

# **ACT ON THE MEASURES AND ACTIONS DURING THE STATE OF EMERGENCY DECLARED WITH THE DECISION OF THE NATIONAL ASSEMBLY OF MARCH 13th, 2020**

*In force from 13.03.2020 until the state of emergency is lifted*

*Prom. SG. 28/24 Mar 2020, amend. and suppl. SG. 34/9 Apr 2020*

Art. 1. This Act shall regulate the measures and actions during the state of emergency declared on the territory of the Republic of Bulgaria.

Art. 2. (Suppl. – SG 34/20, in force from 09.04.2020) The Minister of Health may, in addition to the Health Act, introduce other temporary measures and restrictions set out by law as well. The act of the Minister of Health shall be subject to preliminary execution.

Art. 3. For the period from 13 March 2020 until the state of emergency is lifted, the following time limits shall cease to run:

1. (amend. – SG 34/20, in force from 09.04.2020) the procedural time limits for court, arbitration and enforcement proceedings, except for the time limits for proceedings and cases as per the Annex;

2. (amend. – SG 34/20, in force from 09.04.2020) the prescriptive terms, with the expiration of which rights are extinguished or acquired by private legal entities;

3. (repealed – SG 34/20, in force from 09.04.2020)

4. the time limits under Chapter Five, Section I and III, Chapter Eight, Section V, Chapter Ten and Chapter Twelve, Section I, II and IV of the Act on Counteracting Corruption and Seizure of Illegally Acquired Property, with the exception of the time limit under Art. 38, Para. 1, item 2 of the same Act;

5. the time limits under Art. 175c, Para. 1 - 3 of the Judiciary System Act, with the exception of the time limit under Art. 175c, Para. 1, item 2 of the same Act.

Art. 4. (1) (Prev. text of Art. 4 – SG 34/20, in force from 09.04.2020) Extended by one month after the lifting of the state of emergency shall be the following:

1. the time limits specified by law, other than those under Art. 3, which expire during the state of emergency and are related to the exercising of rights or the fulfillment of obligations of private entities;

2. the effect of the administrative acts, which is limited in time and expires during the state of emergency.

(2) (New – SG 34/20, in force from 17.04.2020) Paragraph 1 shall not apply to proceedings related to public procurement, concession procedures, proceedings under the Act on the Management of Funds from the European Structural and Investment Funds, proceedings under Chapter Three of the State Property Act and Chapter Three of the Municipal Property Act, proceedings under the Agricultural Producers Support Act, proceedings under the Ownership and Use of Agricultural Land Act, the proceedings under the Forestry Act, the proceedings under the Act on the Implementation of the Common Organization of the European Union Agricultural Products, the proceedings under the Veterinary Practice Act, the proceedings under the Spatial Development Act and the proceedings under the Protection of Competition Act. The first sentence shall also apply to proceedings under the respective secondary legislation.

Art. 5. (In force from 24.03.2020) (1) All announced public sales and entries into possession, announced by state and private enforcement agents, shall be suspended. After the state of emergency is lifted, public sales and entries into possession shall be re-scheduled, with no new fees and charges due.

(2) No attachments shall be imposed on the bank accounts of natural persons and medical establishments, attachments on salaries and pensions, security measures on medical apparatus and

equipment, as well as the making of inventories of movable property and real estate owned by natural persons, except for maintenance obligations, damages for unauthorised damage, and for claims for salaries.

(3) (New – SG 34/20, in force from 09.04.2020) Executing the obligation to hand over a child, or the child's subsequent return in accordance with the Civil Procedure Code, shall not be suspended.

(4) (Previous Para. 3 – SG 34/20, in force from 09.04.2020) Notarial proceedings shall be limited to urgent ones, in compliance with the health and hygiene requirements. The Notary Chamber shall provide notaries on duty with a ratio of at least one notary per 50 000 inhabitants for the respective area.

Art. 6. (Amend. – SG 34/20, in force from 09.04.2020) Until the state of emergency is lifted, in case of delay in payment of obligations of private legal entities, debtors under credit agreements and other forms of financing (factoring, forfeiting and others) provided by banks and financial institutions under Art. 3 of the Credit Institutions Act, including when the receivables are obtained from other banks, financial institutions or third parties, and under leasing contracts, no interest and penalties shall be charged, the obligation shall not be declared early due and the contract shall not be destroyed due to default, and no items shall be seized.

Art. 6a. (New – SG 34/20, in force from 09.04.2020) (1) Until the state of emergency is lifted, state, local bodies, councils, committees, commissions, including bodies of management or control of funds, accounts and other non-legal entities, may hold meetings remotely, ensuring direct and virtual participation in compliance with quorum and personal voting requirements, or may adopt decisions in absentia. Minutes shall be drawn up for the meeting held. For outstanding issues, special laws and implementing acts shall apply.

(2) Until the state of emergency is lifted, open court hearings, including those of the Commission on Protection of Competition, may be held remotely, ensuring direct and virtual participation of the parties and participants in the process and the proceedings, respectively. Minutes shall be drawn up for the meetings held and shall be published without delay, and the recording of the meeting shall be kept until the deadline for amendment and completion of the minutes. The court or the Commission on Protection of Competition, respectively, shall inform the parties when the meeting will be held remotely.

Art. 6b. (New – SG 34/20, in force from 09.04.2020) Until the state of emergency is lifted by a decision of the Council of Ministers, the ministers, regional governors and heads of other institutions, who have leased or to be used real estate-state property, or municipal councils that have leased or used municipal property, may adopt decisions, respectively issue orders to reduce the amount of rent and use or exemption from payment in whole or in part by natural and legal persons – renting or users who have limited or ceased operations as a result of measures and restrictions imposed during the state of emergency.

Art. 7. (1) Depending on the specific nature of the work and the possibility of securing it, the employers and the job appointing authorities may award outwork or telework to their workers and employees without their consent, except when this is not possible. The terms and conditions for the assignment, performance and control shall be determined by an order of the employer or the appointing authority.

(2) Employers and appointing authorities may give up to one-half of the paid annual leave to workers or employees even without their consent.

Art. 8. (1) The introduced restrictions on overtime work and its duration shall not apply to part-time workers and employees who provide or support the provision of medical assistance, and to civil servants, respectively, who, as per their job description or under a manager's instruction, support the provision of medical assistance.

(2) Police authorities and the fire safety and protection of the population authorities shall do overtime work above the restrictions under Art. 187, Para. 7 of the Ministry of the Interior Act after an

explicit written consent of the civil servant. Lack of consent shall not give grounds for disciplinary action.

Art. 9. Servicemen of the Armed Forces, under the conditions and in the order determined by an act of the Council of Ministers, jointly and / or in coordination with other bodies, may participate in the implementation of anti-epidemic measures and restrictions on the territory of the country, in a particular region or at a checkpoint.

Art. 10. Servicemen of the Armed Forces shall have the right to:

1. carry out checks on the identification of a person;
2. until the arrival of the bodies of the Ministry of the Interior, restrict the movement of any person for whom there is evidence that he has refused or fails to comply with the measures under Art. 61 and 63 of the Health Act, drafting a bilateral written protocol;
3. stop vehicles until the arrival of the bodies of the Ministry of the Interior;
4. restrict the movement of persons and vehicles at a checkpoint;
5. use physical force and aids only when absolutely necessary.

Art. 11. By order of the Minister of Defense following a reasoned proposal of the Chief of Defense, the duration of the business trip under Art. 71, Para. 1 of the Act on the Defense and the Armed Forces of the Republic of Bulgaria or the extended duration under Art. 71, Para. 4 of the same act may be extended without the consent of the serviceman until the state of emergency is lifted.

Art. 12. (1) The requirements for receiving monthly social benefits under Art. 2, Para. 4 of the Social Support Act shall not apply. At the discretion of the mayors of municipalities, if proven necessary, shall apply the provision of Art. 2, Para. 4, item 1 of the Social Support Act in the part regarding the community service work performed only for disinfection in compliance with the relevant health and hygiene requirements.

(2) The requirements for receiving monthly family allowances under Art. 7, Para. 1, items 2 - 5 of the Family Allowances for Children Act shall not apply.

(3) The time limit of all monthly family allowances granted on the basis of Art. 7 and Art. 8f of the Family Allowances for Children Act, which expires from 1 February 2020 until the state of emergency is lifted, shall be extended ex officio until the end of the month, in which the state of emergency is lifted.

(4) The time limits under Art. 8c, Para. 5, Art. 10, Para. 2 and Art. 12, Para. 1, item 1 - 7, Para. 2 and Para. 3 of the Family Allowances for Children Act, which expire in the period from March 1, 2020 until the state of emergency is lifted, shall be extended ex officio by one month after the state of emergency is lifted.

(5) The time limits of validity of the issued orders for placement in specialized institutions and social services in a residential-type community, activities delegated by the state, and local activities expiring from 1 March 2020 until the state of emergency is lifted, shall be extended ex officio with one month from the lifting of the state of emergency.

(6) During the state of emergency, and up to three months after it has been lifted, the Executive Director of the Social Assistance Agency and the mayors of the municipalities shall have no right, due to lack of users, to close down social services or reduce the capacity thereof, of activities delegated by the State and of local activities, with the exception of specialized institutions for children.

Art. 13. (1) The provisions of the Public Procurement Act shall not apply to:

1. purchase by the contracting authorities of hygienic materials, disinfectants, medical devices and personal protective equipment necessary for the provision of anti-epidemic measures;
2. purchase of medical devices, medical and laboratory equipment necessary for the diagnosis and treatment of infected patients, consumables thereof, as well as activities related to their introduction;
3. the assignment of activities for disposal of pesticides and hospital waste in accordance with Ordinance № 1 on the requirements for the activities of waste collection and treatment on the territory of medical and health establishments (promulgated SG 13/2015; amended SG 102/2018).

(2) At the request of a contractor, the deadline for implementation may be renegotiated, but not more than for the duration of the state of emergency.

Art. 14. When purchasing - with funds from the state budget through the budget of the Ministry of Health, from the budget of the medical establishments under Art. 5 of the Medical Establishments Act and with funds of the medical establishments with state and / or municipal participation under Art. 9 and 10 of the Medical Establishments Act - medical devices necessary for providing anti-epidemic measures, as well as for the treatment and diagnostics of infected patients, shall not apply the requirements of Chapter Three, Section II of the Ordinance on the Terms and Procedure for drawing up a list of the medical devices under Art. 30a of the Medical Devices Act and determining the value up to which they are paid (promulgated, SG 104/2011; amended, 74/2013, SG 76/ 2014, SG 35/ 2015, SG 104/2018 and SG 27 and 83 of 2019), with the exception of Art. 34, Para. 1, item 2 of the same ordinance.

Art. 15. Pharmacies may dispense medicinal products only on a prescription booklet, without the need to present a prescription according to the data on dispensed medicinal products recently entered in the prescription booklet, under the conditions and in the order determined by the National Health Insurance Fund, up until the lifting of the state of emergency and two months following that.

Art. 15a. (New – SG 34/20, in force from 09.04.2020) Until the state of emergency is lifted, the National Health Insurance Fund and the Bulgarian Medical Union, respectively the Bulgarian Dental Union, may sign an annex to the respective national framework contract, which to contain remuneration for work in unfavourable conditions during the declared state of emergency to the providers of medical care, respectively dental care, and the conditions and procedure for payment, and methodology for determining the amounts.

Art. 16. (1) Until the state of emergency is lifted, with an order of the Minister of Health, any export of medicinal products from the territory of the Republic of Bulgaria within the meaning of the Medicinal Products in Human Medicine Act can be banned.

(2) Whoever breaches the ban under Para. 1, shall be liable to a fine of BGN 10 000, respectively a proprietary sanction in the amount of BGN 50 000, and in case of the same violation repeated twice – to a fine in the amount of BGN 20 000, and a proprietary sanction in the amount of BGN 100 000, respectively.

(3) Violations shall be established with acts drawn up by officials, designated by the Executive Director of the Bulgarian Drug Agency, or by the Director of the respective regional health inspection. Penal decrees shall be issued by the Executive Director of the Bulgarian Drug Agency or by the Director of the respective regional health inspection.

Art. 17. If necessary, the Council of Ministers shall instruct the State Agency “State Reserve and war-time stocks” to inspect the state reserve of grain, meat, dairy products and other durable foodstuffs, medical equipment, medicines, medical supplies and alcohol, and to prepare a report and proposal to the Council of Ministers for consideration to secure additional reserves.

Art. 17a. (New – SG 34/20, in force from 09.04.2020) (1) Wartime stocks may be released by a decision of the Council of Ministers or by a body authorized by it for realization by the State Agency “State Reserve and war-time stocks” or for free provision to meet the needs of the national economy and the population. The decision shall be made upon the proposal of the Chairman of the State Agency “State Reserve and war-time stocks” in agreement with the Minister of Defence on the basis of a reasoned request from a state body. On the basis of the decision, the Agency Chairman shall issue a subsequent transfer order.

(2) At the request of a state body, the Chairman of the State Agency “State Reserve and war-time stocks” may provide hospital-household property or other items representing reusable assets for free temporary use. Following the lifting of the state of emergency, the assets shall be restored to the Agency in a condition that allows for subsequent use as intended, under such terms and conditions as may be determined by an order of the Chairman of the Agency.

Art. 18. (1) If necessary, the following officials may be seconded, including to the territory of

another district, to temporarily perform activities of state health control:

1. officials at the regional health insurance funds at the regional health inspections;
2. government health inspectors from the regional health inspections.

(2) In the cases of Para. 1, item 1, the secondment shall be carried out under the conditions of the Civil Servants Act or the Labour Code, after coordination with the Director of the National Health Insurance Fund for a term not exceeding two months in one calendar year. In the cases of Para. 1, item 2, the secondment shall be carried out under the conditions of the Civil Servants Act after coordination with the Minister of Health for a term not exceeding two months in one calendar year.

Art. 19. The Minister of Health may, by order, instruct inspections on the territory of an area, by state health inspectors from another area and / or by state health inspectors from the National Centre of Radiobiology and Radiation Protection (NCRRP) to observe anti-epidemic measures and restrictions. In case of established violations, the acts thereof shall be drawn up by the state health inspectors who participated in the inspection, and the penal decrees shall be issued by the Director of the regional health inspection, in whose territory the inspection is carried out.

Art. 20. (1) For the students in day-time, evening, part-time, individual and combined form of education, and for those in a dual system of education, training shall be organized as well as support for personal development, remotely in electronic environment through the use of the means of information and communication technologies.

(2) Teachers and pedagogical specialists shall provide training and support for personal development as per Para. 1 within the framework of their employment relationship, without the need to conclude agreements under Art. 119 of the Labour Code, by creating – out of their home or from chosen premises outside the school - a workplace and using the necessary technological equipment. For the fulfillment of their duties from a distance, pedagogical specialists shall receive their remuneration agreed upon in the employment relationship.

(3) School headmasters shall perform their duties within the framework of their employment relationship, without the need for concluding agreements under Art. 119 of the Labour Code, exercising management and control remotely as well through the use of information and communication technologies, if they have created the necessary organization for carrying out the training and support for personal development under Para. 1. Headmasters shall carry out their duties remotely by creating a workplace in their home or their chosen premises, and using the necessary technological equipment.

(4) The Minister of Education and Science may by order introduce temporary rules in connection with training and support for personal development under Para. 1, including with regard to the workplace, the working hours of headmasters and pedagogical specialists, the technical means for organizing and conducting the training, and the support for personal development.

Art. 21. (1) Until the state of emergency is lifted, managing bodies of the European Structural and Investment Funds shall have the right to:

1. amend unilaterally grant contracts in accordance with the need for crisis measures within the meaning of Art. 2, item 21 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) № 1296/2013, (EU) № 1301/2013, (EU) № 1303/2013, (EU) № 1304/2013, (EU) № 1309/2013, (EU) № 1316/2013, (EU) № 223/2014 and (EU) № 283/2014, and Decision № 541/2014 / EU and repealing Regulation (EU, Euratom) № 966/2012 (OJ, L 193/1 of 30 July 2018), including increasing the amount of the contracted grant;

2. award grants under simplified rules, including without the publication of a call for proposals;

3. increase the total resource for operations above the approved by the monitoring committee under the schemes, under which measures are eligible, in the conditions of emergency situations and under the hypothesis of item 1.

(2) When announcing a procedure for direct grant of financial assistance, the term under Art. 44, Para. 4 of the Act on Management of Funding from the European Structural and Investment Funds

shall be reduced at the discretion of the Head of the relevant managing authority. In the conditions for applying under the respective scheme, approved in accordance with Art. 26, Para. 1 of the Act on Management of Funding from the European Structural and Investment Funds, the new term shall be defined.

(3) The time limits in a procedure of direct grant of financial assistance, specified in the normative act under Art. 28, Para. 1, item 1 of the Act on Management of Funding from the European Structural and Investment Funds, may be reduced at the discretion of the Head of the respective managing authority. In the conditions for applying under the respective scheme, approved in accordance with Art. 26, Para. 1 of the Act on Management of Funding from the European Structural and Investment Funds, the new term shall be defined.

(4) All matters within the competence of the monitoring committee of the program concerned may be decided in absentia. The Head of the respective managing authority may reduce the time limits applicable in the procedure for decision making in absentia, specified in the normative act under Art. 15, Para. 2 of the Act on Management of Funding from the European Structural and Investment Funds. The members of the monitoring committee shall be informed of the reduction of the relevant time limit by sending the draft decision and the documents thereto.

(5) A grant shall be provided directly to an applicant approved by the monitoring committee of the program concerned, by adopting a decision in absentia upon a reasoned proposal by the Head of the program managing body.

(6) Under the conditions of Para. 5, the Monitoring committee of the relevant program shall take a decision in absentia incorporating state-of-emergency procedures into the indicative annual work program, and shall approve the criteria used to select the operations necessary to ensure the life or health of citizens, to protect particularly important state or public interests, including those related to defense and security.

(7) The grant shall be provided directly to an applicant who, within a period specified by the Head of the managing authority, fulfills the approved criteria.

(8) The provisions of Art. 26, Para. 3, 5 and 8 of the Act on Management of Funding from the European Structural and Investment Funds shall not apply.

Art. 22. (New - SG 34/20, in force from 09.04.2020) (1) Article 249, Para. 9, 10 and 11 of the Ministry of the Interior Act shall not apply when subject of the donation are personal protective equipment, disinfectants, alcohol and other means intended to prevent the spread of the contagious disease.

(2) The donation contracts under Para. 1 shall be concluded by the heads of the structures under Art. 37 of the Ministry of the Interior Act or persons authorized by them.

Art. 23. (New - SG 34/20, in force from 09.04.2020) Until the state of emergency is lifted, in the course of carrying out a procedure for consecutive examination, the term under Art. 52, Para. 2 of the Act on Protection of Classified Information may be extended by up to 30 days, in which case the authorizations for access to classified information will remain valid until the procedure is completed.

Art. 24. (New - SG 34/20, in force from 09.04.2020) (1) The time limits under Art. 102, Para. 1 and 2, Art. 104, Para. 2 and 4, Art. 106, Para. 4 and 5, and § 6, Para. 1 and 2 of the Transitional and concluding provisions of the Act on Measures Against Money Laundering shall cease to run until the state of emergency is lifted.

(2) The persons under Art. 4, item 28 of the Measures against Money Laundering Act, who do not fall yet into another category of liable entities under Art. 4 of the same act, for whom has risen the

obligation to prepare a risk assessment under Art. 98, Para. 4 of the same act, shall adopt the rules under Art. 101 of the same act within 4 months after the state of emergency has been lifted.

Art. 25. (New - SG 34/20, in force from 09.04.2020) A tour operator, who has to reimburse a traveler for a paid travel trip when canceled due to the declared state of emergency, may offer the traveler a voucher for the amount paid. If the traveler does not accept the voucher and, in the absence of another replacement package agreement between the tour operator and the traveler, the tour operator shall reimburse, no later than one month from the date of the lifting of the state of emergency, all payments received by the traveler or on his behalf.

### **Transitional and concluding provisions**

§ 1. (1) Within 7 days after the promulgation of this Act in the State Gazette, medical establishments, state institutions and telecommunication operators through certain officials shall carry out an extraordinary inspection of the technical condition of the energy sites intended for electricity supply, owned by them, including of electrical devices, own backup power sources and automatic switching facilities ensuring uninterrupted power supply.

(2) For the results of the inspection under Para. 1 shall be drawn up a protocol.

(3) In case of non-compliance with the regulatory requirements, the persons under Para. 1 shall take immediate steps to eliminate them in order to ensure the continuity of electricity supply.

(4) Medical establishments, state institutions and telecommunication operators shall immediately inform the Ministry of Energy of the actions they have undertaken as a result of the inspections carried out.

§ 2. (1) To ensure continuity of electricity supply in the state of emergency situation on the territory of the country, the electricity transmission network operator and the distribution networks operators shall suspend all planned repairs related to a temporary suspension of the electricity transmission, except repair activities to eliminate accidents with a view to restoring electricity supply to consumers.

(2) The deadlines for payment specified in the General Conditions under Art. 98a, Para. 2 of the Energy Sector Act of amounts due in connection with the supply of electricity to household clients shall be extended from 10 to 20 days. Deadlines may be modified by a reasoned order of the Minister of Energy on a proposal from the National Operational Headquarters, taking into account the financial stability of the Energy sector, in order to guarantee energy security.

(3) In order to ensure the life and health of the people, the information and customer service centers of energy enterprises supplying electricity, heating and natural gas shall establish an organization of work in strict compliance with the requirements of the National Operational Headquarters.

§ 6. (1) (Suppl. - SG 34/20, in force from 09.04.2020) While this Act is in force, but for a period not exceeding three months, the National Social Security Institute shall transfer 60 percent of the amount of the insurance income for the month of January 2020 and the due social security contributions at the expense of the insurer for those persons insured under Art. 4, Para. 1, item 1 of the Social Insurance Code by insurers meeting the criteria set by an act of the Council of Ministers. The funds shall be transferred by bank to the respective insurer within 5 working days on the basis of written information provided by the Employment Agency.

(2) The funds transferred pursuant to Para. 1 shall be at the expense of the Unemployment Fund of the state's social insurance.

(3) In case the insurer fails to pay the full amount of the work remuneration to workers and

employees, for whom the funds under Para. 1 have been received, he shall restore them.

§ 10. (1) The period of validity of the residence documents for foreigners, issued in accordance with Art. 59, Para. 2, items 1a, 2, 2a, 3, 4, 5 and 6 of the Bulgarian Personal Documents Act, and of the documents under Art. 59, Para. 3 of the same Act, issued to members of the families of European Union citizens, to members of the families of nationals of States-parties to the Agreement on the European Economic Area, to citizens of the Swiss Confederation who are not citizens of the European Union, the European Economic Area and the Swiss Confederation, which by virtue of concluded international treaties with the European Union have the right to free movement, and to the documents issued pursuant to Art. 59, Para. 4 of the same Act to citizens of the European Union, citizens of States-parties to the Agreement on the European Economic Area, citizens of the Swiss Confederation who, by virtue of concluded international treaties with the European Union, have the right of free movement, which expires in the period from March 13, 2020 to October 31, 2020, shall be extended by 6 months. For the duration of the extension, the documents shall be considered as valid residence documents only on the territory of the Republic of Bulgaria, and shall only certify the right of residence. At the request of the person, a new residence document may even be issued before the expiry of the extended 6-month period.

(2) The period of validity of identity cards, which expires from 13 March 2020 to 31 October 2020, shall be extended by 6 months. For the duration of the extension, the identity card shall be a valid identity document only on the territory of the Republic of Bulgaria. At the request of the person, a new identity card may be issued before the expiry of the extended 6-month period as well.

(3) The period of validity of driving licenses, which expires from 13 March 2020 to 31 October 2020, shall be extended by 6 months. For the duration of the extension, the driving license shall be a valid individual certification document for driving a motor vehicle only on the territory of the Republic of Bulgaria. At the request of the person, a new driving license may be issued before the expiry of the extended 6-month period.

§ 11. In the Foreigners in the Republic of Bulgaria Act (promulgated, SG 153/1998; amend., SG 70/1999, SG 42 and 112 of 2001; SG 45 and 54 of 2002, SG 37 and 103 of 2003, SG 37 and 70 of 2004, SG 11, 63 and 88 of 2005, SG 30 and 82 of 2006, SG 11, 29, 52, 63 and 109 of 2007, SG 13, 26, 28 and 69 of 2008, SG 12, 32, 36, 74, 82, 93 and 103 of 2009, SG 73 of 2010, SG 9 and 43 of 2011, SG 21 and 44 of 2012, SG 16, 23, 52, 68, 70 and 108 of 2013, SG 53 of 2014, SG 14, 79 and 80 of 2015, SG 15, 33, 97, 101 and 103 of 2016, SG 97 of 2017, SG 14, 24, 56 and 77 of 2018, SG 1, 24, 34, 58 and 101 of 2019 and SG 17 of 2020) the following additions shall be made:

1. in Art. 24 is created Para. 13:

"(13) A foreigner with a permitted long-term residence in the Republic of Bulgaria, on which the period of residence expires in the period of the state of emergency, may apply for extension of residence within 14 days after the lifting of the state of emergency, and the declared state of emergency shall not be considered as interruption when the foreigner applies for a long-term or permanent residence. A foreigner with a permitted long-term residence in the Republic of Bulgaria, on which the period of residence expires in the period of the state of emergency, may enter the territory of the Republic of Bulgaria without a visa within 14 days after the lifting of the state of emergency."

2. In Art. 40, Para. 1, item 6 after the words "in cases of" shall be added "a declared state of emergency or of", and after the words "13 and 16;" the following shall be added: "for the period of a declared state of emergency shall not be considered as absence the absence of the foreigner having received a permit for a long-term or permanent residence, from the territory of the Member States of the European Union, for a period of 12 consecutive months;"

§ 20. (Previous text of § 20 - SG 34/20, in force from 09.04.2020) The expert decisions of the TEMC and NEMC for determining permanently reduced working capacity / type and degree of disability, respectively, the expert decisions of the Central Military Medical Commission (CMMC) at the Military Medical Academy for fitness for military service and service in the voluntary reserve, in



which the period of invalidity, respectively, the expiration date, expires during the in-force period of this act, shall continue in force during the state of emergency and two months after its repealing.

(2) (New - SG 34/20, in force from 09.04.2020) Paragraph 1 shall also apply to any procedure - which has started prior to the declaring of the state of emergency - for determining permanently reduced working capacity / type and degree of disability, which began before the declaration of a state of emergency, respectively, to determine fitness for military service and service in the voluntary reserve.

§ 35. (New - SG 34/20, in force from 09.04.2020) (1) For the period from 13 March 2020 until the lifting of the state of emergency, no state subsidy under the Political Parties Act shall be due. The annual amount of the state subsidy for 2020 shall be calculated according to Art. 27, Para. 2 of the Political Parties Act, where for the number of days from 13 March 2020 until the state of emergency is lifted included, no state subsidy shall be charged and due.

(2) By the order of Art. 109, Para. 3 of the Public Finances Act, the Council of Ministers may approve additional costs / transfers at the expense of saving funds under Para. 1 only for activities related to the prevention of the spread of the contagious disease, the treatment of the infected or the limitation of the consequences of the disease.

(3) In 2020, the first part of the state subsidy under Art. 25 of the Political Parties Act shall be provided by 30 June 2020.

§ 49. (1) (In force from 24.03.2020, previous text of § 49 - SG 34/20, in force from 09.04.2020) Time limits and proceedings for establishing, declaring, lodging, securing and collecting customs duties, taxes, including excise duties, compulsory social security contributions for state social security funds, health insurance, the Teachers' Pension Fund and supplementary compulsory pension funds, state and municipal fees and other public receivables regulated by the Tax-Insurance Procedure Code, the Customs Act, the Excises and Tax Warehouses Act, the Value Added Tax Act, the Corporate Income Taxation Act, the Income Taxes on Natural Persons Act, the Local Taxes and Fees Act, the Social Insurance Code, the Health Insurance Act and the Act on Gambling, shall not change, except in the cases under § 25 - 31.

(2) (New - SG 34/20, in force from 09.04.2020) The time limits under the Markets in Financial Instruments Act, the Public Offering of Securities Act, the Act on the Operation of Collective Investment Schemes and other collective investment undertakings, the Special Investment Purpose Companies Act, the Financial Supervision Commission Act, the Insurance Code and Part Two of the Social Insurance Code shall not be modified, except in the cases of § 8 and § 44 - 47.

§ 49a. (New - SG 34/20, in force from 09.04.2020) In 2020, the declarations under Art. 38, Para. 1, item 2 of the Act on Counteracting Corruption and Forfeiture and on Seizure of Illegally Acquired Property and under Art. 175c, Para. 1, item 2 of the Judiciary System Act shall be filed within one month after the lifting of the state of emergency.

§ 49b. (New - SG 34/20, in force from 09.04.2020) (1) During the state of emergency, the employment contracts under Art. 114a, Para. 1 of the Labour Code for short-term seasonal agricultural work may be concluded for more than one day, this time not being recognized as work experience.

(2) The employment contract under Para. 1 may also be concluded by registered tobacco growers for the cultivation of crops and the harvesting of tobacco.

(3) The employment contract under Para. 1 shall have normal working hours for the day up to 8 hours, and the parties thereto can arrange work for 4 or 6 hours.

(4) Upon conclusion and termination of the employment contract under Para. 1 shall not apply Art. 62, Para. 3 and 4, Art. 127, Para. 1, item 4 and Art. 128a, Para. 3 of the Labour Code.

(5) The employment contract under Para. 1 shall contain data on the parties, place of work, title of the position, amount of remuneration, days and months of work completion, duration of working time, beginning and end of the working day, and data officially entered by the labour inspection which has registered the respective form.

(6) The employment contract under Para. 1 shall be prepared in the form approved by order of

the Minister of Labour and Social Policy, and shall be published on the website of the Executive Agency "General Labour Inspectorate".

(7) The employer-registered agricultural farmer under the procedure of the Support for Agricultural Producers Act, or a registered tobacco producer under the procedure of the Tobacco, Tobacco Products and Related Products Act, may obtain registered forms of the employment contracts under Para. 1.

(8) The forms of the employment contracts under Para. 7 can be obtained from the relevant Labour Inspectorate Directorate from the registered farmer or tobacco producer personally or electronically.

(9) The work remuneration shall be paid on the day of expiry of the employment contract under Para. 1 against a receipt, an integral part thereof. When the term of the employment contract under Para. 1 is longer than one month, the salary shall be paid every month, but not later than the 5th of the month following the month in which the work is done.

(10) The social and health insurance contributions for the persons under Art. 114a, Para. 1 of the Labour Code shall be paid by the insurers who have concluded a contract under Para. 1 and 2, within the time limits under Art. 7, Para. 1 of the Social Insurance Code and under Art. 40, Para. 1 of the Health Insurance Act.

§ 49c. (New - SG 34/20, in force from 09.04.2020) The term under Art. 36, Para. 4 of the Labour Code shall cease to run until the state of emergency is lifted. Employees and workers' organizations and employers' organizations, recognized as representative at national level by a decision of the Council of Ministers until the entry into force of this act, shall retain their representativeness until the procedure under Art. 36 of the Labour Code is completed.

§ 52. The Act shall enter into force on March 13, 2020, with the exception of Art. 5, § 3, § 12, § 25 - 31, § 41, § 49 and § 51, which shall enter into force on the day of promulgation of the Act in the State Gazette and shall be applied until the state of emergency is lifted.

The Act was adopted by the 44th National Assembly on March 20, 2020 and March 23, 2020, and was sealed with the official seal of the National Assembly.

#### **Concluding provisions**

### **TO THE ACT AMENDING AND SUPPLEMENTING THE ACT ON THE MEASURES AND ACTIONS DURING THE STATE OF EMERGENCY DECLARED WITH THE NATIONAL ASSEMBLY DECISION OF MARCH 13th, 2020**

(PROM. - SG 34/20, IN FORCE FROM 09.04.2020)

§ 13. (1) The time limits under Art. 3, item 1 and item 2 regarding "other terms" in the previous version and under the repealed item 3, which have been suspended as of the declared state of emergency until the enactment of this act, shall continue to run after the expiration of 7 days from its promulgation in the State Gazette.

(2) The actions performed from the declaration of a state of emergency until the entry into force of this act shall retain their force.

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§ 18. This Act shall enter into force on the day of its promulgation in the State Gazette, with the exception of § 3, item 2 concerning Art. 4, Para. 2, which shall enter into force within 7 days of its promulgation.

#### **Annex to Art. 3, item 1**

#### **Proceedings and cases in which terms are not suspended**

## **I. Criminal proceedings**

1. The cases under Art. 64 and Art. 65 of the Penal Procedure Code and under Art. 270 of the Penal Procedure Code;
2. The cases under Art. 66 of the Penal Procedure Code;
3. The cases under Art. 67 of the Penal Procedure Code;
4. The cases under Art. 68 of the Penal Procedure Code;
5. The cases under Art. 69 of the Penal Procedure Code;
6. The cases under Art. 70 of the Penal Procedure Code;
7. The measures under Art. 72 and Art. 73 of the Penal Procedure Code;
8. Interrogation of the defendant before a judge under Art. 222 of the Penal Procedure Code;
9. Interrogation of a witness before a judge under Art. 223 of the Penal Procedure Code;
10. The cases under Art. 427 of the Penal Procedure Code;
11. The cases under Chapter Five, Section II of the Health Act;
12. The cases under the Extradition and European Arrest Warrant Act on requests for detention or surrender of persons;
13. The cases under the Act on the Recognition, Enforcement and Sending of Judicial Acts for Imposing Penalties of Imprisonment or of Measures Including Imprisonment;
14. The cases under art. 7 of the Edict on Petty Hooliganism;
15. The cases under Art. 225, para. 6 of the Penal Code;
16. The cases under Art. 326, para. 2 of the Penal Code;
17. The cases under Art. 355 of the Penal Code;
18. The cases initiated on the requests under the Special Intelligence Devices Act and Art. 159a of the Penal Procedure Code;
19. The procedural actions in accordance with Art. 146, Art. 158, Art. 161, Art. 164 and Art. 165 of the Penal Procedure Code;
20. Cases of appeal or protest of criminal decrees issued at or on occasion of a state of emergency;
21. The cases under Art. 437 of the Penal Procedure Code for release on parole under Art. 70 and 71 of the Penal Code.

## **II. Civil and commercial court proceedings**

1. Cases for the exercise of parental rights only concerning interim measures;
2. Cases under the Protection against Domestic Violence Act only concerning an order for immediate protection or amendment thereof, as well as in cases of rejection of the request for protection;
3. Permits on withdrawal from the deposit of a child;
4. Securing proceedings;
5. Cases for securing evidence;
6. Requests under the Electronic Communications Act and Art. 19, para. 6 in connection with para. 5 of the Act on the Commercial Register and the Non-Profit Legal Entities Register in connection with Art. 536 of the Code of Civil Procedure;
7. The cases under Art. 62, para. 3 of the Credit Institutions Act.

## **III. Administrative court proceedings**

1. The cases under Art. 60 and Art. 166 of the Administrative Procedure Code;
2. The cases under Art. 75 and Art. 157 of the Tax - Insurance Procedure Code;
3. The cases under Art. 72 of the Ministry of the Interior Act;
4. Securing proceedings;
5. Cases for securing evidence;
6. The cases under Art. 111 of the Execution of Penalties and Detention Act;
7. The cases under Art. 252 of the Administrative Procedure Code;
8. The cases under the Public Procurement Act;

9. The cases under the Concessions Act;
10. The cases under the Act on Management of Funding from the European Structural and Investment Funds;
11. The cases under Chapter Three of the State Property Act and Chapter Three of the Municipal Property Act;
12. The cases under the Election Code;
13. The cases for challenging of acts on establishing public receivables;
14. The cases under Art. 215 of the Spatial Development Act related to contesting acts for building permits issued and for approved and / or amended detailed development plans;
15. The cases of appeal or protest of administrative acts issued at or on occasion of a state of emergency;
16. The cases under Chapter Thirteen of the Administrative Procedure Code.