

Postal Services Act

Promulgated, State Gazette No. 64/4.08.2000, effective 1.08.2000, amended and supplemented, SG No. 112/29.12.2001, effective 5.02.2002, amended, SG No. 45/30.04.2002, amended and supplemented, SG No. 76/6.08.2002, SG No. 26/21.03.2003, effective 1.01.2003, amended, SG No. 19/1.03.2005, amended and supplemented, SG No. 88/4.11.2005, amended, SG No. 99/9.12.2005, effective 10.06.2006, SG No. 105/29.12.2005, effective 1.01.2006, SG No. 34/25.04.2006, effective 1.01.2008 (*)(**), amended and supplemented, SG No. 37/5.05.2006, effective 5.05.2006, amended, SG No. 86/24.10.2006, effective as from the date of entry into force of the Treaty concerning the Accession of the Republic of Bulgaria to the European Union - 1.01.2007, SG No. 41/22.05.2007, supplemented, SG No. 109/20.12.2007, effective 1.01.2008, amended and supplemented, SG No. 109/23.12.2008, amended, SG No. 35/12.05.2009, effective 12.05.2009, amended and supplemented, SG No. 87/3.11.2009, effective 3.11.2009, amended, SG No. 93/24.11.2009, effective 25.12.2009, supplemented, SG No. 101/28.12.2010, effective 30.06.2011, amended and supplemented, SG No. 102/30.12.2010, effective 30.12.2010, SG No. 105/29.12.2011, effective 29.12.2011, amended, SG No. 38/18.05.2012, effective 1.07.2012, SG No. 61/25.07.2014, effective 25.07.2014, SG No. 81/14.10.2016, effective 1.01.2017, SG No. 95/29.11.2016, supplemented, SG No. 97/5.12.2017, effective 1.01.2018, amended, SG No. 77/18.09.2018, effective 1.01.2019, amended and supplemented, SG No. 53/5.07.2019, amended, SG No. 100/20.12.2019, effective 1.01.2020, SG No. 31/19.04.2022, SG No. 66/1.08.2023, effective 5.08.2023, amended and supplemented, SG No. 84/6.10.2023, amended, SG No. 79/17.09.2024, amended and supplemented, SG No. 49/17.06.2025

*Note: An update of the English text of this Act is being prepared following the amendments in SG No. 81/3.10.2025, effective 7.10.2025

(*) effective 1.07.2007 - amended, SG No. 80/3.10.2006, effective 3.10.2006

(**) effective 1.01.2008 - amended, SG No. 53/30.06.2007, effective 30.06.2007

Text in Bulgarian: Закон за пощенските услуги

Chapter One GENERAL PROVISIONS

Article 1. This Act regulates the social relations regarding the performance of postal services in the Republic of Bulgaria.

Article 2. This Act shall provide conditions for:

1. satisfaction of the public needs of postal services;
2. (amended, SG No. 87/2009, effective 3.11.2009) ensuring the performance of the universal postal service throughout the national territory at affordable prices and of specified quality;
3. (supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) functioning of a competitive postal services market;
4. protection of the interests of users;
5. (new, SG No. 37/2006) guaranteeing the security of postal items.

Article 3. (1) (Previous text of Article 3, SG No. 53/2019) Postal services shall comprehend:

1. (amended, SG No. 26/2003) clearance, transport and distribution of postal items;
2. (amended, SG No. 37/2006, SG No. 41/22.05.2007, SG No. 102/2010, effective 30.12.2010, SG No. 53/2019) hybrid post;
3. postal money orders;
4. express mail services.

(2) (New, SG No. 53/2019) Additional services may also be added to the postal services under Paragraph 1, items 1, 3 and 4, such as: registered items, insured items, cash-on-delivery, advice of delivery and other.

(3) (New, SG No. 53/2019) The postal services under Paragraph 1 and the additional services under Paragraph 2 may be domestic and cross-border.

Article 4. (Supplemented, SG No. 112/2001, amended, SG No. 53/2019) Postal services shall be:

1. universal postal service;
2. services within the scope of the universal postal service;
3. non-universal postal services.

Article 5. (Amended, SG No. 87/2009, effective 3.11.2009) (1) (Amended, SG No. 102/2010, effective 30.12.2010) Postal services shall be performed by means of postal networks, which may include fixed and/or mobile post offices, sub-post offices and outreach post office service points, exchange and sorting centres and units, means of transport and technical equipment.

(2) The units and means of the postal networks shall be organisationally and technologically connected for the purpose of clearing, transporting and distributing postal items and handling of postal money orders.

Article 6. (1) Postal items shall contain objects of physical properties and technical parameters enabling the transport thereof through a postal network.

(2) (Supplemented, SG No. 26/2003, amended, SG No. 87/2009, supplemented, SG No. 102/2010, effective 30.12.2010, amended, SG No. 53/2019) The postal items referred to in Paragraph (1) shall comprehend items of correspondence, printed papers, direct mail, small packets, items for the blind (cecogrammes), as well as postal parcels containing merchandise with or without commercial value.

(3) (New, SG No. 53/2019) Postal items and postal parcels covered under Article 1 herein shall be delivered: into the letter boxes of the addressees as placed at the destination address; at the post offices; at other access points to the postal network; at places or facilities agreed between the postal operators and the users.

(4) (New, SG No. 53/2019) The conditions for distribution of postal items referred to in Paragraph (1) shall be determined by common rules prepared by the Communications Regulation Commission.

(5) (New, SG No. 53/2019) For the performance of delivery of unregistered postal items, the addressees shall place letter boxes at appropriate and accessible places at the destination address.

(6) (New, SG No. 53/2019) The rights related to a postal item shall rest with the sender until its delivery to the addressee.

Article 7. (Amended, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009, supplemented, SG No. 102/2010, effective 30.12.2010, repealed, SG No. 53/2019).

Article 8. The following shall not be postal services within the meaning given by this Act:

1. (amended, SG No. 37/2006) the transport and distribution of own items performed independently by a person between the offices, subsidiaries or divisions thereof, without using a postal network;

2. (amended, SG No. 37/2006) the transport of own items from a person and the distribution of the said items to another person, such as summonses, call-up orders and other such, without using a postal network;

3. the distribution of newspapers and periodicals which do not have the final form of postal items within the meaning of Item 6 of § 1 of the Supplementary Provisions herein and/or no postal network is used for the distribution thereof.

Chapter Two

STATE POLICY AND REGULATION IN THE FIELD OF POSTAL SERVICES

**(Title amended, 109/2008, SG No. 87/2009, effective
3.11.2009, SG No. 102/2010, effective 30.12.2010)**

Section I

(New, SG No. 37/2006)

State Policy in the Field of Postal Services

**(Title amended, SG No. 109/2008, SG No. 87/2009, effective
3.11.2009, SG No. 102/2010, effective 30.12.2010)**

Article 9. (Amended, SG No. 112/2001, SG No. 88/2005, SG No. 37/2006, SG No. 109/2008, SG No. 87/2009, repealed, SG No. 102/2010, effective 30.12.2010).

Article 9a. (New, SG No. 87/2009, effective 3.11.2009) (1) (Amended, SG No. 53/2019, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) Acting on a motion by the Minister of Transport and Communications, the Council of Ministers shall adopt by an ordinance the Postal Sector Policy. The decision on the adoption of the Postal Sector Policy and the Postal Sector Policy shall be promulgated in the State Gazette.

(2) (Amended, SG No. 53/2019) The Postal Sector Policy shall be updated in case significant changes occur in the legislation of the European Union in the area of postal services and/or in Acts of the Universal Postal Union, and, in case of a need arising from changes in the social relations concerning the delivery of postal services.

Article 10. (Amended, SG No. 112/2001, redesignated from Article 10, supplemented, SG No. 26/2003, amended, SG No. 88/2005, SG No. 37/2006, SG No. 109/2008, SG No. 87/2009, effective 3.11.2009, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) The state policy in the field of postal services shall be implemented by the Minister of Transport and Communications.

Article 11. (Amended, SG No. 45/2002, SG No. 26/2003, SG No. 88/2005, amended and supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009, SG No. 93/2009, effective 25.12.2009, SG No. 81/2016, effective 1.01.2017) The clearance, transport and distribution of correspondence and/or materials, containing classified information within the

meaning of the Classified Information Protection Act, shall be performed by the State Commission on Information Security.

Article 12. (Amended, SG No. 26/2003, SG No. 35/2009, effective 12.05.2009) (1) (Amended, SG No. 19/2005, SG No. 88/2005, SG No. 87/2009, effective 3.11.2009, SG No. 31/2022) The Minister of Transport and Communications, in consultation with the competent authorities, shall establish the terms and procedure for use of the postal networks and performance of postal services in the event of disasters and upon declaration of a state of martial law, a state of war, or a state of emergency within the meaning given by the Defence and Armed Forces of the Republic of Bulgaria Act.

(2) (Amended, SG No. 19/2005) The postal operators shall render assistance for ensuring postal services in the event of disasters and upon declaration of a state of martial law, a state of war, or a state of emergency within the meaning given by the Defence and Armed Forces of the Republic of Bulgaria Act.

(3) (Amended, SG No. 19/2005) The obligations of the postal operators, the requirements and the restrictions related to national security and defence, as well as in the event of disasters, shall be specified in the individual licences.

Article 13. (Amended, SG No. 112/2001, SG No. 88/2005, SG No. 109/2008, SG No. 87/2009, effective 3.11.2009, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) The Minister of Transport and Communications:

1. (amended, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) shall prepare and lay down before the Council of Ministers for approval a draft of the Postal Sector Policy;

2. (new, SG No. 87/2009, effective 3.11.2009, amended, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) shall draft and issue the statutory instruments of secondary legislation related to the implementation of the powers thereof provided for in this Act;

3. (amended, SG No. 109/2008, renumbered from Item 2, amended, SG No. 87/2009, effective 3.11.2009) shall represent the Republic of Bulgaria in the Universal Postal Union, as well as in the European and regional organisations and structures in the field of postal services;

4. (new, SG No. 87/2009, effective 3.11.2009) shall ensure the honouring of the obligations of the Republic of Bulgaria in the field of postal services, related to the membership thereof in the European Union and in international organisations;

5. (renumbered from Item 3, SG No. 87/2009, effective 3.11.2009) shall endorse an annual thematic plan for the issue of Bulgarian postage stamps;

6. (new, SG No. 87/2009, effective 3.11.2009) shall determine the composition of the Specialised Expert Council on Stamp Issue;

7. (new, SG No. 37/2006, amended, SG No. 109/2008, renumbered from Item 4, amended, SG No. 87/2009, effective 3.11.2009) shall implement activities related to:

(a) (amended, SG No. 87/2009, effective 3.11.2009, repealed, SG No. 53/2019);

(b) (amended, SG No. 102/2010, effective 30.12.2010) issuing and releasing for use of postage stamps, of postal stationery and of special souvenir cachets, as well as demonetising of postage stamps;

(c) (amended, SG No. 87/2009, effective 3.11.2009) organising and controlling the operation of the national stamp repository and the international exchange of postage stamps.

Article 13a. (New, SG No. 26/2003, amended, SG No. 88/2005, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) (1) (Amended, SG No. 102/2010, effective 30.12.2010, SG No. 53/2019, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) Prior to issuing the instruments referred to in Article 9a (1), Article 14 (2) and Article 76 herein or prior to laying any such

instruments before the Ministry of Transport and Communications, the Minister of Transport and Communications shall cause a notice of the drafts as prepared to be inserted in together with the text of the draft to be posted on the Internet site of the Ministry of Transport and Communications.

(2) The notice shall specify a time limit, not shorter than thirty days, within which stakeholders may submit written opinions on the draft.

(3) (Amended, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) The Minister of Transport and Communications shall examine the opinions and shall incorporate the accepted proposals.

(4) (Amended, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) The public consultation procedure shall be concluded by the posting on the Internet site of the Ministry of Transport and Communications of the proposals received, the places and texts wherein the accepted proposals have been incorporated, and the reasons for non-acceptance of the rest of the proposals.

Article 14. (Amended, SG No. 112/2001, SG No. 88/2005, SG No. 37/2006, amended, SG No. 109/2008, supplemented, SG No. 109/2008) (1) (Amended, SG No. 87/2009, effective 3.11.2009) Postal operators shall cooperate with the competent state bodies in ensuring the security of postal items. The postal operators shall build a security structure which shall be an integral part of the basic form of organisation thereof.

(2) (Amended, SG No. 109/2008, SG No. 87/2009, SG No. 93/2009, effective 25.12.2009, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) The requirements for postal security shall be established in an ordinance by the Minister of Transport and Communications, after consultation with the Chairperson of the State Agency for National Security.

Section II

(New, SG No. 37/2006)

Postal Services Regulation

Article 15. (Amended, SG No. 112/2001, SG No. 87/2009, effective 3.11.2009) (1) The Communications Regulation Commission shall regulate the performance of postal services in accordance with this Act and, to this end:

1. shall ensure conditions for performance of the universal postal service throughout the national territory;

2. shall ensure conditions for effective competition on the market of postal services and non-discrimination of postal operators;

3. (amended, SG No. 53/2019) issue, modify, supplement, suspend, terminate and withdraw licences in the cases provided for in this Act;

4. (amended, SG No. 102/2010, effective 30.12.2010) shall enter the persons in a public register of operators performing non-universal postal services under Items 1 to 3 of Article 38 herein and, upon request, shall issue a certificate of entry in the said register;

5. shall protect the interests of users of postal services;

6. (amended, SG No. 53/2019) shall set measures for protecting the confidentiality of correspondence;

7. (amended, SG No. 102/2010, effective 30.12.2010, SG No. 53/2019) shall set quality standards for the universal postal service standards, compatible with the effective Bulgarian and European standards, and shall ensure, for its own account, that compliance with the said

standards be measured annually by an independent body;

8. (amended, SG No. 102/2010, effective 30.12.2010, supplemented, SG No. 84/2023, amended, SG No. 49/2025) shall elaborate and maintain a postal code register, and shall also adopt a system for the formation of the postal codes of the network of the postal operator having an obligation to perform the universal postal service and of the other postal operators; the circumstances entered in the register, the terms and procedure for establishing, maintaining and using the register shall be determined by an ordinance of the Council of Ministers on a proposal by the Communications Regulation Commission;

9. (amended, SG No. 53/2019) may approach postal operators with reasoned written requests to provide information, including financial information, in the relevant volume, timeframe and details as shall be necessary for the performance of the regulatory functions of the Communications Regulation Commission, guaranteeing the safeguarding of the said information if it constitutes a trade secret of the operator; the reasoning to the requests shall specify the reasons and purposes for which the information is requested;

10. shall elaborate and adopt criteria for definition of applicability of exceptional geographical conditions of the areas in Bulgaria and the nucleated settlements therein;

11. (amended, SG No. 102/2010, effective 30.12.2010, supplemented, SG No. 53/2019) shall elaborate a methodology for calculating the net expenditure of performing the universal postal service and for defining criteria for unfair financial burden; the said methodology shall be adopted by the Council of Ministers on a motion by the Communications Regulation Commission;

12. (amended, SG No. 102/2010, effective 30.12.2010, SG No. 53/2019) shall elaborate standards for determination of the density of the access points to the postal network of the postal operator having an obligation to perform the universal postal service; the said standards shall be adopted by the Council of Ministers on a motion by the Communications Regulation Commission;

13. shall elaborate a methodology to determine the affordability of the universal postal service price; the said methodology shall be adopted by the Council of Ministers on a motion by the Communications Regulation Commission;

14. shall coordinate the price of the universal postal service allocated to services by type;

15. (supplemented, SG No. 53/2019) shall coordinate the cost accounting systems by which costs can be allocated to services by type, as presented by the postal operator having an obligation to perform the universal postal service; shall establish a procedure and time limits for coordination of the said systems; shall provide mandatory instructions for changes related to the cost accounting system; consults on the results received from the system;

16. (amended, SG No. 102/2010, effective 30.12.2010, SG No. 53/2019) shall propose to the Minister of Finance to include the amount of the funds for compensation for the unfair financial burden which the performance of the universal postal service represents in the draft of a State Budget of the Republic of Bulgaria Act for the next calendar year;

17. (amended, SG No. 102/2010, effective 30.12.2010, supplemented, SG No. 53/2019) shall give an opinion or mandatory instructions on disputes between users and postal operators on complaints lodged in connection with the performance of postal services;

18. shall coordinate the general terms and conditions of the contract with users as provided by the postal operators;

19. (supplemented, SG No. 102/2010, effective 30.12.2010, repealed, SG No. 53/2019);

20. (repealed, SG No. 53/2019);

21. (amended, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) shall provide, upon

reasoned written request by the Minister of Transport and Communications, information necessary for the implementation of the state policy in the field of postal services;

22. (new, SG No. 53/2019) shall give mandatory instructions to the postal operators for amendments and/or supplements to the general terms and conditions of the user contracts; the mandatory instructions shall be provided in line with the purposes under items 2 and 5;

23. (new, SG No. 53/2019) shall develop and adopt general rules on clearance, transport and delivery of postal items.

(2) (Amended, SG No. 102/2010, effective 30.12.2010, SG No. 77/2018, effective 1.01.2019) The decisions of the Communications Regulation Commission shall be individual, statutory or general administrative acts and shall be appealable according to the procedure established by the Administrative Procedure Code before the relevant Administrative Court.

(3) (New, SG No. 102/2010, effective 30.12.2010) The statutory administrative acts of the Communications Regulation Commission shall be promulgated in the Official Section of the State Gazette.

(4) (New, SG No. 53/2019) The Communications Regulation Commission shall be a national regulatory authority within the meaning of Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services (OJ, L 112/19 of May 2 2018), hereinafter referred to as "Regulation (EU) 2018/644".

(5) (New, SG No. 84/2023, amended, SG No. 49/2025) The Communications Regulation Commission shall be the supervisory authority with regard to the persons referred to in Article 4, item 7 of the Measures Against Money Laundering Act and in the Act on Measures Against the Financing of Terrorism and of Proliferation of Weapons of Mass Destruction. The Communications Regulatory Commission may enter into written agreements with the competent supervisory authorities of other countries for the purposes of cooperation in the field of measures against money laundering and measures against the financing of terrorism.

Article 15a. (New, SG No. 37/2006) (1) The Communications Regulation Commission shall control the observance of:

1. the statutory instruments in the field of postal services;
2. (amended, SG No. 87/2009, effective 3.11.2009) the requirements for the performance of the universal postal service according to this Act;
3. (repealed, SG No. 102/2010, effective 30.12.2010);
4. (amended, SG No. 87/2009, effective 3.11.2009) the conditions for exercise of the individual licences as issued;
5. (new, SG No. 87/2009, amended, SG No. 102/2010, effective 30.12.2010) the obligations of the operators performing non-universal services under Items 1 to 3 of Article 38 herein, according to this Act;
6. (renumbered from Item 5, SG No. 87/2009, effective 3.11.2009, amended, SG No. 53/2019) the quality-of-service standards in relation to the universal postal service;
7. (renumbered from Item 6, amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) the standards for determination of the density of the access points to the postal network of the operator having an obligation to perform the universal postal service;
8. (renumbered from Item 7, SG No. 87/2009, effective 3.11.2009) the requirements to ensure the confidentiality of correspondence.

(2) (Amended and supplemented, SG No. 87/2009, amended, SG No. 102/2010, effective 30.12.2010, SG No. 53/2019) The Communications Regulation Commission shall conduct annual reporting of the compliance with the quality-of-service standards in relation to the universal postal service on the basis of the results of the measurement referred to in Item 7 of Article 15 (1)

herein.

Article 15b. (New, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009) (1) Upon preparation of drafts of instruments provided for in this Act, as well as on other matters of public relevance to the development of postal services, the Communications Regulations Commission shall conduct a public consultation procedure by causing a notice of the draft as prepared and of the reasons for the preparation thereof to be inserted in a national daily newspaper and to be posted on the Internet site of the said Commission.

(2) The notice referred to in Paragraph (1) shall specify the place wherefrom stakeholders can obtain the draft and a time limit, which may not be shorter than thirty days after the publication, where within stakeholders may present written opinions on the said draft.

(3) The Communications Regulation Commission shall peruse the opinions and shall incorporate the accepted proposals.

(4) The public consultation procedure shall be concluded by the posting on the Internet site of the Commission of the proposals, the places and the texts wherein the accepted proposals have been incorporated, and the reasons for non-acceptance of the rest of the proposals.

Article 15c. (New, SG No. 87/2009, effective 3.11.2009) With a view to effectively performing the functions thereof arising from this Act, the Communications Regulation Commission shall implement interaction and coordination with the Commission on Protection of Competition, with the Commission on Consumer Protection and with the regulatory authorities of the Member States of the European Union.

Article 16. (Amended, SG No. 112/2001) The Communications Regulation Commission shall represent the Republic of Bulgaria in the international organisations of postal service regulators.

Article 16a. (New, SG No. 87/2009, supplemented, SG No. 102/2010, effective 30.12.2010) The Communications Regulation Commission shall inform the European Commission and the national regulatory authorities of the rest of the Member States of the European Union of the standards referred to in Item 7 of Article 15 (1) herein and of the criteria referred to in Item 10 of Article 15 (1) herein.

Article 17. (Amended, SG No. 112/2001, SG No. 26/2003) (1) (Amended, SG No. 112/2001, SG No. 26/2003, SG No. 37/2006) (1) Annually, not later than the end of the second quarter of the next succeeding year, the Communications Regulation Commission shall prepare and present to the National Assembly, to the President of the Republic of Bulgaria and to the Council of Ministers a report which shall mandatorily contain:

1. an analysis of the state of the universal postal service in accordance with the requirements of the law;

2. (amended, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) an analysis of compliance with the quality-of-service standards in relation to the universal postal service, including the results of the annual reporting of compliance with the standards according to Article 15a (2) herein, the complaints disaggregated by number and the manner in which the said complaints have been addressed;

3. (repealed, SG No. 87/2009, effective 3.11.2009);

4. an analysis of the market of postal services, prospects for development, state of competition in the field of postal services;

5. a report on execution of the control activity;

6. (new, SG No. 102/2010, effective 30.12.2010) an analysis of the measures to ensure postal security.

(3) (New, SG No. 102/2010, effective 30.12.2010) Once every five years after entrusting

the obligation to perform the universal postal service, the Communications Regulation Commission shall prepare a report regarding the fulfilment of the said obligation with a view to extending, modifying or cancelling the said obligation.

(3) (Amended, SG No. 87/2009, renumbered from Paragraph (2), amended, SG No. 102/2010, effective 30.12.2010) The Communications Regulation Commission shall publish reports referred to in Paragraphs (1) and (2) on the Internet site thereof.

Chapter Three

POSTAL OPERATORS

Section I

Postal Operators' Rights and Obligations and Protection of Users' Interests

(Heading supplemented, SG No. 37/2006)

Article 18. (1) (New, SG No. 53/2019, supplemented, SG No. 84/2023) Postal operators shall be legal persons or sole proprietors performing one or more postal services that have been registered according to the legislation of the Republic of Bulgaria, another Member State of the European Union or a State that is a party to the European Economic Area Agreement.

(2) (Previous text of Article 18, SG No. 53/2019) Postal operators shall operate under conditions of non-discrimination and transparency.

Article 19. (Amended, SG No. 112/2001, SG No. 26/2003, SG No. 37/2006, amended and supplemented, SG No. 87/2009, effective 3.11.2009, amended, SG No. 53/2019) Postal operators shall perform postal services on the grounds of:

1. issued individual licences;

2. a written notification submitted for performance of postal services referred to items 1 - 3 of Article 38.

Article 20. (1) Postal operators shall be obliged:

1. (new, SG No. 102/2010, effective 30.12.2010) to ensure inviolability of the postal items;

2. (amended, SG No. 37/2006, renumbered from Item 1, SG No. 102/2010, effective 30.12.2010) to safeguard the confidentiality of correspondence;

3. (amended, SG No. 26/2003, renumbered from Item 2, SG No. 102/2010, effective 30.12.2010) to fulfil the requirements for postal security;

4. (renumbered from Item 3, SG No. 102/2010, effective 30.12.2010) to cooperate in the implementation of postal services under the circumstances covered under Article 12 herein;

5. (amended, SG No. 26/2003, renumbered from Item 4, SG No. 102/2010, effective 30.12.2010) to comply with the requirements for protection of classified information;

6. (new, SG No. 87/2009, renumbered from Item 5, SG No. 102/2010, effective 30.12.2010) to comply with the requirements for personal data protection;

7. (amended, SG No. 76/2002, supplemented, SG No. 109/2007, effective 1.01.2008, amended, SG No. 109/2008, renumbered from Item 5, amended, SG No. 87/2009, renumbered from Item 6, amended, SG No. 102/2010, effective 30.12.2010) to take measures for protection of the postal traffic, as well as for the prevention of the insertion in postal items of articles and

substances prohibited from insertion within the meaning given by Article 90 and Article 91 herein, by procuring, installing, putting into operation and maintaining, at their own expense, the necessary technical devices and software and, where necessary, ensuring the use of such resources, for valuable consideration, by other postal operators or using, where necessary, for valuable consideration, such resources of other postal operators;

8. (new, SG No. 76/2002, renumbered from Item 6, supplemented, SG No. 87/2009, renumbered from Item 7, amended, SG No. 102/2010, effective 30.12.2010) to create conditions for monitoring and control of postal items by the competent authorities of the Ministry of Interior and of the State Agency for National Security, which may issue instructions mandatory for compliance;

9. (new, SG No. 76/2002, renumbered from Item 7, SG No. 87/2009, renumbered from Item 8, SG No. 102/2010, effective 30.12.2010) to comply with the requirements for environmental protection, for protection of human life and health;

10. (new, SG No. 37/2006, renumbered from Item 8, SG No. 87/2009, renumbered from Item 9, SG No. 102/2010, effective 30.12.2010) to elaborate procedures for acceptance and handling of complaints and for payment of indemnities, which include, inter alia, a procedure for settlement of disputes with users;

11. (new, SG No. 53/2019) to demand, process and keep for the timeframes under Article 38 (1) item 3 of the Tax and Social Insurance Procedure Code identification data (three names and Personal Number or Alien Personal Number for natural persons, respectively name and UIC for legal entities), as well as identification data for an authorised person, of:

a) senders of domestic and outgoing cross-border cash-on-delivery postal items;

b) senders of outgoing cross-border postal items - small packets and postal parcels different than those under littera "a";

c) recipients of sums in cash from cash-on-delivery, including when received via postal money order;

12. (new, SG No. 84/2023) keep and maintain an up-to-date list of all access points.

(2) (Amended, SG No. 112/2001, SG No. 87/2009, repealed, SG No. 102/2010, effective 30.12.2010).

Article 21. (Amended, SG No. 112/2001, SG No. 37/2006) (1) (Amended, SG No. 53/2019) Postal operators shall ensure that users have non-discriminatory access to the access points for use of postal services and shall mandatorily draw up general terms and conditions of the contract with users. Separate contracts need not be signed with users.

(2) (Amended, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) Postal operators shall include the following in the general terms and conditions of the contracts with the users:

1. scope and characteristics of the services they perform;

2. (new, SG No. 53/2019) requirements concerning the shape, size, weight and packaging of the postal items;

3. (renumbered from item 2, SG No. 53/2019) conditions of access;

4. (renumbered from item 3, amended, SG No. 53/2019) conditions for clearance and distribution of postal items and postal money orders;

5. (renumbered from item 4, amended, SG No. 53/2019) conditions for clearance and distribution of postal items and postal money orders;

6. (new, SG No. 102/2010, effective 30.12.2010, renumbered from item 5, SG No. 53/2019) time limit for return of the amount paid for a cash-on-delivery item;

7. (renumbered from item 5, SG No. 102/2010, effective 30.12.2010, renumbered from item 6, SG No. 53/2019) method of payment;

8. (renumbered from item 6, SG No. 102/2010, effective 30.12.2010, renumbered from item 7, SG No. 53/2019) rights and obligations of the users and of the postal operators;

9. (renumbered from item 7, SG No. 102/2010, effective 30.12.2010, renumbered from item 8, amended, SG No. 53/2019) substances and articles prohibited from insertion in postal items;

10. (renumbered from item 8, SG No. 102/2010, effective 30.12.2010, renumbered from item 9, amended, SG No. 53/2019) procedures for complaints and indemnities with specific amounts and timeframes for payment of indemnities for reclaims for delayed, lost, wholly or partly damaged or rifled postal items and postal parcels and returned postal parcels with no reasons for non-delivery, that are considered well-founded, and non-return to sender of the amount paid for a cash-on-delivery item;

11. (renumbered from item 9, SG No. 102/2010, effective 30.12.2010, renumbered from item 10, SG No. 53/2019) procedure for settlement of disputes;

12. (renumbered from item 10, SG No. 102/2010, effective 30.12.2010, renumbered from item 11, SG No. 53/2019) other matters material to the performance and use of postal services.

(3) (New, SG No. 87/2009, effective 3.11.2009, amended and supplemented, SG No. 102/2010, effective 30.12.2010, repealed, SG No. 53/2019).

(4) (Renumbered from Paragraph 3, SG No. 87/2009, effective 3.11.2009, amended, SG No. 102/2010, effective 30.12.2010, supplemented, SG No. 53/2019) The contract referred to in Paragraph (1) shall be deemed to be concluded by the act of clearance of a postal item or of a postal money order by a postal operator at an access point and payment of the price of the service.

(5) (Renumbered from Paragraph 4, amended, SG No. 87/2009, effective 3.11.2009, SG No. 102/2010, effective 30.12.2010, SG No. 61/2014, effective 25.07.2014, amended and supplemented, SG No. 53/2019) Postal operators shall request the opinion of the Consumer Protection Commission on the draft general terms and conditions of the contract with the users, prior to its submission for consultation with the Communications Regulation Commission. The Consumer Protection Commission shall provide its opinion within a 30-day period of receiving the general terms and conditions of the contract with the users.

(6) (Renumbered from Paragraph 5, SG No. 87/2009, effective 3.11.2009, amended, SG

No. 61/2014, effective 25.07.2014, SG No. 53/2019) Postal operators shall submit the draft of general terms and conditions of the contracts with users to the Communications Regulation Commission for consultation within a period that is not less than 30 days prior to the launching of the service.

(7) (Renumbered from Paragraph 6, amended, SG No. 87/2009, effective 3.11.2009, SG No. 102/2010, effective 30.12.2010, SG No. 61/2014, effective 25.07.2014, SG No. 53/2019) The Communications Regulation Commission shall adopt rules for the procedure and time limits for concordance under Paragraph (6).

(8) (Renumbered from Paragraph 7, supplemented, SG No. 87/2009, effective 3.11.2009, amended, SG No. 53/2019) Postal operators shall bring the general terms and conditions of the contract to the notice of users by posting the said conditions in prominent and accessible places at all fixed post offices and by posting the said conditions on their Internet website.

(9) (Renumbered from Paragraph 8, amended, SG No. 87/2009, effective 3.11.2009, SG No. 102/2010, effective 30.12.2010, SG No. 61/2014, effective 25.07.2014, SG No. 53/2019) The Communications Regulation Commission shall transmit the General Conditions of the contracts with users, as concorded under Paragraph (6), to the Commission on Consumer Protection for its information.

Article 22. (Amended, SG No. 53/2019) Any postal operator may conclude contracts with other persons for delivery of separate postal service activities. Also in these cases the postal operator shall be liable for performance of the obligations hereunder and the general terms and conditions of its contract with the users.

Article 23. (1) (Amended and supplemented, SG No. 37/2006, amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) The postal operator having an obligation to perform the universal postal service shall ensure access to the postal network thereof to the postal operators performing services within the scope of the universal postal service under conditions of fair and non-discriminatory treatment and upon compliance with the technical and technological requirements. Access shall be the subject of contracts, whereby the parties shall agree on the financial, specific technical, technological and other conditions and procedure for interconnection.

(2) (Amended and supplemented, SG No. 37/2006, amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) The postal operator having an obligation to perform the universal postal service may furthermore ensure and contract access to the postal network thereof to postal operators performing non-universal postal services, where practicable.

(3) (New, SG No. 87/2009, amended, SG No. 102/2010, effective 30.12.2010) The postal operators performing services within the scope of the universal postal service may ensure and contract access to the postal networks thereof between them, with the postal operator having an obligation to perform the universal postal service and with postal operators of non-universal postal services.

(4) (New, SG No. 26/2003, amended and supplemented, SG No. 37/2006, renumbered from Paragraph (3), amended, SG No. 87/2009, effective 3.11.2009) Upon clearance, transport and distribution of postal items and handling of postal money orders by postal operators who or which have concluded a contract for access to the networks thereof, each of the operators shall be liable to the other operator for the performance of the service solely in respect of the part thereof of the clearance, transport and distribution.

(5) (New, SG No. 26/2003, amended, SG No. 37/2006, renumbered from Paragraph (4), amended, SG No. 87/2009, effective 3.11.2009) The postal operators performing postal services under a contract for access to the networks thereof shall be solidarily liable to the users for any detriment or loss incurred upon the clearance, transport and distribution of the postal items and the handling of the postal money orders.

(6) (New, SG No. 26/2003, supplemented, SG No. 37/2006, renumbered from Paragraph (5), amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010, amended, SG No. 53/2019) If the parties under paragraph 1 fail to reach an agreement to enter into an access contract, no less than two months and no later than three months of the date of the proposal to enter into a contract, each of them may make a request to the Communications Regulation Commission to provide mandatory instructions. Within a two-month period of submission of the request, by a reasoned opinion the Communications Regulation Commission shall give the parties mandatory instructions.

(7) (New, SG No. 26/2003, renumbered from Paragraph (6), amended, SG No. 87/2009, repealed, SG No. 102/2010, effective 30.12.2010).

Article 23a. (New, SG No. 26/2003, amended, SG No. 87/2009, effective 3.11.2009) (1) (Previous text of Article 23a, SG No. 102/2010, effective 30.12.2010) In accordance with the applicable accounting standards, the postal operators performing services within the scope of the universal postal service shall organise and keep accounts for the activity thereof both on a consolidated basis for the commercial corporation and on a cost-accounting and separate-accounts basis for:

1. the services within the scope of the universal postal service;
2. the non-universal postal services, in case they perform any such services;
3. other commercial activities.

(2) (New, SG No. 102/2010, effective 30.12.2010) The postal operators performing the service of postal money orders shall maintain a separate cost accounting system for the income accruing from the operation of that postal service provision.

Section II

Postal Operator Having an Obligation to Perform the Universal Postal Service (Heading amended, SG No. 87/2009, effective 3.11.2009)

Article 24. (Amended, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009, SG No. 102/2010, effective 30.12.2010) The universal postal service shall be provided by a postal operator which has been entrusted by this Act with an obligation to perform the said service throughout the national territory through a postal network organised and managed thereby.

Article 25. (1) (Amended, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009, supplemented, SG No. 102/2010, effective 30.12.2010, repealed, SG No. 53/2019).

(2) (Amended, SG No. 87/2009, effective 3.11.2009) The postal operator having an obligation to perform the universal postal service may implement other postal services as well, according to the procedure established by this Act, as well as any other activities incorporated into the objects thereof in its capacity as a commercial corporation.

Article 26. (1) (Amended, SG No. 87/2009, effective 3.11.2009) The postal operator having an obligation to perform the universal postal service may contribute non-cash assets forming part of the postal network thereof in consideration of participating interests allotted thereto solely in

commercial corporations undertaking to exercise part of the licence of the said operator according to the procedure established by Article 22 herein.

(2) (Amended, SG No. 87/2009, effective 3.11.2009) Should the non-cash assets referred to in Paragraph (1) do not impede the exercise of the licence, the postal operator having an obligation to perform the universal postal service may furthermore contribute the said assets in consideration of participating interests allotted thereto in commercial corporations which do not assume obligations referred to in Article 22 herein.

Article 27. (Amended, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) The postal operator having an obligation to perform the universal postal service shall:

1. to fulfil the acts of the Universal Postal Union, that are ratified by the Republic of Bulgaria, promulgated and effective;

2. to use the forms of the Universal Postal Union when performing postal services.

Article 28. (Amended, SG No. 37/2006, supplemented, SG No. 109/2008, amended, SG No. 87/2009, effective 3.11.2009, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) The postal operator having an obligation to perform the universal postal service may affiliate itself to international organisations of postal operators. The said operator shall inform the Minister of Transport and Communications about the results of its participation and the commitments assumed.

Article 29. (Supplemented, SG No. 112/2001, amended, SG No. 26/2003, SG No. 37/2006, amended and supplemented, SG No. 87/2009, amended, SG No. 102/2010, effective 30.12.2010) (1) The postal operator having an obligation to perform the universal postal service shall receive compensation from the state budget when the obligation to perform the universal postal service entails a net cost and represents an unfair financial burden on the said operator.

(2) (Amended, SG No. 53/2019) The amount of the unfair financial burden resulting from performance of the universal postal service shall be determined by the Communications Regulation Commission on the basis of the net expenditure calculated in line with the methodology under Article 15 (1), item 11.

(3) The amount of the compensation may not exceed the amount of the unfair financial burden which the performance of the universal postal service represents under Paragraph (2).

(4) The amount of the compensation shall be fixed by the State Budget of the Republic of Bulgaria Act for the relevant year.

(5) (Amended, SG No. 53/2019) The financial resources for compensation of the unfair financial burden resulting from performance of the universal postal service shall be provided to the postal operator with an obligation to perform the universal postal service as per Article 2 Paragraph (1) (a) of Commission Decision of 20 December 2011 on the application of Article 106 (2) of the Treaty on the Functioning of the European Union to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest (OJ, L 7/3 of 11 January 2012).

(6) (New, SG No. 53/2019, effective 1.01.2020) The financial resources for compensation of the unfair financial burden resulting from performance of the universal postal service shall be provided in advance for the current year from the state budget of the Republic of Bulgaria to the postal operator with an obligation to perform the universal postal service.

(7) (New, SG No. 53/2019, effective 1.01.2020, amended, SG No. 31/2022, SG No.

66/2023, effective 5.08.2023) The amount of the provided advance financial resources shall be equal to the set amount of the compensation under paragraph 4 in the preceding year. The requisite advance financial resources referred to in Paragraph 6 shall be projected in the three-year budget forecasts and the draft budgets of the Ministry of Transport and Communications.

(8) (New, SG No. 53/2019, effective 1.01.2020) If the advance financial resources under paragraph 6 for the respective year exceed the set amount of the compensation under paragraph 4 for the same year by no more than 10 percent, the full amount of the surplus shall be deducted from the amount of the compensation for the next year.

(9) (New, SG No. 53/2019, effective 1.01.2020) If the advance financial resources referred to in paragraph 6 for the respective year exceed the set amount of the compensation under paragraph 4 for the same year by more than 10 percent, the full amount of the surplus shall be reimbursed by the postal operator, with an obligation to perform the universal postal service to the state budget within a period of one month of finding the surplus.

(10) (New, SG No. 53/2019, effective 1.01.2020) Where the advance financial resources referred to in paragraph 6 for the respective year are less than the set amount of the compensation under paragraph 4 for the same year, the amount of the difference shall be included in the advance resources estimated for the next succeeding year in the draft State Budget of the Republic of Bulgaria Act.

Article 29a. (New, SG No. 26/2003, amended, SG No. 37/2006, SG No. 86/2006, amended and supplemented., SG No. 87/2009, effective 3.11.2009, amended, SG No. 102/2010, effective 30.12.2010, SG No. 95/2016, SG No. 53/2019) (1) The postal operator having an obligation to perform the universal postal service shall submit to the Communications Regulation Commission an application for compensation of net expenditure related to performance of the universal postal service for the last preceding year together with the requisite evidence not later than the 31st day of May of the current year.

(2) The application referred to in paragraph 1 shall be drawn up in accordance with the instructions of the Communications Regulation Commission provided in the process of review of the notification of the intention of the postal operator to apply for compensation of the net expenditure, drawn up in accordance with the methodology under Article 15 (1) item 11 and containing the amount of the net expenditure related to performing the universal postal service calculated in accordance with the methodology under Article 15 (1), item 11.

(3) If the Communications Regulation Commission finds that the application referred to in paragraph 1 has not been drawn up in accordance with the requirements of the methodology under Article 15 (1), item 11 and/or the instructions provided in the course of review of the notification of the intention of the postal operator to apply for compensation of the net expenditure have not been complied with, within a period of 14 days of the date of submission, it shall return it to the operator with instructions on revising it. The postal operator shall provide the revised application to the Communications Regulation Commission within a period of 14 days of receiving these instructions.

(4) (Amended, SG No. 79/2024) The Communications Regulation Commission shall assign an audit of the documents related to the calculation of the net expenditure related to performing the universal postal service through a registered auditor under the Independent Financial Audit and Assurance of Sustainability Reporting Act designated by it. The results of the calculation of

the net cost of performing the universal postal service and the assessment by the auditor shall be accessible to the general public on the website of the Communications Regulation Commission.

(5) Within a period of up to three months after the submission of the application referred to in paragraph 1, on the basis of a reasoned report of the auditor, the Communications Regulation Commission shall render a decision regarding:

1. the amount of the net expenditure incurred upon performance of the universal postal service;

2. whether performance of the universal postal service represents an unfair financial burden and its amount;

(6) Within the time limit referred to in Paragraph 5, the Communications Regulation Commission may request from the applicant to provide additional information and evidence within seven days.

(7) (Amended, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) The Communications Regulation Commission shall present its decision under paragraph 5 and the related materials to the Minister of Transport and Communications.

(8) (Amended, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) In the course of the budget procedure, the Minister of Transport and Communications shall provide the decision referred to in paragraph 5 and the related materials to the Minister of Finance with a proposal to include the amount of the financial resources for compensation of the unfair financial burden in the draft of a State Budget of the Republic of Bulgaria Act for the next year.

Article 29b. (New, SG No. 102/2010, effective 30.12.2010) (1) The postal operator having an obligation to perform the universal postal service shall organise and implement financial reporting of the activity thereof in conformity with the applicable accounting standards and application of a cost allocation system both on a consolidated basis for the commercial corporation and on a cost-accounting and separate-accounts basis for:

1. the universal postal service disaggregated by types of service;

2. the postal money orders;

3. the non-universal postal services referred to in Items 1 to 3 of Article 38 herein;

4. other commercial activities.

(2) Income accruing from the universal postal service may not be used for coverage of costs of non-universal postal services or of other activities.

(3) The content, the manner of cost allocation, the procedure and time limits for coordination of the cost allocation system of the postal operator having an obligation to perform the universal postal service shall be determined by rules elaborated by the Communications Regulation Commission.

(4) The postal operator having an obligation to perform the universal postal service shall provide the Communications Regulation Commission with an annual report analysing the results of the application of the cost allocation system not later than the 31st day of May of the current year.

(5) (Amended, SG No. 95/2016) The Communications Regulation Commission shall order annual verifications of the application of the cost allocation system by the postal operator having an obligation to perform the universal postal service, which shall be carried out by an registered auditor. The results of the said verifications shall be accessible to the general public.

(6) (New, SG No. 53/2019) Based on the results of the verification under paragraph 5, the Communications Regulation Commission shall deliver a decision within the timeframe under Article 29a (5), by which it shall:

1. provide mandatory instructions concerning changes related to the application of the system for the subsequent period, and/or

2. accept the results obtained by the system;

3. refuse to accept the results obtained.

Article 30. (Supplemented, SG No. 37/2006, amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) The State or the municipalities may sell or allocate for use without auction or competitive bidding corporeal immovables constituting private state or municipal property to the postal operator referred to in Article 24 herein for performance of the universal postal service.

Article 31. (Amended and supplemented, SG No. 37/2006, amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) The postal operator referred to in Article 24 herein may use gratuitously state owned and municipal-owned properties for placing of letter boxes for performance of the universal postal service in coordination with the mayors of the relevant municipalities.

Article 31a. (New, SG No. 87/2009, effective 3.11.2009, repealed, SG No. 53/2019).

Article 31b. (New, SG No. 102/2010, effective 30.12.2010) The postal operator having an obligation to perform the universal postal service shall cooperate for the normal conduct of the measurements referred to in Item 7 of Article 15 (1) herein.

Chapter Four

POSTAL SERVICES

Section I

Universal Postal Service

Article 32. (Amended, SG No. 112/2001, supplemented, SG No. 26/2003, amended, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) The universal postal service shall be a service which is performed permanently within specified hours of business and is of a quality conforming to the standards referred to in Item 7 of Article 15 (1) herein, at affordable prices and availability of the said service to any user within the national territory, irrespective of the geographical location thereof.

Article 33. (1) The universal postal service shall be available every working day, not less than five days a week, save:

1. (amended, SG No. 26/2003) the particulars referred to in Articles 12 and paragraph 2 herein;

2. (amended and supplemented, SG No. 112/2001, amended, SG No. 26/2003, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) in nucleated settlements and dispersed settlements where exceptional geographical conditions apply; the specific nucleated settlements and dispersed settlements shall be determined by the postal operator having an obligation to perform the universal postal service in coordination with the mayors of the relevant municipalities, and the list of the said nucleated settlements and dispersed settlements shall be endorsed by the Communications Regulation Commission; the working days whereon the performance of the universal postal service will be available shall be fixed as well.

(2) (Supplemented, SG No. 37/2006, amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) The performance of the universal postal service or of a part thereof shall

involve, as a minimum, one collection of postal items from the access points every working day and one delivery to the location of the addressees.

(3) (Supplemented, SG No. 87/2009, amended and supplemented, SG No. 102/2010, effective 30.12.2010, amended, SG No. 53/2019) The number and location (density) of access points to the postal network of the postal operator having an obligation to perform the universal postal service shall take account of the needs of users and shall conform to the standards referred to in Item 12 of Article 15 (1) herein.

(4) (New, SG No. 102/2010, effective 30.12.2010, amended, SG No. 53/2019) The number of the access points referred to in paragraph (3), which require the opening of fixed post offices in conformity with the standards referred to in Item 12 of Article 15 (1) herein, may be altered after approval by the Communications Regulation Commission on the basis of a reasoned written proposal from the postal operator having an obligation to perform the universal postal service.

(5) (New, SG No. 102/2010, effective 30.12.2010) Within one month after receipt of the proposal referred to in Paragraph (4), the Communications Regulation Commission shall render a decision approving the alterations provided that the standards referred to in Item 12 of Article 15 (1) herein have been complied with.

(6) (New, SG No. 102/2010, effective 30.12.2010, amended, SG No. 53/2019) The number of the access points on paragraph 3, which do not require the opening of fixed post offices in conformity with the standards referred to in Item 12 of Article 15 (1) herein, may be altered by the postal operator having an obligation to perform the universal postal service after a written notification sent to the Communications Regulation Commission not later than within one month before the date of the alteration.

(7) (New, SG No. 102/2010, effective 30.12.2010) The notification referred to in Paragraph (6) shall contain information about the manner in which the performance of the universal postal service is to be guaranteed.

(8) (New, SG No. 102/2010, effective 30.12.2010) Within the time limit referred to in Paragraph (6), the Communications Regulation Commission may issue binding instructions to the postal operator having an obligation to perform the universal postal service with a view to guaranteeing the performance of the said service.

Article 34. (Amended, SG No. 112/2001) (1) (Amended, SG No. 26/2003, supplemented, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) The universal postal service shall involve the following types of postal services:

1. (amended, SG No. 37/2006) clearance, transport and distribution of domestic and cross-border postal items, as follows:

- (a) items of correspondence weighing up to 2 kg;
- (b) small packets weighing up to 2 kg;
- (c) (repealed, SG No. 87/2009, effective 3.11.2009);
- (d) printed papers weighing up to 5 kg;
- (e) (amended, SG No. 53/2019) postal items for blind or partially-sighted persons - up to 7 kg;

2. (amended, SG No. 37/2006, effective 1.01.2007) clearance, transport and distribution of domestic and cross-border postal parcels weighing up to 20 kg;

3. (repealed, SG No. 87/2009, effective 3.11.2009);

4. supplementary services for "registered items" and "insured items".

(2) (New, SG No. 37/2006) The postal items covered under Item 1 of Paragraph (1) may be priority items and non-priority items.

(3) (Amended, SG No. 26/2003, renumbered from Paragraph (2), SG No. 37/2006,

amended and supplemented, SG No. 87/2009, effective 3.11.2009) The weight limit as specified in Item 2 of Paragraph (1), where referring to inward cross-border postal parcels, may be even higher.

(4) (Amended, SG No. 26/2003, renumbered from Paragraph (3) and supplemented, SG No. 37/2006, supplemented, SG No. 87/2009, effective 3.11.2009) The postal items referred to in Item 1 (a), (b) (d) and (e) of Paragraph (1) and in Paragraph (2) may be registered or unregistered.

(5) (New, SG No. 53/2019) The universal postal service shall be performed only in a package of all the services under paragraph 1.

Article 35. (1) (Supplemented, SG No. 26/2003, SG No. 37/2006, SG No. 53/2019) The standard final form, minimum and maximum dimensions and manner of addressing of the postal items covered under Items 1 and 2 of Article 34 (1) and Article 34 (2), as well as the postal items with which the additional services "registered item" and "insured item" are provided shall be prescribed in accordance with the requirements of the Acts of the Universal Postal Union.

(2) (Amended and supplemented, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009, amended, SG No. 53/2019) The postal operator having an obligation to perform the universal postal service shall be obliged to notify all users thereof in an appropriate manner of the requirements as to the standard final form, dimensions and weight of the postal items according to Paragraph (1).

Article 36. (Amended, SG No. 112/2001, supplemented, SG No. 26/2003, amended, SG No. 37/2006, effective 1.01.2007, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) Postal items referred to in Article 34 shall be delivered to customers at the locations or facilities pursuant to Article 6 (3).

Article 36a. (New, SG No. 87/2009, repealed, SG No. 102/2010, effective 30.12.2010).

Section Ia

(New, SG No. 53/2019)

Postal services within the scope of the universal postal service

Article 36b. (New, SG No. 53/2019) (1) Postal services within the scope of the universal postal service shall be services related to clearance, transporting and delivery of different types of postal items and services under Article 34 (1).

(2) Articles 32 and 33 and the rules under Article 66 shall not apply to the provision of the services under paragraph 1.

Section II

Non-universal Postal Services

Article 37. (Amended and supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009, repealed, SG No. 53/2019).

Article 38. (Amended and supplemented, SG No. 37/2006, amended, SG No. 87/2009, amended, SG No. 102/2010, effective 30.12.2010) Non-universal postal services shall encompass:

1. (amended, SG No. 53/2019) direct postal advertising;
2. (amended, SG No. 53/2019) hybrid mail;
3. the express mail services;
4. the postal money orders.

Chapter Five

INDIVIDUAL LICENCES AND NOTIFICATIONS FOR PERFORMANCE OF POSTAL SERVICES

(Heading amended, SG No. 87/2009, effective 3.11.2009)

Section I

Individual Licences

Article 39. (Amended, SG No. 87/2009, effective 3.11.2009) Within the meaning given by this Act, "individual licence" shall be an individual administrative act which is granted for:

1. (amended, SG No. 102/2010, effective 30.12.2010) performance of the universal postal service throughout the territory of the Republic of Bulgaria by an operator which has been entrusted with an obligation to perform the said service;
2. (amended, SG No. 102/2010, effective 30.12.2010) performance of services within the scope of the universal postal service;
3. (amended, SG No. 102/2010, effective 30.12.2010) performance of postal services.

Article 40. (Amended, SG No. 26/2003, repealed, SG No. 87/2009, effective 3.11.2009).

Article 41. (Supplemented, SG No. 87/2009, effective 3.11.2009) The requirements for the grant of individual licences for performance of the services referred to in Item 2 and/or 3 of Article 39 herein shall be identical in respect of all applicants for the same type of postal services, save as otherwise provided in this Act.

Article 42. (Supplemented, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) Individual licences for performance of the services referred to in Item 2 and/or 3 of Article 39 herein shall be granted under conditions of transparency and non-discrimination.

Article 43. (1) (Amended, SG No. 112/2001, supplemented, SG No. 26/2003, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009) Any person applying for the grant of an individual licence for performance of the services referred to in Item 2 and/or 3 of Article 39 herein shall submit an application completed in a standard form to the Communications Regulation Commission, stating therein:

1. the identification particulars of the applicant;
2. (amended, SG No. 87/2009, effective 3.11.2009) the types of services and the period for performance thereof;

3. (amended, SG No. 87/2009, effective 3.11.2009) supposed starting date of the activity.

(2) The following shall be attached to the application referred to in Paragraph (1):

1. (amended, SG No. 26/2003, SG No. 34/2006, repealed, SG No. 53/2019);
 - 1a. (new, SG No. 37/2006, effective 1.01.2007, supplemented, SG No. 102/2010, effective 30.12.2010) a document certifying registration of the applicant under the law of a Member State of the European Union or a State which is a Contracting Party to the Agreement on the European Economic Area;
 2. (supplemented, SG No. 26/2003, repealed, SG No. 34/2006);

3. (amended, SG No. 105/2005, repealed, SG No. 34/2006);
4. (repealed, SG No. 37/2006);
5. (amended, SG No. 87/2009, effective 3.11.2009, repealed, SG No. 53/2019);
6. (amended, SG No. 37/2006, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) description of the technological process and a diagrammatic layout of the location of the access points to the postal network;
7. (new, SG No. 26/2003, repealed, SG No. 53/2019);
8. (new, SG No. 26/2003) a declaration of the circumstances under Article 47 (2) item 4 (c);
9. (new, SG No. 26/2003, repealed, SG No. 53/2019);
10. (new, SG No. 84/2023) description of the management and organisational structure, including the activity of individual organisational units, the organisation and management of the information system of the bank, including the information security arrangement;
11. (new, SG No. 84/2023, amended, SG No. 49/2025) a reliable anti-money laundering programme which provides for appropriate, reliable and effective internal control mechanisms, including specialised software, established by the applicant in pursuance of the obligations imposed by the Measures Against Money Laundering Act and the Act on Measures Against the Financing of Terrorism and of Proliferation of Weapons of Mass Destruction;
12. (new, SG No. 84/2023) information regarding the beneficial owner of the legal persons which have direct or indirect holding in the applicant; a declaration to this effect using a standard form shall be submitted to the Communications Regulation Commission;
13. (new, SG No. 84/2023) audited annual balance sheet and income statement for the last closed financial year (unless a request has been made for their publication in the Commercial Register and Register of Non-profit Legal Entities) or a summary of the financial position for those companies that have not yet prepared annual financial statements, except where the applicant is a company in the process of incorporation;
14. (new, SG No. 84/2023) a business plan and a forecast budget calculation for the first three years of operation;
15. (new, SG No. 84/2023) a description of the security rules;
16. (new, SG No. 84/2023) for an applicant that is a foreign legal entity: a copy of the instruments of incorporation.

(3) (Amended, SG No. 53/2019) All documents shall be submitted in the Bulgarian language.

(4) (Repealed, SG No. 26/2003, new, SG No. 53/2019) Upon submission of an application, the persons referred to in paragraph 1 shall pay a fee for its review as set in the tariff referred to in Article 63.

(5) (New, SG No. 53/2019) Under the procedure laid down in Article 87 (11) of the Tax and Social Insurance Procedure Code, the Communications Regulation Commission shall require information whether the relevant person has or does not have liabilities with respect to public receivables.

(6) (New, SG No. 84/2023) The requirements set out in Paragraph (2), items 10 - 16 shall apply to applicants for obtaining a license for postal money orders.

Article 44. (1) (Amended, SG No. 112/2001, SG No. 87/2009, effective 3.11.2009, supplemented, SG No. 53/2019) For consideration of, and determination on, any applications submitted for the grant of individual licences under Article 39 item 2 and or 3, the Chairperson of the Communications Regulation Commission shall appoint a five-member specialised

commission from amongst the staff of the administration of the Communications Regulation Commission, and shall designate three alternate members who shall serve as substitutes for the regular members where absent.

(2) For the valid transaction of business at any meeting of the commission referred to in Paragraph (1), all members thereof shall have to be present thereat.

(3) (Supplemented, SG No. 37/2006) The commission referred to in Paragraph (1) shall make decisions by a majority of more than one half of the composition thereof. Any members who disagree with a decision shall submit the dissenting opinion thereof in writing.

Article 45. (1) (Supplemented, SG No. 26/2003, amended, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) The commission referred to in Article 44 herein shall consider each application and the attachments thereto within fourteen days after submission of the said application and attachments.

(2) (Amended, SG No. 26/2003, SG No. 87/2009, effective 3.11.2009) Should the commission referred to in Article 44 herein detect any deficiencies or inadequacies in respect of the requirements referred to in Article 43 herein, the said commission shall notify the applicant by means of a letter with advice of delivery (addressee's acknowledgement of receipt) and shall give the said applicant ten days as from the date of receipt of the notification to rectify the said deficiencies or inadequacies.

(3) (Amended and supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009) Should the deficiencies and irregularities in respect of the requirements referred to in Article 43 herein be not rectified, the Communications Regulation Commission shall not consider the application, notifying the applicant within ten days by means of a letter with advice of delivery (addressee's acknowledgement of receipt).

(4) (Amended, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) The Communications Regulation Commission shall not consider an application, either, should the said commission find that the person has forfeited an individual licence granted according to the procedure established by this Act and the period wherein the said person is disqualified from applying for a new licence of the same type of activity has not expired. The applicant shall be notified by means of a letter with advice of delivery (addressee's acknowledgement of receipt).

Article 46. (Amended, SG No. 112/2001, SG No. 26/2003, amended and supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009) Within two months after submission of an application referred to in Article 43 herein, the commission referred to in Article 44 herein shall propose to the Communications Regulation Commission to grant or to refuse to grant an individual licence.

Article 47. (1) (Amended, SG No. 112/2001, SG No. 26/2003, supplemented, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) Within fourteen days after a proposal by the commission referred to in Article 44 (1) herein, the commission referred to in Article 44 herein shall adopt a decision granting or refusing to grant an individual licence for performance of the services referred to in Item 2 and/or 3 of Article 44 (1) herein and shall notify the applicant by means of a letter with advice of delivery (addressee's acknowledgement of receipt) within three days after adoption of any such decision, furthermore transmitting a copy of the decision to the applicant within seven days after adoption of the decision in the event of refusal.

(2) (Amended, SG No. 112/2001, SG No. 26/2003, supplemented, SG No. 37/2006, amended and supplemented, SG No. 87/2009, effective 3.11.2009, supplemented, SG No. 53/2019) The Communications Regulation Commission shall refuse to grant an individual licence for performance of the services referred to in Item 2 and/or 3 of Article 39 herein in the instances where the commission referred to in Article 44 herein has ascertained, proceeding from the

documents submitted by the applicant or the information obtained via official channels, that:

1. (supplemented, SG No. 53/2019) there are circumstances that threaten the security and defence of the country as per an opinion of the State Agency for National Security and/or the Ministry of Defence;

2. (supplemented, SG No. 37/2006, repealed, SG No. 87/2009, effective 3.11.2009);

3. (supplemented, SG No. 26/2003, amended, SG No. 37/2006, repealed, SG No. 87/2009, effective 3.11.2009);

4. (new, SG No. 26/2003) the applicant:

(a) is declared insolvent or is adjudicated bankrupt, or bankruptcy proceedings have been instituted thereagainst;

(b) is being wound up;

(c) is disqualified from carrying on commercial business: applicable to the managing directors or to the members of the management bodies of the applicant;

(d) (amended, SG No. 53/2019) has obligations in regard to public receivables, except for any obligations under acts that have not entered into force, re-scheduled, deferred or secured obligations;

(e) (new, SG No. 84/2023, amended, SG No. 49/2025) the beneficial owner of the capital is a person on the lists referred to in Article 4b, items 2 and 3 of the Act on Measures Against the Financing of Terrorism and of Proliferation of Weapons of Mass Destruction;

(f) (new, SG No. 84/2023, supplemented, SG No. 49/2025) individuals who are members of the applicant's management bodies or individuals who are beneficial owners of the applicant, as well as the persons related to them, have been convicted of intentional crimes of a general nature, unless they have been rehabilitated;

(g) (new, SG No. 84/2023) legal entities that are members of the applicant's management bodies have members of management bodies who have been convicted of intentional crimes of a general nature, unless they have been rehabilitated;

(h) (new, SG No. 84/2023) the applicant does not have financial capabilities that ensure the required reliability and financial stability;

(i) (new, SG No. 84/2023, repealed, SG No. 49/2025);

(j) (new, SG No. 84/2023) the applicant's business plan, management and organisational structure, internal control systems, policies, as well as its anti-money laundering programme do not ensure stable and effective risk management.

(3) (Amended, SG No. 112/2001, supplemented, SG No. 37/2006) Any decision, whereby the Communications Regulation Commission refuses to grant an individual licence, shall be reasoned.

(4) (Amended, SG No. 112/2001, repealed, SG No. 102/2010, effective 30.12.2010).

(5) (New, SG No. 84/2023) Paragraph (2), item 4, letters e) – j) apply only to persons who have submitted an application for the issuance of a license to execute postal money orders.

Article 47a. (New, SG No. 37/2006, repealed, SG No. 53/2019).

Article 48. (1) (Amended, SG No. 112/2001, SG No. 87/2009, effective 3.11.2009) Individual licences as granted shall be personal.

(2) (Repealed, SG No. 26/2003).

(3) (New, SG No. 87/2009, effective 3.11.2009) An individual licence for performance of the universal postal service as granted shall be non-transferable.

(4) (New, SG No. 87/2009, amended, SG No. 102/2010, effective 30.12.2010) The individual licences for performance of the services referred to in Item 2 and/or 3 of Article 39 herein as granted may be transferred to third parties who or which are merchants solely with the

consent of the Communications Regulations Commission.

(5) (Amended, SG No. 112/2001, SG No. 26/2003, amended and supplemented, SG No. 37/2006, renumbered from Paragraph (3), SG No. 87/2009, effective 3.11.2009) Any licensed operator wishing to transfer the individual licence thereto granted to a third party shall submit an application to the Communications Regulation Commission. A declaration by the third party, whereby the said party expresses consent to the transfer of the individual licence, shall be attached to any such application. The third party concerned shall attach the documents covered under Article 43 (2) herein to the said declaration.

(6) (New, SG No. 102/2010, effective 30.12.2010) Should any documents referred to in Paragraph (5) be missing or non-conforming, the Communications Regulation Commission shall notify the applicant by means of a letter with advice of delivery to cure the deficiencies or non-conformities within ten days after receipt of the notification. In case the deficiencies or non-conformities are not cured within the said time limit, the application shall not be considered.

(7) (New, SG No. 102/2010, effective 30.12.2010) The Communications Regulation Commission shall refuse to grant authorisation for the transfer by a reasoned decision if the circumstances covered under Article 47 (2) herein apply.

Article 48a. (New, SG No. 37/2006) (1) (Amended, SG No. 87/2009, effective 3.11.2009, repealed, SG No. 53/2019).

(2) (Amended, SG No. 87/2009, effective 3.11.2009, SG No. 84/2023) Proceeding with transfer of any shares or interests in the capital of, or with admission of any new additional members to, any commercial corporations which are postal operators which have been granted an individual licence for performance of the services referred to in Item 2 of Article 39 herein shall require authorisation from the Communications Regulation Commission.

(3) (Amended, SG No. 87/2009, effective 3.11.2009) Any postal operators which have been granted an individual licence for performance of the services referred to in Item 2 and/or 3 of Article 39 herein who are sole traders may transfer the enterprises thereof to third parties after authorisation from the Communications Regulation Commission.

(4) (Repealed, SG No. 87/2009, effective 3.11.2009).

(5) (Repealed, SG No. 87/2009, effective 3.11.2009).

(6) (Repealed, SG No. 87/2009, effective 3.11.2009).

(7) (New, SG No. 102/2010, effective 30.12.2010, amended and supplemented, SG No. 53/2019) The identification particulars and the documents covered under Article 43 (2) herein in respect of the third parties shall be attached to the request for authorisation referred to in Paragraph (3). Under the procedure laid down in Article 87 (11) of the Tax and Social Insurance Procedure Code, the Communications Regulation Commission shall require information whether the relevant person has or does not have liabilities with respect to public receivables. All documents shall be submitted in the Bulgarian language.

(8) (New, SG No. 102/2010, effective 30.12.2010) Should any documents referred to in Paragraph (7) be missing or non-conforming, the Communications Regulation Commission shall notify the applicant by means of a letter with advice of delivery to cure the deficiencies or non-conformities within ten days after receipt of the notification. In case the deficiencies or non-conformities are not cured within the said time limit, the application shall not be considered.

(9) (New, SG No. 84/2023) Proceeding with the transfer of any shares or interests in the capital of, or with the admission of any new members to, any commercial corporations which are postal operators which have been granted an individual licence for performance of the services referred to in Item 3 of Article 39 herein shall require authorisation from the Communications Regulation Commission.

(10) (New, SG No. 102/2010, effective 30.12.2010, renumbered from Paragraph (9), amended, SG No. 84/2023) The Communications Regulation Commission shall refuse to grant authorisation for the requests referred to in Paragraph (2), (3) or (9) if the circumstances covered under Article 47 (2) herein apply.

Article 49. (Amended, SG No. 112/2001, SG No. 26/2003, amended and supplemented, SG No. 37/2006, SG No. 87/2009, repealed, SG No. 102/2010, effective 30.12.2010).

Article 50. (1) (Amended, SG No. 112/2001, supplemented, SG No. 37/2006) The Communications Regulation Commission shall record the individual licences as granted in a special register wherein the following particulars shall be entered:

1. registration number and date of entry;

2. (amended, SG No. 53/2019) the name of the licensed person and a unified identification code pursuant to the Commercial Register and Register of Non-Profit Legal Persons Act, and for a licensed person established in a Member State of the European Union or a State that is a party to the European Economic Area Agreement - the name of the licensed person, the registration and address data and an identification number;

3. (amended, SG No. 87/2009, effective 3.11.2009) services to be performed;

4. period of validity of the licence.

(2) Any succeeding change in the particulars covered under Paragraph (1) shall be entered under the registration number referred to in Item 1 of Paragraph (1), as shall be the period:

1. of suspension of the licence;

2. (amended, SG No. 37/2006) wherewithin, after revocation of the individual licence, the person may not apply for a new licence.

(3) The register referred to in Paragraph (1) shall be open to the public.

Article 51. (1) (Amended, SG No. 112/2001, supplemented, SG No. 26/2003, redesignated from Article 51 and supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009) The Communications Regulation Commission shall publish information on all licences as granted, transferred, terminated and revoked on the Internet site thereof.

(2) (New, SG No. 37/2006) The Communications Regulations Commission shall make public the rights and obligations of the postal operators under the individual licences as granted by posting the said rights and obligations on the Internet site thereof, with the exception of the requirements referred to in Article 12 herein and of the layout of the location of the access points to the postal network.

Article 52. (1) (Redesignated from Article 52 and amended, SG No. 26/2003, supplemented, SG No. 37/2006, amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) Any individual licence for performance of the services covered under Items 2 and/or 3 of Article 39 herein shall be granted for a period of twenty years.

(2) (New, SG No. 26/2003) This period may be extended at the request of the licensee by the Communications Regulation Commission where:

1. the licensee satisfies the requirements established by the effective legislation, including requirements related to national security and defence;

2. (supplemented, SG No. 37/2006) the licensee has not been given a written warning of revocation of the individual licence during the period of validity of the licence as granted;

3. the circumstances covered under Item 4 of Article 47 (2) herein do not apply to the licensee.

(3) (New, SG No. 26/2003, amended, SG No. 37/2006, repealed, SG No. 87/2009, effective 3.11.2009).

(4) (New, SG No. 26/2003, supplemented, SG No. 37/2006, repealed, SG No. 87/2009,

effective 3.11.2009).

Section II

Contents of an Individual Licence

Article 53. (Supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009) Any individual licence shall contain requirements as to:

1. (supplemented, SG No. 53/2019) performance of the services covered under Article 39, items 2 and/or 3 and guaranteeing all users non-discriminatory treatment under publicly known conditions;

2. (new, SG No. 53/2019) fulfilment of the conditions for delivery of postal items under Article 6 (4);

3. (renumbered from item 2, SG No. 53/2019) ensuring postal security, as well as creation of conditions for monitoring and control by the competent authorities;

4. (renumbered from item 3, SG No. 53/2019) environmental protection and protection of human life and health upon execution of the activity;

5. (renumbered from item 4, SG No. 53/2019) elaboration of General Conditions of the contract with the users of postal services and coordination of the said conditions with the Communications Regulation Commission;

6. (renumbered from item 5, SG No. 53/2019) provision in an appropriate manner of information to users regarding hours of business, requirements as to the technical parameters of the postal items, articles and substances prohibited from insertion in items, the prices of postal services and the specific amounts of the indemnities;

7. (renumbered from item 6, SG No. 53/2019) amount, procedure and method of payment of the licence fees as fixed in the individual licence;

8. (renumbered from item 7, SG No. 53/2019) provision of information to the licensor in connection with the exercise of the individual licence, including the complaints lodged disaggregated by number and the manner in which the said complaints have been addressed;

9. (renumbered from item 8, SG No. 53/2019) immediate notification of the licensor should the licensee be declared insolvent or adjudicated bankrupt, or upon institution of liquidation proceedings;

10. (renumbered from item 9, SG No. 53/2019) possibility to ensure access to the postal network of the licensee;

11. (new, SG No. 53/2019) presenting the postal services prices to the licensor for information purposes;

12. (amended, SG No. 102/2010, effective 30.12.2010, renumbered from item 10, SG No.

53/2019) mandatory maintenance of a cost accounting system according to the procedure established by Article 23a herein;

13. (renumbered from item 11, SG No. 53/2019) fulfilment of tasks or imposition of restrictions on the performance of postal services under the circumstances covered under Article 12 (2) herein;

14. (renumbered from item 12, SG No. 53/2019) modifications, supplementations, transfers, suspension or termination of the individual licence upon occurrence of the cases provided for in this Act;

15. (renumbered from item 13, SG No. 53/2019) revocation of the individual licence in the cases provided for in this Act;

16. (renumbered from item 14, SG No. 53/2019) granting access on the part of the licensee for control over the exercise of the individual licence;

17. (renumbered from item 15, SG No. 53/2019) penalties and a procedure for the imposition thereof;

18. (amended, SG No. 102/2010, effective 30.12.2010, renumbered from item 16, SG No. 53/2019) initial commencement date of the activity and the access points to the postal network according to the diagrammatic layout as attached;

19. (amended, SG No. 102/2010, effective 30.12.2010, renumbered from item 17, SG No. 53/2019) use of date-stamps and impressions according to Article 77 (4) herein.

Article 54. (Amended, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009, supplemented, SG No. 53/2019) The individual licence of the postal operator having an obligation to perform the universal postal service, further to the requirements referred to in Article 53, shall contain additional and specific requirements as to:

1. (new, SG No. 87/2009, effective 3.11.2009) mandatory performance of the universal postal service throughout the national territory;

2. (new, SG No. 87/2009, effective 3.11.2009, amended, SG No. 102/2010, effective 30.12.2010, SG No. 53/2019) ensuring a sufficient density of the access points to the postal network, taking account of the needs of users and the conditions for distribution of postal items under Article 6 (4);

3. (new, SG No. 87/2009, effective 3.11.2009, amended, SG No. 53/2019) conformity with the quality-of-service standards in relation to the universal postal service referred to in Article 15 (1), item 7;

4. (new, SG No. 87/2009, effective 3.11.2009, amended, SG No. 102/2010, effective 30.12.2010) cooperating for the normal conduct of the measurement referred to in Item 7 of Article 15 (1) herein;

5. (new, SG No. 87/2009, effective 3.11.2009, repealed, SG No. 53/2019);

6. (new, SG No. 87/2009, effective 3.11.2009) presentation of the price of the universal postal service allocated to services by type for coordination by the licensor prior to the date of application thereof;

7. (new, SG No. 87/2009, effective 3.11.2009, repealed, SG No. 53/2019);

8. (amended, SG No. 37/2006, renumbered from item 1, amended and supplemented, SG No. 87/2009, effective 3.11.2009, amended, SG No. 102/2010, effective 30.12.2010, SG No. 53/2019) mandatory application of a cost allocation system and maintenance of a cost accounting system according to the procedure established by Article 29b (1);

9. (amended, SG No. 37/2006, renumbered item 2, SG No. 87/2009, effective 3.11.2009, repealed, SG No. 102/2010, effective 30.12.2010, new, SG No. 53/2019) a procedure for proving the amount of the net cost of performing the universal postal service;

10. (amended, SG No. 26/2003, repealed, SG No. 37/2006, renumbered from Item 3, SG No. 87/2009, effective 3.11.2009);

11. (amended, SG No. 26/2003, renumbered from Item 4, SG No. 87/2009, effective 3.11.2009) use of postage stamps for prepayment of specified services;

12. (supplemented, SG No. 37/2006, renumbered from Item 5, SG No. 87/2009, effective 3.11.2009) exemption from payment for postal services in the instances provided for in this Act;

13. (renumbered from Item 6, SG No. 87/2009, effective 3.11.2009) implementation of the Acts of the Universal Postal Union;

14. (amended and supplemented, SG No. 37/2006, renumbered from Item 7, SG No. 87/2009, effective 3.11.2009) the printing and sale of postage stamps and postal stationery;

15. (renumbered from Item 8, amended, SG No. 87/2009, effective 3.11.2009) sale and exchange of International Reply Coupons;

16. (renumbered from Item 9, supplemented, SG No. 87/2009, amended, SG No. 102/2010, effective 30.12.2010) use of date-stamps and impressions according to Article 77 (1) and (3) herein;

17. (new, SG No. 102/2010, effective 30.12.2010) provision in an appropriate manner of detailed and up-to-date information to users and to postal operators regarding the particular features of the universal postal service performed, the conditions for access to the said service, as well as about the prices and the quality standard levels.

Section III

Modification, Supplementation, Suspension and Termination of Individual Licences

Article 55. (1) (Amended, SG No. 112/2001, SG No. 37/2006) Any individual licence may be modified, supplemented, suspended or terminated prior to the expiry of the period of validity thereof unilaterally by a reasoned decision of the Communications Regulation Commission after a written warning where necessitated by:

1. "force majeure";
2. (amended, SG No. 37/2006) reasons relating to national security and national defence as a result of the activity implemented under the individual licence;
3. (amended, SG No. 26/2003) the particulars referred to in Articles 12 and 2 herein;

4. changes in domestic legislation and decisions of the Universal Postal Union and of the European postal organisations, accepted by the Republic of Bulgaria;

5. (new, SG No. 53/2019) in case of a change in the data referred to in Article 43 (1), item 1;

6. (new, SG No. 84/2023) the existence of the circumstances set out in Article 47(2) with respect to an issued individual license for performing the services specified in Article 39, item 3.

(2) (Amended, SG No. 112/2001, SG No. 37/2006, supplemented, SG No. 87/2009, effective 3.11.2009) The Communications Regulation Commission shall adopt a decision terminating an individual licence granted for performance of services referred to in Item 2 and/or 3 of Article 39 herein prior to the expiry of the period of validity thereof in any of the following cases:

1. (amended, SG No. 37/2006) upon the death of the licensee if a sole trader, should none of the heirs to the said licensee have declared within three months that they will continue to exercise the individual licence;

2. (amended, SG No. 37/2006) upon dissolution of the licensed postal operator;

3. upon revocation of the licence under Article 57 herein.

Article 56. (1) (Amended, SG No. 112/2001, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) Any postal operator licensed for performance of services referred to in Item 2 and/or 3 of Article 39 herein may submit a reasoned request to the Communications Regulation Commission for modification or supplementation of the individual licence. Any such request shall be examined as to the rationale and necessity thereof and, within two months, the Communications Regulation Commission shall either grant or refuse to grant the modification or supplementation of the individual licence, citing its reasons for refusal.

(2) (Amended, SG No. 112/2001, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) Any postal operator referred to in Paragraph (1) may request termination of the individual licence prior to the expiry of the period of validity thereof, giving the Communications Regulation Commission written notice six months in advance of the date of termination. The Communications Regulation Commission shall adopt a decision terminating the individual licence after expiry of the period of the notice.

Article 57. (1) (Amended, SG No. 112/2001, SG No. 37/2006, supplemented, SG No. 87/2009, effective 3.11.2009, amended, SG No. 84/2023) The Communications Regulation Commission may adopt a reasoned decision revoking an individual licence granted for performance of services referred to in Item 2 and/or 3 of Article 39 herein and terminating the validity thereof in any of the following cases:

1. (amended, SG No. 26/2003, SG No. 37/2006, SG No. 87/2009, effective as of 3.11.2009) material or systematic violation of this Act, of the instruments for the application thereof, or of the terms and conditions of the licence;

2. (amended, SG No. 87/2009, effective as of 3.11.2009, SG No. 53/2019) upon non-fulfilment of the requirements for postal security referred to in Article 53 item 3, as well as on recommendation by the competent authorities which have detected any acts of the licensee endangering national security;

3. (new, SG No. 53/2019) notification pursuant to Article 182 (2), item 2 and Article 221 (6) of the Tax and Social Insurance Procedures Code;

4. (new, SG No. 84/2023, amended, SG No. 49/2025) in accordance with the procedure laid down in Article 125 of the Measures Against Money Laundering Act and/or Article 18 of the Act on Measures Against the Financing of Terrorism and of Proliferation of Weapons of Mass Destruction;

5. (new, SG No. 84/2023, amended, SG No. 49/2025) where the Commission finds that some of the circumstances specified in Article 47, Paragraph (2), item 1 or item 4, letters (e) – (g) exist;

6. (new, SG No. 84/2023) where the postal operator does not provide the postal services covered by the issued license according to the description of the technological process submitted in the course of the procedure for issuing the individual license.

(2) (New, SG No. 37/2006, repealed, SG No. 84/2023).

(3) (Amended, SG No. 112/2001, supplemented, SG No. 26/2003, renumbered from Paragraph (2), amended, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) Any decision on revocation shall set a period wherewithin the person may not apply for the grant of a new individual licence for performance of services referred to in Item 2 and/or 3 of Article 39 herein and/or apply for a transfer of an individual licence thereto, nor acquire any interests or shares in the capital of any commercial corporation which is a licensed postal operator for the activity for which the individual licence thereof has been revoked. The said period may not be shorter than two years. The said time period may not be shorter than two years.

Article 58. (Amended, SG No. 112/2001, supplemented, SG No. 26/2003, repealed, SG No. 102/2010, effective 30.12.2010, new, SG No. 49/2025) (1) For non-fulfilment of the Measures Against Money Laundering Act or the Act on Measures Against the Financing of Terrorism and of Proliferation of Weapons of Mass Destruction and the instruments for the application thereof, by a reasoned opinion the Communications Regulation Commission may impose one or more of the following coercive administrative measures:

1. issue a warning to the postal operator;
2. require the cessation of the non-compliance and/or remedying the consequences thereof and/or bringing the activity of the postal operator holding an individual licence for performance of services under Article 39, item 3 into conformity with the specified acts;
3. prohibit the implementation of a service within the scope of the individual licence under Article 39, item 3, within a period of up to 6 months;
4. order the postal operator holding an individual licence for performance of services under Article 39, item 3 to remove one or more persons authorized to manage and represent the said person, and divest any such person or persons of the managerial and representative powers held thereby until removal, including to impose a temporary ban on the person or persons holding positions in the postal operator.

(2) In determining the type of coercive measure under paragraph 1, the Communications Regulation Commission shall take into account the circumstances referred to in Article 123a(1) and (3) of the Measures Against Money Laundering Act.

(3) Any coercive administrative measure imposed under paragraph 1, in compliance with the requirements of Article 122 of the Measures Against Money Laundering Act, shall be published on the Internet site of the Communications Regulation Commission.

(4) The State Agency for National Security shall be notified on initiation of proceedings for the enforcement of a coercive administrative measure under paragraph 1.

(5) The appeal of the decision referred to in paragraph 1 shall not stay its enforcement.

(6) The Chairperson of the Communications Regulation Commission may make a recommendation to the postal operator holding an individual licence for performance of services under Article 39, item 3 on the correct application of the acts specified in paragraph 1.

Section IV

Procedure and Requirements for Performance of

Non-universal Postal Services

(Heading amended, SG No. 87/2009, effective 3.11.2009)

Article 59. (1) (Amended, SG No. 112/2001, supplemented, SG No. 26/2003, amended, SG No. 87/2009, amended and supplemented, SG No. 102/2010, effective 30.12.2010) Non-universal postal services referred to in Items 1 to 3 of Article 38 herein shall be performed after submission of a due written notification, completed in a standard form, to the Communications Regulation Commission, which shall contain:

1. (amended, SG No. 34/2006, SG No. 87/2009, effective 3.11.2009) identification data on the undertaking;

2. the services to be performed, and the characteristics thereof;

3. (new, SG No. 87/2009, effective 3.11.2009) contact person and details;

4. (new, SG No. 87/2009, effective 3.11.2009) commencement date of the activity.

(2) The following shall be attached to any such application:

1. (amended, SG No. 34/2006, amended and supplemented, SG No. 87/2009, effective 3.11.2009, repealed, SG No. 53/2019);

1a. (new, SG No. 37/2006, effective 1.01.2007, supplemented, SG No. 102/2010, effective 30.12.2010) a document certifying registration of the applicant under the law of a Member State of the European Union or a State which is a Contracting Party to the Agreement on the European Economic Area;

2. (repealed, SG No. 34/2006);

3. a declaration to the effect that the applicant agrees to fulfil the obligations covered under Article 60 herein;

4. (new, SG No. 26/2003, repealed, SG No. 87/2009, effective 3.11.2009);

5. (new, SG No. 26/2003, repealed, SG No. 87/2009, effective 3.11.2009).

(3) (Amended, SG No. 112/2001, SG No. 26/2003, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) Any such notification shall be submitted in the Bulgarian language.

(4) (Amended, SG No. 26/2003, amended, SG No. 87/2009, effective 3.11.2009) In case of any deficiency of the notification, within fourteen days after the receipt thereof the Communications Regulation Commission shall notify the person in writing to rectify the deficiencies within seven days.

(5) (New, SG No. 26/2003, amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) After ascertaining that the notification has been duly submitted, the Communications Regulation Commission shall enter the person in a public register of operators performing non-universal postal services referred to in Items 1 to 3 of Article 38 herein, which shall be posted on the Internet site of the Commission.

(6) (New, SG No. 26/2003, amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) The operator performing non-universal postal services referred to in Items 1 to 3 of Article 38 herein may approach the Communications Regulation Commission with a written request for the issuing of a certificate of entry in the register referred to in Paragraph (5).

(7) (New, SG No. 26/2003, amended, SG No. 87/2009, effective 3.11.2009) The Communications Regulation Commission shall issue the certificate within fourteen days after receipt of the request.

(8) (New, SG No. 26/2003, amended, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) An administrative fee of an amount fixed according to the procedure established by Article 63 herein shall be paid for the issuing of a certificate under Paragraph (6). Documentary

proof of payment of a fee shall be attached to the request.

(9) (New, SG No. 26/2003, amended, SG No. 87/2009, effective 3.11.2009) A certificate under Paragraph (6) shall not be issued unless documentary proof of payment of an administrative fee has been attached.

(10) (New, SG No. 26/2003, amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) The operator performing non-universal postal services referred to in Items 1 to 3 of Article 38 herein shall notify the Communications Regulation Commission of any change in the data contained in the notification covered under Paragraph (1) within fourteen days after occurrence of any such change.

(11) (New, SG No. 26/2003, repealed, SG No. 87/2009, effective 3.11.2009, new, SG No. 53/2019) The Communications Regulation Commission may remove a postal operator from the register referred to in Paragraph 5 in the following cases:

1. upon the death of the postal operator, if a sole trader, should none of the heirs to the said licensee have declared within three months that they will continue to exercise his activity;

2. in case of liquidation of a legal entity postal operator;

3. in case a postal operator files a written request to the Communications Regulation Commission;

4. if by virtue of an effective judgment the postal operator has been prohibited from exercising the activity, for which he is registered in the register referred to in paragraph 5;

5. if the merchant is removed from the commercial register;

6. if in the preceding three calendar years the postal operator has failed to provide the information referred to in Article 15 (1) item 9 to the Commission;

7. if case of any of the circumstances referred to in item 1 - 6 with respect to a foreign person, entitled to exercise activities related to providing postal services on the territory of the Republic of Bulgaria;

8. in other cases provided by law.

(12) (New, SG No. 26/2003, amended, SG No. 37/2006, repealed, SG No. 87/2009, effective 3.11.2009).

Article 59a. (New, SG No. 26/2003, repealed, SG No. 87/2009, effective 3.11.2009).

Article 59b. (New, SG No. 26/2003, repealed, SG No. 87/2009, effective 3.11.2009).

Article 60. (Amended, SG No. 37/2006, SG No. 109/2008, SG No. 87/2009, effective 3.11.2009, SG No. 102/2010, effective 30.12.2010) Postal operators, who or which have notified the Communications Regulation Commission of performance of non-universal postal services referred to in Items 1 to 3 of Article 38 herein, shall be obliged:

1. (amended, SG No. 37/2006) to ensure inviolability of the postal items;

2. (amended, SG No. 37/2006) to maintain the confidentiality of correspondence, including the particulars regarding the senders, addressees and postal items;

3. (amended, SG No. 37/2006, amended, SG No. 109/2008) to fulfil the requirements for postal security and to guarantee the security of the postal network;

4. not to clear, not to transport and not to distribute any prohibited articles and substances, according to Articles 90 and 91 herein;

5. (supplemented, SG No. 37/2006, amended, SG No. 109/2008, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) to take measures for protection of the postal traffic, as well as for the prevention of the insertion in postal items of articles and substances prohibited from insertion within the meaning given by Article 90 and Article 91 herein, by procuring, installing, putting into operation and maintaining, at their own expense, the necessary technical devices and software and, where necessary, ensuring the use of such resources, for valuable consideration, by

other postal operators or using, where necessary, for valuable consideration, such resources of other postal operators;

6. (new, SG No. 102/2010, effective 30.12.2010) to create conditions for monitoring and control of postal items by the competent authorities of the Ministry of Interior and of the State Agency for National Security, which may issue instructions mandatory for compliance;

7. (supplemented, SG No. 26/2003, renumbered from Item 6, SG No. 102/2010, effective 30.12.2010) to protect the environment, human life and health;

8. (new, SG No. 26/2003, amended, SG No. 37/2006, renumbered from Item 7, SG No. 102/2010, effective 30.12.2010) to cooperate in ensuring postal services upon occurrence of any circumstances covered under Article 12 (2) herein;

9. (new, SG No. 37/2006, amended, SG No. 87/2009, renumbered from Item 8, SG No. 102/2010, effective 30.12.2010) not to perform the services covered under Article 39 herein;

10. (new, SG No. 102/2010, effective 30.12.2010) use impressions according to Article 77 (2) herein.

Article 61. (1) (Amended, SG No. 112/2001, SG No. 26/2003, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) A postal operator performing non-universal postal services referred to in Items 1 to 3 of Article 38 herein may discontinue the performance of such services, of which the said operator shall notify in writing the Communications Regulation Commission.

(2) (Amended, SG No. 112/2001, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) In case the Communications Regulation Commission ascertains any non-fulfilment of the obligations covered under Article 60 herein, the said Commission shall notify the postal operator performing non-universal postal services referred to in Items 1 to 3 of Article 38 herein within fourteen days after ascertainment, establishing a time limit, which may not be shorter than one month after the notification, for expression of an opinion and rectification of the non-fulfilment.

(3) (New, SG No. 87/2009, effective 3.11.2009) In case the postal operator referred to in Paragraph (2) fails to discontinue the non-fulfilment within the time limit specified by the Communications Regulation Commission, the said Commission shall impose a fine or a pecuniary penalty according to this Act.

(4) (New, SG No. 87/2009, amended, SG No. 102/2010, effective 30.12.2010) The Communications Regulation Commission may adopt a decision on discontinuance of the activity of the postal operator performing non-universal postal services referred to in Items 1 to 3 of Article 38 herein in case a systematic breach of the obligations covered under Article 60 herein has been ascertained.

(5) (New, SG No. 87/2009, amended, SG No. 102/2010, effective 30.12.2010) The Communications Regulation Commission shall adopt a decision discontinuing the activity of the postal operator performing non-universal postal services referred to in Items 1 to 3 of Article 38 herein in case of ascertainment of a systematic violation of this Act or of the instruments issued on the basis thereof.

(6) (New, SG No. 87/2009, repealed, SG No. 102/2010, effective 30.12.2010).

(7) (New, SG No. 87/2009, effective 3.11.2009) The postal operator referred to in Paragraph (1) may not submit a notification of performance of the same non-universal postal services earlier than six months after the effective date of the decision on discontinuance of the activity.

Article 61a. (New, SG No. 37/2006, repealed, SG No. 87/2009, effective 3.11.2009).

Section V

Fees

(Heading amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010)

Article 62. (1) (Amended, SG No. 37/2006) All postal operators shall pay licence fees of an amount and in a manner as specified in the terms and conditions of the individual licences.

(2) Licensing fees shall be of the following types:

1. (supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009) initial fee, payable upon the grant of an individual licence for performance of services covered under Article 39 herein, inclusive of expenditure on the preparation of the said licence;

2. (amended, SG No. 37/2006, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) annual fee for control, covering the administrative costs of the Communications Regulation Commission necessary for analysis and control of the market of postal services, drafting and application of statutory instruments of secondary legislation and issuing of administrative acts and control over compliance therewith, representing a percentage of the net annual income accruing from the provision of licensed postal services;

3. (new, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) a fee for modification, supplementation or transfer of the individual licence under Article 48 (5) and Article 56 (1).

(3) (Amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) Postal operators performing non-universal postal services referred to in Items 1 to 3 of Article 38 herein shall pay a lump-sum certificate issuing fee prior to the issuing of a certificate of entry in the register under Article 59 (5) herein.

Article 63. (Amended, SG No. 112/2001, SG No. 876/2009, SG No. 102/2010, effective 30.12.2010) The amount of fees under this Section, the time limits for and the mode of payment of the said fees shall be determined by the Council of Ministers on a motion by the Communications Regulation Commission and the Minister of Finance.

Article 64. (Amended, SG No. 112/2001, amended and supplemented, SG No. 26/2003, amended, SG No. 88/2005, SG No. 37/2006, SG No. 41/2007, SG No. 87/2009, effective 3.11.2009, SG No. 102/2010, effective 30.12.2010, SG No. 100/2019, effective 1.01.2020) The fees referred to in Article 62 shall be collected and reported in the budget of the Communications Regulation Commission which shall administer said revenues.

Chapter Six PRICES OF POSTAL SERVICES

Article 65. (Amended, SG No. 112/2001, SG No. 26/2003) (1) (Amended, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) The prices of postal services shall be determined by the postal operators conforming to supply and demand, with the exception of in the price of the universal postal service.

(2) (Amended, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) The price of the universal postal service allocated to services by type shall be formed by the postal operator having an obligation to perform the universal postal service conforming to the requirements of the ordinance referred to in Article 66 (1) and of the methodology referred to in Article 15 (1) item 13.

(3) (Amended, SG No. 87/2009, effective 3.11.2009) The postal operator having an obligation to perform the universal postal service shall submit the price referred to in Paragraph

(2) to the Communications Regulation Commission for clearance within thirty days prior to the effective date of the said price.

(4) (Amended, SG No. 37/2006, supplemented, SG No. 87/2009, effective 3.11.2009) The postal operators performing services within the scope of the universal postal service and the operators providing non-universal postal services shall submit the prices referred to in Paragraph (1) to the Communications Regulation Commission for reference purposes within ten days prior to the effective date of the said prices.

(5) (Amended, SG No. 37/2006, SG No. 87/2009, supplemented, SG No. 53/2019) The Communications Regulation Commission shall oblige the postal operator having an obligation to perform the universal postal service within the timeframe determined by it to adjust the price referred to in paragraph 2 in case the requirements established by the ordinance referred to in Article 66 (1) and the methodology referred to in Article 15 (1) item 13 herein have not been complied with upon the formation of said price.

(6) (Repealed, SG No. 102/2010, effective 30.12.2010, new, SG No. 53/2019) In cases where the postal operator obliged to perform a universal postal service fails to submit revised prices within the timeframe under paragraph 5 or the revised prices are not on line with the requirements under the ordinance referred to in Article 66 (1) and of the methodology referred to in Article 15 (1) item 13, the Communications Control Commission shall refuse to approve them.

Article 66. (1) (Amended, SG No. 112/2001, SG No. 26/2003, SG No. 99/2005, SG No. 37/2006, effective 11.06.2006, SG No. 87/2009, effective 3.11.2009) The prices allocated to services by type within the universal postal service shall be formed and applied according to rules established in an ordinance adopted by the Council of Ministers. The draft of the said ordinance shall be elaborated by the Communications Regulation Commission.

(2) (Amended, SG No. 37/2006) The rules referred to in Paragraph (1) shall be bound to application of the following principles:

1. (amended, SG No. 37/2006) identical prices of identical services throughout the national territory;

2. non-discriminatory treatment of all users;

3. affordability of prices;

4. (amended, SG No. 53/2019) estimating the prices according to the costs;

5. (repealed, SG No. 53/2019);

6. (amended, SG No. 53/2019) ensuring reasonable profit in compliance with the requirements of Article 5 of the Commission Decision of 20 December 2011 on the application of Article 106(2) of the Treaty on the Functioning of the European Union to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest (OJ L 7/3 of January 11 2012);

7. (repealed, SG No. 53/2019);

8. (repealed, SG No. 53/2019);

9. transparency of prices.

(3) (Amended and supplemented, SG No. 26/2003, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) The ordinance referred to in Paragraph (1) shall establish a procedure and terms whereunder the postal operator having an obligation to perform the universal postal service may contract prices allocated to services by type within the universal postal service other than the prices formed according to the rules, applying the principles of transparency and non-discriminatory treatment.

Article 67. (Amended, SG No. 112/2001, repealed, SG No. 26/2003).

Article 68. (Amended, SG No. 37/2006, supplemented, SG No. 87/2009, effective

3.11.2009) Postal operators shall announce the prices of the services performed thereby in a place accessible to users and shall post the said prices on the Internet sites thereof.

Chapter Seven

PAYMENT FOR POSTAL SERVICES

Section I

Methods of Payment

Article 69. (1) (Amended, SG No. 37/2006, amended and supplemented, SG No. 87/2009, effective 3.11.2009) The prices of postal services shall be prepaid by the users. Payment shall be effected in cash, by a cashless method, by means of postage stamps or by another method, depending on the procedure for payment for the relevant service as determined by the postal operator.

(2) (Amended, SG No. 37/2006) Postal services may furthermore be paid for within specified time limits by agreement negotiated individually with the postal operator.

Article 70. (Amended, SG No. 26/2203) (1) (Supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009) Postage stamps shall be used as an indication and as proof of a price paid for postal services performed by the postal operator having an obligation to perform the universal postal service.

(2) (Amended, SG No. 87/2009, effective 3.11.2009) The postal operator having an obligation to perform the universal postal service shall determine the types of services which shall be paid for by means of postage stamps, and shall notify the Communications Regulation Commission.

Section II

Postage Stamps

Article 71. (Amended, SG No. 88/2005, SG No. 37/2006, amended and supplemented, SG No. 87/2009, amended, SG No. 102/2010, effective 30.12.2010, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) The Minister of Transport and Communications shall issue and release for use postage stamps, postal stationery (picture postcards and pictorial envelopes bearing a special printed indication of a price paid for the postal services) and special souvenir cachets on the basis of an annual thematic plan.

Article 72. (Supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009) (1) Current postage stamps shall be sold at the inscribed face value within the territory of the Republic of Bulgaria.

(2) (Amended, SG No. 102/2010, effective 30.12.2010) Postal stationery bearing a special printed indication of a price paid for the postal services shall be sold at the price inscribed thereon.

(3) The sale referred to in Paragraphs (1) and (2) shall be effected by the postal operator having an obligation to perform the universal postal service and by other persons under a contract therewith.

Article 73. (Amended, SG No. 26/2003, SG No. 88/2005, SG No. 37/2006, SG No. 87/2009, repealed, SG No. 102/2010, effective 30.12.2010).

Article 74. (Amended, SG No. 88/2005, SG No. 87/2009, effective 3.11.2009, SG No.

31/2022, SG No. 66/2023, effective 5.08.2023) The Minister of Transport and Communications shall demonetise the postage stamps referred to in Article 71 herein.

Article 75. (1) (Previous text of Article 75, SG No. 26/2003, amended, SG No. 88/2005, SG No. 37/2006, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010, SG No. 53/2019, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) The release for use of postage stamps, of postal stationery and of special souvenir cachets, as well as the demonetisation of postage stamps, shall be performed by an order of the Minister of Transport and Communications, information whereon shall be posted on the Internet site of the Ministry of Transport and Communications and at the fixed post offices of the postal operator having an obligation to perform the universal postal service.

(2) (New, SG No. 26/2003, amended, SG No. 88/2005, SG No. 87/2009, repealed, SG No. 102/2010, effective 30.12.2010).

Article 76. (Amended, SG No. 88/2005, SG No. 37/2006, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) The terms and procedure for the issue and release for use of postage stamps, postal stationery and special souvenir cachets, as well as for the demonetisation of postage stamps, shall be established by an ordinance of the Minister of Transport and Communications.

Section III

Postal Impressions

Article 77. (1) (New, SG No. 102/2010, effective 30.12.2010) In addition to postage stamps, impressions dispensed by automatic vending machines, impressions of franking machines, and impressions made by a printing press or other printing or stamping process, which mandatorily contain information identifying the postal operator, may also be used by the postal operator having an obligation to perform the universal postal service as an indication and as proof of payment of the price of postal services..

(2) (Amended, SG No. 37/2006, renumbered from Paragraph (1), amended, SG No. 102/2010, effective 30.12.2010) Impressions dispensed by automatic vending machines, impressions of franking machines, and impressions made by a printing press or other printing or stamping process, which mandatorily contain information identifying the relevant postal operator, shall be used by postal operators performing services within the scope of the universal postal service and/or non-universal postal services as an indication and as proof of payment of the price of postal services.

(3) (Supplemented, SG No. 37/2006, amended, SG No. 87/2009, renumbered from Paragraph (2), SG No. 102/2010, effective 30.12.2010, supplemented, SG No. 53/2019) The postal operator having an obligation to perform the universal postal service shall use date-stamps and/or another form containing information concerning the date for cancellation of postage stamps, of postal stationery bearing a special printed indication of a price paid for the postal services, for stamping postal items and documents proving clearance and delivery of postal items, as well as documents proving clearance and payment of postal money orders.

(4) (New, SG No. 87/2009, renumbered from Paragraph (3), SG No. 102/2010, effective 30.12.2010, supplemented, SG No. 53/2019) Postal operators licensed for performance of services referred to in Article 39 Item 2 and/or 3 in addition to the impressions referred to in paragraph 2, shall use date-stamps and/or another form containing information concerning the date for stamping postal items, documents proving clearance and distribution of postal items, as well as documents proving clearance and payment of postal money orders.

(5) (Amended, SG No. 112/2001, supplemented, SG No. 26/2003, amended, SG No. 37/2006, renumbered from Paragraph (3), amended, SG No. 87/2009, renumbered from Paragraph (4), amended, SG No. 102/2010, effective 30.12.2010) All types of impressions of the postal operators shall be provided to the Communications Regulation Commission for its information. Upon withdrawal of any type of impression, the postal operators shall notify the Communications Regulation Commission within twenty days prior to the withdrawal of the said type.

(6) (Amended, SG No. 26/2003, renumbered from Paragraph (4), amended, SG No. 87/2009, renumbered from Paragraph (5), amended, SG No. 102/2010, effective 30.12.2010) It shall be prohibited to apply and use for any purposes whatsoever any impressions appertaining to postal operators which have not been provided according to the procedure established by Paragraph (5) or which have been withdrawn.

Article 78. (Amended, SG No. 88/2005, SG No. 87/2009, repealed, SG No. 102/2010, effective 30.12.2010).

Section IV

International Reply Coupons

Article 79. (1) (Amended, SG No. 87/2009, effective 3.11.2009) International Reply Coupons may likewise be used in payment for cross-border postal services performed by the postal operator having an obligation to perform the universal postal service.

(2) The International Reply Coupon shall be a special form approved by the Universal Postal Union, of a specified selling and exchange value.

(3) By means of an International Reply Coupon, the sender shall prepay to the addressee the price of a specified reply item of correspondence.

(4) (Amended, SG No. 87/2009, effective 3.11.2009) International Reply Coupons may be sold in the Republic of Bulgaria solely by the postal operator having an obligation to perform the universal postal service.

Section V

Exemption from Payment for Postal Services

Article 80. (1) (Supplemented, SG No. 26/2003, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) Services related to clearance, sorting, transport and delivery of the following types of postal items from the universal postal service shall be exempted from payment:

1. (amended, SG No. 87/2009, supplemented, SG No. 102/2010, effective 30.12.2010, amended, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) domestic and cross-border service postal items of the Minister of Transport and Communications, the Communications Regulation Commission and the postal operator having an obligation to perform the universal postal service, related to the postal operation and to the correspondence with the Universal Postal Union and the international bodies and organizations, and regulatory authorities, regulation and coordination of postal services;

2. (amended, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) items for blind and partially sighted persons up to 7 kg, except for the surcharge for air transportation, sent by and/or to blind and partially sighted persons or officially recognised institutions for blind and visually impaired persons and bearing the required distinguishing marks;

3. (supplemented, SG No. 37/2006, SG No. 87/2009, amended and supplemented, SG No. 102/2010, effective 30.12.2010) postal items addressed to prisoners of war and civilian internees as defined by the Geneva Convention of 12 August 1949 Relative to the Protection of Civilian Persons in Time of War.

(2) (Amended, SG No. 112/2001, SG No. 88/2005, repealed, SG No. 87/2009, effective 3.11.2009).

(3) (New, SG No. 102/2010, effective 30.12.2010) The service of postal money orders addressed to prisoners of war and civilian internees as defined by the Geneva Convention of 12 August 1949 Relative to the Protection of Civilian Persons in Time of War, performed by the postal operator having an obligation to perform the universal postal service, shall be exempt from payment.

Chapter Eight

CONFIDENTIALITY OF CORRESPONDENCE

Article 81. Any postal operator and any person covered under Article 22 herein, who or which participates in the execution of postal services, shall be obliged to maintain the confidentiality of correspondence, both during the performance of the service and thereafter.

Article 82. (1) Postal operators shall have no right:

1. to misappropriate any postal items;
2. (supplemented, SG No. 37/2006) to open any postal items, except in the cases under Article 93 herein;
3. (supplemented, SG No. 37/2006) to retrieve the contents of any opened postal items;
4. (supplemented, SG No. 37/2006) to pass any items to third parties for the purpose of learning the contents thereof, except in the cases under Article 93 herein;
5. to answer any enquiries and to provide any information regarding postal items, except to the sender and addressee or to persons authorised thereby;
6. (amended, SG No. 37/2006) to provide information about the postal traffic between individual persons.

(2) (Repealed, SG No. 37/2006).

Article 83. (1) Any cross-border postal items shall be subject to customs control, according to the Customs Act and the Regulations for the Application thereof.

(2) Any postal items shall take precedence when passing through customs control.

Article 84. (Amended, SG No. 37/2006) Any sum of money transferred by means of a postal money order, including such in a cash-on-delivery item, may be garnished according to the procedure established by the Code of Civil Procedure for debts incurred by the remitter or payee of the money order until payment of the said sum to the payee. The remitter and payee shall be notified of the garnishment so imposed in writing.

Chapter Nine

LIABILITY AND COMPENSATION

Article 85. (1) (Amended, SG No. 26/2003, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) Any postal operator shall owe an indemnity to users in the event of:

1. (amended, SG No. 102/2010, effective 30.12.2010, SG No. 53/2019) wholly or partly lost, rifled or damaged domestic and cross-border postal parcels, registered postal items, insured postal items and cash-on-delivery items, as well as postal items within the meaning given by § 1

item 18 of the Supplementary Provision;

2. postal parcels returned to sender, when the non-delivery thereof is not motivated;

3. (amended, SG No. 87/2009, effective 3.11.2009) non-conformity with the time limits for distribution of postal items and of postal money orders, as indicated in the General Conditions of the contract with users;

4. unpaid or mispaid sums of money on domestic and cross-border postal money orders.

(2) (Amended, SG No. 26/2003, repealed, SG No. 37/2006).

(3) (Amended, SG No. 87/2009, effective 3.11.2009) The indemnities owed by the postal operator having an obligation to perform the universal postal service in respect of cross-border postal items shall be specified in accordance with the Acts of the Universal Postal Union.

(4) (New, SG No. 37/2006) The specific amounts of the indemnities covered under Paragraph (1) shall be included in the General Conditions of the contracts with users.

(5) (New, SG No. 26/2003, renumbered from Paragraph (4), SG No. 37/2006, amended, SG No. 53/2019) The specific amounts of the indemnities under Paragraph (1) shall be announced by the postal operators at public and accessible places in the fixed post offices.

Article 86. (1) (Amended and supplemented, SG No. 37/2006, supplemented, SG No. 102/2010, effective 30.12.2010) The right to written complaint in the cases covered under Article 85 (1) herein shall attach to the sender or addressee of the postal item or of the postal money order.

(2) (Amended, SG No. 37/2006) The time limit for lodgement of a complaint shall be six months, reckoned from the date of posting or the postal item or of the postal money order.

(3) (Amended, SG No. 37/2006, SG No. 87/2009, supplemented, SG No. 102/2010, effective 30.12.2010) Postal operators shall examine the complaint and, within one month, applicable to domestic postal items and to postal money orders, and three months, applicable to cross-border postal items, shall notify the complainant of the result in writing. Should the complaint be granted, the indemnity shall be paid within one month after the date of notification.

(4) (New, SG No. 37/2006) Should a complaint be rejected in whole or in part or be left without response within the time limit set by Paragraph (3), the complainant may approach the Communications Regulation Commission with a written request to give an opinion on the dispute. The Communications Regulation Commission shall pronounce on the request made within thirty days after receipt of the said request and shall notify the parties to the dispute in writing of the opinion adopted within three days after the date of the decision.

(5) (Supplemented, SG No. 26/2003, renumbered from Paragraph (4), amended, SG No. 37/2006) Should a complaint be rejected in whole or in part or be left without response within the time limit set by Paragraph (3), the complainant may bring an action before a court of law without a need of complying with the provision of Paragraph (4) before that. Alternatively, an action for settlement of the dispute may be brought before the court after application of the provision of Paragraph (4).

Article 87. (Supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009) Postal operators shall not be liable:

1. for any unregistered postal items;

2. (supplemented, SG No. 37/2006) for damage to or destruction of registered or insured postal items resulting from the operation of "force majeure";

3. (supplemented, SG No. 37/2006) when they cannot account for the registered postal items owing to the destruction of the official records thereon by "force majeure";

4. (amended, SG No. 37/2006) where the damage or destruction of the postal items has been caused by the fault of the sender or arises from the nature of the contents of the postal items;

5. (supplemented, SG No. 37/2006) in respect of any postal items containing prohibited articles or substances which, for this reason, have been confiscated or destroyed by the competent authorities according to the established procedure;

6. (amended, SG No. 37/2006, supplemented, SG No. 102/2010, effective 30.12.2010, amended, SG No. 53/2019) where due to an incomplete or incorrect address:

a) the postal item has not been delivered to the recipient or has been delivered to another person;

b) the postal money order has not been paid to the recipient or has been paid to another person;

7. (new, SG No. 37/2006, amended, SG No. 102/2010, effective 30.12.2010, SG No. 53/2019) where the senders or addressees of domestic and cross-border postal parcels, registered postal items, insured postal items and cash-on-delivery items and postal items within the meaning given by § 1 item 18 of the Supplementary Provision, as well as of postal money orders, have not lodged a written complaint within the timeframe referred to in Article 86 (2).

Article 88. (Repealed, SG No. 87/2009, effective 3.11.2009).

Article 89. (1) (Amended, SG No. 37/2006) Senders of postal items shall incur liability to the postal operators for any damage caused by the contents of the items of the said senders to other postal items. Any such liability shall be limited to that incurred by the postal operators to the persons whereof the items were damaged.

(2) (Supplemented, SG No. 37/2006) The senders of any postal items referred to in Paragraph (1) shall furthermore incur liability for any damage caused to the postal operators themselves.

Chapter Ten

PROHIBITION TO INSERT SPECIFIC ARTICLES AND SUBSTANCES IN POSTAL ITEMS

Article 90. (1) It shall be prohibited to insert the following substances and articles in any domestic and cross-border postal items:

1. (amended, SG No. 37/2006) narcotic, anaesthetic, psychotropic and toxic substances;

2. (supplemented, SG No. 102/2010, effective 30.12.2010) weapons, ammunition, pyrotechnic articles, explosives, flammable or other dangerous substances and articles;

3. (amended, SG No. 102/2010, effective 30.12.2010) immoral articles;

4. articles which, by the nature or packing thereof, may expose the life or health of postal officers or other persons to danger, or may soil or damage other items or postal equipment;

5. religious materials of cults and organisations banned or unregistered in Bulgaria;

6. (new, SG No. 37/2006) movable cultural property unaccompanied by an issued authorisation or certificate;

7. (new, SG No. 97/2017, effective 1.01.2018) excise goods and tobacco waste, the holding, moving, transportation, supply and sale of which are prohibited by the Excise Duties and Tax Warehouses Act.

(2) (Amended, SG No. 112/2001) It shall be inadmissible to insert any coins, banknotes, currency notes, traveller's cheques, articles of value to the sender, platinum, gold or silver, whether manufactured or not, precious stones and any other valuables in any postal items with the exception of insured items.

Article 91. (1) (Supplemented, SG No. 112/2001, SG No. 37/2006) Apart from the

substances and articles covered under Article 90 (1) herein, it shall be inadmissible to insert in any cross-border postal items, including insured postal items, any other substances and articles specified (as prohibited) in international treaties, as well as any articles whereof the importation or uttering is prohibited in the country of destination.

(2) (Amended, SG No. 37/2006) Postal operators shall be obliged to provide senders of cross-border postal items with information regarding the prohibited substances and articles covered under Paragraph (1).

Article 92. (Amended, SG No. 37/2006) Should there be reason to suspect that prohibited articles or substances have been inserted in any postal item, the postal operator, upon clearance of any such item, shall request the sender's consent to the conduct of an inspection. Should the sender refuse such consent, the item shall not be cleared.

Article 93. (Amended, SG No. 37/2006) (1) (Amended and supplemented, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) Where there are reasonable grounds to believe that any postal item cleared contains any prohibited articles or substances, the postal operator joint with the entity performing the inspection, shall retain the item and shall request the sender's or addressee's written consent to the opening of the item.

(2) (Amended, SG No. 87/2009, effective 3.11.2009) Should such consent be denied or should no response be given to such a request, the entity performing the inspection shall notify the operator responsible for the transport and distribution of the item, and the said operator shall notify the relevant competent authorities to order subsequent action.

Chapter Eleven

CONTROL

Article 94. (Amended, SG No. 112/2001, SG No. 37/2006) (1) (Supplemented, SG No. 87/2009, effective 3.11.2009) Control over compliance with this Act and of the statutory instruments of secondary legislation issued in pursuance thereof shall be exercised by the Communications Regulation Commission in accordance with the powers vested therein.

(2) (Supplemented, SG No. 109/2007, effective 1.01.2008, amended and supplemented, SG No. 87/2009, effective 3.11.2009, amended, SG No. 31/2022, SG No. 66/2023, effective 5.08.2023) Upon exercise of the control referred to in Paragraph (1), the Communications Regulation Commission, where necessary, shall interact with the Ministry of Transport and Communications, the Ministry of Interior, the State Agency for National Security and other competent authorities.

Article 95. (Amended, SG No. 112/2001, SG No. 37/2006) (1) (Previous text of Article 95, supplemented, SG No. 84/2023) The Chairperson of the Communications Regulation Commission shall issue an order empowering employees of the administration of the said Commission to exercise the control under this Act.

(2) (New, SG No. 84/2023, amended, SG No. 49/2025) The Chairperson of the Communications Regulation Commission shall authorise by an order officials from its administration to carry out control of postal operators licensed to execute postal money orders in accordance with the Measures Against Money Laundering Act and the Act on Measures Against the Financing of Terrorism and of Proliferation of Weapons of Mass Destruction.

Article 95a. (New, SG No. 37/2006) (1) (Previous text of Article 95a, supplemented, SG No. 49/2025) The employees empowered under Article 95, paragraph 1 herein shall have the right:

1. free access to all facilities subject to control;

2. to seize and impound physical evidence related to an ascertainment of the violation;
3. to require information and documents related to the exercise of control;
4. to draw up written statements on violations according to the procedure established by the Administrative Violations and Sanctions Act.

(2) (New, SG No. 49/2025) The employees empowered under paragraph 1 herein shall have the rights according to Chapter Nine of the Measures against Money Laundering Act.

Article 95b. (New, SG No. 37/2006) The employees empowered under Article 95 herein shall be obliged:

1. to identify themselves at the facility inspected by producing an official identity card;
2. to establish the facts accurately and to record objectively the results of the inspections upon the control exercised thereby;
3. (amended, SG No. 49/2025) to give mandatory prescriptions for rectification of non-conformities with this Act, the Measures Against Money Laundering Act, the Act on Measures Against the Financing of Terrorism and of Proliferation of Weapons of Mass Destruction and the instruments for the application thereof;
4. to safeguard official and trade secrets and not to disclose data on the inspections prior to the completion thereof, as well as not to use the information on an inspection beyond the intended use of the said information.

Article 95c. (New, SG No. 37/2006) Postal operators shall be obliged:

1. to afford unimpeded access and conditions for work at the facilities subject to control;
2. to provide information and documents related to the exercise of control.

Article 96. (1) (Amended, SG No. 112/2001, SG No. 37/2006, SG No. 49/2025) Acting on a written statement referred to in item 4 of Article 95a (1) herein, the Chairperson of the Communications Regulation Commission or an official authorised thereby shall issue penalty decrees.

(2) (Amended, SG No. 37/2006) The ascertainment of violations, the issuing, appeal against and execution of penalty decrees shall follow the procedure established by the Administrative Violations and Sanctions Act.

Article 96a. (New, SG No. 87/2009, effective 3.11.2009) (1) The Chairperson of the Communications Regulation Commission, after a decision of the said Commission, shall issue orders suspending the performance of postal services in violation of this Act and of the instruments issued in pursuance thereof, until rectification of the violations.

(2) (Repealed, SG No. 102/2010, effective 30.12.2010).

Article 97. (Repealed, SG No. 26/2003).

Article 98. (Amended, SG No. 26/2003, repealed, SG No. 37/2006).

Chapter Twelve

ADMINISTRATIVE PENALTY PROVISIONS

Article 99. (1) (Amended and supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009, SG No. 84/2023) Any person who performs services set out in Article 39 without a licence shall be liable to a fine of BGN 10,000 or exceeding this amount but not exceeding BGN 20,000.

(2) (Amended, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) Any person, who performs non-universal postal services referred to in Items 1 to 3 of Article 38 herein without having submitted a notification according to the procedure established by Article 59 herein, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 10,000.

(3) (New, SG No. 53/2019) In case of a violation under paragraph 1, committed by a legal entity and a sole proprietor, a financial penalty from BGN 15 000 to BGN 25,000 shall be imposed.

(4) (New, SG No. 53/2019) In cases where the violation under paragraph 2 is committed by a legal entity and sole trader, a financial penalty from BGN 1500 to BGN 15 000 shall be imposed.

(5) (New, SG No. 84/2023) A legal entity or a sole trader who continues to provide services after the termination or revocation of their individual license shall be imposed a financial penalty from BGN 15,000 to BGN 25,000.

Article 100. (Amended and supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) (1) A financial penalty of BGN 1000 to BGN 10 000 shall be imposed on a postal operator who commits a violation of the conditions of the individual license.

(2) A financial penalty of BGN 1000 to BGN 5000 shall be imposed on a postal operator performing non-universal postal services referred to in Article 38, items 1 - 3 who violates the requirements under Article 60.

Article 100a. (New, SG No. 37/2006, amended, SG No. 87/2009, repealed, SG No. 102/2010, effective 30.12.2010).

Article 100b. (New, SG No. 102/2010, effective 30.12.2010) (1) (Amended, SG No. 53/2019) A financial penalty of BGN 200 to BGN 2000 shall be imposed on a postal operator, who performs postal services without the General Terms and Conditions of the contract with users being coordinated with the Communications Regulation Commission.

(2) (Amended, SG No. 53/2019) A financial penalty of BGN 1000 to BGN 5000 shall be imposed on a postal operator, who fails to fulfil the requirements under Article 14 (1), Article 20 (1), items 2, 7 and 8 and Article 60, items 5 and 6.

(3) (Amended, SG No. 53/2019) A repeated violation under Paragraphs 1 and 2 shall be punishable by a fine of BGN 5 000 to BGN 10 000.

Article 101. (1) (Previous text of Article 101, SG No. 53/2019) Any person, who violates the confidentiality of correspondence and opens another's postal item or misappropriates any such item, or who commits any act referred to in Article 82 herein, shall be liable to a fine of BGN 500 or exceeding this amount but not exceeding BGN 5000, unless the act constitutes a criminal offence.

(2) (New, SG No. 53/2019) Where an offence under paragraph 1 has been committed by a legal person or a sole trader, a financial penalty of BGN 700 to BGN 7 000 shall be imposed.

Article 102. (1) (Previous text of Article 102, SG No. 53/2019) Any person, who inserts in a postal item any articles and substances prohibited under Articles 90 and 91 herein, shall be liable to a fine of BGN 500 or exceeding this amount but not exceeding BGN 5000, unless the act constitutes a criminal offence, and any such item shall be confiscated.

(2) (New, SG No. 53/2019) Where an offence under paragraph 1 has been committed by a legal person or a sole trader, a financial penalty of BGN 700 to BGN 7 000 shall be imposed.

Article 103. (1) (Previous text of Article 103, amended, SG No. 26/2003, SG No. 37/2006, repealed, SG No. 53/2019).

(2) (New, SG No. 26/2003, effective 25.03.2003, amended and supplemented, SG No.

37/2006, amended, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) A financial penalty of BGN 1000 to BGN 5000 shall be imposed on any postal operator, who uses without a contract under Article 23 herein the postal network of the postal operator with an obligation to perform the universal postal service or the postal networks of the postal operators licensed for performance of services referred to in Item 2 and/or 3 of Article 39 herein for the purpose of reforwarding postal items cleared thereby.

Article 104. (Amended, SG No. 26/2003, effective 25.03.2003, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009) (1) (Previous text of Article 104, SG No. 53/2019) Any person, who utters or who uses counterfeit, used or demonetised postage stamps, counterfeit or withdrawn impressions of obliterations, postmarks or franking machines appertaining to postal operators, as well as counterfeit postal advices of delivery and International Reply Coupons, shall be liable to a fine of BGN 500 or exceeding this amount but not exceeding BGN 5000 unless the act constitutes a criminal offence.

(2) (New, SG No. 53/2019) Where an offence under paragraph 1 has been committed by a legal person or a sole trader, a financial penalty of BGN 700 to BGN 7 000 shall be imposed.

Article 105. (1) (Amended, SG No. 112/2001, amended and supplemented, SG No. 37/2006, SG No. 87/2009, effective 3.11.2009, amended, SG No. 53/2019) A financial penalty of BGN 500 to BGN 2500 shall be imposed on a postal operator who, when requested to do so by the Communications Regulation Commission, fails to provide information relating to the application of this Act and to the application of the statutory instruments of secondary legislation issued in pursuance thereof, or who provides false or inaccurate information or fails to provide information within the time limit as may be established in the request.

(2) (Amended and supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009, supplemented, SG No. 53/2019) Any person, who obstructs control over the observance of this Act and over the application of the statutory instruments of secondary legislation issued in pursuance thereof, shall be liable to a fine of BGN 100 to BGN 1000. In case of an offence under the first sentence committed by a legal entity or a sole trader, a financial penalty of BGN 150 to BGN 1500 shall be imposed.

(3) (New, SG No. 53/2019) A financial penalty of BGN 1000 to BGN 10 000 shall be imposed on a postal operator obliged to perform the universal postal service who fails to submit documents to the Communications Regulation Commission or fails to provide information or provides false information or fails to submit within the time limit under Article 29a (3) information needed to determine the amount of the net costs and the existence of unfair financial burden resulting from the obligation to perform the universal postal service.

Article 105a. (New, SG No. 26/2003, effective 25.03.2003, supplemented, SG No. 37/2006, amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) (1) (Amended, SG No. 53/2019) A financial penalty of BGN 200 to BGN 2000 shall be imposed on any postal operator, who fails to act on an effective decision of the Communications Regulation Commission.

(2) (Amended, SG No. 53/2019) A financial penalty of BGN 200 to BGN 5000 shall be imposed on a postal operator having an obligation to perform the universal postal service, in case said operator fails to act on an effective decision of the Communications Regulation Commission referred to in Article 33 (8).

Article 105b. (New, SG No. 87/2009, effective 3.11.2009, amended, SG No. 53/2019) A

financial penalty of BGN 10 000 to BGN 50 000 shall be imposed on a postal operator with an obligation for performance of the universal postal service, in case said operator fails to fulfil the standards referred to in Article 15 (1), item 7.

Article 105c. (New, SG No. 26/2003, effective 25.03.2003, amended, SG No. 37/2006, renumbered from Article 105b, supplemented, SG No. 87/2009, amended, SG No. 102/2010, effective 30.12.2010) (Previous text of Article 105c, SG No. 53/2019) Any violation of this Act or of the instruments issued in pursuance thereof, for which no other penalty has been provided for, shall be punishable by a fine of BGN 500 or exceeding this amount but not exceeding BGN 5,000.

(2) (New, SG No. 53/2019) Where an offence under paragraph 1 has been committed by a legal person or a sole trader, a financial penalty of BGN 700 to BGN 7 000 shall be imposed.

Article 105d. (New, SG No. 53/2019) (1) A financial penalty of BGN 200 to BGN 1000 shall be imposed on a postal operator who fails to provide information under Article 4 (1) of Regulation (EU) 2018/644 or provides false, incomplete or incorrect information.

(2) A financial penalty of BGN 200 to BGN 1000 shall be imposed on a postal operator for a breach of Article 4 (2) of Regulation (EU) 2018/644.

(3) A financial penalty of BGN 500 to BGN 2500 shall be imposed on a postal operator who fails to provide information under Article 4 (3) of Regulation (EU) 2018/644 or provides false, incomplete, incorrect or after the time limit, information.

(4) A financial penalty of BGN 500 to BGN 2500 shall be imposed on a postal operator who fails to fulfil the additional information requirements referred to in Article 4 (5) of Regulation (EU) 2018/644 imposed by the Communications Regulation Commission or provides it after the time limit set forth in the request.

(5) A financial penalty of BGN 500 to BGN 2500 shall be imposed on a postal operator who fails to provide information under Article 4 (7) of Regulation (EU) 2018/644 or provides false, incomplete, incorrect or after the time limit, information.

(6) A financial penalty of BGN 200 to BGN 1000 shall be imposed on a postal operator for a breach of Article 5 (1) of Regulation (EU) 2018/644.

(7) A financial penalty of BGN 500 to BGN 2500 shall be imposed on a postal operator who, upon a request from the Communications Regulation Commission, fails to provide further relevant evidence for the purposes of the cross-border tariffs assessment referred to in Article 6 (1) of Regulation (EU) 2018/644 or provides false, incomplete, incorrect or information after the time limit set forth in Article 6 (6) of Regulation (EU) 2018/644.

Article 106. (Amended, SG No. 26/2003, SG No. 87/2009, effective 3.11.2009, repealed, SG No. 53/2019).

Article 106a. (New, SG No. 26/2003) (1) Any fines and pecuniary penalties under effective penalty decrees shall be credited to the bank account of the Communications Regulation Commission.

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

(3) (Amended, SG No. 37/2006, repealed, SG No. 38/2012, effective 1.07.2012).

(4) The Chairperson of the Communications Regulation Commission or an official authorised thereby shall set a time limit for voluntary compliance in the penalty decree.

(5) (Amended, SG No. 105/2005) Any fines and pecuniary penalties, which are not collected according to the procedure established by Paragraph (4), shall be subject to collection according to the procedure established by the Tax and Social-Insurance Procedure Code.

Article 107. (1) Upon repeated commission of any violations covered under the foregoing articles, the fine or pecuniary penalty shall be imposed in a double amount of the one originally imposed.

(2) "Repeated violation" shall be any violation which shall be committed within one year after the entry into force of a penalty decree whereby the offender was penalised for a violation of the same kind.

SUPPLEMENTARY PROVISION

§ 1. In the context of this act:

1. (Amended, SG No. 37/2006, SG No. 102/2010, effective 30.12.2010) "Clearance of postal items" shall be an activity of postal operators involving the collection of postal items deposited by senders at access points.

2. (Amended, SG No. 37/2006) "Transport of postal items" shall be an activity of postal operators involving the process from clearance to distribution of postal items.

3. (Amended, SG No. 37/2006) "Distribution of postal items" shall be an activity commencing from sorting at the distribution centre and ending with handing of postal items to the addressees thereof.

4. (Amended and supplemented, SG No. 37/2006, amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) "Access point" shall be a fixed or a mobile post office, a sub-post office or an outreach post office service point, where senders hand in, and the operator accepts, postal items and postal money orders, as well as letter boxes and other facilities provided for the public, placed on the public highway.

5. (Supplemented, SG No. 26/2003, amended and supplemented, SG No. 37/2006, amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) "Item of correspondence (letter and/or postal card)" shall be a postal item which contains a communication in written form on any kind of physical medium to be transported and distributed at the address indicated by the sender on the item itself. Printed papers shall not be treated as items of correspondence.

6. "Printed papers" shall be a postal item containing newspapers, periodicals, books, catalogues, reproductions on paper used in printing, with the address of the sender and addressee indicated on the item itself.

7. "Small packet" shall be a postal item containing articles with or without commercial value and of a maximum weight of 2 kg.

8. "Postal parcel" shall be a postal item of standard dimensions and weight, usually containing merchandise with or without commercial value.

9. (Supplemented, SG No. 26/2003, SG No. 37/2006, amended, SG No. 87/2009, supplemented, SG No. 101/2010, effective 30.06.2011, amended, SG No. 102/2010, effective 30.12.2010, amended and supplemented, SG No. 105/2011, effective 29.12.2011, amended, SG No. 53/2019) "Postal money order" shall mean a postal service, where at a point of access to the network of a postal operator licensed under Article 39, item 3, the sender deposits a sum of money in cash and orders electronically or on paper that the full sum be paid to the recipient in cash without any deduction whatsoever.

10. (Amended and supplemented, SG No. 37/2006, amended, SG No. 53/2019) "Registered item" shall be an additional service providing an agreed guarantee against risk of loss, theft or damage and supplying the sender with documentary proof of the clearance of the postal item and, upon request, of an advice of distribution of the item to the addressee.

11. (Amended and supplemented, SG No. 37/2006, amended, SG No. 87/2009, effective 3.11.2009, SG No. 53/2019) "Insured item (valeur declaree)" shall be a postal service whereby the postal operator assumes liability up to the amount of the value of the contents of the postal item as declared by the sender in the event of loss, theft or damage.

12. (Supplemented, SG No. 37/2006, amended, SG No. 53/2019) "Cash-on-delivery item" shall be an additional service whereby a postal item is delivered to the addressee against payment of a sum of money fixed by the sender.

13. "User" shall be any natural or legal person benefiting from postal services, such as a sender or an addressee.

14. (Supplemented, SG No. 37/2006) "Sender" shall be a natural or legal person who or which is the originator of a postal item and/or a postal money order.

15. (Amended and supplemented, SG No. 37/2006) "Addressee" shall be a natural or legal person indicated in the address of a postal item and/or a postal money order as the one wherefor the said item and/or order is destined.

16. (Amended and supplemented, SG No. 37/2006, repealed, SG No. 87/2009, effective 3.11.2009).

17. "Cross-border postal items" shall be items originating from, or destined for, another country.

18. (Amended, SG No. 26/2003, SG No. 37/2006, SG No. 53/2019) "Express mail service" shall be a postal service of a value added by comparison with the services referred to in Article 4, items 1 and 2, which guarantees faster and more reliable clearance, transport and distribution of items and is furthermore characterised by the provision of some or all of the following supplementary services:

- (a) collection from the sender's address;
- (b) (amended, SG No. 37/2006) guarantee of distribution by a given date;
- (c) possibility of a change of destination and addressee in transit;
- (d) confirmation to the sender of delivery;
- (e) tracking and tracing of items;
- (f) personalised treatment for users and offer of an "a la carte" service, according to requirements as to manner and time ("on call" and "by contract").

19. (Repealed, SG No. 37/2006).

20. (Amended, SG No. 112/2001, supplemented, SG No. 37/2006, repealed, SG No. 53/2019).

21. "Force majeure" shall be an unforeseen or unavoidable event of an extraordinary nature, which has occurred after the conclusion of a contract.

22. (New, SG No. 26/2003, repealed, SG No. 87/2009, effective 3.11.2009).

23. (New, SG No. 26/2003, amended and supplemented, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) "Postal security" shall be a totality of measures and actions for physical security and safekeeping of postal items, cash resources, the property of operators, the life and health of officers and users, for ensuring the confidentiality of correspondence and the inviolability of the postal items, personal data protection and for cooperation in the detection of violations and criminal offences committed against or through the postal network. These measures shall be implemented by the relevant structures, qualified personnel and technical

means.

24. (New, SG No. 26/2003, repealed, SG No. 19/2005, new, SG No. 37/2006, amended, SG No. 87/2009, SG No. 102/2010, effective 30.12.2010) "Net expenditure" shall be any expenditure of the postal operator having an obligation to perform the universal postal service which is related to and necessary for the operation of the universal service performance, calculated according to the methodology referred to Article 15 (1), item 11.

25. (New, SG No. 37/2006) "Priority items" shall be postal items which are transported and distributed by the quickest possible route.

26. (New, SG No. 37/2006) "Non-priority items" shall be postal items for which the sender has chosen a lower rate, implying a longer time for transport and distribution.

27. (New, SG No. 37/2006) "Systematic violation" shall be in evidence where two or more administrative violations of this Act or of the instruments on the application thereof committed within two years.

28. (New, SG No. 87/2009, effective 3.11.2009, amended, SG No. 53/2019) "Fixed post office" shall be a basic element of the postal networks, organised on separate premises where postal services are performed by officials of a postal operator through technologically interconnected work stations.

29. (New, SG No. 87/2009, effective 3.11.2009, amended and supplemented, SG No. 53/2019) "Mobile post office" shall be an element of the postal networks organised on premises on board special-purpose means of transport, where officials of a postal operator perform postal services according to a specified route and timetable in several nucleated settlements that have no fixed post offices.

30. (New, SG No. 87/2009, effective 3.11.2009, amended, SG No. 53/2019) "Sub-post office" shall be an element of the postal networks organised in separate premises where the postal operator performs postal services.

31. (New, SG No. 87/2009, effective 3.11.2009, amended, SG No. 53/2019) "Outreach post office service point" shall be an organised workplace for performing postal services in premises where also other types of public services are offered. The right to perform postal services shall be provided on the basis of a contract with a postal operator.

32. (New, SG No. 102/2010, effective 30.12.2010, repealed, SG No. 53/2019).

33. (New, SG No. 102/2010, effective 30.12.2010) "Direct mail" shall be a postal item consisting solely of advertising, marketing or publicity material and comprising an identical message, except for the addressee's name, address and identifying number.

34. (New, SG No. 53/2019) "Postal item for blind and partially-sighted people" shall mean items containing correspondence and literature in any form, including as an audio recording, as well as any equipment or materials, produced or adapted to support blind or partially-sighted people.

35. (New, SG No. 53/2019) "Hybrid mail" shall mean a postal service related to reception of communications submitted by the sender in a physical or electronic form, the processing and transmission of the said communications by electronic means, and delivery of the said communications to the addressee in the form of items of correspondence.

36. (New, SG No. 53/2019) "Advice of delivery" shall be an additional service, through which the postal operator shall inform the sender of a registered postal item, of a postal parcel and/or postal money order of their delivery to the recipient or a person authorised by him.

37. (New, SG No. 53/2019) "Unfair financial burden" shall be the burden, which is excessive for the postal operator obliged to perform the universal postal service in view of his capabilities to carry such a difficulty, stemming from the obligation assigned by law.

38. (New, SG No. 49/2025) "Related persons" under item 4 (f) of Article 47 (2) shall be a concept within the meaning of § 1 of the Supplementary Provisions of the Commerce Act.

39. (New, SG No. 49/2025) "Beneficial owner" under item 12 of Article 43 (1) and Article 47 (2) (e) and (f) shall have the meaning assigned to it in § 2 of the Supplementary Provisions of the Measures Against Money Laundering Act.

TRANSITIONAL AND FINAL PROVISIONS

§ 2. The Communications Act (promulgated in the State Gazette No. 27 of 1975; amended in No. 63 of 1976, No. 36 of 1979, No. 36 of 1986, No. 12 of 1988 and No. 77 of 1996) is hereby superseded.

§ 3. The Concessions Act (promulgated in the State Gazette No. 92 of 1995; (modified by) Constitutional Court Judgment No. 2 of 1996, [promulgated in] No. 16 of 1996; amended in No. 44 of 1996; Nos. 61 and 123 of 1997, No. 93 of 1998, Nos. 23, 56, 64 and 67 of 1999, No. 12 of 2000) shall be amended as follows:

1. Item 5 of Article 4 (1) shall be repealed.

2. Item 2 of Article 5 shall be repealed.

§ 4. (Effective 1.01.2001) In the Republic of Bulgaria Defence and Armed Forces Act (promulgated in the State Gazette No. 112 of 1995; amended and supplemented in No. 67 of 1996 and No. 122 of 1997, Nos. 70, 93, 152 and 153 of 1998, Nos. 12, 67 and 69 of 1999, No. 49 of 2000), there shall be added the following new Paragraph in Article 113:

"(6) The services referred to in Paragraphs (1) to (5) shall be paid for by the Ministry of Defence to the postal operators who or which have performed the said services."

§ 5. The Telecommunications Act (promulgated in the State Gazette No. 93 of 1998; amended in No. 26 of 1999, No. 10 of 2000) shall be amended and supplemented as follows:

1. in Article 15, Item 5 shall be deleted;

2. Paragraph (1) of Article 19 shall be amended and supplemented as follows:

(a) there shall be inserted the following new Item:

"2. proceeds from licence fees and registration fees for performance of non-universal postal services";

(b) Items 2, 3, 4 and 5 of Article 19 shall be renumbered to become respectively Items 3, 4, 5 and 6;

3. In Paragraph (1) of Article 20, there shall be added the following new Item:

"7. financial assistance of the principal postal operator for execution of the universal postal service under economically unprofitable conditions".

4. in Paragraph (3) of Article 22, the words "as well as the postal communications" shall be deleted.

§ 6. (1) (Amended, SG No. 26/2003, SG No. 37/2006, effective 1.01.2006, amended, SG No. 109/2008) In pursuance of Article 18 (4) of the Constitution of the Republic of Bulgaria, a state monopoly is hereby established, valid until the 31st day of December 2010, over a reserved area of the universal postal service provided through a postal network. The services in the reserved area shall include clearance, transport and distribution of items of domestic correspondence and items of inward and outward cross-border correspondence.

(2) (New, SG No. 37/2006, effective 1.01.2006) As from the 1st day of January 2006, the weight and price limits applicable to the services in the reserved area shall be:

1. in respect of items of domestic correspondence: a weight of up to 150 g and a price not exceeding three times (but not equal to three times) the price for a standard item of domestic

correspondence weighing up to 20 g or the price for a standard priority item of domestic correspondence weighing up to 20 g, as applied by the principal postal operator;

2. in respect of items of inward and outward cross-border correspondence: a weight of up to 150 g and a price not exceeding three times (but not equal to three times) the price for a priority item of airmail cross-border correspondence weighing up to 20 g, as applied by the principal postal operator.

(3) (New, SG No. 37/2006, effective 1.01.2006) As from the 1st day of January 2006, the weight and price limits applicable to the services in the reserved area shall be:

1. (amended and supplemented, SG No. 87/2009, effective 3.11.2009) in respect of items of domestic correspondence: a weight of up to 50 g and a price not exceeding two and a half times (but not equal to two and a half times) the price for a standard item of domestic correspondence weighing up to 20 g and/or the price for a standard priority item of domestic correspondence weighing up to 20 g, as applied by the postal operator having an obligation to provide the universal postal service;

2. (amended, SG No. 87/2009, effective 3.11.2009) in respect of items of inward and outward cross-border correspondence: a weight of up to 50 g and a price not exceeding two and a half times (but not equal to two and a half times) the price for a priority item of cross-border correspondence weighing up to 20 g, as applied by the postal operator having an obligation to perform the universal postal service.

(2) (New, SG No. 26/2003, renumbered from Paragraph (2) and amended, SG No. 37/2006, effective 1.01.2006) The State shall award the execution of the services covered under Paragraphs (1), (2) and (3) by an individual licence granted to Bulgarian Posts EAD.

(5) (Renumbered from Paragraph (2), SG No. 26/2003, renumbered from Paragraph (3), SG No. 37/2006, effective 1.01.2006) The following shall be excluded from the services covered under Paragraph (1):

1. printed papers, unless containing or enclosing communications destined for the addressee;

2. documents accompanying goods in transit;

3. document exchange between institutions and companies, where effected through the agency of employees thereof.

(6) (Renumbered from Paragraph (3), SG No. 26/2003, renumbered from Paragraph (4) and amended, SG No. 37/2006, effective 1.01.2006) The prices of the services covered under Paragraphs (2) and (3) shall be formed according to Article 66 of this Act.

(7) (Renumbered from Paragraph (4), SG No. 26/2003, renumbered from Paragraph (5), SG No. 37/2006, effective 1.01.2006, supplemented, SG No. 87/2009, effective 3.11.2009) Until the final date referred to in Paragraph (1), Bulgarian Posts EAD shall keep, in addition to accounts, separate analytical accounts for the reserved area and for the non-reserved area of the universal postal service allocated to services by type, according to Article 29 (3) of this Act.

(8) (Renumbered from Paragraph (5), SG No. 26/2003, renumbered from Paragraph (6), SG No. 37/2006, effective 1.01.2006) Where the income accruing from the reserved area exceeds the expenses, the difference shall cover the proven financial deficit incurred by executing the services involved in the universal postal service outside the reserved area.

(9) (Renumbered from Paragraph (6), SG No. 26/2003, renumbered from Paragraph (7) and amended, SG No. 37/2006, effective 1.01.2006, amended, SG No. 87/2009, effective 3.11.2009) Where the excess of income referred to in Paragraph (5) is insufficient to cover the proven financial deficit incurred by performance of the universal postal service allocated to services by type outside the reserved area, as well as where the expenses associated with the reserved area

exceed the income accruing from the said sector, the overall financial deficit shall be made up by the state budget, according to Article 29 of this Act.

§ 7. (Amended, SG No. 88/2005) The Special Courier Service with the Ministry of State Administration and Administrative Reform shall continue to perform the operation thereof of clearance, transport and distribution, according to Article 11 (1) of the Postal Services Act, until transformation of the said Service by the Council of Ministers according to Paragraph (2) of Article 11 of the Postal Services Act.

§ 8. Within five months after the entry of this Act into force, the Minister of Transport and Communications shall issue the statutory instruments of secondary legislation provided for thereby.

§ 9. Within six months after the entry of this Act into force, the Minister of Transport and Communications shall grant Bulgarian Posts EAD an individual licence for implementation of the universal postal service.

§ 10. (Amended, SG No. 26/2003, SG No. 37/2006, effective 1.01.2006, SG No. 109/2008, SG No. 87/2009, effective 1.01.2011, repealed, SG No. 102/2010, effective 30.12.2010).

§ 11. (1) The persons who or which perform postal services upon the effective date of this Act shall be obliged, within six months thereafter, to take the necessary action to obtain a licence or a registration according to the procedure established by this Act. Should the said persons fail to submit applications to the Minister of Transport and Communications within the said time limit, the said persons shall discontinue the activities thereof.

(2) Within three months after submission of any application under Paragraph (1), the Minister of Transport and Communications shall grant or shall refuse to grant a licence or shall effect registrations for non-universal postal services.

§ 12. This Act shall enter into force on the 1st day of August 2000, with the exception of § 4 herein, which shall enter into force on the 1st day of January 2001.

TRANSITIONAL PROVISION

(New, SG No. 88/2005)

Sole Paragraph. (1) The statutory instruments of secondary legislation issued by the Minister of Transport and Communications shall retain the effect thereof.

(2) The statutory instruments of secondary legislation referred to in Paragraph (1) shall be brought into conformity with this Act within six months after the entry thereof into force.

TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Postal Services Act
(Promulgated, SG No. 112/2001, effective 5.02.2002)

§ 46. (1) Any individual licences for provision of a universal postal service and any certificates for performance of non-universal postal services, as granted and as issued by the Minister of Transport and Communications before the entry of this Act into force, shall retain the effect thereof.

(2) Any applications, submitted before the entry of this Act into force by any persons who or which have not been granted individual licences for provision of a universal postal service and certificates for performance of non-universal postal services, shall be considered by the Communications Regulation Commission under the terms and according to the procedure established by the Postal Services Act.

§ 47. Within three months after the entry of this Act into force, the Minister of Transport and Communications shall lay an updated Sector Postal Policy of the Republic of Bulgaria before the Council of Ministers for consideration in accordance with the Postal Services Act.

§ 48. The civil-service relationships and the employment relationships of the employees of the administration of the Ministry of Transport and Communications, who have assisted the Minister of Transport and Communication in exercise of the powers thereof in connection with the regulation and control of postal services, shall be transferred to the Communications Regulation Commission.

.....
TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Postal Services Act
(Promulgated, SG No. 26/2003, effective 1.03.2003)

§ 60. The instruments provided for in Article 11 (3) and in Items 11, 12, 13 and 14 of Article 15 (1) (of the Postal Services Act) shall be adopted within six months after the entry of this Act into force.

.....
§ 62. This Act shall enter into force on the 1st day of January 2003, with the exception of Item 2 of § 52, § 53, 54 and 55.

TRANSITIONAL AND FINAL PROVISIONS

to the Ministry of the Interior Act
(Promulgated, SG No. 17/2006, effective 1.05.2006)

.....
§ 21. Provisions concerning the legal status of the civil servants at the Ministry of Interior shall also apply to the civil servants referred to in Article 11 of the Postal Services Act.

.....
TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Postal Services Act
(Promulgated, SG No. 37/2006, effective 5.05.2006)

§ 99. The statutory instruments of secondary legislation issued until the entry of this Act into force, which do not conflict with this Act, shall retain the effect thereof.

§ 100. Within six months after the entry of this Act into force, the Communications Regulation Commission shall bring into conformity therewith the individual licences for performance of the universal postal service or of a part thereof as granted.

§ 101. This Act shall enter into force on the day of promulgation thereof in the State Gazette with the exception of:

1. § 98, which shall enter into force on the 1st day of January 2006, and Item 1 of § 62, which shall enter into force on the 11th day of June 2006;

2. Item 1 (g) of § 13 (in respect of Item 21 of Article 15 (1) [of the Postal Services Act], Item 1 (b) of § 32 (in respect of Item 2 of Article 34 (1) [of the Postal Services Act], and § 34 (in respect of Article 36 (1) and (2) [of the Postal Services Act], which shall enter into force on the 1st day of January 2007;

3. § 3 (in respect of Item 2 of Article 7 [of the Postal Services Act]), Item 2 (a) of § 38 (in respect of Item 1a of Article 43 (2) [of the Postal Services Act]), and Item 1 of § 55 (in respect of Item 1a of Article 59 (2) [of the Postal Services Act]), which shall enter into force as from the date of accession of the Republic of Bulgaria to the European Union.

(*) ACT to Amend the Commercial Register Act
(Promulgated, SG No. 80/2006, effective 3.10.2006)

§ 1. In § 56 of the Transitional and Final Provisions the words "1 October 2006" shall be replaced by "1 July 2007".

.....
(*) ACT to Amend the Commercial Register Act
(Promulgated, SG No. 53/2007, effective 30.06.2007)

§ 1. In § 56 of the Transitional and Final Provisions the words "1 July 2007" shall be replaced by "1 January 2008".

.....
SUPPLEMENTARY PROVISION

to the Act to Amend and Supplement the Postal Services Act
(Promulgated, SG No. 109/2008)

§ 12. This Act transposes the provision of Directive 2008/6/EC of the European Parliament and of the Council of 20 February 2008 amending Directive 97/67/EC with regard to the full accomplishment of the internal market of Community postal services (OJ L 52/3 of 27 February 2008) with regard to extending the period for which the reserved area is granted to the universal postal service provider until the 31st day of December 2010.

ACT to Amend and Supplement the Postal Services Act
(Promulgated, SG No. 87/3.11.2009, effective 3.11.2009)

.....
Supplementary Provision

§ 110. This Act transposes provisions of Directive 2008/6/EC of the European Parliament and of the Council of 20 February 2008 amending Directive 97/67/EC with regard to the full accomplishment of the internal market of Community postal services (OJ L 52/3 of 27 February 2008).

Transitional and Final Provisions

§ 111. The statutory instruments of secondary legislation issued until the entry of this Act into force shall retain the effect thereof inasmuch as they do not conflict with the said Act.

§ 112. Within six months after the entry of this Act into force, the Communications Regulation Commission shall bring the individual licences as granted into conformity with the said Act.

.....
§ 115. This Act shall enter into force on the day of promulgation thereof in the State Gazette, with the exception of the provision of Item 2 of § 109 herein, which shall enter into force on the 1st day of January 2011.

ACT to Amend and Supplement the Ministry of Interior Act
(State Gazette No. 93/2009, effective 24.12.2009)

.....
Supplementary Provision

§ 59. (Effective 24.11.2009 - SG No. 93/2009) This Act introduces:

1. The Convention on the establishment of a European Police Office (Europol) adopted on 26 July 1995 (ratified by law, SG No. 105/2006, non-promulgated) and Council Decision 2002/187/JHA of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime.

2. Council Framework Decision 2006/960/JHA of 18 December 2006 on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union.

Transitional and Final Provisions

§ 60. Upon entry into force of this Act, existing civil service relations of civil servants employed in the Ministry of Interior shall be retained as per Article 87a of the Civil Servants Act.

§ 61. Upon entry into force of this Act, existing employment relations of persons working in the Ministry of Interior under employment contracts shall not be terminated, in accordance with Article 123 of the Labour Code.

§ 62. (Effective 24.11.2009 - SG No. 93/2009) Any existing investigating police officers, who do not meet the requirements of Article 217 (1), shall perform the investigation functions, assigned to them, for up to two years following the entry into force of this Act.

§ 63. (Effective 24.11.2009 - SG No. 93/2009) The Ministry of Interior shall be the legal successor of assets, liabilities, rights and obligations of the Ministry of Emergency Situations rendered defunct by the National Assembly's Decision adopting the structure of the Council of Ministers of the Republic of Bulgaria (SG No. 60/2009), as well as of any documents which are not subject to archiving under the procedure of the National Archives Stock Act.

§ 64. (Effective 24.11.2009 - SG No. 93/2009) Any civil servants in service legal relationships and any employees in labour legal relationships with the Minister of Emergency Situations who are performing functions, related to disaster relief and ensuring access by citizens to the emergency services via the National Emergency Call System with a Single European Dial Number 112, as at the date of entry into force of the Decision of the National Assembly for adoption of the structure of the Council of Ministers of the Republic of Bulgaria (SG No. 60/2009), whereby the Ministry of Emergency Situations was dissolved, shall be appointed to the Ministry of Interior without conducting a competition and without fulfilling the specific requirements under Article 179 (1), item 4 and Paragraph 3.

§ 65. (Effective 24.11.2009 - SG No. 93/2009) By 31 December 2009 the employees under § 64 shall be paid the remunerations, supplements and service attire subsidies, as determined under the hitherto existing procedure.

§ 66. Upon entry into force of this Act any existing service and labour legal relationships of civil servants and individuals, working under a labour legal relationship at the Special Courier Service shall not be terminated, but transformed respectively into service and labour legal relationships of Ministry of Interior employees and the latter shall be appointed to the positions, which they were occupying as at the moment of transformation of the legal relationships.

.....
ACT

to Amend and Supplement the Postal Services Act
(SG No. 102/2010, effective 30.12.2010)

.....
§ 66. In the remaining texts of the Act, the words "Item 2 and/or 3 of Article 38" shall be replaced by "Items 1 to 3 of Article 38".

§ 67. In the remaining texts of the Act, the words "местата за достъп" shall be replaced by "точките за достъп". [this amendment does not concern the English version - Translator's Note]

.....
Supplementary Provision

§ 69. This Act transports requirements of Directive 2008/6/EC of the European Parliament and of the Council of 20 February 2008 amending Directive 97/67/EC with regard to the full accomplishment of the internal market of Community postal services (OJ L 52/3 of 27 February 2008) regarding the financing of the universal postal service after the abolition of the reserved area as from the 1st day of January 2011.

Transitional and Final Provisions

§ 70. The postal operator which, according to Article 24 [of the Postal Services Act], is entrusted with an obligation to perform the universal postal service shall be the Bulgarian Posts EAD commercial corporation for a period of fifteen years, reckoned from the day of promulgation of this Act in the State Gazette.

§ 71. Within six months after the entry of this Act into force, the Communications Regulation Commission shall bring into conformity therewith the individual licence issued to the postal operator having an obligation to perform the universal postal service.

§ 72. The statutory instruments of secondary legislation issued until the entry of this Act into force shall retain the effect thereof inasmuch as they do not conflict with the said Act.

§ 73. Within six months after the entry of this Act into force, the Minister of Transport, Information Technology and Communications shall issue the ordinance referred to in Article 14 (2) [of the Postal Services Act].

.....
TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Civil Servants Act
(Promulgated, SG No. 38/2012, effective 1.07.2012)

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

1. the Council of Ministers shall bring the Classifier of Positions in the Administration into conformity with this Act;

2. the competent authorities shall bring the organic acts of the respective administration into conformity with this Act.

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

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

1. award the lowest rank designated in the Classifier of Positions in the Administration for occupation of the position, unless the servant holds a higher rank;

2. fix an individual monthly basic salary.

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

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

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

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

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

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

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

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

ACT

to Amend and Supplement the Postal Services Act
(SG No. 53/2019)

.....
Supplementary Provision

§ 65. This law contains related to the implementation of Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services.

Transitional and Final Provisions

§ 66. Compensations for 2018 and 2019 fixed under the procedure laid down in Article 29 (4) shall be transferred in instalments over the next 5 budget years, whereby they shall be planned in the state budget act of the Republic of Bulgaria for the relevant year based on a proposal of the Minister of Transport, Information Technology and Communications.

§ 67. Within six months after the entry of this Act into force, the Communications Regulation Commission shall bring the individual licences as granted into conformity with the said Act.

§ 68. (1) The statutory instruments of secondary legislation issued until the entry of this Act into force shall retain the effect thereof inasmuch as they do not conflict with the said Act.

(2) The statutory instruments of secondary legislation for the application of this Act shall be brought into conformity with this Act within six months from the entry into force thereof.

§ 69. § 20, item 3 shall enter into force as of 1 January 2020.

TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend the Postal Services Act

(SG No. 31/2022)

§ 17. (1) The statutory instruments of secondary legislation issued by the Minister of Transport, Information Technology and Communications under the Postal Services Act shall retain the effect thereof.

(2) The statutory instruments of secondary legislation for the application of this Act shall be brought into conformity with this Act within six months from the entry into force thereof.

(3) The Council of Ministers shall designate the deputy prime minister under Article 10 of the Postal Services Act by a decision and shall settle the legal relationships arising from this Act in a term of 6 months as of the date it becomes effective.

.....

TRANSITIONAL AND FINAL PROVISIONS
to the 2023 State Budget of the Republic of Bulgaria Act
(SG No. 66/2023, effective 1.01.2023)

§ 36. (Effective 5.08.2023 - SG No. 66/2023) The Postal Services Act (promulgated, SG No. 64 of 2000; amended, No. 112 of 2001, Nos 45 and 76 of 2002, No. 26 of 2003, Nos 19, 88, 99 and 105 of 2005, Nos 34, 37, 80 and 86 of 2006, Nos 41, 53 and 109 of 2007, No. 109 of 2008, Nos 35, 87 and 93 of 2009, Nos 101 and 102 of 2010, No. 105 of 2011, No. 38 of 2012, No. 61 of 2014, Nos 81 and 95 of 2016, No. 97 of 2017, No. 77 of 2018, Nos 53 and 100 of 2019 and No. 31 of 2022) is amended, as follows:

10. In the remaining text of the Act, the texts "the Deputy Prime Minister specified in Article 10" and "a Deputy Prime Minister specified in Article 10" are replaced by "the Minister for Transport and Communications".

§ 46. This Act shall enter into force on 1 January 2023, with the exception of:

6. § 13, § 14(7) and (8), § 14(10) regarding subparagraphs 11, 12, 13 and 19 (a) of Article 182e, § 15, § 21, § 22, § 23, § 34, § 35, § 36 and § 37, which shall enter into force three days after the promulgation of the Act in the State Gazette;

TRANSITIONAL AND FINAL PROVISIONS
to the Act on the Amendment and Supplement
to the Measures Against Money Laundering Act
(SG No. 84/2023)

§ 82. Until the entry into force of this Act, administrative proceedings under the Markets in Financial Instruments Act, the Collective Investment Schemes and Other Undertakings for Collective Investments Act, the Insurance Code, the Social Insurance Code, the Postal Services Act, the Payment Services and Payment Systems Act and the Credit Institutions Act shall be completed in accordance with the hitherto existing procedure.

FINAL PROVISIONS
to the Act Amending and Supplementing the
Measures against the Financing of Terrorism Act
(SG No. 49/2025)

§ 37. The Postal Services Act (promulgated, SG No. 64 of 2000; amended, No. 112 of 2001, Nos. 45 and 76 of 2002, No. 26 of 2003, Nos. 19, 88, 99 and 105 of 2005, Nos. 34, 37, 80 and 86 of 2006, Nos. 41, 53 and 109 of 2007, No. 109 of 2008, Nos. 35, 87 and 93 of 2009, Nos. 101 and 102 of 2010, No. 105 of 2011, No. 38 of 2012, No. 61 of 2014, Nos. 81 and 95 of 2016, No. 97 of 2017, No. 77 of 2018, Nos. 53 and 100 of 2019, No. 31 of 2022, Nos. 66 and 84 of 2023 and No. 79/2024) is amended and supplemented, as follows:

9. In the remaining text of the Act, the words "Measures against the Financing of Terrorism Act" shall be replaced by "Act on Measures Against the Financing of Terrorism and of Proliferation of Weapons of Mass Destruction".

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