

Civil Registration Act

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Chapter One

GENERAL PROVISIONS

Article 1. (1) This Act shall provide the conditions and rules for the civil registration of individuals in the Republic of Bulgaria.

(2) Civil registration shall mean the recording of the events of birth, marriage and death in the civil status registers and recording of persons in the population registers.

(3) Civil registration shall include a set of personal data distinguishing a person from all other persons in society and in the family as the bearer of subjective rights, such as name, citizenship, family status, kinship, permanent address, etc.

Article 2. (1) The civil registration of individuals in the Republic of Bulgaria shall be based on the data in their civil status acts and the data in other acts specified by the law.

(2) The civil status acts shall be official written documents. The civil status officials shall register therein the events of birth, marriage and death according to the provisions of the act.

Article 3. (1) Civil status registers shall keep record of the events under Article 1, Paragraph 2 concerning all Bulgarian citizens and foreign nationals on the territory of the Republic of Bulgaria.

(2) The population registers shall keep record of:

1. all Bulgarian citizens;
2. all foreign nationals who:
 - a) have been granted permission for permanent stay in the Republic of Bulgaria;
 - b) are without citizenship and have settled permanently and primarily in the Republic of Bulgaria;
 - c) (Supplemented - SG 54/2002) have been granted refugee or humanitarian status, or asylum in the Republic of Bulgaria.

Article 4. (1) Entries into the civil status registers shall be made at the place of occurrence of the event.

(2) Entries into the population registers shall be made at the municipality of the individual's permanent address.

(3) Municipality mayors shall be responsible for civil registration on the territory of their municipality.

Article 5. The civil registration of individuals in the Republic of Bulgaria shall include the collection, processing, keeping and provision of data which:

1. define the personal identity;
2. define the relationships between persons related in the direct line in the first degree and in the collateral line in the second degree;
3. indicate the permanent and present address;
4. indicate the degree and type of education;
5. keep record of imposed legal restrictions.

Article 6. Civil registration data may be computerized. They shall be kept in the documentation and file registers, as well as in automated databases.

Article 7. Civil registration data may be given to:

1. the Bulgarian and foreign nationals and those persons without citizenship that they refer to, as well as to third persons when these data may affect the occurrence, existence, change or termination of their lawful rights and interests;
2. state authorities, according to their legal powers;
3. Bulgarian and foreign legal entities, if provisions thereto are made in a statute or an act of the judiciary.

Chapter Two

CIVIL REGISTRATION IN THE REPUBLIC OF BULGARIA

Section I

General Provisions

Article 8. (1) The basic civil registration data of a person shall include:

1. name;
2. date - day, month, year, and place of birth;
3. sex;
4. citizenship;
5. Personal Identity Number (PIN).

(2) The civil registration data of foreigners in the Republic of Bulgaria shall also include the Personal Number of Foreigner.

Article 9. (Amended, SG 96/2004) (1) The name of a Bulgarian citizen, born on the territory of the Republic of Bulgaria, shall consist of a given name, father's name and family name. The three components of the name shall be entered in the birth act.

(2) When issuing a birth certificate to a Bulgarian citizen born outside the territory of the Republic of Bulgaria, the father's and family name may be entered with the suffix -ov or -ev and an appropriate gender inflection according to the child's sex, if so requested in writing by the parents within three years of the date of birth of the child.

(3) The name of a foreigner born on the territory of the Republic of Bulgaria shall be entered as declared by the parents.

(4) The names of a foreigner, born outside the territory of the Republic of Bulgaria, shall be entered in the civil status registers and in the population registers in the way is written in his/her national personal identity document or birth act, irrespective of the number of its components.

Article 10. (1) The conditions and rules for acquisition, retention and loss of Bulgarian citizenship shall be specified in the Bulgarian Citizenship Act.

(2) The citizenship of a foreign national shall be ascertained from the identity document with which the foreign national has entered the country.

Article 11. The Personal Identity Number (PIN) shall be used as an administrative identifier of the individuals subject to registration. This number shall be unique and shall identify the individual unequivocally.

(2) The method of formation and the rules for assigning and correcting the Personal Identity Number shall be arranged in the Rules for functioning of the Unified System for Civil Registration and Administrative Services of the Population (ESGRAON) as approved by the Council of Ministers.

Section II

Names of the Bulgarian citizens

Article 12. (1) The given name of a person shall be chosen by the parents thereof and shall be made known in writing to the civil registration official at the time of birth act issuance.

(2) If the parents have not reached an agreement about the name, the official shall enter in the birth act only one of the names proposed by the parents.

(3) If the parents do not specify a name, the official shall enter the name chosen by him/her as most appropriate in the case.

(4) If the name chosen for the child is ridiculing, disgracing, publicly unacceptable or incompatible with the national pride of the Bulgarian people, the official may refuse to enter the name in the birth act and apply the provisions of paragraphs 2 and 3.

Article 13. (Amended, SG 96/2004) A person's father's name shall be derived from the father's given name and entered with the suffix -ov or -ev and an appropriate gender inflection according to the sex of the child, except when the given name of the father cannot combine with these suffixes or they are contrary to the parents' family, ethnic or religious traditions.

Article 14. (1) (Amended, SG 96/2004) A person's family name shall be the family name of the father with the suffix -ov or -ev and an appropriate gender inflection according to the sex of the child, except when the parents' family, ethnic or religious traditions require otherwise.

(2) (Amended, SG 96/2004) Upon the conclusion of a marriage the family name shall be formed according to the rules of the Family Code.

(3) The children of the same parents shall be entered with same family name.

(4) When a person is publicly known under a pseudonym, s/he may be allowed by the court to add the pseudonym to his/her name.

Article 15. (1) The father's name of a child whose mother is only known shall be derived from the mother's given name or its base, and the child's family name shall be that of the mother or the name of her father.

(2) In the cases under Paragraph 1, with the mother's father's consent, his name may be taken as father's name of the child. In this case the child's family name shall be the family name of the mother.

Article 16. (1) The name of the child fathered after issuance of the birth act shall be determined under the rules of this Act.

(2) The name of a child whose origin has been established by the court shall be determined by the court under the rules of this Act.

Article 17. The name of a child whose parents are unknown shall be determined by the official.

Article 18. (1) (Amended, SG 96/2004) Upon adoption, the child's given name shall be determined by the court in accordance with the adopters' request. If the child has attained 14 years of age, the child's consent shall also be required when changing his/her name.

(2) (New, SG 96/2004) In case of full adoption, the father's and family name shall be determined on the basis of the adopter's name according to the rules of this Act.

(3) (New, SG 96/2004) In case of partial adoption, the father's and family name may be changed by the court at the adopters' request. If the child has attained 14 years of age, the child's consent shall also be required.

(4) (Renumbered from paragraph 2 - SG 96/2004) When adoption is terminated by the court, the adopted person shall have his/her name restored as prior to adoption. With the consent of the adopter or under compelling circumstances the court may allow the adopted person to retain the name given at adoption.

Article 19. (1) Changes of one's given, father's or family name may be allowed by the court when requested in writing by the person concerned when the name is ridiculing, disgracing or publicly unacceptable or there are other compelling circumstances.

(2) (Amended, SG 96/2004) A person who has acquired or restored his/her Bulgarian citizenship may be allowed to change his/her father's or family name with the suffixes -ov or -ev and an appropriate gender inflection, as well as to render his/her given name more

Bulgarian-sounding under the summary proceeding rules of the Civil Procedure Code. These proceedings shall be exempt from state fees.

(3) (repealed - SG 28/2001)

(4) (repealed - SG 28/2001)

(5) (repealed - SG 28/2001)

(6) (repealed - SG 28/2001)

Article 19a. (New - SG No. 28/2001) (1) Bulgarian citizens whose names have been forcibly changed may restore their previous names at their own request.

(2) (Amended, SG 96/2004) The restoration of names under Paragraph 1 shall be made with decision of the civil status official acting at the written application of the requestor following notary certification of the latter's signature. The official's decision may be appealed by the parties concerned and by the prosecutor under the rules of the Administrative Procedure Code.

(3) The names of underage persons may also be restored or changed under the rules of Paragraph 2 if the names of one or both parents have been forcibly changed. In this case the application shall be lodged by both parents or guardians. In case of disagreement between the parents or guardians the dispute shall be settled by the regional court.

(4) The names of Bulgarian citizens born after the forcible change of the names of one or both parents may also be changed under the rules of Paragraph 2, whereas the names of their underage children may be changed under the rules of Paragraph 3.

Article 20. In the case of acquisition or restoration of Bulgarian citizenship, a person of Bulgarian origin may, at his/her own request, adopt a father's or family name with the suffix -ov or ev and the appropriate gender inflection, as well as to render his/her given name more Bulgarian-sounding. These changes of the names shall be written in the decree of the President of the Republic of Bulgaria with which Bulgarian citizenship is acquired or restored.

Article 21. (Repealed, SG 96/2004)

Section III

Population Registers

Article 22. (1) All persons subject to civil registration shall have a Personal Registration File (PRF) and an entry in the National Population Data Base (NPDB).

(2) (Amended, SG 96/2004) The Personal Registration File shall be made and kept at the municipality or the mayoralty of the person's permanent address.

Article 23. (1) The Population Register of the Republic of Bulgaria shall comprise all Municipal Population Registers, and the National Population Data Base shall be its computerized equivalent.

(2) The Population Registers at the municipality and mayoralty shall comprise all Personal Registration Files of the persons holding or having held a permanent address at the municipality.

(3) The Population Register at every municipality shall comprise:

1. register of Bulgarian citizens;
2. register of foreign nationals under Article 3, Paragraph 2, item 2;
3. register of deceased persons;
4. archive register.

Article 24. (1) The municipality Population Registers shall be maintained on paper and their computerized equivalent shall be the Local Population Data Base (LPDB), which shall be part of ESGRAON.

(2) The certificates issued by the municipal administration shall be based on the population registers. The rules for issuance of certificates and the templates thereof shall follow the Rules under Article 11, Paragraph 2.

Article 25. The Personal Registration File shall contain the following data:

1. name;
2. (Amended, SG 96/2004) a pseudonym and/or names abroad;
3. sex;
4. date of birth - day, month, year;
5. Personal Identity Number, and for foreign nationals - personal number of foreigner;
6. citizenship;
7. place of birth - region, municipality, settlement, and for persons born outside the territory of the Republic of Bulgaria - also country;
8. birth act - number, date and place of issuance; foreigners shall have their birth act entered only if born in the Republic of Bulgaria;
9. (Supplemented, SG 96/2004) permanent address - region, municipality, settlement, residential quarter, street, building number, entrance number, floor number, apartment number, electronic address, where available;
10. (Repealed, SG 96/2004);
11. family status;
12. act of concluded marriage - number, date and place of issuance; date and place of marriage if not concluded in the Republic of Bulgaria;
13. spouse - PIN or date of birth, name, sex, permanent address, citizenship, and for decedents - number, date and place of issuance of the death act;
14. divorce order - number, date and place of ruling;
15. children - PIN or date of birth, name, sex, permanent address, citizenship, and for decedents - number, date and place of issuance of the death act;
16. mother - PIN or date of birth, name, sex, permanent address, citizenship, and for decedents - number, date and place of issuance of the death act;
17. father - PIN or date of birth, name, sex, permanent address, citizenship, and for decedents - number, date and place of issuance of the death act;
18. siblings - PIN or date of birth, name, name of the other parent if they are not of the same mother or father, sex, permanent address, citizenship, and for decedents - number, date and place of issuance of the death act;
19. personal identity document - type, number, date of issuance;
20. legal restrictions (type);
21. changes under all items 1 to 20 inclusive, previous permanent address, peculiarities, date of issuance of the Personal Registration File, name and signature of the official;
22. (Amended, SG 96/2004) decedent - date and place of death; death act - number, date and place of issuance.

Article 26. (1) The Personal Registration File of Bulgarian citizens (PRF-B) shall be created on the basis of one of the following documents:

1. birth notification or certificate;
2. application by the person settling at a permanent address in the municipality;
3. Bulgarian citizenship certificate with copies of civil status documents and an application for permanent address at the municipality.

(2) The Personal Registration File of foreigner (PRF-F) under Article 3, Paragraph 2, item 2 shall be created on the basis of one of the following documents:

1. permission for permanent stay;
2. (amended SG No. 54/02) temporary refugee certificate or birth notification for the child of parents with refugee or humanitarian status;

3. application by the person settling at a permanent address in the municipality;
4. certificate of person without citizenship.

Article 27. The data in the Personal Registration File shall be entered and maintained on the basis of the required documents or on the basis of an excerpt from the person's record in the National Population Data Base.

Article 28. The Personal Registration File shall be stored for a period of 130 years of the date of creation upon expiration of which it shall be transferred to the State archive.

Article 29. (Amended, SG 96/2004) The Register of Bulgarian Citizens shall comprise all Personal Registration Files of live Bulgarian citizens with permanent address at the municipality.

Article 30. (Amended, SG 96/2004) The Register of Foreign Nationals shall comprise all Personal Registration Files of live foreigners with permanent address at the municipality.

Article 31. (Amended, SG 96/2004) The Deceased Persons Register shall comprise all Personal Registration Files of Bulgarian citizens and of foreigners with recorded death-related data.

Article 32. (Amended, SG 96/2004) The Archive Register shall comprise the Personal Registration Files of the persons with permanent address no longer at that municipality, as well as of those persons whose Bulgarian citizenship has been withdrawn.

Article 33. (Amended, SG 96/2004) Municipalities and regions shall maintain computerized registers of the population on their territory and may archive Personal Registration Files under the rules determined by the Minister of Regional Development and Public Works.

Chapter Three

CIVIL STATUS ACTS

Section I

General rules for the issuance of civil status acts

Article 34. (1) The acts of civil status of individuals shall be: the acts of birth, marriage and death.

(2) The civil status acts issued under the rules established in this Act shall have the power of evidence for the data contained therein pending proof of their untruthfulness.

Article 35. (1) Civil status acts shall be issued by the civil status official at the municipality or mayoralty where the events have occurred.

(2) Civil status acts about events with no data available about which municipality they have occurred in shall be issued at the municipality or mayoralty where the event has been established.

(3) The mayor of the municipality shall act as civil status official on the territory of the municipality. The mayor may assign this function with a written order to the mayors of mayoralties where civil status registers are maintained and to other municipal administration officials.

Article 36. (1) A civil status act shall be issued on the basis of the declaration made before the relevant civil status official.

(2) When compiling a birth or death act the declarant must be a legally capable person. The birth declarant may also be an underage person if s/he is the parent of the newborn.

(3) An official may not issue a civil status act when the former is also the declarant, a party or witness. In these cases the civil status act shall be issued by another official.

(4) The declarants, parties and witnesses of civil status acts shall certify their identity with personal identity documents.

Article 37. (1) The official shall issue the civil status act after she has ascertained the event under the established rules. Civil status acts shall be written in the established template forms.

(2) The data in the civil status acts shall be entered on the basis of the identity documents of the persons concerned. When compiling acts based on documents from abroad, other civil registration documents may also be used if the received or produced document does not contain the data necessary to issue the civil status act. The civil status acts shall not contain data, applications or information which are not provided by the act.

(3) When issuing civil status acts for Bulgarian citizens with another citizenship, the data shall be entered according to the Bulgarian personal identity document.

(4) A written notification of the event shall be sent, according to an approved template, to the district ESGRAON authority.

Article 38. (1) (Amended, SG 96/2004) The civil status acts shall be issued upon declaring the event in the presence of the declarants, and for marriage - of the parties and witnesses. These persons may not withdraw before the act is read and signed by them. The official shall sign the act immediately after it is signed by the other persons. The act shall be stamped by the official with a seal with the coat of arms of the Republic of Bulgaria.

(2) Foreign nationals may also be marriage witnesses.

(3) When an declarant, a witness or a party cannot sign the civil status act, a note shall be made at the place of signature about the reason for impossibility to sign the act (illiteracy, hand disability, etc.), and then, without any signatures of other persons, a print shall be made of the right-hand thumb. If such a print cannot be made, the reason therefore shall be indicated together with which other finger has been used to make the print.

(4) In the case of destroyed civil status registers, unavailable birth or death act or incorrect data, the parties concerned shall establish their rights through court.

Article 39. All changes of the civil status of persons in the Population Registers shall be made through ESGRAON according to the person's permanent address. The technicalities of this procedure shall be specified in the Rules under Article 11, Paragraph 2.

Article 40. (1) Civil status acts shall be issued free of charge. Birth certificates and marriage certificates, as well as death act excerpt-copies, shall be issued free of charge to the parties concerned and according to the established templates. For the issuance of acts and copies for the second and every subsequent time a fee shall be due. The issuance of a copy for official use shall be free of charge.

(2) An official who has issued a civil status act concerning the citizen of a country with which the Republic of Bulgaria has a legal assistance contract must send, within 10 days of issuance of the act, an official copy thereof to the Ministry of Foreign Affairs whence it shall be forwarded through diplomatic channels to the country of citizenship of that person.

(3) The official shall send a copy of the civil status act of the citizen of a country with which the Republic of Bulgaria does not have a legal assistance contract only at the request of the Ministry of Foreign Affairs.

Article 41. (1) (Amended, SG 96/2004) The templates of civil status acts and of the documents issued on the basis thereof shall be approved by the Minister of Regional Development and Public Works together with the Minister of Justice, and shall be promulgated in the State Gazette.

(2) Entries in the civil status acts shall be made by hand, legibly, without crossing out and corrections. The acts may be written and printed automatically with the help of a software provided or approved by the Minister of Regional Development and Public Works.

(3) The civil status acts shall be filled out or printed using inks that will ensure their readability throughout the period of keeping specified by the act.

Section II

Birth Act

Article 42. A birth act shall be issued on the basis of a written notification within 7 days of the day of birth, the latter not included.

Article 43. (1) Every birth shall be made known in writing and verbally declared within 5 days of the day of birth, the latter not included.

(2) The birth notification shall be made in writing according to a template approved with the Regulation under Article 11, Paragraph 2. The birth declaration shall be the obligation of:

1. the head of the medical establishment, or the person who has been assigned that obligation with an order, when the birth has occurred in a medical establishment;

2. a competent medical person when the birth has not occurred in a medical establishment;

3. the civil status official, when the settlement has no competent medical person.

(3) The birth shall be declared by the father, personally or through another person with notarised authorisation.

(4) If the father is deceased, absent from the settlement or incapable to declare the birth due to a serious illness, incarceration or other reasons, if he or his whereabouts are unknown, the birth is declared by a person who has attended the birth. If the birth occurred while the mother was out of her home, the birth shall be declared by the person in whose home the birth has occurred. The mother may also declare the birth, personally or through another person with a notarised authorisation.

(5) If the father, the mother or another person fail to declare the birth, the civil status official shall issue the birth act on the basis of the notification under Paragraph 2.

(6) The civil status official shall issue the birth act after the event has been certified in writing and declared. Immediately after issuance of the birth act the parents shall be issued an original birth certificate.

Article 44. (1) When the birth has not been declared within the specified term, but a notification has been made or the official has found out about the birth within the same calendar year, the latter shall issue the birth act within the register of the current year while observing the conditions under Article 43, and court judgment shall not be necessary.

(2) When the calendar year and the term for declaring the birth have elapsed, the birth act shall be issued only on the basis of a court judgment made at the request of the parents, the person or the prosecutor.

Article 45. (1) The act of birth shall contain:

1. the place where it was issued - district, municipality, settlement/region;

2. act number and date of issuance;

3. number of the original certificate;

4. date - day, month, year, hour and minute of birth;

5. place of birth - district, municipality, settlement or country if the child was born outside the territory of the Republic of Bulgaria;

6. name of the newborn;

7. PIN of the child (only for Bulgarian citizens);

8. sex and citizenship;

9. details of the parents - names, date of birth, PIN, citizenship, permanent address;

10. a document certifying the birth;

11. declarant - names, PIN, permanent address;

12. official - names, PIN and signature;

13. notes.

(2) In the case of a stillborn child, under "name of the newborn" shall be written "dead-at-birth" and the cause of death from the medical record.

(3) The conclusion about the birth being live or still, or whether an abortion has occurred shall be made by a competent medical person.

(4) In case of abortion a birth act shall not be issued.

Article 46. When a child was born live but died before the birth act was issued, both a birth act and a death act shall be issued concurrently.

Article 47. When the mother has given birth to two or more children (twins), the official shall issue a separate birth act for each child, entering in each act the number of the birth act of the other siblings and the order of birth.

Article 48. (1) Found, abandoned or exposed live newborn children shall be taken to the nearest medical establishment and there, in the presence of a Ministry of the Interior official, an official of the medical establishment and the person who has found and brought the child, a record shall be made of the finding. In the record shall be noted: the time and place where the child was found; sex and supposed date of birth; body marks, description of the clothing with which the child was found; other circumstances. The record shall be signed by the finder and the attending officials, it shall be stamped and sent to the municipality of the medical establishment so that a birth act can be issued.

(2) When a newborn has been abandoned by the mother at the medical establishment where the birth has occurred and has not been sought within the term of issuance of the birth act, the rules under Paragraph 1 shall be applied.

(3) The official shall issue the birth act on the basis of the record, which shall become an integral part of the act. The names of the child shall be determined by the official according to the provisions of this Act.

(4) When the child has been found dead or dies before being taken to a medical establishment, a forensic examination shall be made to establish the cause of death. In this case, a birth and death acts shall be issued on the basis of the record. If the medical investigation establishes that the child was stillborn, a "dead-at birth" act shall be issued.

Article 49. In the case of fathering completed before issuance of the birth act, the data of the father shall be entered in the same act together with the document establishing the fathering if the mother has given her consent. The name of the child shall be issued according to the rules under articles 12 to 14. When the fathering is made after issuance of the birth act, the fathering person's data and the grounds for fathering shall be entered under "Notes" in the birth act as prescribed by the Family Code.

Article 50. (1) In the case of full adoption the civil status official shall issue a new birth act based on a certified copy of the court decision. The birth act shall be issued at the municipality or mayoralty specified in the court decision, in the current register and with the date of issuance of the act, while one of the adopters signs for declarant.

(2) The new birth act shall contain:

1. the actual date of birth and the new Personal Identity Number;

2. (Supplemented - SG No. 63/2003) place of birth - place of issuance of the act, and in the case of international adoption - the actual place of birth;

3. (Supplemented - SG No. 63/2003) parents - the adopters and data thereof; when the child is adopted by one parent, the section for the other parent shall be left blank; when the child is adopted by the spouse of a parent - the data of the native parent with whom relations are preserved and the data of the adopter.

(3) The act shall be noted in the alphabetic index for the year corresponding to the year of issuance of birth of the adopted child and in the alphabetic index for the year of issuance of the act.

(4) The court decision shall be preserved under the conditions and rules for keeping of the birth act and outsiders shall have no access to it.

(5) (Amended, SG 96/2004) Within two days of issuance of the new act the civil status official shall send a letter notifying the municipality where the previous birth act of the adopted child is kept so that a notice be made under "Notes" that a new one has been issued. Within the same term a new Personal Registration File shall be made for the adopted child, the child's data shall be entered in the adopters' Personal Registration Files, and notification shall be sent according to ESGRAON procedures.

Section III

Act of Concluded Civil Marriage

Article 51. (1) (Amended, SG 96/2004) A civil marriage shall be concluded before a civil status official under the conditions and rules of the Family Code.

(2) Civil marriages may be concluded on any day.

Article 52. (Amended - SG 54/2002) When the persons to be married are without citizenship, or they have refugee or humanitarian status in the Republic of Bulgaria, they shall certify their family status with a notarised declaration.

Article 53. The act of civil marriage shall contain:

1. place of issuance of the act - district, municipality, settlement/region;
2. act number and date of issuance;
3. number of the original certificate;
4. date - day, month, year and place of marriage - district, municipality, settlement, or country if it is not in the Republic of Bulgaria;
5. data of the persons to be married - names before the marriage, date and place of birth, age, PIN (personal number of foreigner - PNF), citizenship, family status before the marriage, family name after the marriage, permanent address, personal identity documents data - and their signatures;
6. data of the witnesses - names, PIN (personal number of foreigner - PNF) - and their signatures;
7. official - names, PIN (personal number of foreigner - PNF) and signature;
8. other documents produced for the marriage act;
9. notes.

Section IV

Death Act

Article 54. (1) The death act shall be issued on the basis of a death notification not later than 48 hours after the occurrence of death.

(2) When forensic examination of the body is required under the conditions of the Criminal Procedure Code, the act may be issued without a court judgment after the period specified under Paragraph 1 has elapsed. The judicial authority ordering the forensic examination shall issue a document certifying the reason for delay.

Article 55. (1) The civil status official shall proceed to issue a death act upon receiving a death notification issued by a competent medical person.

(2) The declaration of death occurred in a medical establishment shall be done in writing by the head of the establishment or a person authorized to do so by an order.

Article 56. The civil status official cannot issue, on his/her own initiative or at the request of the persons concerned, a death act for a person buried without permission. In that case the death act shall be issued only on the basis of an enacted court judgment.

Article 57. The civil status official may also issue a death act after the term under Article 54, Paragraph 1 has elapsed for a person deceased abroad whose body has been transported to the settlement if the documents accompanying the body were not accompanied with a death act issued at the place of occurrence of death. The civil status official shall

present these documents to a medical establishment for ascertaining the cause of death and issuance of a death notification. If the cause of death cannot be established this shall be noted in the death notification.

Article 58. In the case of death of a group of persons whose bodies cannot be found, or the found ones cannot be identified but it is established without a doubt who the deceased persons are, the mayor of the municipality where the event has occurred or an official appointed thereby shall draw up a record which shall then be sent to the respective regional prosecutor's office. The regional prosecutor or the decedents' heirs shall file an ascertainment claim with the respective regional court which shall order death acts to be issued for these persons.

Article 59. The death act for a person whose death has been declared by an enacted judgment shall be issued by the civil status official at the settlement of the permanent address of the person declared dead on the basis of a copy of the enacted judgment. In this case the death act shall not be signed by the declarant.

Article 60. (1) The act of death shall contain:

1. place of issuance of the act - district, municipality, settlement/region;
2. act number and date of issuance;
3. date - day, month, year, hour and minute of death;
4. place of death - region, municipality, settlement or country if it is not in the Republic of Bulgaria, and where it has occurred;
5. the person's names;
6. the cause of death;
7. data of the person - date and place of birth, PIN (personal number of foreigner - PNF), age, sex, citizenship, family status, permanent address;
8. data of the parents, if they are known - names, PIN (personal number of foreigner - PNF), permanent address;
9. document certifying the death;
10. declarant - names, PIN (personal number of foreigner - PNF), permanent address;
11. official - names, PIN (personal number of foreigner - PNF), permanent address, and signature;
12. notes.

(2) The death act shall make no notice of the fact that the death has occurred in custody.

Article 61. (1) The excerpt-copy of the death act shall represent permission for burial and shall be issued free of charge.

(2) After issuing the death act, the civil status official shall send the personal identity document of the decedent to the nearest Regional Police Department of the Ministry of Interior.

(3) In the case of death of a foreigner who is to be buried in the Republic of Bulgaria the civil status official shall keep all personal identity documents and documents for travelling abroad, if any. These documents and a copy of the death act shall be sent to the nearest Regional Police Department of the Ministry of Interior.

(4) In the case of death of a foreigner whose body is to be sent abroad the civil status official shall send the person's Bulgarian personal identity document, if any, to the nearest Regional Police Department of the Ministry of Interior. All other identity documents and documents for travelling abroad, if any, and a copy of the death act shall be handed to the persons accompanying the body.

Article 62. (Repealed, SG 96/2004)

Section V

Civil status acts issued to the military officers in

emergency cases

Article 63. Civil status acts for the military outside the territory of the Republic of Bulgaria or on the territory of the country but unable to notify the civil authorities due to military activities shall be issued by specially appointed by the commander members of the military. The latter may also issue civil status acts to civilians accompanying the armed forces. The acts shall be kept in a general register book filled in hand.

Article 64. The civil status acts in the cases under Article 63 shall be issued according to the provisions of this Act with the following exceptions:

1. a birth may be declared later than the term specified under Article 42;
2. every military unit defined by the commanders shall keep a general register of all civil status acts. The acts in this register shall be written by hand and issued on the basis of the available data.

Article 65. (1) The military officer appointed to keep the civil status register shall refer through the Ministry of Defence copies of the acts in the following manner:

1. birth act copy - to the municipality of the mother's permanent address;
2. marriage act copy - to the municipality of the husband's permanent address;
3. death act copy - to the municipality of the decedent's permanent address.

(2) On the basis of the copy the civil status official of the respective municipality shall issue a new act according to the established template, with the copy forming an integral part of that act.

Section VI

Civil status acts at sea

Article 66. (1) In the event of birth, civil marriage or death on a ship out at sea the captain shall make an entry in the ship log and draw up the act under the rules of this Act.

(2) Birth or death acts shall be issued within 24 hours of occurrence of the event.

Article 67. (1) The captain of the ship shall refer copies of the civil status acts to the civil status office at the municipality in the first Bulgarian port of entry of the ship or at the Bulgarian diplomatic or consular representation in the country whose port the ship has entered. If there is no Bulgarian representation in the country, the captain of the ship shall refer the copies to the Bulgarian diplomatic or consular official at the nearest country with Bulgarian diplomatic or consular representation.

(2) The civil status official or the Bulgarian diplomatic or consular official shall refer the copies of the acts issued onboard within 15 days of receiving them in the following manner:

1. birth act - to the municipality of the mother's permanent address;
2. marriage act - to the municipality of the husband's permanent address, or if he is not a Bulgarian citizen - to the municipality of the wife's permanent address;
3. death act - to the municipality of the decedent's permanent address.

(3) The civil status officials at the municipalities receiving civil status acts under Paragraph 2 shall issue civil status acts under the rules of this Act.

Article 68. (1) When disaster has caused the death of all members of the crew and all passengers, the owner of the ship or a person authorized thereby shall check and verify the fact of the disaster and its consequences and notify in writing the civil status officials at the municipality where the ship is registered or the Bulgarian diplomatic or consular representation nearest to the place of the disaster in order to ensure the issuance of death acts for the perished persons through the court.

(2) If the captain and the mate of the ship have perished, the death acts shall be issued by the corresponding Bulgarian diplomatic or consular official abroad or by the civil status

official at the municipality of the Bulgarian port where the rescued persons have been taken on the basis of statements made by the rescued crew members or passengers.

Section VII

Civil status acts issued to Bulgarian citizens abroad

Article 69. The citizens of the Republic of Bulgaria who are abroad may require to be issued civil status acts in accordance with the Bulgarian or local laws by the respective Bulgarian diplomatic or consular official or by the local civil status authorities at the place of occurrence of the events subject to registration.

Article 70. (1) A Bulgarian citizen who has requested the issuance of a civil status act from a local civil status authority abroad shall be obliged to get a certified copy or excerpt thereof and within six months of issuance refer or send it to the Bulgarian diplomatic or consular official in the respective country together with a note of his/her permanent address in the Republic of Bulgaria.

(2) (Amended and supplemented, SG 96/2004) If the Bulgarian citizen has been unable to refer or send the act issued by a foreign local civil status authority to the Bulgarian diplomatic or consular official, s/he may hand it directly to the civil status official at the municipality of his/her permanent address according to Article 72, paragraph 2, items 1, 2 and 3, together with the legalised certified translation in the Bulgarian language.

(3) (Amended, SG 96/2004) Civil status act copies or excerpts under Paragraph 1 issued by the authority of a country with which the Republic of Bulgaria does not have a legal assistance agreement shall be legalised and translated.

(4) (New, SG 96/2004) Civil status act copies or excerpts under Paragraph 1 need not be legalised if they:

1. originate from a country that has ratified the Convention Abolishing the Requirement of Legalisation for Foreign Public Documents;
2. originate from a country with which the Republic of Bulgaria has a legal assistance agreement explicitly indicating so;
3. have been received through diplomatic channels;

Article 71. A diplomatic or consular representative of the Republic of Bulgaria abroad who learns of the birth, marriage or death of a Bulgarian citizen in the country of his/her accreditation, but no certified copy or excerpt of the relevant act has been received at his/her office within 6 months of occurrence of the event, shall without delay get hold officially of the necessary documents. The copies or excerpts of the civil status acts together with the duly certified legalised translation in the Bulgarian language shall be referred to the Ministry of Foreign Affairs of the Republic of Bulgaria and thence forwarded to the permanent address of the Bulgarian citizen. Where no act has been issued by the local authorities, the diplomatic or consular official in the respective country shall officially demand the issuance of the act, if so allowed by the laws of the country.

Article 72. (1) Within three months of receiving of an act issued by a local body or after issuance at the diplomatic or consular representation, the respective official of the Republic of Bulgaria shall refer a certified copy to the Ministry of Foreign Affairs of the Republic of Bulgaria.

(2) The official copies of acts under Paragraph 1 received at the Ministry of Foreign Affairs, not later than 15 days after receiving, shall be forwarded to the municipalities in the following manner:

1. for birth - to the municipality of the mother's permanent address; if she is not a Bulgarian citizen - to the municipality of the father's permanent address;
2. for civil marriage - to the municipality of the husband's permanent address; if he is not a Bulgarian citizen - to the municipality of the wife's permanent address;

3. for death - to the municipality of the decedent's permanent address.

(3) The civil status official at the municipality shall issue a civil status act on the basis of the copy under paragraphs 1 and 2. The data in the act (name, parents, etc.) shall be entered without change as taken from the received copy. If the copy does not contain all the data required under this act, data from other documents of the person or from the Population Register shall be used. If all necessary data cannot be obtained, only the available data shall be entered in the act.

(4) (New, SG 96/2004) Where significant variance is found in the person's names, a personal identity document shall be presented. Changes of data in the presented documents shall be made by the court.

(5) (Renumbered from paragraph 4, supplemented, SG 96/2004) After compiling the act on the basis of the copy under Paragraph 1, the civil status official at the municipality shall send, when requested or officially, the birth or marriage certificate or an excerpt-copy of the death act to the Ministry of Foreign Affairs, which shall forward it to the diplomatic or consular representation for handing over to the persons concerned.

Section VIII

Notes, additions and corrections made to the civil status acts

Article 73. All changes of data in the civil status acts of individuals shall be made through the court or according to administrative procedures.

Article 74. (1) Every change of civil status data in an issued act shall be noted in the same act at the designated place.

(2) The civil status official shall make the note on the basis of a judgment or administrative act ordering the change.

(3) (Amended, SG 96/2004) Changes of civil status data in the acts of individuals shall be made only in the act of the titular.

(4) (New, SG 96/2004) Where so requested in writing, the changes may be entered administratively in the acts of the children. For minors, the request shall be made by the parents. For juveniles, the request shall be made personally with the parents' consent. If both spouses agree, the change may be entered in the marriage act.

Article 75. (1) (Supplemented, SG 96/2004) Where there is an enacted judgment or administrative act for change, addition, entry or note to be made in an issued act, the civil status official shall enter the new data at the designated place - under "Notes". The date and the name of the official shall be recorded, affixed with the official's signature and the municipality or mayoralty seal.

(2) No crossings, deletions or insertions of data shall be allowed in an issued civil status act.

Article 76. (Amended, SG 96/2004) (1) Administrative changes or entries of data on the basis of official documents may be made only if the data will not change the content of the existing act. Technical and spelling mistakes in the name shall be removed at the request of the persons concerned.

(2) At the request of the person concerned, the change of name resulting from a normative act may also be entered administratively.

(3) All changes and entries shall be made under the rules of Article 75.

(4) The name of the titular may not be changed administratively, except in the cases provided under Article 19a, nor the dates of birth, marriage or death, nor sex.

Article 77. (Amended and supplemented, SG 96/2004) The PIN of the titular may be changed only administratively by the official on the basis of a document certifying the need for the change.

Article 78. (1) In the case of incomplete adoption the civil status official at the place of birth of the adopted person shall enter under "Notes" of the existing birth act the judgment, the names of the person as determined by the court, and the adopters' names. Within two days of recording of the adoption the civil status official shall notify in writing the municipality at the permanent address of the original parents and that of the adopters for making the appropriate entries in the Population Registers.

(2) When issuing copies and certificates and birth act copies with noted incomplete adoption, the parents of origin shall be entered as well as the adopters.

Article 79. (1) In the case of divorce or declared invalidity of marriage under "Notes" in the marriage act shall be noted the judgment with which the marriage is terminated or declared invalid. If the court rules for preservation of the family name from the marriage, a note thereof shall be made under "Notes". Otherwise a note shall be made of the restoration of the person's family name as prior to the marriage.

(2) (Repealed, SG 96/2004)

Article 80. (1) When issuing certificate copies or excerpt-copies of acts containing notes, at the place of correction the copies shall contain only the final version of the changed entries.

(2) The full copy of an issued act shall contain all original texts and all additional notes.

Article 81. The destruction of an issued civil status act shall be allowed before settlement of the register for the year when issuing more than one act for the same event. In these cases, the entire body of the act is overwritten diagonally with the following: "Annulled", the reason for annulment and the date of annulment; it shall then be signed by the official and stamped. A new civil status act is then issued for the event, if necessary.

Article 82. For every change of data in the civil status acts a written notification shall be sent to the district ESGRAON office.

Section IX

Civil Status Act Registers

Article 83. (1) (Supplemented, SG 96/2004) The civil status act registers for the entire municipality shall be formed by the separate collection of each type of forms - birth, marriage and death acts - issued during the year, which shall be bound together in a special book upon completion of the year.

(2) (Amended, SG 96/2004) By 20 December each year, the Ministry of Foreign Affairs and the municipalities shall supply the diplomatic and consular representations, respectively the mayoralities and settlements on their territory, with the relevant civil status act forms.

Article 84. (1) The registers of all issuers of acts for each calendar year shall be completed by 21 January of the following year, certified and signed by the mayor or by a specially authorised by the mayor municipal official.

(2) When a registers consists of more than one volume, on the cover of the first volume shall be written "Register A", on the next "Register B", and so on. The numeration of acts in the new volume shall start with the number following the number of the last entered act in the previous volume. The reason for starting the new volume shall be noted on the second page, on the first cover, without taking up the space for the act, and shall be signed by the mayor.

Article 85. (1) The certification of registers shall include an inventory of the number of acts, the number they start and finish with, whether there are annulled acts, how many of the acts have been used, a signature and a stamp on the last page of the registers formed from the collected civil status acts issued over the year. The alphabetic index shall be an integral part of the register. The certification shall check for the presence of all data and signatures required

by the act. This certification shall represent the completion of the acts for the elapsed calendar year.

(2) The registers shall be certified by the mayor of the municipality or by an official authorized by the mayor. This certification shall also represent the check and completion of the acts for the elapsed calendar year.

(3) (Supplemented, SG 96/2004) The completed registers of act forms shall be bound and transferred for use and keeping at the municipality administrative center for 130 years of after issuance, after which they shall be transferred to the State archive.

Article 86. The completion of the registers may also be done before the end of the calendar year if the municipality or the mayoralty is closed or merged with another one. When joining another municipality, the registers shall be transferred to the new municipality.

Article 87. Every register must contain an alphabetic index of the entered persons. The alphabetic indexes of the registers for birth and death shall be made after entering all acts in the register and before its completion. There the acts shall be listed alphabetically according to the given name of the newborn or decedent. In the registers for civil marriages the alphabetic index shall be made according to the husband's given name.

Article 88. (1) Civil status registers may be used for data reference to the persons they refer to, to other persons authorized by them, or under the rules of the Civil Procedure Code and the Criminal Procedure Code. These persons may be issued copies of the acts and duplicates of the certificates, as well as certificates to the effect that no such civil status act has been issued.

(2) Duplicates of certificates and copies of acts may be issued and sent at the official request of the municipality of the permanent address of the persons concerned or of other state authorities, when this is relevant to the administrative service of the persons written in the act.

(3) (Repealed, SG 96/2004)

Chapter Four

(Effective 1.01.2000)

ADDRESS REGISTRATION

Section I

General Provisions

Article 89. (1) The address shall be the unequivocal description of the place where the person lives or receives his/her correspondence.

(2) The address in the Republic of Bulgaria shall include the names of the district, the municipality and the settlement.

(3) Depending on the place, the address may include the name of a street - square, boulevard, residential complex, quarter, number, entrance, floor, flat.

(4) When the address is outside the regulation plan of the settlement, in the place of the data under Paragraph 3 shall be entered the name of the locality on the territory of the settlement.

Article 90. (1) Every person subject to civil registration under this Act must declare in writing his/her permanent and present address.

(2) The permanent and present address of a newborn child shall be the same as those of the parents. When the parents have different permanent addresses, they shall choose one of them for the child. When the parents have different present addresses, the present address of the mother shall be the present address of the child.

Article 91. A person's address registration shall be the note of the permanent and present addresses in the population registers and in the National Population Data Base.

Article 92. The address registration shall be made by the municipalities and the mayoralties upon the person's declaration.

Article 93. (1) A person's permanent address shall be that address in the settlement which the person has indicated for entry in the population registers.

(2) The permanent address shall always be on the territory of the Republic of Bulgaria.

(3) A person may only have one permanent address.

(4) Bulgarian citizens residing primarily abroad who are not recorded in the population registers and cannot indicate a permanent address in the Republic of Bulgaria shall be entered officially in the population registers of the region of Sredets in Sofia.

(5) (New, SG 96/2004) Every residential property owner or user may file an objection to the use of his/her address by a third party with the municipal mayor.

Article 94. (1) The present address shall be the address where the person is staying.

(2) Every person shall have only one present address.

(3) (Amended, SG 96/2004) The present address of Bulgarian citizens residing abroad shall be entered in the automated information systems only by making note of the country of residence.

Article 95. (1) (Supplemented - SG No. 37/2001) One's permanent address shall be declared by personally filing a declaration with the municipal administration or the authorities under Article 1, Paragraph 2 of the Bulgarian Identity Documents Act.

(2) The declaration shall be made in person, and only exceptionally by an authorized person upon presentation of a notarised letter thereto.

(3) Underage persons and persons under judicial disability shall have their declarations made by their legal representatives.

(4) The declaration template shall be approved with a Council of Ministers decree.

Article 96. (1) One's present address shall be declared personally by filling in an address card with the municipal administration.

(2) The declaration shall be made in person, and only exceptionally by an authorized person upon presenting a notarised letter.

(3) Underage persons and persons under judicial disability shall have their declarations made by their legal representatives.

(4) The address card form shall be approved with a Council of Ministers decree.

Article 97. A Bulgarian citizen residing primarily abroad may declare his/her permanent and present address with an application for issuance of a Bulgarian personal identity document filed through the diplomatic or consular representations of the Republic of Bulgaria.

Section II

Change of address

Article 98. (1) The declaration of change of permanent address shall be filed with the municipality or mayoralty where the person has chosen to be entered in the population registers.

(2) (Amended and supplemented, SG 96/2004) When changing one's permanent address, the change shall be reported through the National Population Data Base to the municipality of the previous permanent address, to the municipality of the present address and to the Ministry of Interior according to ESGRAON procedures.

Article 99. (1) Every person shall be obliged to declare the change of his/her present address within 30 days.

(2) (Amended and supplemented, SG 96/2004) The address card for changing one's present address shall be lodged with the municipality or mayoralty of residence and within 5 days sent to the National Population Data Base for update.

(3) The persons providing accommodation in a hotel, motel, rest home or other place of accommodation shall be obliged to keep special books for registering the accommodated persons, and when requested by the local authorities or those of the Ministry of Interior shall provide the data contained therein.

(4) (Amended, SG 96/2004) The present address of a child placed for rearing at a specialised institution shall be that of the institution. The address cards thereof shall be lodged by the manager of the relevant institution.

(5) (Amended, SG 96/2004) Underage persons studying at schools located in a settlement that is different from the permanent and present address of their parents may personally lodge an address card for changing their present address. In that case, the address card must have attached a letter from the relevant school certifying that the person is enrolled there as a student.

Chapter Five

UNIFIED SYSTEM FOR CIVIL REGISTRATION AND ADMINISTRATIVE SERVICE OF THE POPULATION (ESGRAON)

Section I

General provisions

Article 100. The Unified System for Civil Registration and Administrative Service of the Population (ESGRAON) is a national system for civil registration of the individuals in the Republic of Bulgaria and a source of personal data thereof.

Article 101. ESGRAON shall have the following functions:

1. create and maintain civil status registers and population registers;
2. create and maintain automated databases on the basis of the population registers;
3. be the standard keeper of the unique administrative identifier for individuals (PIN) specified in this Act
4. (Amended, SG 96/2004) create and maintain the national classifier of present and permanent addresses in the Republic of Bulgaria;
5. information provision and administrative servicing of the legislative, executive and judicial power.

Article 102. The Unified System for Civil Registration and Administrative Service of the Population (ESGRAON) shall function at national, regional and municipal level.

Section II

Automated Databases of ESGRAON

Article 103. The Automated Databases of ESGRAON shall contain:

1. data from the population registers;
2. national classifiers and service data related to the maintenance of the information about the individuals.

Article 104. The Automated Databases shall ensure:

1. the registration, maintenance and updating of the civil registration data;
2. preservation and maintenance of the chronology of changed civil registration data;
3. accuracy, comprehensiveness and interrelatedness of the civil registration data.

Article 105. (1) The data in the Automated Databases shall be entered at municipal, regional and national level.

(2) The data shall be entered at one time at the place of occurrence of the event or of the change. The data coming from other information systems shall be entered centrally with a note to inform the municipal level.

(3) The data from the municipalities shall be sent weekly to the respective regional level for transferring at a national level.

Section III

Rules for ESGRAON data provision

Article 106. (1) ESGRAON data may be provided to:

1. the Bulgarian and foreign citizens and persons without citizenship they refer to, as well as to third persons when the data are crucial for the creation, existence, change or termination of their lawful rights and interests;

2. (Supplemented, SG 96/2004) state authorities and institutions, according to their legal powers;

3. (Amended and supplemented, SG 96/2004) Bulgarian and foreign legal entities - on the basis of a legal or judicial act or a permission of the Personal Data Protection Commission.

(2) (Supplemented, SG 96/2004) The provision of ESGRAON data to foreign representations in the Republic of Bulgaria shall be done through the Ministry of Foreign Affairs according to the bilateral and multilateral international agreements ratified by the Bulgarian state and with the permission of the Personal Data Protection Commission.

(3) (Repealed, SG 96/2004)

Article 107. The refusal to provide data from the Databases under this Act may be appealed under the rules of the Administrative Procedure Code.

Article 108. (1) Institutions, individuals and legal entities that have received ESGRAON data may, in case of established contradiction, incorrectness or incompleteness, request the correction thereof.

(2) The administration in charge of the correctness of the provided data shall be obliged to make the necessary correction.

Section IV

ESGRAON Data Protection

Article 109. (Supplemented, SG 96/2004) The data in the Databases under this Act shall be protected against accidental or unauthorized destruction, as well as against accidental loss and unauthorized access, change or disclosure, by way of special protective measures in compliance with the international agreements ratified by the Republic of Bulgaria and the binding prescriptions of the Personal Data Protection Commission.

Section V

Interaction between ESGRAON and other Information Systems in the Republic of Bulgaria

Article 110. The Unified System for Civil Registration and Administrative Service of the Population (ESGRAON) shall be the basic information system in the Republic of Bulgaria with regard to the civil registration data of individuals.

Article 111. (1) The Unified System for Civil Registration and Administrative Service of the Population (ESGRAON) shall provide data to the information systems in the country and receive data from them.

(2) The civil registration data provided by ESGRAON shall be compulsory as to the other information systems providing administrative services to the population.

(3) The personal data provided by other information systems shall be informative as to ESGRAON.

(4) The rules for providing and sharing of data among the information systems shall be provided by the act.

Article 112. (1) The Unified System for Civil Registration and Administrative Service of the Population (ESGRAON) shall provide daily to the Ministry of Interior updated information from the National Population Data Base and from the national classifiers in order to ensure the legality of the issued Bulgarian identification documents.

(2) (Amended, SG 96/2004) The information provided under Paragraph 1 shall be used at central and local level.

Chapter Six

CIVIL REGISTRATION AUTHORITIES

Article 113. (Amended and supplemented, SG 96/2004) The methodological management and control over the activities related to the civil status, civil registration and Automated Databases shall be implemented by the Ministry of Regional Development and Public Works with the cooperation of the Ministry of Justice and the Personal Data Protection Commission.

Article 114. (1) The municipal administration shall be responsible for the maintenance of ESGRAON at municipal level.

(2) The Ministry of Regional Development and Public Works shall be responsible for the maintenance of the Automated Databases at regional and national level. The data therein shall be entered on the basis of the paper or electronic notes referred from the municipal administrations to the regional level.

(3) (New, SG No. 37/2001, supplemented, SG 96/2004) The authorities under Article 1, Paragraph 2 of the Bulgarian Identity Documents Act shall refer within five days the data on the declared permanent addresses and addresses abroad to ESGRAON.

Article 115. (1) Data shall be provided to ESGRAON on a weekly basis by the following institutions and their divisions:

1. Ministry of Interior - data from the applications for issuing Bulgarian identity documents and data of the issued identity documents;

2. Ministry of Foreign Affairs - civil registration related documents received through diplomatic and consular channels;

3. (Amended, SG 96/2004) Ministry of Justice and - documents to be entered in the Population Registers;

4. Ministry of Health - birth and death notifications; data of children under 3 years of age placed at childcare institutions; data of individuals placed for an extensive period of time at a medical establishment;

5. Ministry of Education and Science - data on education (degree and speciality); data about children from 3 to 18 years of age placed at childcare institutions;

6. Ministry of Labour and Social Policy - data about individuals placed at social institutions;

7. the courts - judgments concerning civil status entries in the registers or restriction of a person's judicial ability.

(2) Every institution under Paragraph 1 shall organise the provision of necessary information to ESGRAON within the terms provided in this Act.

(3) The sharing of information between the institutions under Paragraph 1 and ESGRAON shall occur in an automated and in a non automated way.

(4) Automated data processing shall not free the institutions from the obligations to prepare and refer the civil registration documents under this Act.

Chapter Seven

ADMINISTRATIVE PENALTY PROVISIONS

Article 116. (1) Officials shall be sanctioned for violations of this Act with a fine of BGN 50 to 300.

(2) Violations by citizens shall be fined with BGN 20 to 200.

Article 117. (1) (Amended and supplemented, SG 96/2004) The violations of this Act shall be ascertained with a record drawn by officials appointed by the Minister of Regional Development and Public Works, or the Minister of Interior, or the district governors or municipality mayors.

(2) (Amended and supplemented, SG 96/2004) On the basis of these records penal provisions shall be made by the Minister of Regional Development and Public Works, or the Minister of Interior, or the district governors, or municipality mayors, or officials appointed thereby.

(3) (New, SG 96/2004) The Minister of Interior and the officials appointed thereby shall ascertain violations and issue penal provisions only under Chapter Four.

(4) (Renumbered from Paragraph 3 - SG 96/2004) The ascertaining of the violations and the penal provisions shall be made under the conditions and rules of the Administrative Violations and Sanctions Act.

TRANSITIONAL AND FINAL PROVISIONS

§ 1. This Act shall repeal the Names of the Bulgarian Citizens Act (promulgated - SG No. 20/1990; amended - SG No. 94/1990).

§ 1a. (New, SG 96/2004) (1) The children of Bulgarian citizens who died between 1 January 1984 and 26 November 1993 and did not have their names restored under the rules and conditions of § 2 of the repealed Bulgarian Citizens' Names Act (promulgated SG 20/1990; amended SG 94/1990; repealed SG 67/1999) may by mutual assent restore their parents' names under the rules of Article 19a, Paragraph 2.

(2) The application under Paragraph 1 shall be lodged at the decedent's place of residence not later than 31 December 2005.

(3) If the children under Paragraph 1 died prior to the effective date of this Act or the end of the time limit under Paragraph 2, the right to restore the names shall be transferred to the next in line of descent.

§ 2. In the Persons and Family Act (promulgated - SG No. 182/1949; amended SG No. 193/1949; amended Transactions No. 12/1951, 12, 92/1952, 15/1953; corrected. Transactions No. 16/1953; amended Transactions. No. 89/ 1953, 90/1955, 90/1956, 50/1961; SG No. 23/1968, SG No. 36/1979, SG No. 41/ 1985, SG No. 46/1989, SG No. 20/1990, SG No. 15/1994) shall be repealed:

1. Article 7 - from January 1, 2000;

2. Article 122 - 130 inclusive - from the effective date of this Act.

§ 3. In the Local Self-Government and Local Administration Act (promulgated - SG No. 77/1991; amended SG No. 24, 49, 65/1995, SG No. 90/ 1996, SG No. 122/1997, SG No. 33, 130, 154/1998) the following supplements shall be made:

1. Under Article 44, Paragraph 1, item 13 after the words "written order of" shall be added "the mayors of mayoralties where civil status registers are maintained, and of other".

2. Under Article 46, Paragraph 1, item 6 at the end shall be added "and send updating notes to ESGRAON".

§ 4. Under Article 34, Paragraph 2 of the Public Health Act (prom. SG No. 88/73; corrected SG No. 92/73; amended and supplemented SG No. 63/76, SG No. 28/83, SG No. 66/85, SG No. 27/86, SG No. 89/99, SG No. 87, 99/89, SG No. 15/91, corrected SG No. 24/91; amended SG No. 64/93, SG No. 31/94, SG No. 36/95, SG No. 12, 87, 124/97, SG No.

21, 70, 71, 93/98, SG No. 30/99) the words "the person's passport" shall be replaced with "the person's health insurance book" and the text to the end shall be deleted.

§ 5. In the Bulgarian Identity Documents Act (prom. SG No. 93/98; amended - SG No. 53/1999) the following amendments and supplements shall be made:

1. Under Article 16 shall be created Paragraph 3:

"(3) The personal number of a foreigner (PNF) shall identify unequivocally the foreigners staying in the Republic of Bulgaria for a long time. The method of its formation shall be determined by the Council of Ministers."

2. Under Article 75 item 2 shall be repealed.

3. Under Article 76 shall be created item 9:

"9. underage persons and persons under legal disability who do not have the written consent of their parents, adoptive parents or guardians for traveling abroad."

4. In the transitional and final provisions the following amendments and supplements shall be made:

a) § 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 shall be created:

"§ 12. (1) Until 31 December 1999 the address registration and the issuing of a passport to a citizen of the Republic of Bulgaria for the persons born before 31 December 1981, when the term of validity of the passport has elapsed or its change is necessary due to other lawful reasons, shall be done under the conditions and rules of this paragraph.

(2) Passports shall be issued at the citizen's place of residence by the passport services at the respective territorial divisions of the Ministry of Interior.

(3) For the issuance of a first passport the citizen shall apply, personally or through the municipality (region) or mayoralty at the territorial division of the Ministry of Interior, by presenting:

1. personal data form issued by the municipal (regional) council or the mayoralty at the place of residence;

2. three 5 x 4 cm black-and-white photos printed on special EFN 415 photo-paper and stamped at the photo-studio where they have been made;

3. a note for ESGRAON issued by the municipality (region) or mayoralty;

4. a receipt for paid fee according to Section III of Tariff No 4 for the fees collected at the Ministry of Interior under the Stamp Duty Act.

(4) When the documents under Paragraph 3 are lodged with the municipalities (regions) or mayoralties, the officials shall refer them within 3 days to the respective passport office of the Ministry of Interior.

(5) For a persons under full judicial disability, the documents under Paragraph 3 shall be presented by his/her legal representative in the presence of the person.

(6) The passport of a citizen shall contain the following data:

1. name (given, father's, family);

2. date and place of birth;

3. Personal Identity Number (PIN);

4. the issuing division of the Ministry of Interior and the date of issuance;

5. term of validity;

6. family status;

7. the given names of the children up to 16 years of age and their Personal Identity Numbers, as well as the names of the dependent persons whose legal representative, guardian or trustee the citizen is;

8. place of residence;

9. address registration.

(7) The data shall be printed in the appropriate sections of the passport with specially designated typewriters, and the address registration shall be stamped.

(8) Deletions and other corrections shall invalidate the passport.

(9) The sections of the passport shall be filled out with data identical to the data in the personal data form issued by the municipality (region) or mayoralty at the citizen's place of residence.

(10) The series and number of the newly issued passport shall be entered in the personal data form and in the note to ESGRAON and the latter shall be returned to the respective municipality (region) or mayoralty.

(11) Data shall also be stamped in the passport:

1. by the bodies of the Ministry of Interior - when recording address changes (subsequently, at the designated pages);

2. by the civil status officials at the municipalities or mayoralties - when changing one's place of residence, when concluding or terminating civil marriage, at the events of widowhood, birth, death of children up to 16 years of age, adoption, termination of adoption, legal representation (names of the persons under guardianship or trusteeship), as well as the cessation of the legal grounds thereof (subsequently, on the designated pages);

3. by the passport offices - when the permanent place of residence is abroad (on page 7).

(12) When replacing one's passport, the citizen shall be obliged to present:

1. in the case of elapsed term of validity - the old passport and address card;

2. in the case of damage - the old passport, document for birth and address card;

3. in the case of changing one's name (given, father's, family) - the old passport, personal data form issued by the municipality (region) or mayoralty at the place of residence;

4. in the case of significant and lasting changes of the face - the old passport, document for birth and address card;

5. in the case of lost, stolen or destroyed passport - personal data form issued by the municipalities or mayoralties at the place of residence.

(13) In the cases under Paragraph 12 the citizens shall present 3 photos and a note to ESGRAON, and shall pay due fees according to section III of Tariff No 4 for the fees collected at the Ministry of the Interior under the Stamp Duty Act.

(14) The address registration shall be made by the passport offices of the Ministry of Interior at the place of stay of the citizens.

(15) In the settlements where there are no passport offices the address registration as well as the maintaining of address registers for the temporarily staying citizens shall be carried out by the officials at the municipalities (regions) or mayoralties appointed by the respective mayors in coordination with the territorial divisions of the Ministry of Interior.

(16) For the purpose of address registration every citizen shall present:

1. identity document;

2. address cards;

3. conscription record, if the person is subject to conscription, when changing one's address for longer than 3 months, accordingly certified for the new place of residence.

(17) Construction, mining, forestry and geological workers as well as cadets when changing their address for a period of less than one year need not present conscription records.

(18) When making the address registration the official shall stamp the passport of the citizen with the appropriate stamp ("Entered" or "Written out") except in the cases when the address is changed for less than a month.

(19) When changing one's address every Bulgarian citizen holding an identity document shall be obliged to complete his/her address registration within 30 days of arrival.

(20) When changing one's address registration, depending on the length of stay, the citizen shall complete and present address cards in the following manner:

1. one copy - for address registration from one to six months in the district of residence;
2. two copies - for address registration from one to six months out of the district of residence;
3. three copies - for address registration from one to six months for the district where she/he is not a resident but has address registration in a settlement of another district where he had not been resident either.

(21) In all cases when address registration is made for a period over six months, one extra address card shall be completed in order to be referred to the respective municipality or mayoralty at the place of residence for updating ESGRAON data in the demographic statistics.

(22) Citizens using their own residential area (villa, house, etc.) for more than 30 days outside the territory of the settlement of their residence shall be obliged to make an address registration.

§ 13. (1) Until 31 March 2001, for crossing the state border of the Republic of Bulgaria and staying abroad the following kinds of passports shall be issued:

1. regular foreign passport for persons travelling abroad or permanently residing abroad, with validity of five years;
2. diplomatic passport for persons according a Council of Ministers ordinance and for the members of their families, with validity of five years;
3. sailor's passport.

(2) The foreign passport shall be valid for all countries.

(3) The foreign passport shall be returned after expiration of its validity, in the event of the passport holder's death and in the case of termination or withdrawal of Bulgarian citizenship.

(4) Foreign passports and substituting documents thereof shall be issued by:

1. the Ministry of Foreign Affairs - diplomatic passports to persons according to a Council of Ministers ordinance;
2. the Ministry of Interior - regular foreign passports, official passes and travel permits for permanently leaving the Republic of Bulgaria;
3. the diplomatic and consular representations of the Republic of Bulgaria shall issue permits for return to the country to Bulgarian citizens who do not have a foreign passport.

(5) The diplomatic and consular representations of the Republic of Bulgaria may extend the validity of a foreign passport for a term of six months after coordination with the Ministry of Foreign Affairs.

(6) A foreign passport shall be issued upon application to the Ministry of Interior authorities at the place of living against presenting an identity document.

(7) The application under Paragraph 6 shall have attached:

1. 3 x 4 cm photo made during the last two years, left semi-full face - 3 copies;
2. a receipt for paid passport fee;
3. birth certificate if the person is under 18 years of age.

(8) For re-issuing and substitution of a passport, besides the documents under Paragraphs 6 and 7 the following shall also be presented:

1. in the case of changing one's personal data, damaged passport and elapsed term of validity - the old passport;
2. in the case of destroyed, lost or taken passport - evidence and declaration about the circumstances entailing the destruction, theft, loss or taking away;
3. in the cases when the person has returned the country with a permit, the person shall have a new passport issued upon the arrival, through official channels at the Ministry of Foreign Affairs, of the application on the basis of which the permit has been issued.

(9) For issuance of a foreign passport to a Bulgarian citizen residing permanently abroad as well as for substitution of the passport due to destruction, damage, loss or change of personal data, the person concerned shall present the documents under Paragraphs 6 and 7 and under Paragraph 8, items 1 and 2 at the appropriate diplomatic or consular representation of the Republic of Bulgaria.

(10) The diplomatic or consular representation of the Republic of Bulgaria shall send within one month a copy of the documents under the foregoing Paragraphs to the Directorate of the National Police at the Ministry of Interior for issuance of the passport.

(11) The foreign passports of Bulgarian citizens residing permanently abroad may also be issued by the Ministry of Interior authorities at the settlement of entry in the population registers on the basis of the documents submitted by the persons.

(12) In the case of changes of the personal data of a foreign passport holder the latter shall be obliged to notify the authority that has issued the passport of the changes occurred.

(13) The passport may be substituted in case of damage, destruction or before the term of validity has elapsed. In the case of lost, damaged or taken passport, the citizen shall immediately notify the authority that has issued the passport, and if abroad - the diplomatic or consular representation of the Republic of Bulgaria. The term of the foreign passport may be extended until the date of its validity.

(14) Anybody who finds a Bulgarian foreign passport shall be obliged to immediately hand it to the Ministry of Interior authorities.

(15) All damaged, stolen, lost or destroyed passports, as well as the passports of the persons whose citizenship has been withdrawn, shall be pronounced invalid by the authority that has issued them.

§ 14. (1) Until 31 December 1999, the identity certificate of foreigners staying in the Republic of Bulgaria shall be issued by the passport office of the Ministry of Interior at the place of residence.

(2) For issuance of an identity certificate the foreigner shall present:

1. an application according to a template approved by the Ministry of Interior;
2. valid document for travelling abroad;
3. three 3 x 4 cm photos;
4. note from the municipality or mayoralty, when the foreigner has been granted permanent stay in the Republic of Bulgaria;
5. birth document, when the foreigner does not have a document for traveling abroad;
6. a certificate from the Ministry of Justice and Legal Eurointegration in the case of disputed cases of citizenship.

(3) Besides the data in the identity certificate, the following data shall be stamped according to the templates established by the Ministry of Interior:

1. address registration and permits to reside in a border zone, as well as obligations for maintenance of persons ordered by the court - from the Ministry of Interior authorities;
2. family status, data of the foreigner's children up to 16 years of age or of the persons put under his/her guardianship or trusteeship - from the civil status officials at the municipal councils or mayoralties;
3. the granting, stopping or termination of pensions - from the officials at the pension insurance services.

(4) In the case of changed civil status, as well as when entering or leaving an employment the officials shall record the changes in the identity certificate within 7 days.

(5) The number and data of issuance of the identity certificate, as well as the type of permitted stay, shall be stamped in the foreigner's document for traveling abroad by the passport office of the Ministry of Interior.

(6) The identity certificate shall be substituted:

1. in the case of changed name or citizenship, as well as for correction of the date of birth;
2. when the person with a long-term stay permit is granted permanent stay in the Republic of Bulgaria;
3. in the case of impossibility to enter new data;
4. when it is destroyed, damaged or lost.

(7) For substitution of the identity certificate the foreigner shall submit the documents under Paragraph 2.

(8) The identity certificate shall be returned to the passport office of the Ministry of Interior at the place of stay of the foreigner when the latter:

1. permanently leaves the territory of the country;
2. loses the right to stay in the country;
3. takes Bulgarian citizenship;
4. has deceased.

(9) The identity certificate may not be taken out of the territory of the Republic of Bulgaria.

(10) The extension of stay and the issuance of documents (cards) certifying the identity and official status of foreigners working in diplomatic, consular or commercial representations of international or intergovernmental organisations in the Republic of Bulgaria notified by the Ministry of Interior, as well as of the members of their families, shall be made by the "Unified state protocol" Directorate of the Ministry of Foreign Affairs.

(11) A foreigner whose identity document or statistical card are lost shall be obliged immediately to notify the nearest passport office of the Ministry of Interior.

(12) At the request of the foreigner the latter shall be issued a certificate to the effect of having declared the loss of the identity document or the statistical card.

§ 15. Until 31 March 2002, when issuing a first personal identity card or passport under the rules of §16, the permanent address in the application for issuance of a personal identity document shall be indicated in the following way:

1. if the place of residence of the person coincides with the settlement of the person's address registration, the permanent address shall be indicated in the address registration;
2. if the place of residence of the person does not coincide with the settlement of the person's address registration, as permanent address shall be indicated the settlement of residence which the person shall supplement with an address for registration in this settlement.

§ 16. The issuance of first personal identity card or first passport to every citizen under the Bulgarian Identity Documents Act (except the cases under § 18, 19, 20 and 21) shall be made in the following way:

1. the citizen (or representative thereof) shall lodge an application for issuance of a personal identity document with the mayoralty (municipality, region) of his/her permanent address; the application shall enclose a birth certificate and other official documents verifying the personal data;

2. in the presence of the citizen (or representative thereof) the data from the application shall be compared with the data in the presented official documents; the citizen (or the representative thereof) shall be given a date, within 30 days of lodging of the application, for notification of the results of verification; the data from the application shall be verified with the data in the Personal Registration File, and if necessary, other official documents may be required from the citizen (or the representative thereof); the result of the verification shall be noted in the application;

3. the application, if lodged with the mayoralty, shall be officially sent to the municipality for verification with the municipal databases and with the civil status acts, if the

latter are kept at that municipality (region); if a mismatch is found with the data from the application, corrections shall be made in the Databases and an updating note shall immediately be sent to the National Population Data Base; the result of the verification shall be noted in the application, which shall be officially certified by the municipal administration with inscription of "confirmed" or "not confirmed" data;

4. when the citizen (or representative thereof) appears at the mayoralty (municipality, region) to receive the result of the verification of the application:

a) if there is "not confirmed data", the applicant shall be required to present additional documents for confirmation of the data;

b) if there is "confirmed data", the mayoralty shall notify the citizen that the application is officially referred to the respective Regional Police Department (RPD), where the citizen shall have to appear after 9 days;

5. upon receiving the application from the municipality (region), the regional police department, which is connected in a computerised network with the respective Directorate of the Interior, shall make an inquiry about administrative sanctions imposed on the citizen; if there are such, a written refusal to issue the required personal identity document shall be made; if there are no such sanctions, the personal data from the application shall be verified with the National Population Data Base, whereas:

a) if there is a mismatch of these data, the regional police department shall officially notify the municipality which has referred the application of the corrections to be made of the data contained therein or in the National Population Data Base; when reporting at the Regional Police Department the citizen shall be informed about the delay of admission of the application until the appropriate corrections are made;

b) if the data match, they shall be introduced in the Automated Database of "Bulgarian Identity Documents"; the citizen shall report at the regional police department after the ninth day of referral of the application by the municipality and in the citizen's presence the application shall be registered, the citizen shall sign it and the photo shall be fixed thereto; a date shall then be fixed within 30 days of the registration of the application, after which the citizen shall receive his/her personal identity document;

6. when a Regional Police Department which is not connected in a computerised network with the respective Directorate of the Interior receives an application from the municipality (region), there shall be no check and verification under item 5; the citizen shall report at the Regional Police Department after the ninth day of referral by the municipality (region) of the application; in the citizen's presence the application shall be registered, the citizen shall sign it and the photo shall be fixed thereto; a date shall then be fixed within 30 days of the registration of the application after which the citizen shall receive his/her document and shall be informed about the checks made at the National Population Data Base and about the imposed administrative sanction, if any;

7. the registered application shall be sent by the Regional Police Department to the respective Directorate of Interior, where:

a) following checks at the Regional Police Department no data are found about imposed administrative sanctions and the data from the application matches these from the National Population Data Base, the required personal identity document shall be made personal;

b) if the application has been received without checks at the Regional Police Department for imposed administrative sanctions and at the National Population Data Base, these checks shall be made at the respective Directorate of Interior; if no such sanctions are found and the data from the application match with these of the National Population Data Base, the requested personal identity document shall be made personal; if such sanctions are found, a written refusal shall be made for issuance of the requested identity document; in the

case of mismatch of the data from the application with these of the National Population Data Base, the application shall be returned to the respective Regional Police Department for official notification and corrections to be made at the municipality (region) that has referred it;

8. the citizen shall report at the regional police department after the fixed date to receive the personal identity document; if there is a written refusal, it shall be handed over to the citizen; if the data from the application do not match those in the National Population Data Base, the citizen shall also be notified of the postponement of issuance of the personal identity document pending the making of appropriate corrections by the municipality (region).

§ 17. An application for issuance of every subsequent personal identity document in the sense of §16 and of a driving license shall be lodged with the authorities of one's permanent address in the following manner:

1. at the Regional Police Department - if the application is for issuance of a personal identity document within 30 days;

2. at the units for issuance of personal identity documents at Sofia City or at the respective Regional Directorate of Interior if the application is for express or fast issuance of a personal identity document, within the terms specified by the Council of Ministers;

3. at the "Traffic police" unit at Sofia City or at the respective Regional Directorate of Interior - for issuance of a driving license;

4. the personal identity document shall be received at the place of lodging of the application.

§ 18. The Bulgarian citizens residing abroad shall lodge an application for issuance of a passport at the respective diplomatic or consular representation of the Republic of Bulgaria, which shall forward it through the Ministry of Foreign Affairs to the Directorate of the National Police at the Ministry of Interior. These applications shall be referred officially to the respective municipality (region) at the applicant's permanent address for verification of the data therein when issuing of a first passport, and for every subsequent one - if necessary.

§ 19. The applications for issuance of a diplomatic passport shall be lodged with the Ministry of Foreign Affairs, where the application data shall be verified with the data from the ESGRAON Databases and shall be officially certified for "confirmed data". The personal passport shall be received at the place of lodging of the application.

§ 20. The applications for issuance of a sailor's passport shall be lodged with the Ministry of Transport, where the application data shall be verified with the data from the ESGRAON Databases and shall be officially certified for "confirmed data". The personal passport shall be received at the place of lodging of the application.

§ 21. The applications for issuance of personal identity documents to foreigners and refugees shall be lodged with the Directorate of the National Police at Sofia City or at the Regional Directorates of Interior under the rules approved by the Council of Ministers. The personal identity document shall be received at the place of lodging of the application.

§ 22. Paragraphs 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 of the transitional and final provisions of this Act shall be effective as of 1 April 1999;

b) the previous § 12 shall become § 23.

§ 6. The provisions of Article 89 - 99 incl. under Section I and Section II of Chapter Four "Address Registration", as well as of § 2, item 1 (repealing Article 7 of the Persons and Family Act) shall be effective as of 1 January 2000.

§ 6a. (New - SG No. 37/2001) For citizens who have not declared permanent address under the rules of Article 95, the address registration indicated in the personal (green) passport shall be considered permanent address.

§ 7. The enforcement of this Act shall be assigned to the Ministry of Regional Development and Public Works.

Lev Re-denomination Act
Promulgated, State Gazette No. 20/5.03.1999,
amended, SG No. 65/20.07.1999 (effective 5.07.1999).

TRANSITIONAL AND FINAL PROVISIONS
.....

§ 4. (1) (Amended, SG No. 65/1999) Upon the entry of this Act into force, all figures expressed in old lev terms as indicated in the laws which will have entered into force prior to the 5th day of July 1999 shall be replaced by figures expressed in new lev terms, reduced by a factor of 1,000. The replacement of all figures expressed in old lev terms, reduced by a factor of 1,000, shall furthermore apply to all laws passed prior to the 5th day of July 1999 which have entered or will enter into force after the 5th day of July 1999.

(2) The authorities, which have adopted or issued any acts of subordinate legislation which will have entered into force prior to the 5th day of July 1999 and which contain figures expressed in lev terms, shall amend the said acts to bring them in conformity with this Act so that the amendments apply as from the date of entry of this Act into force.

.....

§ 7. This Act shall enter into force on the 5th day of July 1999.

Health Act

TRANSITIONAL AND FINAL PROVISIONS

(Promulgated, SG No. 70/10.08.2004 (effective 1.01.2005))

§ 10. Everywhere in the Civil Registration Act (Promulgated SG No. 67/1999; Amended SG Nos. 28 and 37/2001, 54/2002, 63/2003), the words "healthcare establishment", "The healthcare establishment" and "specialised healthcare establishments" shall be replaced by the words "medical establishment", "the medical establishment" and "medical establishments" respectively.

TRANSITIONAL AND FINAL PROVISIONS

of the Administrative Procedure Code

(SG, No. 30/2006, effective 12.07.2006)

.....

§ 38. Everywhere in the Civil Registration Act (Promulgated State Gazette No. 67/1999, amended and supplemented, SG No. 28/2001, supplemented, SG No. 37/2001, amended and supplemented, SG No. 54/2002, supplemented, SG No. 63/2003, amended, SG No. 70/2004, amended and supplemented, SG No. 96/2004) the words "the Administrative Procedure Act" shall be replaced by "the Administrative Procedure Code".