adopted by the 40th National Assembly on 29 June 2007 and has been stamped by the official seal of the National Assembly.

TRANSITIONAL AND FINAL PROVISIONS

to the Act amending and supplementing the Cultural Heritage Act

(SG No. 92/2009, effective 20.11.2009)

§ 39. The Ministry of Culture and the NIICH shall be the legal successors of the assets and liabilities of the National Institute for Preservation of Immovable Cultural Values

§ 40. (1) The powers of the Director of the National Institute for Preservation of Immovable Cultural Values shall be terminated from the date of entry into force of this Act.

(2) The legal relationships of individuals from the the National Institute for Preservation of Immovable Cultural Values shall be governed by Article 123 of the Labour Code and Article 87a of the Civil Servants Act in accordance with the rules set by the Organizational Rules of the Ministry of Culture and the NIICH structure and numerical strength.

§ 41. (1) Within one year of entry into force of this Act, the NIICH shall provide the Registry Agency with a list of entries for the incumbent declared immovable monuments of culture.

(2) The Registry Agency shall note the status of cultural values on lots of sites within two months of submission of the list under Paragraph 1.

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§ 44. In the National Archives Act (promulgated, SG No. 57 of 2007, amended, No. 19, 42 and 78 of 2009) in Article 33, Paragraph 1, Item 7, the words "the National Institute for Preservation of Immovable Cultural Values" shall be replaced by "the National Institute of Immovable Cultural Heritage".

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TRANSITIONAL AND FINAL PROVISIONS

to the Act amending the National Archives Stock Act

(SG No. 103/2009, effective 29.12.2009, declared unconstitutional with

Judgment No. 8 of the Constitutional Court of the Republic of Bulgaria - SG No. 43/2010)

§ 14. The regional state archives shall be the legal successor of the documents of Sofia State Archives and of the territorial

state archives concerning their liabilities, assets and other rights and obligations.

§ 15. The legal relations of the employees of the territorial state archives shall be regulated as per Article 123 of the Labour Code, Article 87a of the Civil Servants Act and in line with the structure and number of employees determined in the Regulation on the Structure of the State Archives Agency.

§ 16. This act shall enter into force on the date of its promulgation in the State Gazette.

TRANSITIONAL AND FINAL PROVISIONS

to the Act amending the National Archives Stock Act

(SG No. 59/2010, effective 12.06.2010, effective 12.06.2010 - pronounced

unconstitutional by Decision No. 14 by the Constitutional Court of the Republic

of Bulgaria concerning the coming into force as of 12 June 2010 - SG No. 101/2010)

§ 14. The regional state archives shall be the legal successor of the documents of Sofia State Archives and of the territorial state archives concerning their liabilities, assets and other rights and obligations.

§ 15. The legal relations of the employees of the territorial state archives shall be regulated as per Article 123 of the Labour Code, Article 87a of the Civil Servant Act and in line with the structure and number of employees determined in the Regulation on the Structure of the State Archives Agency.

§ 16. (Pronounced unconstitutional by Decision No. 14 by the Constitutional Court of the Republic of Bulgaria - SG No. 101/2010)

This Act shall come into force as of 12 June 2010.

TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Civil Servants Act

(Promulgated, SG No. 38/2012, effective 1.07.2012)

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§ 84. (Effective 18.05.2012 - SG No. 38/2012) Within one month after the promulgation of this Act in the State Gazette:

1. the Council of Ministers shall bring the Classifier of Positions in the Administration into conformity with this Act;
2. the competent authorities shall bring the organic acts of the respective administration into conformity with this Act.

§ 85. (1) The legal relationships with the persons of the administrations under the Radio and Television Act, the Independent Financial Audit Act, the Electronic Communications Act, the Financial Supervision Commission Act, 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, the Criminal Assets Forfeiture Act, the Conflict of Interest Prevention and Ascertainment Act, the Social Insurance Code, the Health Insurance Act, the Agricultural Producers Support Act and the Roads Act shall be settled under the terms established by § 36 of the Transitional and Final Provisions of the Act to Amend and Supplement the Civil Servants Act (State Gazette No. 24 of 2006).

(2) The act on appointment of the civil servant shall:

1. award the lowest rank designated in the Classifier of Positions in the Administration for occupation of the position, unless the servant holds a higher rank;
2. fix an individual monthly basic salary.

(3) The additional resources required for social and health insurance contributions of the persons referred to in Paragraph (2) shall be provided within the limits of the expenditures on salaries, remunerations and compulsory social and health insurance contributions under the budgets of the spending units concerned.

(4) The Council of Ministers shall effect the requisite modifications under the off-budget account of State Fund Agriculture arising from this Act.

(5) The governing bodies of the National Social Security Institute and of the National Health Insurance Fund shall effect the requisite modifications under the respective budgets arising from this Act.

(6) Any unused leaves under the employment relationships shall be retained and shall not be compensated by cash compensations.

§ 86. (1) Within one month after the entry into force of this Act, the individual monthly basic salary of the servant shall be fixed in such a way that the said salary, net of the tax due and the compulsory social and health insurance contributions for the account of the insured person, if they were due, would not be lower than the gross monthly salary received theretofore, net of the compulsory social and health insurance contributions for the account of the insured person, if they were due, and the tax due.

(2) The gross salary referred to in Paragraph (1) shall include:

1. the monthly basic salary or the monthly basic remuneration;
2. supplementary remunerations which are paid constantly together with the monthly basic salary or monthly basic remuneration due and which are contingent solely on the time worked.

§ 87. This Act shall enter into force as from the 1st day of July 2012 with the exception of § 84 herein, which shall enter into force as from the day of promulgation of the Act in the State Gazette.