

EMPLOYMENT PROMOTION ACT

Prom. SG. 112/29 Dec 2001, amend. SG. 54/31 May 2002, amend. SG. 120/29 Dec 2002, amend. SG. 26/21 Mar 2003, amend. SG. 86/30 Sep 2003, amend. SG. 114/30 Dec 2003, amend. SG. 52/18 Jun 2004, amend. SG. 81/17 Sep 2004, amend. SG. 27/29 Mar 2005, amend. SG. 38/3 May 2005, amend. SG. 18/28 Feb 2006, amend. SG. 30/11 Apr 2006, amend. SG. 33/21 Apr 2006, amend. SG. 48/13 Jun 2006, amend. SG. 46/12 Jun 2007, amend. SG. 26/7 Mar 2008, amend. SG. 89/14 Oct 2008, amend. SG. 109/23 Dec 2008, amend. SG. 10/6 Feb 2009, amend. SG. 32/28 Apr 2009, amend. SG. 41/2 Jun 2009, amend. SG. 74/15 Sep 2009, amend. SG. 49/29 Jun 2010, amend. SG. 59/31 Jul 2010, amend. SG. 85/29 Oct 2010, amend. SG. 100/21 Dec 2010, amend. SG. 9/28 Jan 2011, amend. SG. 43/7 Jun 2011, amend. SG. 7/24 Jan 2012, amend. SG. 15/15 Feb 2013, amend. SG. 68/2 Aug 2013, amend. SG. 70/9 Aug 2013, amend. SG. 54/1 Jul 2014, suppl. SG. 61/25 Jul 2014, amend. and suppl. SG. 54/17 Jul 2015, amend. SG. 79/13 Oct 2015, amend. and suppl. SG. 101/22 Dec 2015, amend. SG. 102/29 Dec 2015, amend. SG. 33/26 Apr 2016, amend. SG. 59/29 Jul 2016, amend. and suppl. SG. 88/8 Nov 2016, amend. and suppl. SG. 97/5 Dec 2017, amend. and suppl. SG. 103/28 Dec 2017, amend. SG. 24/16 Mar 2018, amend. SG. 91/2 Nov 2018, amend. SG. 17/26 Feb 2019, amend. SG. 24/22 Mar 2019, amend. SG. 101/27 Dec 2019, amend. SG. 21/13 Mar 2020, [amend. SG. 21/12 Mar 2021](#)

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amend. SG. 21/12 Mar 2021**Chapter one.
GENERAL PROVISIONS**

Art. 1. (amend. – SG 26/08) This Act regulates the public relations in:

1. employment promotion and employment security;
2. the vocational guidance and adult training;
3. the mediation in providing information and placement in the Republic of Bulgaria and in other countries of Bulgarian citizens, of citizens of other European Union Member States, of states – parties to the European Economic Area Agreement of Swiss Confederation.
4. (revoked - SG 30/16, in force from 12.052016)
5. (new – SG 43/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

Art. 2. (suppl. – SG, 101/2015) Upon exercising rights and fulfilling obligations under this Act shall not be admitted direct or indirect discrimination, privileges or restrictions based on nationality, origin, ethnic belonging, personal situation, sex, sexual orientation, race, skin colour, age, political and religious convictions, membership in trade union and other public organisations and movements, marital, social and property status and of mental and physical disabilities.

Art. 3. (suppl. – SG 26/08, former text of Art. 3, SG, 101/2015) The state shall implement employment policy in co-operation and upon consultation with the representative nationally representative organisations of employers and of workers and employees as well as with representatives of other non-profit legal entities.

(2) (new – SG, 101/2015) The Minister of Labour and Social Policy and the executive director of the Employment Agency shall undertake joint actions with the representatives at organizations at national level of employers and workers and employees for development of policies of national scope in the area of labour market and instruments for their application, implementing Regulation (EU) No 1304/2013 of the European Parliament and of the Council of 17 December 2013 on the European Social Fund and repealing Council Regulation (EC) No 1081/2006(OJ, L 347/470 of 20 December 2013).

**Chapter two.
EMPLOYMENT AUTHORITIES****Section I.
Central employment authorities**

Art. 4. (1) The Council of Ministers shall determine the state employment policy.

(2) Upon proposal of the Minister of Labour and Social Policy the Council of Ministers shall adopt annually a National Operative Employment Plan.

(3) (new – SG 26/03; amend. – SG 10/09, amend. – SG, 101/2015) After co-ordination with the National Employment Promotion Council at the Minister of Labour and Social Policy after the elapse of the three months of the financial year can redistribute unused resources from certain programmes to other programmes and measures, which can utilise additional resources.

Art. 5. (amend. – SG 26/08) The executive authorities shall implement the policy of employment promotion, employment security as well as the adult training policy.

Art. 6. (1) (amend. – SG 26/08) The Minister of Labour and Social Policy shall work out, co-ordinate and implement the state policy of employment promotion, employment security as well as the adult training policy and shall provide protection of the national labour market.

(2) The Ministry of Labour and Social Policy, jointly with the other ministries and social partners, shall work out annually a National Operative Employment Plan.

Art. 7. (1) (amend. SG 26/03; amend. – SG 26/08) There shall be established a National Employment Agency with the Minister of Labour and Social Policy for the implementation of the state policy on employment promotion, protection of the labour market, vocational guidance, adult training, as well as in carrying out employment mediation services.

(2) (amend. SG 15/13, in force from 01.01.2014) The National Employment Agency is an executive agency with the Minister of Labour and Social Policy, and it is a legal entity with headquarters in Sofia.

(3) The National Employment Agency shall be represented and managed by an Executive Director.

(4) In his activity the Executive Director of the National Employment Agency shall be assisted by a board which shall consist of representatives of the representative organisations of the employers and of the worker and employees on national level.

(5) The activity, the structure and the number of the personnel of the National Employment Agency, the number and the territorial range of its divisions shall be determined by structural regulations adopted by the Council of Ministers upon proposal of the Minister of Labour and Social Policy.

Art. 7a. (1) (new – SG 26/08; previous text of Art. 7a – SG 59/10) The National Revenue Agency shall provide the National Employment Agency with the required tax and social insurance information for the purposes of implementation of the state employment policy upon a written request by the Executive Director of the National Employment Agency.

(2) (new- SG 59/10, amend. – SG, 101/2015) For the purposes of the State employment policy, the Employment Agency shall exchange information with the General Labour Inspectorate Executive Agency, the Social Assistance Agency, the Agency for Disables people, the National Security Institute, the Bulgarian Investment Agency and the National Agency for Professional Education and Training under conditions and procedure, as determined in an agreement concluded between them.

(3) (new- SG 70/13) For the purposes of implementation of the state employment policy the Minister of Labor and Social Policy, the Minister of Education and Science and the Managing Director of Employment Agency shall exchange information subject to compliance with terms and conditions and following a procedure, determined in an agreement, concluded by and between the Minister of Labor and Social Policy and the Minister of Education and Science.

(4) (new – SG, 101/2015) For provision of administrative services of registration of persons seeking jobs, the General Agency Civil Registration and Administrative Service at the Ministry of Regional Development and Public works shall provide information to the Employment Agency under conditions and procedure, determined in the agreement, signed between them.

(5) (new - SG 97/17) For the purposes of the implementation of the state employment policy The Ministry of Labor and Social Policy and the Employment Agency exchange information on personal data of individuals under conditions and order defined in an instruction of the Minister of Labor and Social Policy.

Art. 8. (1) (amend. – SG 26/08) There shall be established a National Employment Promotion Council with the Minister of Labour and Social Policy as a standing body for co-operation and consultations in working out the employment policy.

(2) (amend. – SG 26/08) The National Employment Promotion Council shall consist of an equal number of representatives of:

1. the state institutions determined by the Council of Ministers;
2. the representative organisations of the employers at a national level;
3. the representative organizations of the workers and employees at a national level.

(3) By decision of the National Employment Promotion Council invited to participate in its meetings can be representatives of other non-profit legal entities.

(4) Chairman of the National Employment Promotion Council shall be the Minister of Labour and Social Policy or an official authorised by him.

(5) The National Employment Promotion Council shall adopt regulations for its structure and activity.

(6) The National Employment Promotion Council shall:

1. discuss and give opinion on the development and implementation of the employment policy and of the National Operative Employment Plan;
2. periodically be informed about the data regarding the status of the market labour and for the effectiveness of the applied measures and programmes for encouraging employment;
3. propose to the Ministry of Labour and Social Policy the working out of draft normative acts, measures and programmes for encouraging of employment;
4. discuss and give opinion on draft statutory instruments related to the labour market;
5. discuss projects and give opinion on agreements of the Ministry of Labour and Social Policy with other ministries, state institutions and non-government organisations for joint activities on the issues of employment;

6. (new – SG, 101/2015) discuss a list of professional under which the professional training for unemployed people, without provided working place is conducted.

(7) The organisational and technical servicing of the National Employment Promotion Council shall be provided by the Ministry of Labour and Social Policy.

(8) (new – SG 26/08) The representatives of the institutions and of the organizations under par. 2 do not get any remuneration for their participation in the sessions of the National Council

for Encouraging Employment.

Section II. Regional employment bodies

Art. 9. (1) (amend. – SG 26/08) The state policy of employment and adult training by regions shall be implemented by the regional administrations, the bodies of local independent government jointly with the territorial units of the National Employment Agency, the territorial divisions of ministries, organisations and social partners.

(2) (amend. – SG 26/08) By a decision of the regional councils for regional development and by a decision of the regional development councils shall be established standing or temporary commissions for the employment.

(3) (amend. – SG 26/08) Chairman of the Commission of employment at the regional development council shall be the regional governor or a representative of the regional administration authorised by him.

(4) (amend. – SG 26/08) The regulations for the structure and activity of the Commission of employment shall be adopted by the regional development councils.

(5) (amend. – SG 26/08) The Commission of employment with the regional development council shall include representatives of:

1. the regional administration and of the municipalities on the territory of the region;
2. the territorial units of the National Employment Agency;
3. the ministries and other state institutions;
4. the regional structures of the representative organisations of employers and the representative organisations of the workers and employees;
5. sector and branch organisations;
6. (amend. – SG, 101/2015) non-profit legal persons in the region whose activity is related to employment and training of adults;
7. (new – SG 26/08) regional directorates of social support;
8. (prev. item 7 – SG 26/08) other territorial structures.

Art. 10. (1) (amend. – SG 26/08, previous text of Art. 10 - SG 88/16, amend. - SG 21/20, in force from 13.03.2020) In carrying out its activities, the Employment commission with the Regional Development Council shall take into consideration the priorities of the strategic planning documents for regional and spatial development under the Regional Development Act, as well as the priorities of the national strategic documents and the National Operative Employment Plan.

(2) (New - SG 88/16) The employment commission with the Regional Development Council shall, twice a year, collect, process and provide information to the Employment Agency on the employers' need of manpower in the area, taking into account the priorities enshrined in the documents under par. 1. The procedure for collecting, processing and providing the information shall be specified in the Rules for implementation of the act.

Art. 11. (1) (amend. – SG 26/08, amend. - SG 21/20, in force from 13.03.2020) The organisational and technical servicing of the Commission of employment at the regional council shall be carried out by the district development councils.

(2) The members of the commissions under art. 9 shall not receive remuneration for their participation in the meetings.

Art. 12. (1) Co-operation Council shall be established at the divisions of the National Employment Agency to carry out direct monitoring and supervision over the state employment policy being implemented.

(2) (amend. – SG 74/09, in force from 15.09.2009; amend. – SG 68/13, in force from 02.08.2013) The Co-operation Council shall consist of 9 members - one representative each of the divisions of the National Employment Agency, of the territorial structure of the Ministry of Education and Science and of the municipality and three representatives each of the organisations of the workers and employees and of the employers acknowledged as representative.

(3) By a decision of the Co-operation Council invited for participation in its meetings can also be representatives of other non-profit legal entities.

(4) The Co-operation Council shall elect a chairman from among its members on the principle of rotation for a period of one year.

(5) The Co-operation Council shall adopt regulations for its structure and activity.

Art. 13. (amend. – SG 26/08, amend. - SG 21/20, in force from 13.03.2020) The regional governor shall provide co-ordination between the national and the local interests on the issues of employment in working out and fulfilment of regional strategies for reduction of the unemployment and carrying out interaction with the bodies of the local independent government and local administration.

Chapter three.

FINANCING OF THE ACTIVE EMPLOYMENT POLICY

Art. 14. (1) Annually, the Act on the State Budget of the Republic of Bulgaria shall provide resources for financing measures and programmes for active employment policy adopted by the Council of Ministers.

(2) Financing of active employment policy shall be carried out pursuant to approved requests by the Ministry of Labour and Social Policy under conditions and following the procedure set forth by the Rules for implementation of this Act.

Art. 15. (amend. - SG 88/16) The Employment Agency shall administer the following revenues:

1. fees for issuing registration certificates to perform mediation activity in hiring;
2. fees for permits for freelance work and for work permits to foreigners;
3. revenues from advertising, information and publishing;
4. donations from local and foreign individuals and legal entities;
5. fees charged for the provision of mediation services by the agency to foreign employers and licensed intermediary agencies to hire Bulgarian citizens abroad;
6. (revoked - SG 21/21)
7. fees for registration of enterprises providing temporary work;
8. (revoked - SG 21/21)

9. (revoked - SG 21/21)

10. (revoked - SG 21/21)

Art. 16. The resources for active policy shall be spent on:

1. (amend. SG 26/03; amend. – SG 26/08) adult training and vocational guidance programmes and measures;
2. employment promotion and employment security programmes and measures;
3. programmes and measures for encouraging unemployed for self-employment;
4. protection of domestic labour market and for fulfilment of international agreements for exchange of manpower party to which is the Republic of Bulgaria;
5. (amend. – SG 26/08) development of national, branch and regional programmes of employment and adult training;
6. (amend. – SG 26/08) implementation of projects for social integration of groups of people in an unequal situation on the labour market;
7. (amend. – SG 26/08) advertising and informational and publishing activity related to the employment, unemployment and adult training ;
8. (amend. – SG 59/10) research and prognosis of the labour market, as well as for the gathering, processing and dissemination of information for the labour market and assessment of the effect from the implementation of the measures and programmes of the active policy;
9. (amend. – SG 26/08) financing of the activity of centres for professional training established by an act of the Council of Ministers;
10. (amend. – SG 26/08; amend. - SG 89/08) expenses for transport, accommodation, scholarships and group risk insurance for the time of the training of unemployed people;
11. (new – SG 59/10) remuneration of external experts for participation in commissions for conducting examinations for obtaining professional qualification;
12. (new – SG 26/08; previous item 11 – SG 59/10) the financing of activities, related to arranging the selection and assessment of licensed centres of vocational guidance, and also of the institutions to provide training for acquiring of professional qualification, arranged and financed by the National Employment Agency, including fees, travel and accommodation expenses of assessors, announcements;
13. (new – SG 26/08; previous item 12 – SG 59/10) financing of training of trainers, development and printing of manuals and other educational materials;
14. (prev. item 11 – SG 26/08; suppl. - SG 109/08, in force from 01.01.2009; previous item 13 – SG 59/10) other expenses for preserving and/or improvement of the employment if provided by an act of the Council of Ministers;
15. (new – SG 59/10; amend. – SG 70/13) expenses on orders and contracts under procedures for direct granting free financial support on priority axes "Economic activity promotion and development of the labour market, encouraging participation" and 2 "Increasing of efficiency and flexibility of the employees" and Operative programme "Human Resources Development", if these expenses are verified by the Managing Body, have been paid and are admissible as per this Act.
16. (new – SG 61/14) control of the quality of professional training provided under this act.

Art. 16a. (new – SG 70/13, amend. – SG,101/2015) (1) Allocation of funds for

encouragement of employment subject to compliance with the provisions of this act, with the exception of the measure under Art. 51 shall take place in the form of minimum support schemes where applicable, in consideration of the provisions of Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid(OJ, L 352/1 of 24 December 2013), called hereinafter: Regulation (EU) N 1407/2013 and the regulations amending, supplementing and superseding it.

(2) (amend. – SG 88/16) Granting funds under Art. 51 shall be carried out in the form of schemes of state aid while observing the requirements of Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ, L 187/1 of 26 June 2014), called hereinafter: regulation (EU) N 651/2014 and with the regulations, which amend, supplement or replace it.

(3) Administrator of the aid under Para. 1 and 2 shall be the Employment Agency.

(4) The conditions and procedure for granting the funds under Para. 1 and 2 shall be determined by the Rules on implementation of the act.

Chapter four.

RIGHTS AND OBLIGATIONS OF JOB SEEKERS AND OF EMPLOYERS

Section I.

General provisions

Art. 17. (1) (amend. – SG 26/08) The persons who are looking for a job (job seekers) can use, according to this Act:

1. information for announced job vacancies;
2. information for employment promotion and employment security programmes and measures;
3. mediation in providing information and placement;
4. psychological counselling;
5. vocational guidance;
6. involvement in adult training;
7. (amend. – SG, 101/2015) motivation for active behaviour on the labour market and inclusion in employment and training programmes and measures;
8. scholarships for training, travel and accommodation allowances for the period of training.

(2) (amend. – SG 26/08) According to this Act available to employers shall be the following:

1. information for job seekers;
2. information for employment security and employment promotion programmes and measures;
3. mediation in placement;
4. inclusion in employment and training programmes and measures;
5. incentives to maintain and/or increase employment;
6. incentives for internship and/or apprenticeship;
7. incentives to encourage territorial mobility of employed persons.

(3) The conditions and the procedure for providing the services under para 1 and 2

shall be determined by the Rules for implementation of this Act.

Section II.

Registration, rights and obligations of job seekers (Title amend. – SG 26/08)

Art. 18. (1) (amend. - SG 18/06; amend. and suppl. – SG 26/08) Every Bulgarian citizen as well as every citizen of another member state of the European Union or of another country - party to the Agreement On The European Economic Area or of the Swiss Confederation , who is looking for a job, may register in the territorial division of the National Employment Agency.

(2) (amend. – SG 26/08) Job seekers shall be registered in one of the following groups:

1. unemployed;

2. employed;

3. students who wish to work during their free-of-study time;

4. (amend. – SG, 101/2015, amend. – SG 88/16) persons who are entitled to an insurance service and age pension in Bulgaria, persons receiving occupational pension for early retirement under Art. 168 of the Code of Social Insurance, old-age pension in another country or an insurance service and age pension in reduced amount under Art. 68a of the Code of Social Insurance, who do not work

5. (repealed, - SG, 101/2015)

(3) The rights under this chapter can also be exercised by:

1. (suppl. – SG 9/11) foreigners holding long-term or permanent residence permit in the Republic of Bulgaria permit;

2. (amend. SG 26/03, amend. - SG 24/18, in force from 23.05.2018) persons who have been granted asylum or international protection;

3. (amend. SG 26/03, amend. - SG 24/18, in force from 23.05.2018) the persons enjoying the rights under Art. 29, para. 3 of the Asylum and Refugees Act;

4. persons for whom it is stipulated by an international agreement party to which is the Republic of Bulgaria.

5. (new – SG 26/08) persons – third country nationals, who are family members of Bulgarian citizens or of citizens of an European Union Member State, of a state which is a member to the Agreement on the European Economic Area or of the Swiss Confederation;

6. (new – SG 9/11) family members of foreigners who received a long-term residence permit;

7. (new – in force from 43/11, in force from 15.06.2011) owners of Blue European Labour Card, who have been unemployed for three months or who wish to change their employer;

(4) The registration shall be made at the permanent or present address. The conditions and the order of registration shall be settled by the Rules for Implementation of this Act.

(5) (amend. SG 26/03; amend. – SG 54/14, amend. – SG, 101/2015) Upon registration the person shall declare his status according to para 2. Within 7 work days from the change of the declared circumstances the person shall inform some of the divisions of the Employment Agency.

(6) The registration of the persons according to para 2 and 3 shall be certified by an order determined by the Rules for implementation of the Act.

Art. 19. (1) (suppl. SG 26/03, amend. – SG, 101/2015) An individual action plan

shall be prepared for each registered unemployed person.

(2) (amend. – SG 26/08) Job seekers can exercise the rights under art. 17, para 1 as follows:

1. unemployed - according to item 1 - 8;
2. employed who wish to change their job and the students who wish to work in their free of study time - according to item 1, 3, 4 and 5;
3. (amend. - SG 89/08, amend. – SG, 101/2015) persons under Art. 18, Para. 2, p. 4 on p. 1, 3 and 4;
4. (repealed – SG, 101/2015)

Art. 20. (amend. SG 38/05) (1) (amend. – SG, 101/2015) The persons registered as unemployed shall be obliged to fulfil the recommendations of the employment mediator, as well as the actions and time limits in the action plan..

(2) Upon written invitation by the division of the National Employment Agency the unemployed persons shall be obliged to present themselves on the date and time as indicated.

(3) Registration shall be terminated where job seekers:

1. (revoked – SG 88/16)
2. (amend. – SG 59/10) file an application for termination at their own will;
3. decease.
4. (new – SG 26/08; amend. - SG 54/15, in force from 17.07.2015) get employed and are insured or are subject to social insurance pursuant to the provisions of Art. 4 of the Code of Social Insurance, with exception of the persons by Art. 4, para 10 of the Code of Social Insurance or on the grounds of employment are subject to the laws of another European Union Member State, of another state – a party to the Agreement on the European Economic Area;

5. (new – SG 26/08; suppl. – SG 32/09) get involved in employment programs and measures under this Act, as well as in employment programs and projects, financed with resources from European and other international funds.

6. (new – SG, 101/2015) have been registered under Art. 18, Para. 2, p. 2 – 4 have not visited and not used the services of Directorate “Labour Office” during the previous one year.

(4) The registration of the unemployed persons shall also be terminated in the cases when:

1. (amend. – SG, 101/2015) they do not fulfil the recommendations of the employment mediator or the actions and time limits of the action plan;
2. they do not present themselves on date and time stated in the written invitation by the National Employment Agency or in three working days term after this date;
3. (revoked – SG 70/13)
4. (amend. – SG 26/08) they refuse to accept the appropriate work offered thereto and/or inclusion in employment and adult training programs and measures under this Act, as well as in programs and projects, financed with resources from European and other international funds;
5. (amend. – SG 26/08) they terminate their participation in the adult training course;
6. (amend. – SG 26/08, suppl. – SG, 101/2015, amend. – SG 88/16) acquire right to contributory service and retirement age pension in Bulgaria or receiving occupational pension for early retirement under Art. 168 of the Code of Social Insurance, an insurance service and age pension in reduced amount under Art. 68a of the Code of Social Insurance, or old-age pension in another country;
7. do not fulfil the requirements of art. 18, para 5, second sentence;

8. (revoked – SG 26/08, new – SG, 101/2015) declare untrue data during registration in the territorial unit of the Employment Agency.

(5) (amend. – SG 26/08; amend. – SG 59/10, amend. – SG, 101/2015) The persons shall have the right to a subsequent registration not earlier than the expiration of 6 months upon termination of the preceding registration pursuant to para 4, item 1 – 5, 7 and 8.

(6) (amend. – SG 26/08, amend. – SG, 101/2015) Upon presentation of evidence for the presence of valid reasons the registration terminated pursuant to para 4, item 1 – 5 and 7 shall be restored.

(7) (revoked – SG 26/08, new – SG, 101/2015) Apart from the cases under Para. 6, the registration of persons shall be restored also where there are no labour legal relations occurred;

(8) (suppl. - SG 18/06; revoked – SG 26/08).

(9) (amend. – SG 26/08, amend. – SG, 101/2015) The persons whose participation in subsidized employment has been terminated with dismissal for breach of discipline shall be entitled to registration not earlier than upon the expiry of 12 months after the dismissal.

(10) (New - SG 54/15, in force from 17.07.2015, revoked – SG 88/16)

Art. 21. (1) The registration shall be terminated and restored by a decision of the head of the division of the National Employment Agency.

(2) (amend. SG 38/05; amend. - SG 30/06, in force from 12.07.2006) The decisions under para 1 shall be issued, fulfilled and appealed by the order of the Administrative Procedure Code.

(3) The National Employment Agency shall submit information about the decisions under issued para 1 to the National Insurance Institute.

Section III.

Rights and obligations of employers

Art. 22. (1) (revoked – SG 26/03).

(2) The employers can announce in the divisions of the National Employment Agency:

1. the vacant positions;

2. (amend. – SG 26/08) the needs of training of the hired persons and the own capacity to organise such training.

(3) (new – SG 59/10) The National Employment Agency shall provide access to information under Para2, item 1 through its electronic site. The contents of accessible information shall be determined by the Rules on Implementation of this Act.

(4) (amend. SG 26/03; previous Para 3 - SG 59/10) The employers shall be obliged to inform, within 7 working days, the divisions of the National Employment Agency for:

1. the occupied and closed down positions which have been announced as vacant;

2. (new – SG 26/03) the accepted to work persons, directed by the National Employment Agency;

3. (prev. 2 – SG 26/03) the unemployed who have refused to accept the offered suitable job;

4. (prev. 3 – SG 26/03) their refusal to hire job seekers directed by the divisions of the National Employment Agency.

(5) (amend. – SG 26/08; previous Para 4 - SG 59/10, amend. – SG, 101/2015) The

employers shall file applications for training of the hired personnel, as well as for the needs of manpower under conditions and by an order determined by the Rules for implementation of this Act.

(6) (previous Para 5 - SG 59/10) The employers can themselves make selection of job seekers recommended by the division of the National Employment Agency or to require from the National Employment Agency to make selection according to an application filed in advance.

(7) (previous Para 6 - SG 59/10) Foreign employers can use mediation services of the National Employment Agency by an order determined by the Council of Ministers.

Art. 22a. (new – SG 59/10) (1) (suppl. – SG, 101/2015) Employers shall obligatory announce at the territorial units of the National Employment Agency the free labour positions for persons, who work into a labour legal relationship, at an administration in the meaning of the Administration Act, at state enterprises under Art. 62, Para 3 of the Commerce Act and at municipal enterprises. The free jobs shall be announced not later than 14 days before expiry of the term for application.

(2) (amend. – SG, 101/2015) The territorial units of the Employment Agency shall direct job seekers and meeting the requirements to take the position.

Art. 23. Upon announcing vacant positions employers shall be prohibited from setting any requirements sex, age, nationality, ethnic belonging and health condition. Exceptions shall be admissible only with regards to gender, age and reduced working capacity where the gender, age or health condition, are essential elements of the job due to its nature.

Chapter five.

NOTIFICATION PROCEDURE IN THE CASES OF COLLECTIVE REDUNDANCY

Art. 24. (1) (suppl. SG 26/03; amend., SG 52/04; amend. - SG 48/06, in force from 01.07.2006) The employer shall notify in writing the respective division of the National Employment Agency regarding planned collective redundancy not later than 30 days before the date of dismissal.

(2) (amend. SG 26/03) The division of the National Employment Agency shall send a copy of the notification of para 1 to:

1. the municipal administration;
2. the territorial division of the National Insurance Institute;
3. the territorial division of the General Labour Inspectorate Executive Agency.

(3) (amend., SG 52/04; amend. - SG 48/06, in force from 01.07.2006) The notification under para 1 must contain the whole necessary information regarding the planned collective redundancy, including: its reasons; the number of workers and employees which are to be dismissed, and the primary economic activities, groups of professions and positions they are related to; the number of employed workers and employees from the primary economic activities, groups of professions and positions in the enterprise; the specific indices for applying the criteria for selection of workers and employees that are going to be dismissed according to art. 329 of the Labour Code; the period of implementing of the dismissal, as well as information regarding the preliminary consultations that are held with the representatives of the syndicates and the representatives of the workers and employees referred to in art. 7, para 2 of the Labour Code.

(4) (new - SG 48/06, in force from 01.07.2006) The employer shall be obliged to provide to the representatives of the syndicates and the representatives of the workers and employees

referred to in art. 7, para 2 of the Labour Code copy of the notification referred to in para 1 in a period of three working days.

Art. 25. (1) Upon receipt of the notification under art. 24 teams shall be formed consisting of a representative of the employer, representatives of the organisations of workers and employees of the enterprise, a representative of the division of the National Employment Agency and a representative of the municipal administration.

(2) The teams under para 1 shall work out projects of the necessary measures directed to:

1. mediation for employment;
2. (amend. – SG 26/08) adult training;
3. starting independent business activity;
4. (new – SG 59/10) employment programmes.

(3) (amend. – SG 26/08) The projects under para 2 shall be presented for approval by the employment commission, on the grounds of which financing can be applied for under conditions and by an order determined by the Rules for implementation of this Act.

Chapter six. EMPLOYMENT PROMOTION

Section I. Mediation services

Art. 26. The mediation services for employment include:

1. (suppl. – SG 26/08) informing and/or consulting job seekers and the employers;
2. psychological counselling to job seekers;
3. (suppl. – SG 26/08, amend. – SG, 101/2015) motivation for active behaviour on the labour market and direction to suitable employment and training programmes and measures;
4. (suppl. – SG 26/08) directing to adult training ;
5. guidance and assisting in starting work, including in another populated area in the country or in other countries;
6. (revoked – SG 26/08).

Art. 27. (1) (amend. SG 26/03) Right to employment mediation services shall have the employers and job seekers.

(2) (amend. SG 26/03) The employment mediation services shall be organised and provided by:

1. the National Employment Agency;
2. (amend. - SG 18/06; suppl. – SG 26/08; amend. – SG 54/14) individuals who are eligible to provide employment intermediary services according to the Bulgarian laws, the law of other member state of the European Union or other country - party of the Agreement On The European Economic Area or of the Confederation of Switzerland, where they are based on the Republic of Bulgaria or are registered under this act;

3. (new – SG 54/14) individuals who are eligible to provide employment intermediary services according to the law of another European Union Member State or of another country - party of the Agreement On The European Economic Area or of the Confederation of Switzerland, without being subject to registration, where they are providing these services temporary or on a single basis in the Republic of Bulgaria.

(3) The National Employment Agency shall provide mediation services:

1. (amend. - SG 18/06) (*) free of charge - for hiring persons under art. 18, para 1 and 3;

2. free of charge - for hiring Bulgarian citizens abroad, as well as foreigners in the country in fulfilment of an international agreement party to which is the Republic of Bulgaria;

3. (amend. - SG 18/06) under a contract with foreign employers and licensed mediation agencies which pay a fee for provided intermediary services and with similar foreign institutions for hiring Bulgarian citizens in other countries.

(4) (New - SG 88/16) Mediation services under Art. 26, item 1, 2 and 5, offered by the Employment Agency, shall be organized and provided by the Directorate "Employment Office" regardless of the registration address of the job seekers.

(5) (New - SG 88/16) Mediation services under Art. 26, item 3 and 4, offered by the Employment Agency, shall be organized and provided by the Directorate "Employment Office" by address of registration of the unemployed.

Art. 27a. (new – SG 59/10) (1) (suppl. – SG 54/14) For the registration to perform employment mediation activity, natural and/or legal persons referred to in Art. 27, par. 2, item 2 may apply, if they meet the following conditions:

1. have no monetary obligations to the State or the municipality as per Art. 162, Para 2 of the Tax and Insurance Procedure Code, found by an effective act of a competent body, except for the cases where stretching out or cancellation of the obligations is admitted, or monetary obligations related with payment of installments of social insurance;

2. are not announced in insolvency;

3. are not in liquidation procedure, and for the persons under Para 2 – are not in an analogical procedure as per national primary and secondary legislation;

4. (amend. – SG 54/14) have not imposed to them administrative punishments under Art. 81. Para 1 and 2 for offence of Art. 28, Para 1 and 3 and Para 7, item 2 for a three-year period preceding the date of application for registration;

5. members of the managing and/or controlling bodies of the legal persons:

a) (amend. – SG 54/14) shall not be persons who have got imposed to them administrative punishments under Art. 81. Para 1 and 2 for offence of Art. 28, Para 1 and 3 and Para 7, item 2;

b) (amend. – SG 54/14) have not been members of managing and/or controlling bodies of persons, to which punishments under Art. 81, Para 1 or 2 for offence of Art. 28, Para 1 and 3 and Para 7, item 2 for a three-year period preceding the date of application for registration;

6. (new – SG, 101/2015) the natural persons or the ones, representing the legal person upon registration, as well as the employed persons for performing intermediary activity of employing at work, must have:

a) finished high or graduated higher education;

b) labour length of service in the area of maritime transport not less than 3 years, where they will perform intermediary activity on employment sailors.

(2) Persons who are registered under the law of a Member State of the European Union, or of another State – a party to the European Economic Area Agreement or of Swiss Confederation, shall prove the circumstances envisaged in Para 1, items 1-3 in accordance with the law of country of registration.

(3) (new – SG 54/14, in force from 05/10/2014) In case of provision of employment intermediary services temporarily or on a single basis in the Republic of Bulgaria, the persons referred to in Art. 27, par. 1, item 3 shall notify thereof and in advance the Minister of Labour and Social Policy or an official authorized by them subject to compliance with the terms and conditions and following the procedure set out by the ordinance under Art. 28, par. 8.

(4) (new - SG 97/17) The Employment Agency verifies the circumstances under para. 1, items 1 to 5 for the persons registered under the Bulgarian legislation.

Art. 28. (amend. SG 26/03) (1) (amend. and suppl. – SG 54/14) The persons of art. 27, para 2, item 2 shall implement mediation activity for hiring to work in the Republic of Bulgaria, in other countries and hiring of sailors upon registration at the National Employment Agency. The validity of the registration shall not expire.

(2) (amend. – SG 54/14) The mediation activity for hiring to work, implemented by the persons of art. 27, para 2, items 2 and 3, shall include conceding of the mediation services of art. 26, items 1, 2, 4 and 5 in totality or separately.

(3) For implementing of the activity of para 2 the persons of art. 27, para 2, item 2 shall conclude mediation contracts with:

1. the persons, looking for employment;

2. (amend. - SG 18/06) the employers, including ship owners, looking for workers and employees.

(4) (amend. - SG 18/06; revoked – SG 54/14).

(5) (amend. – SG 54/14) The Minister of Labour and Social Policy or an official, authorised by him, shall issue to the persons referred to in Art. 27, par. 2, item 2 a certificate of registration for implementing mediation activity for hiring to work which shall be registered in a register.

(6) The persons of art. 27, para 2, item 2 shall pay a fee, determined with tariff of the Council of Ministers, for:

1. registration for implementing of mediation activity for hiring to work in the Republic of Bulgaria;

2. registration for implementing of mediation activity for hiring to work in other countries and hiring of sailors;

3. (amend. - SG 18/06; revoked – SG 54/14).

(7) (amend. - SG 18/06; amend. – SG 54/14) The mediation activity for placement, carried out by the persons of art. 27, para 2, item 2 and 3, shall be implemented:

1. (new - SG 18/06) against payment from the employers;

2. (new - SG 18/06) free of charge – without collection directly or indirectly, fully or partially of fees or other payments from the jobseekers or the hired individuals.

(8) The Council of Ministers shall determine with an ordinance:

1. the conditions and the order for implementing of mediation activity in relation to placement;

2. the conditions and the order for registration of the persons of art. 27, para 2, item 2 for implementing of mediation activity and for refusing and terminating it;

3. (revoked – SG 18/06)

4. the obligatory requirements for the content of the mediation contracts;

5. (new – SG 54/14) the terms and conditions and the procedure of temporary or on a single basis provision of employment intermediary services in the Republic of Bulgaria.

(9) (new – SG 59/10) Persons, envisaged in Art. 27, Para 2, item 2 shall be obliged to provide to the National Employment Agency information about the announced at them free job positions as well as about job positions which have been already taken or necessity to find applicant for them has fallen out:

1. where the mediator has an available on the Internet electronic register of the job positions, mediator shall provide direct connection to it through the Internet site of the National Employment Agency;

2. (amend. – SG, 101/2015) where the mediator has not an available on the Internet electronic register of the job positions; mediator shall be obliged to announce them through their registration at "E- information-communication system" on the Internet site of the Employment Agency.

(10) (new – SG 59/10) The National Employment Agency shall provide access to the information per Para 9 through its Internet site. Content, terms and procedure of information exchange between the National Employment Agency and the persons envisaged in Art. 27, Para 2, item 2 shall be determined in the Rules of Implementation of this Act.

Art. 29. (amend. SG 26/03) (1) Individuals and/or legal entities carrying out mediation activity without registration can register after 3 years from the enactment of a penal decree for imposing of administrative penalty under art. 81, para 1.

(2) Individuals and legal entities, which registration for carrying out mediation activity has been terminated can register again after 3 years from the date of entering into force of the act for terminating it.

Section II.

Planning of employment promotion programmes and measures

Art. 30. (1) (amend. – SG 26/08) Employment promotion programmes and measures shall be implemented under the provisions of this Act upon their approval by the National Employment Promotion Council and by the employment commissions and upon their financial provision by the budget for the respective year, as well as pursuant to the provisions of the Operative Program "Development of Human Resources".

(2) (amend. – SG 26/08) For implementation of the active employment policy the Ministry of Labour and Social Policy shall annually present plans for their financial provision by the Act on the State Budget of the Republic of Bulgaria of the Ministry of Finance.

(3) (suppl. – SG 26/08) The National Employment Agency, annually, in compliance with the procedures of working out a draft budget for the respective year, shall present to the Ministry of Labour and Social Policy a proposal with the programmes and measures for employment and adult training to be implemented during the planned year.

(4) The Minister of Labour and Social Policy shall annually approve the plan of the National Employment Agency and shall provide it financially.

(5) (amend. SG 26/03, amend. SG 38/05) The conditions, the order and the criteria for using preferences for implementation of promotion measures shall be determined by the Rules for

implementation of the Act.

(6) (new – SG 38/05) The conditions and the order for use of the preferences under employment and training programs shall be determined by the respective program and/or rules and shall be approved with order by the Minister of Labour and Social Policy.

(7) (revoked – SG 26/03).

(8) The members of the commissions for employment and of the councils for cooperation with the divisions of the National Employment Agency shall control and monitor the processes of implementation of the programmes and measures.

Art. 30a. (new – SG 26/03) (1) For the purposes of implementation of employment promotion and employment security measures, there shall be granted funds, intended for:

1. labour remuneration;
2. additional remuneration according to minimum extent, established in the Labour Code and in the statutory instruments related to its implementation;
3. (suppl. – SG 43/11, in force from 15.06.2011) remuneration for basic annual paid leave under art. 155 or Art. 319 of the Labour Code;
4. (suppl. SG 38/05; amend. – SG 26/08; amend. – SG 59/10) the due payments for the account of the employer for fund "Pensions", fund "Labour accident and professional disease", fund "General disease and motherhood" for the received gross labour remuneration, including the calculated and not paid gross labour remuneration or the not calculated gross labour remuneration, including the remuneration of item 3 and 6, pursuant to Art. 6, par. 3 of the Code of Social Insurance, and for the funds of obligatory pension insurance and the National Health Insurance Fund;
5. (suppl. SG 38/05; amend. – SG 26/08) due payments for the account of the employer for fund "Unemployment" for the for the received gross labour remuneration, including the calculated and not paid gross labour remuneration or the not calculated gross labour remuneration, including the remuneration of item 3 and 6 pursuant to Art. 6, par. 3 of the Code of Social Insurance;
6. (amend. – SG 38/05; amend. – SG 26/08; amend. – SG 100/10, in force from 01.01.2011) indemnification under Art. 40, para 5 of the Code of Social Insurance;
7. (mend. – SG 26/08) adult training;
8. encouragement of territorial mobility of unemployed persons, registered at the divisions of the National Employment Agency;
9. (amend. – SG 26/08; amend. – SG 70/13, amend. – SG, 101/2015) scholarship, transport and accommodation expenses of unemployed people, participating in training for literacy, acquiring of professional qualification or of key competences – for the time of the training;
10. (amend. SG 38/05) interests for credits, granted under guarantee schemes of the Ministry of Labour and Social Policy for crediting of persons with damages, at starting and development of economic activity and creating of new working places;
11. (suppl. SG 38/05; amend. – SG 59/10) expenses for used external consultant services and accompanying services by the persons of art 47, para 1 and art. 49 with nomenclature and limits of the resources, determined according to the Rules for implementation of the Act;
12. credit for qualification in the subject of economic activity and/or its management according to the approved business project of art. 47, para 1;
13. (amend. – SG, 101/2015) additional resources for hiring of another unemployed person, without the right to pecuniary indemnification under art. 47, para 4;
14. expenses, made for cultivating of the areas, for seeds and planting material, for fertilisers and preparations for plant protections according to approved business project for agricultural

activity.

15. (new – SG 38/05) expenses made for purchase of agricultural animals, including bee families, silkworms, fish and fish breeding material as well as the necessary for breeding bee keeper's implements and medical preparations, according to approved project for agricultural activity;

16. (new – SG 38/05; amend. - SG 18/06) expenses for starting independent economic activity under art. 49;

17. (new - SG 18/06, repealed, - SG, 101/2015).

18. (new – SG 26/08) encouragement of territorial mobility of employed people;

19. (new – SG 26/08; amend. – SG 70/13, amend. – SG, 1-1/2015) supervisor under Art.41a, 46a and 55d;

20. (new – SG 26/08) vocational guidance;

21. (new – SG 26/08; amend. – SG 59/10) additional monthly amounts under Art. 49, par. 4;

22. (new - SG 89/08, amend. – SG, 101/2015) group risk insurance of unemployed persons included in training for the time of training.

23. (new – SG, 101/2015) supported employment.

24. (New - SG 88/16) expenses for fees for nurseries, kindergartens, housing rental, fees for the use of the Internet.

(2) (amend. - SG 18/06) According to their designation the resources of para 1 shall be distributed as follows:

1. (amend. - SG 89/08, amend. – SG, 101/2015) for items 1 - 6 – to the employer, hired an unemployed person entitled to early retirement occupational pension, directed by a division of the Employment Agency;

2. (suppl. - SG 18/06; amend. – SG 26/08; amend. – SG 59/10) for item 7 – to the training institution and the employer, conducting the training, as well as to the individuals referred to in Art. 49;

3. for items 8 and 9 - to unemployed persons, registered in the divisions of the National Employment Agency;

4. (amend. SG 38/05) for item 10 – to persons with damages, received credits from guarantee schemes of the Ministry of Labour and Social Policy;

5. (suppl. SG 38/05; amend. - SG 18/06; amend. – SG 59/10) for item 11 – to unemployed persons, registered at the divisions of the National Employment Agency who receive pecuniary sum under art. 47, para 1, Art. 49, para 1;

6. (new - SG 18/06) for item 12 – to unemployed individuals, registered at the divisions of the National Employment Agency who are eligible for a pecuniary compensation and who have received one time pecuniary sum according to the order of Art. 47, para 1;

7. (prev. text of item 06 - SG 18/06, amend. - SG 18/06, amend. – SG, 101/2015) for item 13 – to the persons, who have received pecuniary sum under art. 47, para 1 and according to art. 47, para 4 ensure employment under the approved project for another unemployed person without right to pecuniary indemnification;

8. (amend. SG 38/05, prev. text of item 07 - SG 18/06; amend. – SG 59/10) for item 16 – to unemployed persons after approval of business project by the divisions of the National Employment Agency;

9. (new - SG 18/06, repealed – SG, 101/2015).

10. (new – SG 26/08) for item 18 – to employers, providing arranged daily transportation to the work place and back to employed workers and employees, living outside the borders of the urban area of the work place;

11. (new – SG 26/08; suppl. – SG 70/13, amend. – SG, 101/2015) for item 19 – to an employer, enjoying the employment promotion measure of Art. 41a, 46a and Art. 55d, par. 1;
 12. (new – SG 26/08) for item 20 – to the licensed institution, providing vocational guidance;
 13. (new – SG 26/08; amend. – SG 59/10) for item 21 – to persons of Art. 49, par. 1;
 14. (new - SG 89/08; amend. - SG 102/15, in force from 01.01.2016) for item 22 - to insurers, licensed by the Commission on Financial Supervision under the conditions and order of the Insurance Code and the acts on its implementation.
 15. (new – SG, 101/2015) under p. 2 – to persons under Art. 27, Para. 2, p. 2.
 16. (new - SG 88/16) under item 24 – to unemployed under Art. 42, Para. 3.
- (3) (suppl. – SG, 101/2015) Every year with the National action plan for employment shall be determined the resources of para 1 and their extent for the different employment promotion programmes and measures, which may be different for parts of the period of subsidizing the employment.

Art. 30b. (new – SG 26/03) (1) (amend. – SG 59/10; amend. and suppl. – SG 54/14) The resources of art. 30a shall be conceded on the basis of concluded contract between the National Employment Agency, represented by its Managing Director or by an official authorized by them and:

1. the unemployed person;
2. the employer;
3. (amend. – SG 26/08) the training institution;
4. (new - SG 18/06; amend. – SG 59/10, repealed – SG, 101/2015).
5. (new – SG 26/08) the Ministry of Justice through the General Directorate "Enforcement of Punishments" and/or its territorial units;
6. (new – SG 26/08) the licensed institution, providing vocational guidance.
7. (new – SG, 101/2015) a person on Art. 27, Para. 2, p. 2, selected to fulfill the measure under Art. 43a.

(2) In the contract of para 1 shall obligatory be pointed out:

1. the type of employment promotion programme or measure;
2. the validity term of the contract;
3. the designation and the extent of the conceded resources;
4. the liability of the parties upon non fulfilment of the contract.

(3) (amend. - SG 18/06; amend. – SG 26/08; amend. – SG 59/10, amend. – SG, 101/2015) The resources, conceded by the order of para 1, shall be used for their designation by the employer, the unemployed person, the Ministry of Justice through the General Directorate "Enforcement of Punishments" and/or its territorial units, the licensed institution providing occupational orientation, the training institution and the person under Art. 27, Para. 1 , p. 2.

(4) (new – SG 59/10) Conceding funds under Art. 30a shall be done under the condition that the same expenses are not financed from other sources.

Art. 30c. (new – SG 26/03) (1) (amend. – SG 26/08) The executive bodies and the other budget organisations can conclude employment contracts with persons, over the approved number of the staff, directed under employment programmes by the divisions of the National Employment Agency, but only within the framework of the National action plan for employment.

(2) (revoked, SG 114/03)

(3) (revoked, SG 114/03)

Art. 31. (1) (amend. SG 26/03; amend. – SG 59/10, amend. – SG, 101/2015) The Council of Ministers, the Ministry of Labour and Social Policy and the National Employment Agency, individual ministries and other state institutions or regional administrations and the social partners, as well as non-profit legal persons, registered under the procedure of Chapter Three of the Non-Profit Legal Entities Act, jointly with the social partners, can work out and propose for financing and implementation programmes for increase of the employment, related to the priorities of national strategic documents on the National Plan for economic development, the National Plan for regional development and the National Operative Employment Plan, as well as programmes for employment, professional training and training to key competence of groups in unequal position on the labour market.

(2) (new – SG 59/10, amend. – SG, 101/2015) Annually, upon a decision of the National Employment Promotion Council, commission for assessment and selection of programmes/projects, proposed under the procedure of Para 1 shall be established. In the body of the commission representatives of the labour representative organizations of the workers and employees on national level, of the representative organizations of the employers on national level, of Ministry of Labour and Social Policy and of the National Employment Agency shall be included. Conditions and working procedure of the latter commission shall be determined in the Rules on Implementation of this Act.

(3) (suppl. – SG 26/08; previous Para 2 – SG 59/10) Institutions in charge of the working out and implementation of the employment and training programmes shall be:

1. for the national programmes - the Ministry of Labour and Social Policy and the National Employment Agency;

2. for the branch programmes - the respective branch ministries (structures) jointly with branch trade union organisations, branch chambers, the Ministry of Labour and Social Policy and the National Employment Agency;

3. (suppl. – SG 26/08) for the regional programmes - the commissions for employment with the regional development councils.

(4) (new – SG 26/03, amend. SG 38/05; amend. – SG 26/08; previous Para 3 – SG 59/10) The commissions for employment at the regional development councils shall propose to the Ministry of Labour and Social Policy regional programmes for adult training and/or employment.

(5) (prev. (3) – SG 26/03; previous Para 4 – SG 59/10) The programmes under para 1 financed by the Ministry of Labour and Social Policy shall be approved by the Minister of Labour and Social Policy under conditions and by an order determined by the Rules for implementation of this Act.

Art. 32. (amend. – SG 26/08) (1) (amend. – SG, 101/2015) The commissions for employment with the regional development councils shall organise the implementation of employment development programmes.

(2) (revoked – SG 26/03)

Art. 33. (amend. – SG, 101/2015) (1) (amend. - SG 21/20, in force from 13.03.2020) The regional employment and training programme of the area shall specify the goals, the priorities and the instruments of implementing the state policy of employment. It shall contain activities complied

with the priorities of the strategic planning documents for regional and spatial development under the Regional Development Act, as well as with the priorities of the national strategic documents and the National Operative Employment Plan.

(20 Annually, the National Operative Employment Plan shall define the amount of funds and types of payments for the regional employment and training programmes of the regions. The criteria, conditions and procedure of funding shall be defined by the Ruls on the implementation of the act.

(3) (amend. – SG 26/08; amend. – SG 59/10) The regional employment and training programme in the region shall include project proposal of the region and the municipal administrations, approved by the Employment Commission in criteria and procedure, defined by the Rules on the implementation of the act. The regional and municipal administrations may develop project proposal jointly with the social partners and other legal persons.

Section III.

Youth Employment (title amend. SG 26/03)

Art. 34. (revoked – SG 26/03)

Art. 35. (revoked – SG 26/03)

Art. 36. (1) (amend. SG 26/03, suppl. SG 27/05; amend. - SG 18/06, amend. – SG, 101/2015) For each opened working place, at which unemployed person up to 29 years of age, including for first job in the specialty, directed by the division of the National Employment Agency, has been hired, to the employer shall be conceded sums according to art. 30a, para 2 for the time the person has worked, but for not more than 18 months.

(2) (amend. SG 38/05; suppl. - SG 18/06. amend. – SG, 101/2015, amend. – SG 88/16, amend. and suppl. - SG 24/19, in force from 01.07.2020, amend. regarding the entry into force – SG 101/19) For each opened working place, at which unemployed person up to 29 years of age with durable damages, including war disabilities, as well as young people using social and integrated health and social services for residential care, who have finished their education and were directed by a division of the National Employment Agency, to the employer shall be conceded sums according to art. 30a, para 2 for the time the persons have worked, but for not more than 18 months.

Art. 36a. (new – SG 70/13) For any opened job, for which an unemployed person under the age of 29 has been employed part time with permanently maintained registration for minimum 12 months, referred by the Employment Agency, the employer shall be allocated relevant funds subject to compliance with Art. 30a, par. 2 for the time during which the person has been employed but not more than 12 months.

Art. 36b. (new – SG 70/13, repealed – SG, 101/2015)

Art. 37. (amend. SG 26/03; revoked – SG 26/08)

Art. 38. (revoked – SG 26/03)

Art. 39. (revoked – SG 26/03)

Art. 40. (amend. SG 26/03) The National Employment Agency, jointly with companies for employment of unemployed persons, shall develop and implement projects and programmes for employment in public interest with national and regional character. The companies for employment of unemployed persons shall apply before the Ministry of Labour and Social Policy for financing of the projects and the programmes.

(2) The companies of para 1 shall register according to the acting legislation with basic subject of activity – ensuring of employment for unemployed persons, registered at the territorial divisions of the National Employment Agency.

(3) For each unemployed person hired under employment contract, directed by the divisions of the National Employment Agency to projects and programmes of para 1, shall be conceded sums according to art. 30a, para 2 for the actually worked out time for the term of the employment contract but for not more than 12 months.

Art. 41. (amend. SG 26/03; amend. – SG 26/08; amend. – SG 59/10) For each opened working place for apprenticeship, on which is hired unemployed person up to 29 years of age, directed by the divisions of the National Employment Agency, to the employer shall be conceded sums according to art. 30a, para 2 for the term of the apprenticeship but for not more than 9 months. At the work place for apprenticeship a person shall be employed, having acquired over the last 24 months a qualification for a profession or part of profession, required for the occupied position, who does not have any time of service in this profession.

Art. 41a. (new – SG 70/13) (1) For each opened job for apprenticeship, on which is hired unemployed person up to 29 years of age with primary school qualification or lower or without qualification, referred by the unit of Employment Agency, the employer shall be allocated funds according to art. 30a, para 2 for the term of the apprenticeship but for not more than 12 months.

(2) The employer shall be obliged during the time of apprenticeship under par. 1 to provide training to the hired person in the particular work place by a supervisor.

(3) (amend. – SG 54/14) The supervisor is a person from the same enterprise, providing training in the course of work to the hired person referred to in par. 1 in the respective profession or craft and has got minimum 5 years of professional experience in the same profession or craft or a qualification certified by a document, and minimum 3 years of professional experience in the same profession or craft.

(4) An employer who keeps the employment of the unemployed person hired for apprenticeship referred to in par. 1 for an additional period, equal to the subsidized period, funds shall be allocated for the supervisor subject to compliance with the provision of Art. 30a, par. 2 for the additional period, too.

(5) The supervisor shall get funds according to Art. 30a, par. 2 for the time of supervision, however for not more than 24 months.

Section IV.

Programmes and measures for transition from passive to active measures

Art. 42. (1) (amend. SG 26/03, amend. SG 38/05, amend. - SG 18/06, repealed – SG, 101/2015)

(2) (amend. SG 26/03, amend. - SG 18/06) To unemployed, directed by the divisions of the National Employment Agency to a definite employer for providing information and placement outside the boundaries of the populated area shall be paid monthly sums according to art. 30a, para 2 for daily transport expenses for travelling to the place of employment and back but for not more than 12 months, and for transport expenses for presenting to the employer for hiring.

(3) (new - SG 88/16, amend. and suppl. - SG 24/19, in force from 01.07.2020, amend. regarding the entry into force – SG 101/19) Monthly amounts under Art. 30a, Para. 1, item 24, shall be paid to unemployed people, including young people using social and integrated health and social services for residential care, who have graduated and been directed by the divisions of the Employment Agency to a specific employer for employment in a populated area, situated more than 50 kilometers from the settlement of their current address, but for no longer than 12 months.

Art. 42a. (new - SG 18/06, repealed – SG, 101/2015)

Art. 43. (1) (amend. SG 26/03, suppl. SG 38/05) For each opened working place, on which are hired up to two unemployed persons, directed by the divisions of the National Employment Agency, for the half of the lawfully established working time, to the employer shall be conceded sums according to art. 30a, para 2 for the time, during which the persons have worked, but for not more than 12 months.

(2) (amend. SG 38/05) The resources of para 1 shall be conceded for each hired unemployed person under the condition that the average number of the staff is increased persons under para 1 are registered unemployed who have received monetary indemnification for unemployment for a period no longer than 5 months.

(3) (amend. SG 26/03; revoked – SG 07/12)

(4) (revoked – SG 26/03).

(5) (amend. – SG 26/08) The employer shall have the right to offer training for acquiring professional qualification to appointed persons of par. 1. For persons, involved in arranged by the employer and the National Employment Agency training for professional qualification the training institution shall be granted funds as per Art. 30a, par. 2.

Art. 43a (New – SG, 101/2015) (1) A person, registered under Art. 27, Para. 2, p. 2, may apply for provision of sums for support of employment under Art. 30a, Para. 1, p. 23 for every unemployed person with permanent disabilities or from other disadvantaged groups on the labour market, directed by the Employment Agency unit, which has employed to a job of non-subsidized job for the term not shorter than 12 months.

(2) The conditions and procedure for applying and for provision of the sums under Art. 30a, Para. 1, p. 23 shall be defined by the Rules on the implementation of the act.

Section V.

Training programmes and measures (title amend. SG 26/03)

Art. 44. (amend. SG 26/03; amend. – SG 26/08) An employer who provides maintaining and improvement of the qualification of the hired workers and employees can apply for granting of sums according to art. 30a, para 2.

Art. 45. (repealed – SG, 101/2015)

Art. 46. (amend. SG 26/03; amend. – SG 26/08) For each opened working place for traineeship, at which an unemployed person has been hired, directed by the divisions of the National Employment Agency, to the employer shall be conceded sums according to art. 30a, para 2 for the term of the traineeship but for not more than 6 months. At the work place for traineeship a person shall be employed, having acquired over the last 24 months a qualification for a profession or part of profession, required for the occupied position, who does not have any time of service in this profession.

Art. 46a (new – SG, 101/2015) (1) (amend. - SG 59/16, in force from 01.08.2016) For each open job for training through work (dual system of training) organized under the Vocational Education and Training Act, at which an unemployed person has been employed, directed by the Employment Agency units, the employer shall be provided by sums, under Art. 30a, Para. 2 for the training time, but not more than 36 months.

(2) (amend. - SG 59/16, in force from 01.08.2016) For every employed person under Para. 1, the training institution, with which in partnership the training is conducted through work (dual system of training) funds shall be provided under Art. 30a, Para. 2 for the time of training.

Section VI.

Entrepreneurship promotion

Art. 47. (1) (amend. SG 26/03; amend. – SG 59/10) To a person or persons who are unemployed with a right to monetary indemnification and wish to start independently or together economic activity for production of commodities and/or services shall be granted, for the account of Fund "Unemployment" one-time cash resources upon approval of a business project by the division of the National Employment Agency and an application by the person to the division of the National Employment Agency stating that he wishes to receive one-time sum of money instead of monetary indemnification for unemployment under the conditions and by the order of the Code for obligatory public insurance.

(2) (amend. SG 26/03, amend. SG 38/05) Right to one-time sum of money under para 1 shall have the persons who meet the requirements for granting monetary indemnification under the conditions and by the order of the Code for social insurance.

(3) (revoked – SG 26/03).

(4) (amend. SG 26/03, amend. – SG, 101/2015) To the persons, who have received one time pecuniary sum under para 1 and who ensure employment under the approved project to another unemployed person without the right to pecuniary indemnification for unemployment shall be conceded additional resources according to art. 30a, para 2.

Art. 48. (amend. SG 26/03) To the persons who have received one-time money sum according to art. 47, para 1 according to art. 30a, para 2 can be granted extra resources in the form of credit for qualification on the subject of economic activity and/or its management according to the approved project under art. 47, para 1.

Art. 48a. (new – SG 26/03; revoked – SG 59/10)

Art. 49. (amend. SG 26/03, amend. SG 38/05) (1) (amend. - SG 18/06; amend. – SG 26/08) Expenditure funds as referred to in Art. 30a, para 2 may be granted to unemployed individuals for starting independent economic activity as a micro-enterprise under the Small and Medium-Sized Enterprises Act upon an approved by the territorial division of the National Employment Agency business project.

(2) (amend. - SG 18/06; suppl. – SG 26/08; amend. – SG 59/10) Individuals who have exercised their rights referred to in Para 1 or in Art. 47 may use the resources of para 1 upon expiration of three months from the date of termination of the respective contract due to expiration of the term, for which it has been concluded.

(3) For acquiring professional qualification in the subject of activity and/or its management according to the approved business project to the persons of para 1 shall be conceded additional sums according to art. 30a, para 2.

(4) (new – SG 26/08) Additional monthly amounts according to Art. 30a, par. 2 can be conceded to persons, having concluded contracts under par. 1 immediately after the initiation of the activity, for a period not exceeding 12 months.

Art. 49a. (new – SG 26/03, suppl. SG 38/05; suppl. – SG 18/06, suppl – SG 26/08, revoked – SG 59/10)

Art. 49b. (new – SG 38/05, suppl. - SG 18/06; amend. – SG 59/10) To the persons of Art. 47 and 49 according to Art. 30a, para 2 may be restored the resources for used external consultant services and/or accompanying services.

Section VII.

Programmes and measures for opening new positions

Art. 50. (amend. SG 26/03; amend. – SG 59/10, amend. – SG, 101/2015) To employers - micro enterprises, registered according to the acting legislation, shall be conceded sums according to art. 30a, para 2 for a term not longer than of 24 months for the first five opened working

places, on which are hired unemployed persons, directed by the divisions of the National Employment Agency.

Art. 51. (amend. SG 26/03, amend. – SG, 101/2015) For each opened working place, on which an unemployed person is hired with constantly maintained registration not less than 6 months or an unemployed person by the age of 24 or an unemployed person with secondary or lower education or an unemployed person at the age above 50 years, directed by the Employment Agency unit, the employer shall be provided by sums under Art. 30a, Para. 1, 2, 4 and 5 for the time during which the person has been employed, but not less than 3 months and not more than 12 months. The sums shall be provided in the amount up to 50% for the period of subsidation.

(2) For each open job, at which an unemployed person with permanent disabilities has been employed, directed by an Employment Agency unot, the employer shall be provided by sums under Art. 30a, para. 1, p. 1, 2, 4 and 5 for the time , during which the person has been employed, but not less than 3 months and not more than 12 months. The sums shall be provided in the amount up to 75% for the period of subsidation.

(3) In the cases, where the employment period is shorter than 12 months, the sums under Para. 1 and 2 shall be decreased proportionally.

Section VIII.

Programmes and measures providing equal opportunities through social and economic integration of disadvantaged groups on the labour market (Title amend. – SG 26/08)

Art. 52. (amend. SG 26/03) (1) (amend. SG 38/05; suppl. - SG 18/06, suppl. – SG, 101/2015) For each opened working place, on which are hired unemployed persons with permanent disabilities, including war disabilities, directed by the units of the Employment Agency for work at full or part time jobs, the employer shall be provided by sums, under Art. 30a, Para. 2, for the time, during which the persons have been employed, but not more than 12 months.

(2) (amend. SG 38/05, repealed – SG, 101/2015)

Art. 53. (amend. SG 26/03, repealed – SG, 101/2015)

Art. 53a. (new – SG 26/08) (1) (amend. – SG, 101/2015) For each opened job, at which unemployed persons, - single parents (adopters) and or adopting mothers with children of the age to 5, directed by the National Employment Agency units to work full time or part time, amounts pursuant to Art. 30a, par. 2 shall be conceded for the time, for which the persons have been employed, but for not more than 12 months.

(2) The employer shall have the right to offer training for acquiring professional qualification to appointed persons of par. 1. For persons, involved in arranged by the employer and the National Employment Agency training for professional qualification the training institution shall be granted funds as per Art. 30a, par. 2.

Art. 54. (revoked – SG 26/03)

Art. 55. (amend. SG 26/03) (1) For each opened working place, on which are hired unemployed persons, served penalty deprivation from liberty and directed by the divisions of the National Employment Agency in 12 months term after the liberation from the place of serving the penalty, to the employer shall be conceded sums according to art. 30a, para 2 for the time the persons have worked but for not more than 12 months.

(2) (amend. – SG 26/08) The employer shall have the right to offer training for acquiring professional qualification to appointed persons of par. 1. For persons, involved in arranged by the employer and the National Employment Agency training for professional qualification the training institution shall be granted funds as per Art. 30a, par. 2.

Art. 55a. (new – SG 26/03; amend. – SG 26/08, amend. – SG, 101/2015) For each opened working place, on which are hired unemployed persons over 55 years of age, directed by the divisions of the National Employment Agency, to the employer shall be conceded sums according to art. 30a, para 2 for the time the persons have worked but for not more than 12 months.

Art. 55b. (new – SG 26/08, repealed, - SG, 101/2015)

Art. 55c. (new – SG 26/08) For each opened job, at which an unemployed person with permanently maintained registration for not less than 12 months, directed by an National Employment Agency unit is appointed, the employer shall be conceded amounts according to art. 30a, para 2 for the time the person has worked but for not more than 12 months.

Art. 55d. (new- SG 26/08) (1) For each opened job, at which an unemployed person having primary or lower education without any qualification is hired for apprenticeship full time or part time and is directed by an National Employment Agency unit, the employer shall be conceded amounts according to art. 30a, para 2 for the time the person has worked but for not more than 12 months.

(2) (amend. – SG 70/13) During the apprenticeship pursuant to par. 1 the employer shall be obliged to provide training to the employed person at the particular work place by a supervisor.

(3) (amend. – SG 70/13; amend. – SG 54/14) The supervisor shall be a person from the same enterprise, who provides training in the course of work to the person hired under par. 1 in the respective profession or craft and has got minimum 5 years of professional experience in the same profession or craft or a qualification, evidenced by a document, and minimum three years of professional experience in the same profession or craft.

(4) An employer, who keeps the employment of the unemployed person hired for apprenticeship as per par. 1 for a further period, equal to the subsidized period, shall be allocated amounts for the supervisor according to Art. 30a, par. 2 also for the additional period.

(5) (amend. – SG 70/13) The employer shall get funds according to Art. 30a, par. 2 for the time of supervision, but for not more than 24 months.

Art. 55e. (new – SG 59/10) For each opened "green job position", to which an unemployed person with continuous registration not less than of 6 months, directed to a unit of the

National Employment Agency, has been hired, to the employer amounts as per art. 30a, Para 2 shall be granted for the period for which the person has been working, but not longer than 12 months.

Section IX.

Employment protection and employment security

Art. 56. (amend. SG 26/03, amend. – SG 59/10; amend. – SG 70/13, amend. – SG, 101/2015) (1) The employers as well as the institutions, providing adult training or vocational guidance, may not receive funds under this Act, where they have any of the following conditions:

1. they have payable public obligations;
2. have obligations for non-fulfillment of signed contracts on programmes, measures and trainings, as well as on projects of the Operative Programme: Development of Human Resources;
3. (amend. – SG 88/16) are undertakings in difficulty - for a grant in the form of state aid schemes in compliance with Regulation (EU) № 651/2014.

(2) The employers, as well as the institutions, carrying out training of adults or vocational guidance, shall not receive funds under this act, representing a minimal aid, where they have one of the following conditions:

1. (revoked - SG 88/16)
2. are in the exceptions, indicated in Art. 1 of Regulation (EC) N 1407/2013;
3. carry out activity in branch “Fisheries and aquacultures”, under Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ, L 354/1 of 28 December 2013).

(3) Receiving aid, representing minimum aid shall be terminated, where during the period of assisting for the employers and institutions, carrying out training of adults or vocational guidance occurs any of the following conditions of Para.1.

(4) The employer shall use the promotional measures under art. 36, 43, 46, 50, Art. 52, para 1, art. 53a, 55, 55a and 55c, if they provide employment to unemployed persons, referred by Employment Agency for additional periods, equal to the subsidized period.

(5) At each opened job under art. 36, 36a, 43, 50, art. 52, para 1, art. 53, 53a, 55, 55a, 55c and 55e, may be appointed consecutively more than one unemployed persons, referred by the Employment Agency under conditions and following a procedure, established with the Rules for implementation of the Act.

(6) The opening of working places under art. 36, para 1, Art. 36a, 43, 46, 50, 53a, 55, 55a and 55c shall be subsidised if during the last three months the employer has not terminated the employment legal relations with workers and employees hired at jobs for the same positions to be occupied by unemployed.

(7) At every open job under Art. 36, Apra. 1, Art. 50, 52,53 and 55a may be appointed unemployed persons, who have not worked with the same employer during the last 6 months.

(8) At every open job under Art. 51 may be appointed unemployed persons, where the appointment is net increase in the number of the staff in the meaning of Art. 2, p. 32 of Regulation (EU) N 651/2014 in the relevant undertaking in comparison with the average number of staff during the last 12 months. Where the appointment is not a net increase in the number of the staff, the position must have been liberated because of voluntary leaving, disability, age retirement, voluntary decreasing the

working time or legal dismissal because of a breach, but not as a result of staff reductions.

(9) An employer, who has not preserved the working places according to para 4, shall restore the received sums with the lawful interest except the cases, determined with the Rules for implementation of the Act.

(10) The labour and the insurance relations of the hired unemployed persons by an employer, received preferences for the implementation of employment promotion programmes and measures, shall be arranged under the conditions of the Bulgarian labour and insurance legislation. The persons shall be hired with legal relation of employment.

Art. 57. (amend. SG 26/03; revoked – SG 26/08)

Art. 57a. (new – SG 26/08) To an employer, providing arranged daily transportation to travel to the place of work and back at a distance of up to 100 km in the territory of the country to the hired workers and employees, living outside the boundaries of the urban area of the place of work, shall be paid monthly sums according to art. 30a, para 2. The sums shall be provided to the employer for not more than 12 months for the same employed person.

Chapter seven.

ADULT TRAINING AND VOCATIONAL GUIDANCE (TITLE AMEND. – SG 26/08)

Section I.

Adult training (Title amend. – SG 26/08)

Art. 58. (amend. – SG 26/08; amend. – SG 74/09, in force from 15.09.2009; amend. – SG 68/13, in force from 02.08.2013) The Ministry of Labour and Social Policy, jointly with the Minister of Education and Science shall:

1. work out and coordinate the state policy of adult training ;
2. (amend. - SG 79/15, in force from 01.08.2016) create conditions for assessment and recognition of knowledge, skills competencies of adults, acquired through informal training and informal education;
organise and manage the National System of education for acquiring professional qualification of unemployed and employed persons;
3. study, analyse and prognosticate the status, the development and the needs of adult training .

Art. 58a. (new – SG 26/08) Adult training shall include:

1. training for basic literacy;
2. training for acquisition of professional qualification;
3. training for acquisition and development of key competences;
4. (repealed – SG, 101/2015)

Art. 59. (repealed – SG, 101/2015)

Art. 60. (amend. – SG 26/08) The activities related to the adult training shall be carried out, besides the institutions under art. 58 also by:

1. the National Employment Agency;
2. the National Agency for vocational education and training;
3. the centres for professional training;
4. other institutions stipulated by a law or by an act of the Council of Ministers.
5. (new – SG 26/08) natural persons or legal entities registered in compliance with the applicable laws.

Art. 60a. (suppl. – SG 43/11, in force from 15.06.2011) (1) There shall be established a State Enterprise Bulgarian-German Vocational Training Centre, a legal person in the sense of Art. 62, para 3 of the Commerce Act, having a registered office in Sofia and branches – territorial units, the number of and headquarters of which shall be determined by the Minister of Labour and Social Policy.

(2) State Enterprise Bulgarian-German Vocational Training Centre's main object shall be carrying out vocational qualification trainings of persons who have reached 16 years of age and key competency trainings, as well as vocational guidance.

(3) The main public task of State Enterprise Bulgarian-German Vocational Training Centre shall be the following:

1. assistance through professional qualification training and key competency trainings of unemployed persons from disadvantaged groups on the labour market;
2. testing innovative practices in order to be implemented by another vocational training institution at a later stage;
3. enhancing the competence of adult trainers
4. training tutors, external experts and adult trainers with regards to specific professions;
5. establishing partnerships with business representatives and representatives of workers and employees for the purpose of developing new and updating existing training programs, educational materials, vocational guidance, etc.

(4) The said enterprise may also perform other activities related to its main object.

(5) Management bodies of the State Enterprise Bulgarian-German Vocational Training Centre shall be:

1. the Minister of Labour and Social Policy;
2. the Management Board;
3. the Executive Director.

(6) The Executive Director of State Enterprise Bulgarian-German Vocational Training Centre shall be assisted by a council consisting of representatives of representative organizations of employers and those of workers and employees at a national level.

(7) The structure and operation of the State Enterprise Bulgarian-German Vocational Training Centre, the powers and obligations of the management bodies, as well as the matters related to the operation of the branches shall be set forth by a Regulation of the Council of Ministers.

(8) For the purpose of carrying out its activity under this Law the state shall provide the enterprise under this Act with property – public and private state property – to be used and managed

by it.

(9) The activity of the State Enterprise Bulgarian-German Vocational Training Centre in relation to performance of its public functions shall be assisted by the state via the budget of the Ministry of Labour and Social Policy as well as via granting public funds.

(10) (new – SG, 101/2015) Training in implementation of the public tasks of State undertaking Bulgarian-German Centre for Vocational Training shall be carried out in compliance with a two-year plan, approved by the Managing board after discussion by the Board under Para. 6 and confirmed by the Minister of Labour and Social Policy under conditions and procedure, defined by the Rules on the implementation of the act.

(11) (Former Para. 10 – SG, 101/2015) The enterprise cannot take part in a trade company or civil companies.

(12) (Former Para. 11 – SG, 101/2015) The enterprise shall not be entitled to conclude agreements with commercial banks and other financial institutions, unless the Council of Ministers has issued an explicit decision thereon.

(13) (Former Para. 12 – SG, 101/2015) Property – public state ownership - provided to the enterprise, may not be subject to enforcement.

(14) (Former Para. 13 – SG, 101/2015) The enterprise cannot be privatized and insolvency proceedings may not be initiated against it.

Art. 61. (revoked – SG 26/08)

Art. 62. (1) (amend. – SG 26/08) Adult training shall be carried out in compliance with the approved annual plan under art. 30, para 4.

(2) (amend. SG 38/05, amend. - SG 18/06) Training for acquiring professional qualification of adults shall be carried out at the institutions referred to in Art. 9, para 1, items 1 and 2 of the Vocational Education and Training Act and the universities upon requirements and order determined by the Rules for implementation of this Act.

(3) (new – SG 26/08; amend. – SG 74/09, in force from 15.09.2009; amend. – SG 59/10; amend. – SG 68/13, in force from 02.08.2013; amend. - SG 79/15, in force from 01.08.2016) Training for basic literacy shall be carried out by the schools under the Pre-School and School Education Act under conditions and following a procedure, determined by the Rules for implementation of the Act. Persons, having accomplished successfully the training for basic literacy shall obtain a certificate in a form, approved by the Minister of Education and Science.

(4) (new – SG 26/08, amend. – SG, 101/2015) Training for acquisition of key competences shall be carried out by natural persons or legal persons, registered in compliance with the applicable laws, under conditions and following a procedure, determined by the Rules for the application of the act.

(5) (new – SG 38/05, amend. - SG 18/06; prev. par. 3, amend. – SG 26/08) The choice of the persons providing training referred to in para 2, 3 and 4 shall be implemented under conditions and by order, determined with the Rules for implementation of this Act.

Section II.

Vocational guidance and adult training organised by National Employment Agency (Title amend. – SG 26/08)

Art. 63. (1) (amend. – SG 26/03; amend. – SG 38/05; amend. – SG 26/08, former text of Art. 63 – SG, 101/2015) The Employment Agency shall organise adult training in compliance with the needs of the labour market, the requirements of the employers and the approved plan under art. 30, para 4 as follows for:

1. unemployed;
2. (amend. – SG 59/10) persons under art. 48 and 49;
3. (amend. – SG, 101/2015) workers and employees;
4. (amend. – SG 59/10, repealed – SG, 101/2015).
5. (repealed – SG, 101/2015).
6. persons, who are under legal confinement.

(2) (new – SG, 101/2015) Unemployed persons shall be included in trainings, provided by the action plan under Art. 19, Para. 1.

Art. 64. (revoked – SG 38/05)

Art. 65. (amend. SG 38/05; amend. – SG 26/08) (1) The including of the unemployed persons in training for acquiring professional qualification organised by the National Employment Agency may be preceded by vocational guidance.

(2) The vocational guidance shall be carried out by the National Employment Agency and by licensed institutions pursuant to the provisions of the Vocational Education and Training Act. The conditions and the order of organising and financing of the vocational guidance shall be determined by the Rules for implementation of this Act.

Art. 66. (amend. – SG 38/05; amend. – SG 26/08) (1) (amend. – SG, 101/2015) The training of the persons by the order of art. 63, Para 1, p. 1, 2 and 6, organised by the Employment Agency shall be financed under conditions and according to a procedure determined by the Rules for implementation of this Act.

(2) (amend. – SG, 101/2015) The training of the workers and employees by the order of art. 63, Para. 1, item 3, organised jointly by the National Employment Agency and the employers shall be financed under conditions and by an order determined by the Rules for implementation of this Act.

(3) (amend. – SG 70/13, amend. – SG, 101/2015) To unemployed persons under Art. 63, Para. 1, item 1, participating in adult training, shall get paid scholarship and for transportation and accommodation under conditions and following a procedure, determined by the Rules for implementation of this Act.

(4) (revoked – SG 70/13)

Chapter eight.

EMPLOYMENT OF BULGARIAN CITIZENS IN OTHER COUNTRIES AND OF FOREIGN CITIZENS IN THE REPUBLIC OF BULGARIA (REVOKED - SG 30/16, IN FORCE FROM 12.052016)

Section I.

Employment of Bulgarian citizens abroad (new – SG 43/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

Art. 67. (revoked - SG 30/16, in force from 12.052016)

Art. 68. (revoked - SG 30/16, in force from 12.052016)

Art. 69. (revoked - SG 30/16, in force from 12.052016)

Section II.

Employment of foreign citizens in the Republic of Bulgaria (new – SG 43/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

Art. 70. (revoked - SG 30/16, in force from 12.052016)

Art. 71. (revoked - SG 30/16, in force from 12.052016)

Art. 72. (revoked - SG 30/16, in force from 12.052016)

Art. 72a. (new – SG 43/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

Art. 72b. (new – SG 70/13, in force from 24.12.2013; revoked - SG 30/16, in force from 12.052016)

Art. 72c. (new – SG 70/13, in force from 24.12.2013; revoked - SG 30/16, in force from 12.052016)

Art. 72d. (new – SG 70/13, in force from 24.12.2013; revoked - SG 30/16, in force from 12.052016)

Art. 73. (revoked - SG 30/16, in force from 12.052016)

Art. 73a. (new – SG 43/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

Art. 74. (revoked - SG 30/16, in force from 12.052016)

Section III.

Employment of highly qualified foreigners in Bulgaria (new – SG 43/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

Art. 74a. (new – SG 43/11, in force from 15.06.2011; amend. – SG 70/13; revoked - SG 30/16, in force from 12.052016)

Art. 74b. (new – SG 43/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

Art. 74c. (new – SG 43/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

Art. 74d. (new – SG 43/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

Art. 74e. (new – SG 43/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

Chapter eight "a".

CONDITIONS AND ORDER FOR REGISTRATION OF UNDERTAKINGS PROVIDING TEMPORARY EMPLOYMENT (NEW – SG 07/12, IN FORCE FROM 05.12.2011)

Art. 74f. (new – SG 07/12, in force from 05.12.2011) (1) The temporary employment activities shall be carried out following a registration with the Employment Agency.

(2) For registration of the activity referred to in Para 1 may apply local natural or legal persons, or foreign legal persons with commercial activity in the Republic of Bulgaria, meeting the following conditions:

1. not having pecuniary obligations to the state or the municipality in the sense of Art. 162, Para 2 of the Tax-Insurance Procedure Code, established in an act in force issued by a competent authority, unless the obligations have been rescheduled or deferred, or pecuniary obligations related to social insurance payments;

2. not declared as bankrupt or not under pending bankruptcy proceedings;

3. not in liquidation proceedings, and in cases of foreign legal persons – not in similar proceedings under the legislation of the respective state;

4. represented by persons not convicted for a deliberate crime of general character, unless rehabilitated;

5. which registration was not terminated pursuant to Art. 74l, Para 1, Items 2 or 3 or Art. 15, Para 1 of the Ordinance on the Conditions and Order for Carrying Out Employment Intermediary Activities (prom. – SG 49/03; amend. – SG 52/06. SG 22/10; Decision No 12614 of the

Supreme Administrative Court of 2010 – SG 88/10; amend. – SG 50/11) within a period of three years before the date of applying for the registration;

6. have not been imposed administrative sanctions under Art. 81, Para 1 or Art. 81a, Para 1 within a period of three years before the date of applying for the registration;

7. having a group insurance amounting to BGN 200 000 or a bank guarantee amounting to BGN 200 000 covering the receivables of employees to be employed on temporary basis;

8. having internal regulations for carrying out their activities with draft contracts with a client undertaking and a contract with an employee for temporary employment in a client undertaking.

(3) (New – SG, 101/2015) The persons must meet the conditions of Para. 2 during the whole person of registration.

Art. 74g. (new – SG 07/12, in force from 05.12.2011) (1) The registration shall be carried out by the Employment Agency upon filing a written application in the form shown in Appendix No 1.

(2) With the application under Para 1 the persons registered under the Bulgarian legislation shall enclose:

1. (revoked - SG 97/17)

2. (revoked - SG 30/16, in force from 12.052016)

3. (revoked - SG 30/16, in force from 12.052016)

4. (revoked - SG 103/17, in force from 01.01.2017)

5. certified copies of insurance and bank documents under Art. 74f, Para 2, Item 7;

6. a certified copy of the regulations under Art. 74f, Para 2, Item 8.

(3) (amend. - SG 97/17, suppl. - SG 103/17, in force from 01.01.2017) The persons registered under the legislation of another state shall prove the circumstances referred to in Art. 74f, Para. 2, items 1 - 4 according to the legislation of the state of their registration. The circumstance about conviction shall be established ex officio by the Employment Agency. Foreign citizens shall present conviction certificate or a similar document.

(4) (new - SG 97/17) The Employment Agency verifies the circumstances under Art. 74f, Para. 2, items 1, 2, 3, 5 and 6 for the persons registered under the Bulgarian legislation.

Art. 74h. (new – SG 07/12, in force from 05.12.2011) (1) The Minister of Labour and Social Policy or an official authorised by him shall issue a decision on the application and the accompanying documents within 14 days from their receipt taking into account a proposal by the Executive Director of the Employment Agency.

(2) Where the application and/or the accompanying documents do not meet the requirements of Art. 74g, the applicant shall be notified in writing to remedy the established omissions and/or deficiencies within a time limit of 30 days from the date of the receipt of the notification.

(3) In the cases of Para 2 the documents shall be deemed to be filed as of the date of remedying the omissions and/or the deficiencies.

(4) The Council at the Executive Director of the Employment Agency shall be informed periodically of the application under Art. 74g, Para 1 filed with the Employment Agency.

Art. 74i. (new – SG 07/12, in force from 05.12.2011) (1) The registration shall be refused, where the conditions under Art. 74f, Para 2 have not been met or the requirements of Art. 74g,

Art. 74h, Para 2 and Art. 74j, Para 3 have not been complied with.

(2) The applicant shall be notified in writing of the reasons of the refusal within the term referred to in Art. 74h, Para 1.

(3) The refusal of the registration may be appealed as set out in the Administrative Procedure Code.

Art. 74j. (new – SG 07/12, in force from 05.12.2011) (1) The Minister of Labour and Social Policy or an official authorised by him shall issue a registration certificate of the undertaking providing temporary employment.

(2) The certificate referred to in Para 1 shall be issued for a term of 5 years in a form according to Appendix No 2 and shall be recorded in a register.

(3) The certificate referred to in Para 1 shall be issued following the payment of a fee determined in a tariff of the Council of Ministers.

(4) Where the certificate referred to in Para 1 is lost or damaged, a duplicate shall be issued upon filing an application and payment of a fee by the undertaking providing temporary employment.

Art. 74k. (new – SG 07/12, in force from 05.12.2011) (1) The Employment Agency shall keep a public register of the issued certificates.

(2) In the register referred to in Para 1 shall be recorded:

1. The registry number and the date of the certificate;
2. the name of the undertaking providing temporary employment;
3. the seat and the address of management of the person;
4. the address of the office/offices;
5. the name of the representative of the undertaking providing temporary employment;
6. the term of the registration;
7. the date of cancellation of the registration and the grounds thereof;
8. other circumstances subject to recording.

(3) (amend. - SG 97/17) In case of amendment or supplementation of the recorded circumstances in the documents that have served as grounds for registration, the undertaking providing temporary employment shall notify the Employment Agency within 7 days from the occurrence of the amendment and/or supplementation.

(4) (amend. - SG 30/16, in force from 12.05.2016) Every year, by 30 June, the Employment Agency shall check officially the circumstances under Art. 74e, para. 2, item 1 on the registered enterprises which provide temporary employment, and shall inform the Executive Agency "General Labour Inspectorate" for the changes occurred.

(5) Within the time limit under Para 4 the undertakings providing temporary employment shall submit to the Employment Agency certified copies of the insurance and bank documents certifying the compliance with the requirements of Art. 74f, Para 2, Item 7.

(6) Every year, the National Council on Encouragement of the Employment shall collect information and issue an opinion of the activities of the undertakings providing temporary employment.

Art. 74l. (new – SG 07/12, in force from 05.12.2011) (1) The registration shall be terminated by an order of the Minister of Labour and Social Policy or an official authorised by him:

1. upon a written request by the undertaking providing temporary employment filed with the Employment Agency and a written declaration that all obligations under the employment contracts signed with employees assigned for temporary works at client undertakings have been performed;

2. in case of systematic violations of obligations as an undertaking providing temporary employment under Art. 107q of the Labour Code;

3. (amend. – SG, 101/2015) in case of breach of the requirements of Art. 74f, Para. 3, established by an enforced penal decree;

4. (new – SG, 101/2015) in case of an enforced penal decree for imposing administrative punishment under Art. 81a, Para. 1, issued before the registration for carrying out the activity;

5. (former p. 4 – SG, 101/2015) upon expiration of the term of the registration.

(2) The termination referred to in Para 1 shall be carried out by removal from the register referred to in Art. 74k, Para 1.

(3) The certificate for registration of the undertaking providing temporary employment shall be returned to the Employment Agency upon entry into force of the order referred to in Para 1.

Art. 74m. (new – SG 07/12, in force from 05.12.2011) The undertaking providing temporary employment shall notify in writing the client undertaking, as well as the employees under employment contract of the termination of the registration. The notification shall be made within three days from entry into force of the order referred to in Art. 74l, Para 1.

Art. 74n. (new – SG 07/12, in force from 05.12.2011) (1) The undertaking providing temporary employment may apply for extension of the term of the registration as set out in the present Chapter within three months from expiration of the term of the certificate.

(2) Every month, at the "Labour Bureau" Directorate and on the official internet site of the Employment Agency shall be published an up-to-date list of:

1. registered undertakings providing temporary employment;

2. (amend. – SG 88/16) undertakings providing temporary employment which registration is terminated under Art. 74l, Para 1, Items 2, 3 and 4.

Art. 74o. (new – SG 07/12, in force from 05.12.2011, amend. – SG 88/16) The undertakings providing temporary employment which registration was terminated pursuant to Art. 74l, Para 1, Items 2, 3 and 4 may file an application for new registration after the expiration of three years from the date of entry into force of the order for its termination.

Chapter nine.

CONTROL AND ADMINISTRATIVE PENALTY LIABILITY

Section I.

Control

Art. 75. (1) The Minister of Labour and Social Policy shall exercise an overall control of the observance of this Act, as well as of the other statutory instruments in the sphere of employment and unemployment.

(2) The specialised control activity shall be carried out by the General Labour Inspectorate Executive Agency with the Minister of Labour and Social Policy.

Art. 76. (1) (amend. – SG 26/03; amend. – SG 26/08) The control bodies shall have the right to:

1. (amend. – SG 54/14) visit at any time the places where work is fulfilled, a profession is exercised or intermediation activity is carried out;

2. require from the inspected natural persons and legal entities written explanations and data, as well as presentation of certified copies of all necessary documents and references;

3. receive directly from the workers, employees, unemployed and those looking for a job, the necessary information.

(2) (amend. – SG 26/08; amend. – SG 59/10; amend. – SG 07/12, in force from 05.12.2011; amend. - SG 30/16, in force from 12.052016) The employers, the officials, the workers, the employees, the job seekers, as well as the persons, who carry out mediation activity and services on hiring to job, the undertakings providing temporary employment and the client undertakings, shall be obliged to render assistance to the control bodies in fulfilment of their functions.

(3) The control bodies shall be obliged:

1. to check up in due time the received warnings for offences;

2. not to make public the information representing state, official or trade secret which have become known to them in connection with exercising the control;

3. not to use the obtained information for the benefit of their own or for other persons;

4. to keep confidential the source from which they have obtained the warning for offence.

Art. 77. (amend. – SG 07/12, in force from 05.12.2011) The employers, the workers and employees, the organisations of the employers and of the workers and employees, the job seekers, the undertakings providing temporary employment, as well as the client undertakings, shall have the right to warn the General Labour Inspectorate Executive Agency about committed infringements of this Act and of the international agreements in the sphere of employment in force for the Republic of Bulgaria.

Art. 78. (1) General Labour Inspectorate Executive Agency can apply the following compulsory administrative measures:

1. (amend. – SG 26/08; amend. – SG 07/12, in force from 05.12.2011; amend. - SG 30/16, in force from 12.052016) to give obligatory prescriptions to the employers, to the officials, to the undertakings providing temporary employment, to the client undertakings as well as the persons under Art. 27, par. 2, item 2 for stopping the infringements of this Act;

2. to stop the fulfilment of unlawful decisions or orders of an employer or official in the sphere of the employment according to this Act.

(2) (suppl. SG 26/03; amend. - SG 30/06, in force from 12.07.2006) The compulsory administrative measures under para 1 can be appealed by the order of the Administrative procedure code, the appealing not stopping their execution.

Art. 78a. (new – SG 43/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

Art. 78b. (new – SG 43/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

Section II. Administrative penalty liability

Art. 79. (1) (amend. SG 26/03; amend. – SG 26/08) To individuals and/or legal entities who do not fulfil obligatory prescription under art. 78, para 1, item 1 of the control bodies shall be imposed a fine, respectively a proprietary sanction from BGN 500 to 1500, and for repeated offence – from BGN 1000 to 3000.

(2) (amend. – SG 26/08; amend. – SG 07/12, in force from 05.12.2011; amend. – SG 54/14; amend. - SG 30/16, in force from 12.052016) To an employer, official, unemployed person or individual, to a person under Art. 27, par. 2, items 2 and 3, to an undertaking providing temporary employment as well as to a client undertaking who unlawfully obstructs the control bodies to fulfil their official duties shall be imposed a fine, respectively a proprietary sanction from BGN 500 to 1500 unless subject to a more severe sanction.

(3) (new – SG 26/03) To an official or employee, who does not fulfil compulsory administrative measure of art. 78, para 1, item 3 of the control bodies, shall be imposed a fine, respectively proprietary sanction in extent up to 1000 levs, and for each following non fulfilment – up to BGN 2000.

(4) (new – SG 26/03) To an official, who does not terminate the registration of unemployed person, under the condition that the grounds of art. 20, para 3 and 4 are at hand, shall be imposed a fine in extent from BGN 200 to 500.

Art. 80. (revoked, SG 81/04, In force from 1st of January 2005)

Art. 81. (1) (amend. SG 26/03; suppl. – SG 54/14, in force from 05.10.2014) To individuals and/or legal entities, carrying out mediation activity and services without registration or without a preliminary notification shall be imposed a fine, respectively a proprietary sanction in amount of 5000 levs, for repeated offence – from BGN 5000 to 10 000 and from BGN 10 000 to 20 000 for each following offence.

(2) (amend. SG 26/03; amend. – SG 26/08; amend. – SG 59/10) To individuals and/or legal entities carrying out mediation activity and services in violation of the requirements for carrying out the activity shall be imposed a fine, respectively a proprietary sanction from BGN 100 to 2500, and for repeated offence – from BGN 2500 to 5000.

Art. 81a. (new – SG 07/12) (1) Undertakings providing temporary employment without registration shall be imposed a fine, respectively a property sanction, amounting to BGN 5000, and in case of repeated offence – between BGN 5000 and 10 000, and between BGN 10 000 and 20 000 for each subsequent offence.

(2) Undertakings providing temporary employment in breach of the requirements of Chapter Eight "a" shall be imposed a fine, respectively a property sanction in amount between BGN 1000 and 2500, and in case of repeated offence – BGN 2500 and 5000.

Art. 82. (amend. SG 26/03, suppl. - SG 18/06; amend. – SG 26/08; revoked - SG 30/16, in force from 12.052016)

Art. 82a. (new – SG 43/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

Art. 83. (amend. SG 26/03) To an employer who has carried out a collective redundancy without prior notice and before the elapse of the term of art. 24, para 1 shall be imposed a fine or a proprietary sanction amounting to BGN 200 for every dismissed person.

Art. 84. (amend. – SG 26/08) Employers, unemployed persons, the General Directorate "Enforcement of Punishments" and/or its territorial units, licensed institutions, providing vocational guidance, persons under Art. 48a, as well as training institutions, not using the expedient resources granted to them according to chapter six and seven for the designated purposes, shall be punished by a fine respectively by a proprietary sanction from BGN 1000 to 3000, and for a repeated offence – from BGN 2000 to 6000.

Art. 85. (1) The offences shall be established by acts drawn up by the state control bodies.

(2) (new – SG 59/10) Act of findings of administrative offence shall be handed to the offender personally against signature, and in event there is no possibility to hand it, it shall be send by post with receipt notice. In the cases, where the person is not found at the headquarters address, at the residence address or at the address of work, handing shall be done by posting announcement about the drafting of the act - subject to handing, on the table for announcements and on the official Internet site of the body envisaged in Art. 75, Para 2.

(3) (new – SG 59/10) In the cases of Para 2, act of findings of administrative offence shall be considered handed after the elapse of 7-days term of the posting of the announcement or from its publication on the official Internet site of the body, envisaged in Art. 75, Para 2.

(4) (previous Para 2 – SG 59/10)The penal decrees shall be issued by the head of the respective control body or by officials authorised by him according to the administrative belonging of the issuers of acts.

(5) (previous Para 3 – SG 59/10) The establishment of the offences, the issuance, the appeal and the fulfilment of the penal decrees shall be carried out by the order of the Administrative Violations and Penalties Act.

(6) (previous Para 4 – SG 59/10)The sums from imposed fines and proprietary

sanctions shall be administered by the Ministry of Labour and Social Policy.

Art. 86. In establishing violation of the law containing evidence for committed crime the control bodies shall inform immediately the bodies of the prosecution.

Additional provisions

§ 1. In the context of this Act:

1. (amend. – SG 26/08, amend. – SG, 101/2015, amend. – SG 88/16) "Unemployed" is a person, who upon registration in the Directorate "Employment Office" does not work, is looking for a job, and is ready to start work within 14 days after the notification by the Directorate "Employment Office".

2. "Permanently unemployed" are the unemployed persons with permanently maintained registration in a division of the National Employment Agency for a period not shorter than 12 months.

3. (amend. – SG 26/08) "Job seeker" is every person who has not refused meetings with employers organised by a division of the National Employment Agency and who has independently visited employers for applying for a job.

4. (amend. SG 38/05; amend. and suppl. – SG 26/08, amend. – SG, 101/2015, amend. – SG 88/16, amend. - SG 91/18, in force from 03.05.2019) "Suitable job" is the job corresponding to the education and/or qualification and/or professional experience of the person, as well as of his/her health condition, if it is located in the same populated area or up to 50 km out of it on condition that there is a suitable public transport up to 12 months from the date of registration of the person in directorate "Employment bureau". After this period "suitable job" is this corresponding to the health condition of the person, provided that it is in the same urban area or within 50 km away from it, if there is appropriate public transport.

4a. (new – SG 26/03, amend. SG 38/05; amend. – SG 26/08, amend. – SG, 101/2015, amend. – SG 88/16, amend. and suppl. - SG 24/19, in force from 01.07.2020, amend. regarding the entry into force – SG 101/19) "Groups in unequal position on the labour market" are groups of unemployed persons with lower competitive ability on the labour market, in which are included: unemployed youths; unemployed youths with durable damages; unemployed young people using social and integrated health and social services for residential care, having finished their education; persons unemployed for long time; unemployed persons with durable damages; unemployed persons – sole parents (adopters) with children up to 5 years of age; unemployed persons, served penalty deprivation from liberty; unemployed persons over 50 years of age; unemployed persons with primary or lower education and without any professional qualification; other groups of unemployed persons.

5. (amend. SG 26/03) "Activities in public interest" or "publicly useful activities" are the activities for community – household servicing; public works in the settlement or production zones, rehabilitation of areas, industrial regions, buildings etc.; maintaining and preservation of the municipal and the state properties; preservation of environment; maintaining and preservation of monuments of culture and rendering of social services.

6. (amend. SG 26/03; revoked – SG 26/08)

7. (revoked- SG 26/08).

8. (revoked – SG 26/08).

9. (amend. SG 26/03; amend., SG 52/04) "Collective redundancies" are dismissals in the meaning of § 1, item 9 of the additional provisions of the Labour code.

10. "Repeated" is the offence committed within one-year period from the enactment of a penal decree by which the offender has been punished for an offence of the same kind.

11. "External consulting services" is the consulting assistance on management and/or for carrying out studies provided by individuals or legal entities registered according to the Bulgarian legislation for consideration or free of charge.

12. (amend. – SG 26/08) "Social partners" are the representative organisations of the employers and of the workers and employees on national level and other non-profit legal entities participating in the social partnership in connection and with reference to the fulfilment of the law.

13. (amend. – SG 26/08) "Preferences for employers" are the sums granted to employers concluding contracts under programmes and measures for employment promotion and employment security and/or for training of employed persons.

14. (amend. – SG 26/08; revoked - SG 30/16, in force from 12.052016)

14a. (new – SG 70/13; revoked - SG 30/16, in force from 12.052016)

15. "Accompanying services" are administrative legal and financial expert services, informational services, consulting and training services assisting the independent economic activity.

16. (revoked – SG 26/08).

17. "Orphans" are children under age of whom one or both parents are deceased.

18. (amend. – SG 26/08; amend. – SG 100/10, in force from 01.01.2011; amend. - SG 79/15, in force from 01.08.2016) "Adult" is a person of active working age, who is not being trained for acquisition of primary or secondary education within the system of the pre-school and school education or for acquisition of a higher education degree and has not accomplished the age referred to in Art. 68, par. 1 of the Code of Social Insurance.

19. (Revoked - SG 86/03, In force fro 01.01.2004)

20. (Revoked - SG 86/03, In force fro 01.01.2004)

21. (amend. SG 38/05; amend. – SG 26/08) "Single parent (adopter)" is a person who due to widowhood, divorce or lack of a contracted marriage, brings up only children up to 18 years of age, as well as after this age, provided that they continue studying until they acquire secondary general or vocational education, but not later than their accomplished 20 years of age.

22. (revoked – SG 26/08).

23. (revoked – SG 26/08).

24. (amend. – SG 26/08, amend. – SG, 101/2015) "Motivation for active behaviour on the labour market" is activity directed to acquiring practical skills for seeking job.

25. (amend. – SG 26/08; amend. – SG 74/09, in force from 15.09.2009; amend. – SG 68/13, in force from 02.08.2013) "Literacy course" is a process of education for acquiring the general educational minimum in the subjects of "Bulgarian language and literature", "Mathematics", "The Person and the Society" and "The Person and the Nature", determined as beginners stage of primary education and is carried out under curriculums, approved by the Minister of Education and Science.

26. "Valid reasons" are: detention by the bodies of the authority; appearance in court or other state body; participation in a military training muster or re-training, disease and others, certified by an official document for which the head of the division of the National Employment Agency has been informed in due time.

27. (amend. SG 26/03, amend. SG 38/05, revoked - SG 18/06)

28. (new – SG 26/03) "Seasonal employment" is the employment when work is

done during defined periods of the calendar year and depending on the natural – climatic factors.

29. (new – SG 38/05; amend. – SG 26/08; amend. – SG 41/09, in force from 01.07.2009) "Person with permanent damage" is person who as result of anatomic, physiological or psychological damage is with permanent reduced abilities to fulfil activities in a way and to degree possible for the healthy man and about which the bodies of the medical expertise have established degree of reduced ability to work/disability type and level 50 and over 50 percent.

30. (new – SG 26/08) "Key competences" are knowledge and skills for working with information and communication technologies, speaking a foreign language, business skills and entrepreneurship, ability to work in a team, etc.

31. (new – SG 26/08; amend. – SG 100/10, in force from 01.01.2011, revoked – SG 88/16)

32. (new – SG 26/08) "Vocational guidance" is informing, consulting and advising with regard to the choice of a profession and career development.

33. (new – SG 26/08; revoked - SG 30/16, in force from 12.052016)

34. (new – SG 59/10) "External expert per Art. 16, item 11" is a natural person, proposed by an employer to participate at commission for conducting examinations for obtaining professional qualification and is included in a list, approved by the Executive Director of the National Employment Agency.

35. (new – SG 59/10) "Green job positions" are job positions, opened for economic activities, connected with production of goods and provision of services, supporting the environment preservation, in accordance with a list of economic activities, approved by the Minister of Environment and Water and by the Minister of Labour and 36. (new – SG 43/11, in force from 15.06.2011) "EU Blue card" is the document allowing a foreigner to reside and work, determined in § 1, item 1d of the supplementary provision of the Law for the Foreigners in the Republic of Bulgaria.

36. (revoked - SG 30/16, in force from 12.052016)

36a. (new – SG 70/13, revoked – SG 88/16)

36b. (new – SG 70/13, revoked – SG 88/16)

37. (new – SG 3/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

38. (new - SG 43/11, in force from 15.06.2011; revoked - SG 30/16, in force from 12.052016)

39. (new - SG 43/11, in force from 15.12.2011) "Undertaking, providing temporary job" is the term determined in § 1, item 17 of the supplementary provisions of the Labour Code.

40. (new - SG 43/11, in force from 15.12.2011) "Undertaking – user" is the term determined in § 1, item 18 of the supplementary provisions of the Labour Code.

41. (new - SG 43/11, in force from 15.12.2011) "Recurring violation of the obligations as an undertaking, providing temporary work under Art. 107r of the Labour Code" is, where within 12 months, the undertaking providing temporary work, has failed to fulfill two or more obligations under Art. 107r of the Labour Code.

42. (new – SG 70/13, amend. – SG 88/16) "undertaking in difficulty" is an undertaking within the meaning of Art. 2, item 18 of Regulation (EU) № 651/2014.

43. (new – SG 54/14) "Temporary or on a single basis provision of employment intermediation services" shall be the provision of the services referred to in Art. 26, items 1, 2, 4 and 5 by a person eligible to provide employment intermediation services according to the laws of another European Union Member State, of another state which is a party to the Agreement on the European Economic Area or of the Confederation of Switzerland, where they are based legally, and provide these services either for a period of up to 6 months within a calendar year in the Republic of Bulgaria, or

without getting based therein.

44. (new – SG, 101/2015) Labour length of service in the area of maritime transport” is a real served time during which a person with maritime legal competence has occupied a position under the National classifier for professional and positions in ship sailig, for which is required competence, defined by the Ordinance N 6 of 5 April 2012 on competence of maritime persons in the Republic of Bulgaria (publ. – SG, 31/2012; amend. – N81/2013 and N 83/2015)

45. (new – SG, 101/2015) “Supported employment” is gicing assistance to unemployed persons with permanent disabilities and of other groups of disadvantage situation on the labour market, according to their specific needs for work at non-subsidized jobs.

46 (new – SG, 101/2015) “Time of training” is the time for conducting the training under the confirmed training plan for conducting tests after finishing the training.

47. (new – SG, 101/2015) “First job in the speciality” ia a job at a position, corresponding to the specialty in which the person has finished high or higher education and in which he has labour length of service.

48. (new - SG 88/16, revoked - SG 24/19, in force from 01.07.2020, amend. regarding the entry into force – SG 101/19)

49. (new - SG 88/16, amend. - SG 24/19, in force from 01.07.2020, amend. regarding the entry into force – SG 101/19) "Social or integrated health and social services for residential care" is a concept within the meaning of Social Services Act.

§ 1a. (new - SG 43/11, in force from 15.06.2011, revoked – SG 88/16)

§ 1b. (new - SG 43/11, in force from 15.06.2011suppl. – SG 70/13, in force from 24.12.2013, revoked – SG 88/16)

§ 1c. (new - SG 43/11, in force from 15.06.2011, revoked – SG 88/16)

Transitional and concluding provisions

§ 2. (1) The National Employment Agency with the Minister of Labour and Social Policy, as established by this Act, is a legal successor of the National Employment Office and shall take over the assets and liabilities of the national Employment Office.

(2) The legal terms of employment with the workers and employees of the National Employment Office shall be settled under the conditions and by the order of art. 123 of the Labour Code.

§ 3. (amend. - SG 33/06) The financial control over the activity of the National Employment Agency shall be exercised by the Audit Office and by the bodies of the Agency for State Financial Inspection.

§ 4. The National Institute of Statistics shall carry out monitoring of the households for the employment and unemployment of the manpower by a methodology approved jointly with the Minister of Labour and Social Policy.

§ 5. This Act revokes art. 1 - 24, art. 48 - 115, the additional provisions and the transitional and concluding provisions of the Law for protection against unemployment and encouraging the employment.

§ 6. (1) The issued certificates for carrying out mediation activity related to providing information and placement pursuant to the Ordinance for the conditions and the order of carrying out mediation activity on providing information and placement adopted by Decree No 103 of the Council of Ministers of 1998 shall retain their term of validity.

(2) Upon expiration of the term of validity of the certificates under para 1 the individuals and the legal entities shall file application by the order of this Act.

(3) The individuals and the legal entities who have obtained permit for carrying out mediation activity on providing information and placement pursuant to the Ordinance for the conditions and the order of carrying out mediation activity on providing information and placement adopted by Decree No 103 of the Council of Ministers of 1998 shall be obliged to bring their activity in compliance with this Act within 3 months from its enactment.

§ 7. The following amendments are introduced to the Foreigners in the Republic of Bulgaria Act (prom., SG 153/98; amend. and suppl., SG 70/99 and SG 42/01):

1. In art. 24, para 1:

a) item 1 is amended as follows:

"1. wish to work under legal terms of employment upon permit by the bodies of the Ministry of Labour and Social Policy;"

b) item 15 is amended as follows:

"15. wish to carry out free-lance practice upon permit by the bodies of the Ministry of Labour and Social Policy in compliance with art. 24a;"

c) item 16 is created:

"16. wish to carry out non-profit activity upon permit of the Ministry of Justice under conditions and by an order determined by an ordinance of the Minister of Justice, in coordination with the Minister of Interior."

2. Art. 24a is amended as follows:

Art. 24a. (1) A foreigner who wishes to stay continuously on the territory of the Republic of Bulgaria with the purpose of carrying out free-lance activity can obtain a visa or a permit for continuous stay if he meets the legally established requirements for entry and stay in the country, presenting to the diplomatic and consular representations, respectively to the offices for administrative control of the foreigners, the following documents:

1. application in a form;

2. permit for carrying out free-lance activity.

(2) The permits for carrying out free-lance activity shall be issued by the bodies of the Ministry of Labour and Social Policy.

(3) The conditions and the order of issuance, refusal and revoking permit for carrying out free-lance activity by foreigners shall be determined by an ordinance to be issued by the Minister of Labour and Social Policy in coordination with the Minister of Interior and the Minister of Finance.

(4) Not issued shall be visa for continuous stay for the purpose of carrying out free-lance practice to a foreigner in the cases under art. 24, para 1, item 1 - 13 and 16.

(5) Foreigners who meet the legally established requirements for carrying out the respective free-lance activity shall be released from the requirement for issuance of permit if this is stipulated by an international agreement party to which is the Republic of Bulgaria."

3. In art. 48a, para 1 after the words "does not fulfil his obligations for" is added "art. 24a or".

4. In art. 53, para 1, after the words "and in the cases under" is added "art. 24a and under".

5. In § 1 of the additional provisions item 9 is amended as follows:

"9. "Free-lance activity" is every economic activity, with exception of the activities under art. 24a, para 1, item 2 and 11 carried out in personal quality without commitment to an employer."

§ 7a. (new – SG 49/10, in force from 01.07.2010; amend. – SG 43/11, in force from 15.06.2011; amend. – SG 07/12) For the period by 31 December 2012 for the implementation of the employment promotion programmes and measures, instead of funds under Art. 30a, Para 1, Item 6, shall be provided funds, intended for remuneration for the first, second and third working day of the temporary work inability amounting to 70 percent of the average daily gross employment salary for the month, in which the temporary work inability has occurred, but not less than 70 percent of the average daily negotiated salary.

§ 8. (1) The Council of Ministers shall adopt Rules for implementation of this Act within 6 months from its enactment.

(2) The statutory instruments for the implementation of the provisions of the Law for protection against unemployment and encouraging of the employment revoked by § 5 shall retain their validity inasmuch as they do not contradict this Act.

§ 9. The law shall enter into force on January 1, 2002.

The law was adopted by the 39th National Assembly on December 20, 2001 and was affixed with the official seal of the National Assembly.

**Transitional and concluding provisions
TO THE LAW FOR AMENDING AND SUPPLEMENTING OF THE LAW OF
ENCOURAGEMENT OF EMPLOYMENT**

(PROM. – SG 18/06)

§ 22. The provisions of § 2, § 4, item 1 and item 2, letter "a" and § 17 shall come into force from the date the Treaty of Accession of the Republic of Bulgaria to the European Union comes into force.

**Transitional and concluding provisions
TO THE ADMINISTRATIVE PROCEDURE CODE**

(PROM. – SG 30/06, IN FORCE FROM 12.07.2006)

§ 86. In the Law of encouragement of employment (prom. - SG 112/01, amend. - SG 54 and 120/02; 26, 86 and 114/03; 52 and 81/04; 27 and 38/05; 18/06) the words "Law of the administrative procedure" shall be replaced by "Administrative procedure code".

.....

§ 142. The code shall enter into force three months after its promulgation in State Gazette, with the exception of:

1. division three, § 2, item 1 and § 2, item 2 – with regards to the repeal of chapter third, section II "Appeal by court order", § 9, item 1 and 2, § 15 and § 44, item 1 and 2, § 51, item 1, § 53, item 1, § 61, item 1, § 66, item 3, § 76, items 1 – 3, § 78, § 79, § 83, item 1, § 84, item 1 and 2, § 89, items 1 - 4 § 101, item 1, § 102, item 1, § 107, § 117, items 1 and 2, § 125, § 128, items 1 and 2, § 132, item 2 and § 136, item 1, as well as § 34, § 35, item 2, § 43, item 2, § 62, item 1, § 66, items 2 and 4, § 97, item 2 and § 125, item 1 – with regard to the replacement of the word "the regional" with the "administrative" and the replacement of the word "the Sofia City Court" with "the Administrative court - Sofia", which shall enter into force from the 1st of May 2007;

2. paragraph 120, which shall enter into force from the 1st of January 2007;

3. paragraph 3, which shall enter into force from the day of the promulgation of the code in State Gazette.

Transitional and concluding provisions

TO THE LAW ON AMENDMENT AND SUPPLEMENTING OF THE LABOUR CODE

(PROM. – SG 48/06, IN FORCE FROM 01.07.2006)

§ 48. The law shall enter into force from 1 July 2006 except § 47, item 6 which shall enter into force from the date of entering into force of the Treaty of Accession of the Republic of Bulgaria to the European Union.

Transitional and concluding provisions

TO THE LAW ON AMENDMENT AND SUPPLEMENTATION OF THE LAW OF DEFENCE AND ARMED FORCES OF THE REPUBLIC OF BULGARIA

(PROM. – SG 46/07, IN FORCE FROM 01.01.2008)

§ 77. The law shall enter into force from 1 January 2008, except for:

1. Paragraph 1, § 2, т. 1, § 4, item 1, letter "a" and item 2, § 5, 13, 15, 32, 33, 34, 35, 36, 37, § 38, item 1, letter "a" and item 2, § 40, 43, 44, 46, 55, 59 and 75, which shall enter into force three days after its promulgation in State Gazette.

2. Paragraph 2, item 2, § 3, § 4, item 1, letter "b", § 6, 7, 60, 61 (with regards to the words "and 309b") and 63, which shall enter into force 6 months after its promulgation in State Gazette.

Transitional and concluding provisions

**TO THE LAW ON AMENDMENT AND SUPPLEMENTATION OF THE LAW OF
ENCOURAGEMENT OF EMPLOYMENT**

(PROM. – SG 26/08)

§ 70. The provisions of this law shall not restrict the application of the Operative Program "Development of Human Resources".

§ 71. Until the determination by the Council of Ministers of the state institutions, having their representatives in the National Council for Encouragement of Employment, the present members of the National Council for Encouragement of Employment, nominated by the Council of Ministers, shall keep their rights.

§ 72. The Ordinance for the conditions and the procedure of financing of training for acquisition of a professional qualification and of motivating training, arranged by the National Employment Agency (SG 24/02) shall keep its validity until the regulations for the application of this law get brought in compliance with this law.

Transitional and concluding provisions

TO THE LAW ON AMENDMENT AND SUPPLEMENTATION OF THE LAW ON HEALTH

(PROM. – SG 41/09, IN FORCE FROM 02.06.2009)

§ 96. This Law shall enter into force from the day of its promulgation in the State Gazette except:

1. paragraphs 3, 5, 6 and 9, which shall enter into force from 1 January 2009;
2. paragraphs 26, 36, 38, 40, 41, 42, 43, 4, 65, 66, 69, 70, 73, 77, 78, 79, 80, 81, 82, 83, 88, 89 and 90, which shall enter into force from 1 July 2009;
3. paragraph 21, which shall enter into force from 1 June 2010.

Concluding provisions

**TO THE LAW ON AMENDMENT AND SUPPLEMENTATION OF THE LAW ON THE
VOCATIONAL EDUCATION AND TRAINING**

(PROM. – SG 74/09, IN FORCE FROM 15.09.2009)

.....

§ 36. Everywhere in the Law on Encouragement of Employment (prom. – SG 112/01; amend. – SG 54 and 120/02, SG 26, 86 and 114/03, SG 52 and 81/04, SG 27 and 38/05, SG 18, 30, 33 and 48/06, SG 46/07, SG 26, 89 and 109/08, SG 10, 32 and 41/09) the words "Minister of Education and Science" and "the Minister of Education and Science" shall be replaced respectively with "Minister of Education, Youth and Science" and "the Minister of Education, Youth and Science".

.....

§ 48. This Law shall enter into force from the day of its promulgation in the State

Gazette, except § 1, which shall enter into force from 15 September 2009, and § 47, which shall enter into force from 1 October 2009.

Concluding provisions

TO THE LAW ON AMENDMENT AND SUPPLEMENTATION OF THE CODE OF SOCIAL INSURANCE

(PROM. – SG 49/10, IN FORCE FROM 01.07.2010)

§ 10. This Law shall enter into force from 1 July 2010.

Transitional and concluding provisions

TO THE LAW ON AMENDMENT AND SUPPLEMENTATION OF THE EMPLOYMENT PROMOTION ACT

(PROM. - SG 43/11, IN FORCE FROM 15.06.2011)

§ 17. (1) State Enterprise Bulgarian-German Vocational Training Centre shall be the legal successor of the Bulgarian-German Vocational Training Centres in Pazardzhik, Pleven and Stara Zagora, established by Decree No 255 of the Council of Ministers from 2001 on transformation of state vocational schools with German participation in Bulgarian-German Vocational Training Centres (prom. – SG 97/01; amend. – 78/05, SG 101/07 and SG 93/09), Bulgarian-German Vocational Training Centre - Smolyan, established by Decree No 283 of the Council of Ministers from 2007 (SG 101/07), and the Bulgarian-German Vocational Training Centre - Tsarevo, established by Decree No 30 of the Council of Ministers from 2009 (SG 14/09) – legal persons pursuant to Art. 60 of the Administration Act and second-level budget spending units with the Minister of Labour and Social Policy and shall also undertake the rights, obligations, legal relations, property, assets and liabilities under the balance sheet thereof by the date of entry into force of this Act.

(2) The employment legal relations with the directors and workers and employees at the centres mentioned in para 1 shall be settled according to the terms and procedures set out in Art. 123 of the Labour Code.

.....

§ 21. This Act shall enter into force from June 15, 2011, except for § 5, which shall enter into force from July 1, 2011, and § 16, which shall enter into force from January 1, 2011.

Transitional and concluding provisions

TO THE LAW ON AMENDMENT AND SUPPLEMENTATION OF THE LABOUR CODE

(PROM. - SG 07/12)

§ 31. Paragraph 5 and § 30, Item 1, Items 6 – 10, 12 and 14 shall enter into force from 5 December 2011.

**Transitional and concluding provisions
TO THE PUBLIC FINANCE ACT**

(PROM. SG 15/13, IN FORCE FROM 01.01.2014)

§ 123. This Act shall enter into force on 1 January 2014 with the exception of § 115, which enters into force on January 1, 2013, and § 18, § 114, § 120, § 121 and § 122, which came into force on 1 February in 2013.

**Concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE YOUTH ACT**

(PROM. SG 68/13, IN FORCE FROM 02.08.2013)

§ 39. In the Law for encouragement of employment (prom. SG 112/01; amend. SG 54 and 120/02; SG 26, 86 and 114/03; SG 52 and 81/04; SG 27 and 38/05; SG 18, 30, 33 and 48/06; SG 46/07; SG 26, 89 and 109/08; SG 10, 32, 41 and 74/09; SG 49, 59, 85 and 100/10; SG 9 and 43/11; SG 7/23 and SG 15/13) everywhere the words "Minister of Education, Youth and Science", "Deputy Minister of Education, Youth and Science" and "Ministry of Education, Youth and Science" shall be replaced respectively with "Minister of Education and Science", "Deputy Minister of Education and Science" and "Ministry of Education and Science".

.....

§ 55. The Act shall enter into force from the day of its promulgation of State Gazette.

**Concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE EMPLOYMENT PROMOTION
ACT**

(PROM. SG 79/13)

§ 25. (1) Paragraph 14, § 20, item 2 and 3, § 20, item 2 and 3, § 21, item 1, 3, 4 and 7, § 22 and 23 shall enter into force from 24 December 2013.

(2) Paragraph 21, item 6, 8, item 9, item "b", item 10, item "a" and item 11 shall enter into force from the date of entering into force of the European Union Council the Decision on the full application by the Republic of Bulgaria of Schengen laws.

**Transitional and concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE EMPLOYMENT PROMOTION
ACT**

(PROM. SG 54/14)

§ 13. Within three months after entering of this act into force, the Council of Ministers shall adopt necessary amendments and supplementation in the Ordinance on the terms and conditions and the procedure of carrying out of employment intermediation activity (prom. SG 49/03, amend. SG 52/06, SG 22/10, Resolution No. 12614 of the Supreme Administrative Court of 2010 – SG 88/10, amend. SG 50/11 and SG 83/13).

§ 14. Certificates issued prior to entering of this act into force shall remain valid over the entire term for which they are issued.

§ 15. The Employment Agency shall renew the issued certificates for carrying out employment intermediation activity based on a written application by the registered persons, filed within three months prior to expiration of their validity.

§ 16. The initiated registration procedures shall be finalized following the provisions of this act.

§ 17. Paragraph 3, item 2 and § 11 shall enter into force within three months after entering of this act into force.

Concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE LABOUR CODE

(AMEND. – SG 54/2015, IN FORCE FROM 17.07.2015)

§ 30. This Act shall enter into force from the day of promulgation in the State Gazette.

Transitional and concluding provisions

TO THE PRE-SCHOOL AND SCHOOL EDUCATION ACT

(PROM. - SG 79/15, IN FORCE FROM 01.08.2016)

§ 60. This Act shall enter into force from 1st August 2016, with the exception of:

1. Art. 22, para. 2 it. 3, 4 and 13 and para. 3, Chapter Six, Sections I, II and III and § 58, which shall enter into force one month after the promulgation of the Act in the "State Gazette"
2. Chapter Seven, which shall enter into force two months after the promulgation of the Act in the "State Gazette"
3. Chapter Sixteen, which shall enter into force on January 1, 2017;
4. § 46 it. 1, letter "a", which shall enter into force on August 1, 2022.

Transitional and concluding provisions

TO THE ACT, AMENDING AND SUPPLEMENTING THE ACT ON EMPLOYMENT ENCOURAGEMENT

(PUBL. – SG, 101/2015)

§. 48. the contracts, signed under the repealed Art. 36b, Art. 42, Para. 1 and Art. 42a, Art. 45 and Art. 52, Para. 2, Art. 53 and Art. 55b shall keep their force by the expiry of their term.

§. 49 The contracts, signed under Art. 51 and Art. 55a by the enforcement of this act shall keep their force by the expiry of their term.

§. 50 The provision of Art. 51 shall apply for the term of action of regulation (EU) N 651/2014 and for the terms of action of the Regulations, which amend, supplement or repeal it.

**Transitional and concluding provisions
TO THE INSURANCE CODE**

(PROM. SG 102/15, IN FORCE FROM 01.01.2016)

§ 50. (1) This Code shall enter into force on 1 January 2016, with exception of Art. 574, para. 8, which shall come into force on July 1, 2016.

(2) Until 1 July 2016 the exchange of data under Art. 574, para. 3-7 shall be carried out weekly and at the each first working day of the week:

1. The Ministry of Interior and the Executive Agency "Automobile Administration" shall provide the actual data by the Art. 574, para. 3 and 4 to the Information Center;

2. The Information Center shall provide to the Ministry of Interior and the Executive Agency "Automobile Administration" actual data by the Art. 574, para. 5-7.

**Transitional and concluding provisions
TO THE LABOUR MIGRATION AND LABOUR MOBILITY ACT**

(PROM. - SG 30/16, IN FORCE FROM 12.05.2016)

§ 8. This Act shall come into force on 21 of May 2016 with the exception of Section VIII of Chapter Two, which shall come into force on 1 of January 2017.

**Transitional and concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE VOCATIONAL EDUCATION AND
TRAINING ACT**

(PROM. - SG 59 OF 2016, IN FORCE FROM 01.08.2016)

§ 86. This Act shall enter into force on August 1, 2016.

**Transitional and concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE ACT ON LIMITATION OF THE
ADMINISTRATIVE REGULATION AND THE ADMINISTRATIVE CONTROL OVER THE
BUSINESS ACTIVITY**

(PROM. - SG 103/17, IN FORCE FROM 01.01.2018)

§ 68. The Act shall enter into force on 01 January 2018.

**Concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE LABOUR MIGRATION AND**

LABOUR MOBILITY ACT

(PROM. - SG 24/18, IN FORCE FROM 23.05.2018)

§ 55. The Act shall enter into force on 23 May 2018.

Concluding provisions

TO THE ACT ON ENTERPRISES OF THE SOCIAL AND SOLIDARITY ECONOMY

(PROM. - SG 91/18, IN FORCE FROM 03.05.2019)

§ 8. The Act shall enter into force six months after its promulgation in the State Gazette, with the exception of § 7, which shall enter into force on the day of its promulgation.

Transitional and concluding provisions

TO THE SOCIAL SERVICES ACT

(PROM. - SG 24/19, IN FORCE FROM 01.07.2020, AMEND. REGARDING THE ENTRY INTO FORCE – SG 101/19)

§ 41. (1) The provisions of the Health Act, the Health Insurance Act, the Employment Promotion Act, the Legal Aid Act, the Local Taxes and Fees Act, the Veterinary Practice Act, the Bulgarian Personal Documents Act, the Civil Registration Act and the Environmental Protection Act applicable to social and integrated health and social services for residential care, to their managers and the persons who use them, shall apply respectively to the homes for children deprived of parental care, their directors and the persons accommodated therein until the closure of these homes.

(2) The provisions of the Health Act, the Health Insurance Act, the Legal Aid Act, the Employment Promotion Act, the Veterinary Practice Act, Employment Promotion Act, the War Disabled and War Injured Persons Act, the People with Disabilities Act and Local Taxes and Fees Act applicable to social and integrated health and social services for residential care and to and the persons who use them shall apply respectively to homes for mentally retarded adults, homes for adults with mental disorders, homes for adults with physical disabilities, homes for adults with sensory disorders and homes for adults with dementia and for the persons accommodated in them, until the closure of these homes.

(3) Until the closure of homes for medical and social care for children, Art. 124, para. 2 of the Health Act applies to children accommodated in these homes.

(4) Up to the closure of homes for children deprived of parental care and of homes for medical and social care for children, Art. 8e, para. 6 of the Family Allowances for Children Act, Art. 22c, para. 2, item 3 and Art. 22d, para. 2, item 3 of the Income Taxes on Natural Persons Act shall apply to the placement of children in these homes.

(5) The provisions of the Income Taxes on Natural Persons Act and the Corporate Income Taxation Act applicable to donations in favor of social and integrated health and social services for residential care shall apply respectively to donations to homes for children deprived of parental care, homes for mentally retarded adults, homes for adults with mental disorders, homes for adults with physical disabilities, homes for adults with sensory disorders and homes for adults with dementia until the closure of these homes.

§ 45. (Amend. - SG 101/19) This Act shall enter into force on July 1st, 2020, with the exception of:

1. paragraph 6, item 5, letter "a", § 7, item 2, letters "a" and "b", item 3, item 6, letter "a", items 9 and 10; § 18, item 2 in the section on "medical-social care homes for children under the Medical Establishments Act" and § 20, item 2 in the section concerning the deletion of the words "and the homes for medical and social care for children", and item 5, letter "c", which shall enter into force on January 1st, 2021;

2. paragraph 3, item 4, letter "f", "g" and "h" and § 28, item 1, letter "a", items 2 and 5, which shall enter into force on January 1st, 2019.

3. Art. 22, Para. 4, Art. 40, Art. 109, Para. 1, Art. 124, Art. 161, Para. 2, § 3, item 6, § 30, 36, 37 and 43, which shall enter into force on the day of the promulgation of this Act in the State Gazette.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE REGIONAL DEVELOPMENT ACT

(PROM. - SG 21/20, IN FORCE FROM 13.03.2020)

§ 56. The Act shall enter into force on the day of its promulgation in the State Gazette.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE FOREIGNERS IN THE REPUBLIC OF BULGARIA ACT

(PROM. - SG 21/21)

§ 38. (1) Paragraph 1 shall apply after the entry into force of a Council Decision on the implementation in the Republic of Bulgaria and Romania of the remaining provisions of the Schengen acquis relating to the Schengen Information System.

(2) Paragraphs 8 - 12, 15 - 22, 28, 31, § 34, item 1, letters "a" and "b", § 35 and 36 shall enter into force on 1 June 2021.

(3) Paragraph 33, item 7 shall enter into force on 1 February 2020.

Appendix No 1 to Art. 74g, Para 1

(new – SG 07/12, in force fro 05.12.2011, amend. – SG, 101/2015, amend. - SG 88/16, amend. - SG 97/17, amend. - SG 17/19)

Ent. No TO

THE EMPLOYMENT AGENCY

3, DONDUKOV BLVD.

SOFIA

APPLICATION FOR REGISTRATION OF AN UNDERTAKING PROVIDING TEMPORARY EMPLOYMENT		
1.	By: <i>(natural person, legal person according to commercial registration)</i>
2.	Represented by: <i>(full name)</i>
3.	Commercial registration: <i>(unified identity code)</i>

4.	Seat and address of management: (according to the commercial registration)	City. municipality..... region..... str./distr № bl. fl. aptm.
5.	Address and phone for contact: Fax: e-mail:	city. Region/Municipality str./distr № bl. fl. aptm.
6.		
7.	BULSTAT: (of persons	

	registered under the Bulgarian legislation)	
8.	Address of the office/offices of carrying out temporary employment activities	city. municipality..... region..... str./distr. № bl. fl. apt. phone/fax
9.	Enclosed documents ¹	00 certified copies of the insurance or bank documents referred to in Art. 74f, Para 2, Item 7 00 a certified copy of the regulations referred to in Art. 74f, Para 2, Item 8 00 other documents according to the legislation of the country of registration
10.	Way of receiving the individual administrative act ²	0 Through licensed post address:, I declare that the post costs shall be at my expense, payable at receiving (for internal post packages) and I agree the documents to be transferred for official purposes.

		<p>The individual administrative act to be sent as:</p> <p><input type="checkbox"/> internal courier package</p> <p><input type="checkbox"/> internal registered courier package</p> <p><input type="checkbox"/> international registered post after prepayment of the price of postal services</p> <p><input type="checkbox"/> delivered by hand</p> <p><input type="checkbox"/> delivered electronically</p>
11.	Applicant:	<p>.....</p> <p style="text-align: center;"><i>(name, signature, stamp)</i></p>
12.	Date:	<p>.....</p> <p style="text-align: center;"><i>(name, signature, stamp)</i></p>

¹ Mark with "X" the documents you enclosed.

² Mark with "X" the chosen option.

³ The service will be available after it is registered as an electronic administrative service under the Electronic Government Act

Appendix No 2 to Art. 74j, Para. 2

(new – SG 07/12, in force from 05.12.2011)

REPUBLIC OF BULGARIA

MINISTRY OF LABOUR AND SOCIAL POLICY

CERTIFICATE

Pursuant to Art. 74f, Para 1 in relation to Art. 74j, Para 1 of the Law on the Encouragement of Employment (SG of

I HEREBY REGSITER

wtih No of (year)

.....
seated in the city of

.....
address of management: str. (distr.) No

.....
bl. ent. ap.

UIC No /BULSTAT
.....

to act as an undertaking providing temporary employment.

The registration is valid by (year)

MINISTER:

OR AUTHORISED

OFFICIAL:

(signature, stamp)

Relevant Acts of the European Legislation

Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation

First Council Directive of 9 March 1968 on co-ordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, with a view to making such safeguards equivalent throughout the Community

Council Directive 73/148/EEC of 21 May 1973 on the abolition of restrictions on movement and residence within the Community for nationals of Member States with regard to establishment and the provision of services

Council Directive of 23 November 1976 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs

Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions

Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services

Council Regulation (EC) No 1606/98 of 29 June 1998 amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 with a view to extending them to cover special schemes for civil servants

Council Regulation (EEC) No 2434/92 of 27 July 1992 amending Part II of Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community

Regulation (EEC) No 574/72 of the Council of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community

Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community

Council Decision of 24 January 2000 establishing the Employment Committee

Council Decision of 23 February 1998 on Community activities concerning analysis, research and cooperation in the field of employment and the labour market

Council Decision of 20 December 1996 setting up an Employment and Labour Market Committee

Council Decision of 16 December 1996 on monitoring the implementation of instruments adopted by the Council concerning illegal immigration, readmission, the unlawful employment of third country nationals and cooperation in the implementation of expulsion orders

COMMISSION DECISION of 22.10.1993 declaring a concentration to be compatible with the common market (Case No IV/M.376 - SYNTHOMER / YULE CATTO) according to Council Regulation (EEC) No 4064/89 (93/569/EEC)

Council Decision of 20 January 1975 amending Decision No 70/532/EEC setting up the Standing Committee on Employment in the European Communities

Council Decision 70/532/EEC of 14 December 1970 setting up the Standing Committee on Employment in the European Communities