

# Electronic Government Act

Promulgated, State Gazette No. 46/12.06.2007, effective 13.06.2008, amended and supplemented, SG No. 82/16.10.2009, effective 16.10.2009, amended, SG No. 20/28.02.2013, supplemented, SG No. 40/13.05.2014, effective 1.07.2014, amended, SG No. 13/16.02.2016, effective 15.04.2016, amended and supplemented, SG No. 38/20.05.2016, effective 21.05.2017, SG No. 50/1.07.2016, effective 1.07.2016, supplemented, SG No. 62/9.08.2016, effective 1.07.2016, SG No. 98/9.12.2016, effective 1.01.2017, amended, SG No. 88/23.10.2018, amended and supplemented, SG No. 94/13.11.2018, SG No. 94/29.11.2019, effective 29.11.2019, supplemented, SG No. 102/31.12.2019, effective 29.11.2019, amended, SG No. 69/4.08.2020, supplemented, SG No. 85/2.10.2020, effective 2.10.2020, amended and supplemented, SG No. 15/22.02.2022, effective 22.02.2022, supplemented, SG No. 66/1.08.2023, effective 5.08.2023, amended and supplemented, SG No. 80/19.09.2023, effective 19.09.2023

Text in Bulgarian: Закон за електронното управление

## Chapter One GENERAL PROVISIONS

### Subject

Article 1. (1) (Amended, SG No. 94/2019, effective 29.11.2019, SG No. 80/2023, effective 19.09.2023) This Act regulates the social relations associated with:

1. the work of administrative authorities handling electronic documents;
2. the electronic provision of administrative services;
3. the exchange of electronic documents for the purposes of administrative proceedings;
4. the general rules for electronic record-keeping;
5. the use of information and communication technologies in administrations.

(2) This act shall also apply in relation to the activities of persons performing public functions and of organisations providing public services insofar as the law does not provide otherwise.

(3) (Amended, SG No. 50/2016, effective 1.07.2016, SG No. 88/2018) This Act shall not apply to electronic documents, communication and information systems that contain or are being used for work with classified information.

(4) (New, SG No. 94/2019, effective 29.11.2019, amended, SG No. 69/2020) This Act shall not apply to the Ministry of Defence, the Ministry of Interior, the State Agency for National Security, the State Intelligence Agency, the State Agency for Technical Operations, the Military Intelligence Service and the National Service for Protection, except in the cases of provision of administrative services by electronic means and exchange of electronic documents among administrative authorities.

(5) (Renumbered from Paragraph 4, SG No. 94/2019, effective 29.11.2019) This act shall not revoke the regulations for work with paper documents when a law provides for a special form or a special procedure for carrying out specific actions.

### One-off Collection and Creating of Data

Article 2. (1) (Supplemented, SG No. 80/2023, effective 19.09.2023) The administrative authorities, the persons performing public functions and the organisations providing public services cannot require from citizens and organisations to provide or prove data that have already been

collected or created but shall be obliged to collect them ex officio from the original data controller or from a central data controller.

(2) (Amended, SG No. 80/2023, effective 19.09.2023) The original data controller shall be an administrative body which, by force of law, collects, creates for the first time, modifies or deletes data on natural persons, legal persons, objects or events. The original data controller shall grant natural and legal persons access to all information collected concerning them.

(3) (New, SG No. 80/2023, effective 19.09.2023) An original data controller shall also be any person or organisation referred to in Article 1(2), where the following conditions have been met:

1. it collects, originates, amends or deletes any data required for the provision of an administrative service;

2. it provides internal electronic administrative services to administrative authorities on one of the following grounds:

(a) the provision is provided for by law;

(b) the person or organisation has given their written consent to the Minister for e-Government.

(4) (New, SG No. 80/2023, effective 19.09.2023) A central data controller shall be any person or organisation referred to in Article 1(1) or (2) which, by virtue of a law, stores the data provided by original data controllers in a centralised manner. The central data controller shall grant citizens and organisations access to all information collected concerning them. A central data controller shall be deemed to be the original data controller in respect of the obligations under Article 3 to provide and send data.

(5) (New, SG No. 80/2023, effective 19.09.2023) The original data controller shall be responsible for the authenticity, completeness and availability of the data.

(6) (New, SG No. 80/2023, effective 19.09.2023) An applicant for an administrative service shall be deemed to have complied with the obligation to provide or prove data where the administrative service provider collects the data in accordance with the procedure laid down in paragraph 1.

#### Ex-officio provision and notification

(Title supplemented, SG No. 80/2023, effective 19.09.2023)

Article 3. (Supplemented, SG No. 40/2014, effective 1.07.2014) (1) (New, SG No. 80/2023, effective 19.09.2023) Upon request, the original data controller shall provide the data ex officio and at no charge to all administrative authorities, to the persons performing public functions and to the organisations providing public services which also process such data on the basis of a law or a regulation adopted by the Council of Ministers.

(2) (Previous text of Article 3, SG No. 80/2023, effective 19.09.2023) The original data controller shall send the data ex officio and at no charge to all administrative authorities, to the persons performing public functions and to the organisations providing public services which by law also process said data and have stated a wish to receive them.

(3) (New, SG No. 80/2023, effective 19.09.2023) The requirements for the identification of officials and information systems for the purposes of providing and transmitting the data referred to in paragraphs 1 and 2 are laid down in the Regulation referred to in Article 12(4).

#### Automatic Provision

Article 4. (1) Notifications and requests for provision of data according to this chapter shall be done automatically by electronic means as an internal electronic administrative service.

(2) (New, SG No. 50/2016, effective 1.07.2016) Other interchange of electronic documents with which information is provided between administrative authorities, persons performing public

functions and organisations providing public services shall also be carried out as an internal electronic administrative service.

(3) (Renumbered from Paragraph 2, amended, SG No. 50/2016, effective 1.07.2016, SG No. 94/2019, effective 29.11.2019, repealed, SG No. 80/2023, effective 31.03.2024).

(4) (New, SG No. 50/2016, effective 1.07.2016) An original data controller shall not be entitled to impose additional requirements or to envisage a different procedure for interchange of data, other than the requirements and procedure set out in the law.

(5) (New, SG No. 50/2016, effective 1.07.2016) The history of data interchange according to paragraph 1 shall be kept for a period of ten years. Persons shall be entitled to free access to the history of the data related to them.

(6) (New, SG No. 80/2023, effective 31.03.2024) An instrument of secondary legislation may not introduce an obligation to prove facts and circumstances for persons or objects entered in a register and to which an identifier has been granted, unless the instrument of secondary legislation implements or enforces acts of the European Union.

### Registers

Article 4a. (New, SG No. 80/2023, effective 19.09.2023) (1) A register is a structured database intended to preserve and be a trusted authentic source of data and for the maintenance of which there is a legal basis and a statutory procedure for entry, deletion and/or verification of facts and circumstances. If necessary, the data in the register shall be subject to further logical processing.

(2) (Effective 31.03.2024 - SG No. 80/2023) Administrative authorities shall keep in electronic form the registers and databases entrusted to them by law.

(3) Administrative authorities shall provide the option for ex officio entry, deletion and verification of circumstances in the registers they keep as an internal electronic administrative service.

### Obligations in Case of Identification

Article 5. (Amended, SG No. 38/2016, effective 21.05.2017) (1) The obligations set out in this chapter arise if the citizen or organisation, as the case may be, has provided identification according to the procedure laid down in a law, when the law requires identification for the provision of an administrative service.

(2) (Amended, SG No. 94/2019, effective 29.11.2019, SG No. 80/2023, effective 19.09.2023) When requesting the relevant electronic administrative service, the persons referred to in Article 1 (1) and 2 shall provide citizens and organisations with the option to identify themselves:

1. (new, SG No. 80/2023, effective 19.09.2023) in accordance with the procedure laid down in the Electronic Identification Act;

2. (new, SG No. 80/2023, effective 19.09.2023) by electronic identification means within the framework of notified electronic identification schemes in accordance with the procedure laid down in Article 9 of Regulation (EU) No. 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257/73 of 28 August 2014), hereinafter referred to as "Regulation (EU) No. 910/2014";

3. (new, SG No. 80/2023, effective 19.09.2023) by electronic identification means with assurance level "high" issued within the framework of an electronic identification trust service with national coverage entered in the Trusted List maintained by the Communications Regulation Commission under Article 22 of Regulation (EU) No. 910/2014;

4. (new, SG No. 80/2023, effective 19.09.2023) by other electronic identification means as defined by the Regulation under Article 12 (4).

(3) (New, SG No. 94/2019, effective 29.11.2019, amended, SG No. 15/2022, effective 22.02.2022) The electronic identification means referred to in paragraph 2 shall be interoperable with and integrated in the electronic authentication system put in place and maintained by the Ministry of e-Government.

(4) (New, SG No. 94/2019, effective 29.11.2019, amended and supplemented, SG No. 80/2023, effective 19.09.2023) The persons referred to in paragraphs 1 and 2 of Article 1 shall specify, in consultation with the Minister of e-Government, the means referred to in paragraph 2 through which citizens and organisation can request the electronic administrative services said persons provide and the assurance levels of said means pursuant to Article 8 of Regulation (EU) No. 910/2014, and shall make said means and assurance levels public through their official websites or in another manner accessible to the public. Services for which no assurance level has been specified shall be considered to have an assurance level "low".

(5) (New, SG No. 94/2019, effective 29.11.2019) Administrative authorities shall enter the electronic identification means through which citizens and organisations can request the electronic administrative services they provide in the Administrative Register referred to in Article 61 of the Administration Act.

(6) (New, SG No. 80/2023, effective 19.09.2023) Article 18a(2) of the Bulgarian Personal Documents Act shall apply to the electronic submission of an application for Bulgarian identity documents.

#### Uniform Time

Article 6. (1) The administrative authorities, the persons performing public functions and the organisations providing public services are obliged to use information systems which give uniform time under a standard defined in a regulation of the Council of Ministers.

(2) (Supplemented, SG No. 50/2016, effective 1.07.2016, amended, SG No. 94/2019, effective 29.11.2019) The time when facts of legal or technical significance occur shall be read and certified with an accuracy to the nearest year, date, hour, minute, second and millisecond, also stating the time zone.

#### Rules by Policy Areas

(Title amended, SG No. 94/2019, effective 29.11.2019)

Article 7. (1) (Supplemented, SG No. 50/2016, effective 1.07.2016, SG No. 94/2019, effective 29.11.2019) Rules for the provision of electronic administrative services, for interchange of electronic documents between administrative authorities, citizens and organisations and for internal interchange of electronic documents within the individual administration in the relevant policy areas shall be set out in regulations.

(2) (New, SG No. 94/2019, effective 29.11.2019, amended, SG No. 15/2022, effective 22.02.2022) The regulations referred to in paragraph 1 shall be issued by the respective ministers when the organisation of work and the processes in the respective policy areas require to establish a special procedure, to comply with stricter requirements for network and information security or where specific standards for interoperability have been established in respect of them. The regulations shall be coordinated with the Minister of e-Government.

(3) (Renumbered from Paragraph 2, SG No. 94/2019, effective 29.11.2019) The rules referred to in paragraph 1 may not contradict the general rules established by this Act.

(4) (Renumbered from Paragraph 3, SG No. 94/2019, effective 29.11.2019) The introduction of special rules shall not exempt the persons obliged under this Act from the requirement to comply with the general rules established.

(5) (Supplemented, SG No. 82/2009, effective 16.10.2009, amended, SG No. 50/2016, effective 1.07.2016, renumbered from Paragraph 4, SG No. 94/2019, effective 29.11.2019, amended, SG No. 15/2022, effective 22.02.2022) The Council of Ministers shall adopt with a decision a Strategy for e-Government Development in Republic of Bulgaria on a proposal by the Minister of e-Government.

(6) (Amended, SG No. 50/2016, effective 1.07.2016, renumbered from Paragraph 5, amended and supplemented, SG No. 94/2019, effective 29.11.2019, amended, SG No. 15/2022, effective 22.02.2022) The deputy prime ministers and the ministers shall propose for adoption by the Council of Ministers strategies for e-Government development in the relevant policy areas after said strategies have been approved by the Minister of e-Government.

## **Chapter One "a"**

**(New, SG No. 50/2016, effective 1.07.2016)**

# **MANAGEMENT OF THE ACTIVITIES IN THE FIELD OF ELECTRONIC GOVERNMENT**

## **Section I**

**(New, SG No. 50/2016, effective 1.07.2016)**

### **Authority Implementing the Electronic Government Policy (Heading amended, SG No. 15/2022, effective 22.02.2022)**

Article 7a. (New, SG No. 50/2016, effective 1.07.2016, repealed, SG No. 15/2022, effective 22.02.2022).

Article 7b. (New, SG No. 50/2016, effective 1.07.2016, amended, SG No. 94/2019, effective 29.11.2019, repealed, SG No. 15/2022, effective 22.02.2022).

Minister of e-Government

(Heading amended, SG No. 15/2022, effective 22.02.2022)

Article 7c. (New, SG No. 50/2016, effective 1.07.2016, amended and supplemented, SG No. 94/2018, amended, SG No. 94/2019, effective 29.11.2019) (1) (New, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government implements state policy in the area of electronic government and in the area of information society and information technologies in cooperation with the other executive bodies.

(2) (Previous text of Article 7c, amended, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government:

1. (amended, SG No. 15/2022, effective 22.02.2022) implement state policy in the field of e-government, including:

(a) (amended, SG No. 15/2022, effective 22.02.2022) information technologies and information society;

(b) electronic trust services;

(c) electronic identification;

(d) infrastructure for spatial information;

(e) information from the public sector in machine-readable open format;

(f) (new, SG No. 80/2023, effective 19.09.2023) data creation, storage, management and exchange;

2. develop and propose for adoption by the Council of Ministers draft statutory instruments in the field of electronic government and the use of information and communication technologies in the work of the administrative authorities and their administrations;
3. (supplemented, SG No. 15/2022, effective 22.02.2022) develop and propose for adoption by the Council of Ministers a Strategy for the Development of Electronic Government in the Republic of Bulgaria and strategies in the field of information technologies and information society and ensure their implementation;
4. approve strategies for e-Government development by policy areas and endorse and control the plans for their implementation;
5. develop and propose for adoption by the Council of Ministers a uniform policy for information resources, issue methodological instructions and coordinate the implementation of said policy;
6. endorse and develop the e-Government architecture in the Republic of Bulgaria and oversee its implementation, coordinate the development and approve the draft e-Government development architectures by policy areas prepared by the respective competent deputy prime ministers or ministers, and monitor the implementation of the adopted architectures by policy areas;
7. provide methodological guidance, coordination and control of the activities related to the implementation of the requirements for the interchange of electronic documents among administrative authorities and with citizens and organizations and for the internal circulation of electronic documents and their subsequent archiving;
8. carry out reviews of the compliance of the activities of the administrative authorities financed with funds from the state budget, from the municipal budgets and from other sources with the approved policies, strategic documents and programmes, give guidelines and coordinate the documents referred to in items 1 and 2, as well as in item 3 of Article 7d(2), with respect to the changes made in the field of electronic governance and information and communication technologies in accordance with the procedure laid down in the regulation referred to in Article 7d(6);
9. participate in the prioritisation, coordinate and control the implementation of electronic administrative services and information systems in the administrations;
10. (supplemented, SG No. 80/2023, effective 19.09.2023) approve project proposals and activities and modifications to projects and activities, and coordinate and control the implementation of programmes for electronic government, information and communication technologies in administrative authorities financed from the state budget, from the structural and investment funds of the European Union and from other sources, with an estimated value greater than or equal to the threshold under Article 20(4)(2) of the Public Procurement Act;
11. certify the compliance of the information systems with the requirements for interoperability and exercise control of the compliance of administrative authorities with these requirements;
12. coordinate and assist the integration of the information systems for electronic government of the administrative authorities with the systems of the European Union Member States;
13. (amended, SG No. 15/2022, effective 22.02.2022) implement projects relevant to all administrations in the field of e-government, information technologies and information society;
14. develop and coordinate shared e-Government resources, establish and develop an environment for configuring and testing electronic administrative services on said resources, and coordinate the configuration and deployment of said services;
15. develop, keep and maintain the registers referred to in this Act;
16. (amended, SG No. 80/2023, effective 19.09.2023) develop, coordinate and control the operation of the e-Government Portal;

17. issue methodological instructions and assist the administrations in defining the structure and content of the data sets for publication on the open data portal pursuant to the Access to Public Information Act;
18. provide methodological guidance for, coordinate and control the activities relating to the development, maintaining and use of the national infrastructure for spatial information, and exercise the powers set out in the Spatial Data Access Act;
19. draw up a progress report and an annual plan for the development and updating of the information resources in the administration and the information resources of the Single Electronic Communication Network of the state administration and those required for the needs of national security;
20. exercise control of the fulfilment of the obligations of the primary data controllers referred to in Article 3 and control the fulfilment of the requirements set out in Article 58a;
21. (repealed, SG No. 15/2022, effective 22.02.2022);
22. (new, SG No. 85/2020, effective 2.10.2020) create and maintain a Developer Portal; the terms and procedure for maintenance and usage of the portal shall be determined with an Ordinance under Article 7d, paragraph 6;
23. (new, SG No. 85/2020, effective 2.10.2020) implement and maintain a national depository and system for control of the versions of the source code and the technical documentation of the information systems of the administration bodies; the terms and procedure for use of the depository are referred in Article 7d, Paragraph 6;
24. (new, SG No. 15/2022, effective 22.02.2022) prepares drafts of international agreements to which the Republic of Bulgaria is a party in the field of e-government, information technologies and information society and ensures the implementation of international agreements in these fields;
25. (new, SG No. 15/2022, effective 22.02.2022) ensures the implementation of the commitments of the Republic of Bulgaria in the field of e-government, information technology and information society related to its membership in the European Union and international organisations, including representing the Republic of Bulgaria in international organisations in the field of e-government, information technologies and information society;
26. (new, SG No. 15/2022, effective 22.02.2022) assist the development and implementation of standards and standardisation deliverables related to e-government, information technologies and information society;
27. (new, SG No. 15/2022, effective 22.02.2022) participate in the activity of the international standardisation organisations and in the technical standardisation committees in the Republic of Bulgaria relevant to electronic government, information technologies and information society;
28. (new, SG No. 15/2022, effective 22.02.2022) approve investment programmes and projects in accordance with the priorities in the field of e-government, information technologies and information society;
29. (new, SG No. 15/2022, effective 22.02.2022) perform inter-departmental coordination upon the drafting and submission of draft statutory instruments to the Council of Ministers in the field of e-government, information technologies and information society;
30. (new, SG No. 15/2022, effective 22.02.2022) exercise also other powers provided for in a law or another statutory instrument.

#### Control within the Budget Process

Article 7d. (New, SG No. 50/2016, effective 1.07.2016) (1) (Amended and supplemented, SG No. 94/2019, effective 29.11.2019, amended, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government shall create, keep and maintain an information system for preliminary,

ongoing and follow-up control, where appropriate, in the field of electronic government and the use of information and communication technologies.

(2) (Supplemented, SG No. 94/2019, effective 29.11.2019, amended, SG No. 15/2022, effective 22.02.2022) Within the budget process, all administrative authorities shall be obliged to coordinate in advance with the Minister of e-Government the expenditure in the field of electronic government and the expenditure on the information and communication technologies used by them, and to provide information on:

1. the three-year budget forecasts;
2. the draft budgets for the following year;
3. the approved annual budgets and any changes to their budgets in this field;
4. the current and annual reports and statements.

(3) The information set out in paragraph 2 must include a breakdown under the Unified Budget Classification (EBC) and the Common Procurement Vocabulary (CPV).

(4) The information set out in paragraph 2 shall be transmitted electronically by employees appointed by the administrative authority. Said employees shall be responsible for the reliability of the information entered, as well as for its timely entering.

(5) The access to the data in the information system referred to in paragraph 1 shall be open and free of charge.

(6) (Amended, SG No. 94/2019, effective 29.11.2019) The conditions and procedure for the for the provision of the information set out in paragraph 2, as well as the processes involved in the coordination of documents referred to in items 1 and 2, as well as in item 3 of paragraph 2, with respect to the changes made in the field of electronic governance and information and communication technologies shall be laid down in a regulation adopted by the Council of Ministers.

(7) (New, SG No. 94/2019, effective 29.11.2019) When drawing up the three-year budget forecasts and draft budgets for the following year, the administrative authorities shall separate the expenditure foreseen for electronic government and for the information and communication technologies they use from the other funds for current and capital expenditure and submit them for coordination in accordance with paragraph 6.

(8) (New, SG No. 94/2019, effective 29.11.2019) The expenditure of administrative authorities foreseen for electronic government and for the information and communication technologies they use must include funds for maintaining the systems existing in the administrative authority concerned. The systems for which no funds for maintenance are foreseen shall be decommissioned in accordance with a procedure laid down in the regulation referred to in Article 12(4).

(9) (New, SG No. 94/2019, effective 29.11.2019) The documents subject to coordination and referred to in items 1 and 2, as well as in item 3 of paragraph 2, with respect to the changes made in the field of electronic governance and information and communication technologies shall be determined under the conditions and according to the procedure for the budget procedure concerned.

#### Register of Projects

(Title amended, SG No. 94/2019, effective 29.11.2019)

Article 7e. (New, SG No. 50/2016, effective 1.07.2016) (1) (Amended, SG No. 94/2019, effective 29.11.2019, SG No. 15/2022, effective 22.02.2022, supplemented, SG No. 80/2023, effective 19.09.2023) The Minister of e-Government shall create and maintain a public electronic register of the projects in the field of electronic government, information and communication technologies in administrative authorities, with an estimated value greater than or equal to the threshold under Article 20(4)(2) of the Public Procurement Act, which shall contain information concerning:



1. (amended, SG No. 15/2022, effective 22.02.2022) approved and rejected project proposals and refusals for approval, issued by the Ministry of e-Government;
  2. the general and specific objectives of the projects approved, the expected results and measurable performance indicators;
  3. the main activities with indicative budgets and a schedule for implementation;
  4. the technical specifications for public procurement procedures referred to in Article 58a;
  5. the implementation of the projects and the results achieved, including financial effect and an assessment of quality of implementation.
- (2) The information set out in paragraph 1 must include a breakdown under the Unified Budget Classification (EBC) and the Common Procurement Vocabulary (CPV).
- (3) (Amended, SG No. 94/2019, effective 29.11.2019) The register referred to in paragraph 1 shall be maintained as an electronic information system in which employees designated by the administrative authority shall enter the information. Said employees shall be responsible for the reliability of the information entered, as well as for its timely entering.
- (4) The access to the data in the register referred to in paragraph 1 shall be open and free of charge.
- (5) (Amended, SG No. 94/2019, effective 29.11.2019) The circumstances that are entered and the conditions and procedure for keeping and using the register referred to in paragraph 1 shall be laid down in the regulation referred to in Article 7d(6).

#### Register of Information Resources

Article 7f. (New, SG No. 50/2016, effective 1.07.2016) (1) (Amended, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government shall create, keep and maintain a register of the information resources, which shall contain information on:

1. the information resources available to the administrative authorities with the exception of the information resources that are intended for work with and storage of classified information;
  2. the information resources of the Single Electronic Communication Network (SECN) of the state administration and for the needs of national security;
  3. annual plans for updating the information resources of the administrations.
- (2) The information set out in paragraph 1 must include a breakdown under the Unified Budget Classification (EBC) and the Common Procurement Vocabulary (CPV).
- (3) The register referred to in paragraph 1 shall be maintained as an electronic information system in which employees designated by the administrative authority shall enter the information. Said employees shall be responsible for the reliability of the information entered, as well as for its timely entering.
- (4) The administrative authorities are obliged to enter in the register referred to in paragraph 1 the data concerning the information resources within one month of the commissioning/decommissioning of said resources.
- (5) The circumstances that are entered and the conditions and procedure for keeping, maintaining and using the register referred to in paragraph 1 shall be laid down in the regulation referred to in Article 7d (6).

#### Mechanism for Planning of Information Resources in the Administrations

Article 7g. (New, SG No. 50/2016, effective 1.07.2016) (1) Every administrative authority shall, within its approved budget, draw up and enter in the information system referred to in Article 7f(3) an annual plan for updating the information resources in its administration, the indicative costs and the time limits for the updating.

(2) (Amended, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government shall issue methodological instructions to the authorities referred to in paragraph 1 regarding the legal compliance of the plan, the efficient use of existing information resources entered in the register of information resources in the administration, the strategies and programmes in the field of electronic government.

(3) (Amended, SG No. 94/2019, effective 1.01.2021, SG No. 15/2022, effective 22.02.2022) Every year the Minister of e-Government shall draw up a progress report and an annual plan for the development and updating of the information resources in the administration and the information resources of the Single Electronic Communication Network of the state administration and those required for the needs of national security, and shall submit said report and plan to the Council of Ministers for approval by 31 March. The report and the annual plan shall be published on the Ministry of e-Government's web site.

(4) (New, SG No. 94/2019, effective 1.01.2021) The administrative authorities shall define in an order the internal procedure for conducting the tests of the information systems and their functionalities, including the tests for compliance with the terms of reference, as well as the persons responsible for that.

(5) (New, SG No. 94/2019, effective 1.01.2021) Information systems shall be deployed with an order of the administrative authority, entered in the Administrative Register referred to in Article 61 of the Administration Act.

(6) (New, SG No. 94/2019, effective 1.01.2021) The deployment of information systems that have not passes successfully tests of all components, modules and functionalities shall not be allowed.

#### Coordination of Draft Statutory Instruments

Article 7h. (New, SG No. 50/2016, effective 1.07.2016) (1) (Amended, SG No. 94/2019, effective 29.11.2019, SG No. 15/2022, effective 22.02.2022) Persons promoting draft statutory instruments that regulate relations related to electronic government shall coordinate said drafts with the Minister of e-Government.

(2) (Amended, SG No. 15/2022, effective 22.02.2022) The Ministry of e-Government shall coordinate the adoption and implementation of state standards in the field of electronic government.

#### Mandatory Directives

Article 7i. (New, SG No. 50/2016, effective 1.07.2016, amended, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government shall issue mandatory directives to the administrative authorities and to the persons referred to in Article 1(2) concerning the compliance with the requirements set out in this Act.

## Section II

**(New, SG No. 50/2016, effective 1.07.2016, repealed, SG No. 94/2019, effective 29.11.2019)**

### **State Enterprise Single System Operator**

Article 7j. (New, SG No. 50/2016, effective 1.07.2016, amended, SG No. 94/2018, repealed, SG No. 94/2019, effective 29.11.2019).

Article 7k. (New, SG No. 50/2016, effective 1.07.2016, supplemented, SG No. 98/2016, effective 1.01.2017, repealed, SG No. 94/2019, effective 29.11.2019).

Article 7l. (New, SG No. 50/2016, effective 1.07.2016, repealed, SG No. 94/2019, effective 29.11.2019).

Article 7m. (New, SG No. 50/2016, effective 1.07.2016, repealed, SG No. 94/2019, effective 29.11.2019).

Article 7n. (New, SG No. 50/2016, effective 1.07.2016, repealed, SG No. 94/2019, effective 29.11.2019).

### **Section III**

#### **(New, SG No. 50/2016, effective 1.07.2016)**

#### **Open government**

Obligation of the Ministry of e-Government to Publish Information  
(Heading amended, SG No. 15/2022, effective 22.02.2022)

Article 7o. (New, SG No. 50/2016, effective 1.07.2016, amended, SG No. 15/2022, effective 22.02.2022) In accordance with the procedure laid down in the Access to Public Information Act, the Ministry of e-Government shall publish every month up-to-date information on its activities in machine-readable open format, including through the open data portal; the data referred to in item 1 which are to be published daily shall make an exception. The information shall contain at least the following data:

1. the data from the register referred to in Article 7e(1);
2. aggregated statistics from the register referred to in Article 7f(1);
3. information concerning the acts pursuant to Articles 63 and 64;
4. other data sets specified in the regulation referred to in Article 7d(6).

Article 7p. (New, SG No. 50/2016, effective 1.07.2016, repealed, SG No. 94/2019, effective 29.11.2019).

### **Section IV**

#### **(New, SG No. 94/2019, effective 29.11.2019)**

#### **System Integration**

System Integration Activities

Article 7q. (New, SG No. 94/2019, effective 29.11.2019, supplemented, SG No. 102/2019, effective 29.11.2019) System integration activities shall include the provision of services for establishment, maintenance, development and monitoring of the performance of the information and communication systems used by the administrative authorities, as well as activities that ensure the performance of these services.

### **Section V**

#### **(New, SG No. 85/2020, effective 2.10.2020)**

# **Register of software systems developed for the purposes of electronic government**

Article 7r. (New, SG No. 85/2020, effective 2.10.2020) (1) (Amended, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government shall create, keep and maintain a public register of software systems developed for the purposes of electronic government, which shall contain the information under Article 7c, item 23.

(2) The administrative bodies shall be obliged to enter in the register under Paragraph 1 the information under Article 7c, item 23 for all projects or parts of projects, developed by order, which meets the conditions of Article 58a, item 1, within one month from their implementation in operation by the procedure of Article 7g, Paragraph 5.

(3) The information that is entered and the conditions and procedure for keeping, maintaining and using the register referred to in paragraph 1 shall be laid down in the regulation referred to in Article 7d, Paragraph 6.

## **Chapter Two PROVISION OF ELECTRONIC ADMINISTRATIVE SERVICES**

### **Section I General Requirements**

#### Electronic Administrative Services

Article 8. (1) Electronic administrative services shall be administrative services provided to citizens and organisations by the administrative authorities, services provided by persons assigned to perform public functions as well as public services that may be requested and/or provided at a distance through the use of electronic means.

(2) The administrative authorities, the persons performing public functions and the organisations providing public services shall be obliged to provide all services within their competencies also by electronic means unless the law provides for a special form for performing certain actions or issuing respective acts.

(3) When the special form prescribed by law has a legal significance but part of the service may be requested or provided electronically, the administrative authorities, the persons performing public functions and the organisations providing public services shall ensure such a possibility.

(4) (New, SG No. 94/2019, effective 29.11.2019) Administrative services provided electronically shall be entered in the Administrative Register referred to in Article 61 of the Administration Act.

(5) (New, SG No. 94/2019, effective 29.11.2019, amended, SG No. 15/2022, effective 22.02.2022) The electronic forms for requesting electronic administrative services shall follow a model approved by the Minister of e-Government and shall be entered in the Administrative Register referred to in Article 61 of the Administration Act.

(6) (New, SG No. 94/2019, effective 29.11.2019, amended, SG No. 15/2022, effective 22.02.2022) The electronic forms for the results of the service shall follow a model approved by the Minister of

e-Government and shall be entered in the Administrative Register referred to in Article 61 of the Administration Act.

#### Provider and Recipient of Electronic Administrative Services

Article 9. (1) Electronic administrative service provider shall be an administrative authority, a person performing public functions or an organisation providing public services which provide electronic administrative services to citizens and organisations within their competencies.  
(2) Recipient of electronic administrative services shall be a citizen or an organisation that uses electronic administrative services.

#### Obligation to Register and Disclose the Electronic Administrative Services Provided (Title amended, SG No. 94/2019, effective 29.11.2019)

Article 10. (1) (Amended, SG No. 94/2019, effective 29.11.2019) Electronic administrative service providers shall announce the services provided by them and the basic work flow for requesting and providing electronic administrative services in a comprehensible and accessible manner.  
(2) (New, SG No. 94/2019, effective 29.11.2019) Where the electronic administrative service provider is an administrative authority, it shall register the information set out in the first sentence of paragraph 3 in the Administrative Register referred to in Article 61 of the Administration Act.  
(3) (Renumbered from Paragraph 2, SG No. 94/2019, effective 29.11.2019) The provider shall provide detailed information on any electronic administrative service it offers free of charge, including in its territorial units and in municipalities. Said information shall also be provided through the provider's official website.  
(4) (Renumbered from Paragraph 3, SG No. 94/2019, effective 29.11.2019) Providers shall make public their official web site.

#### Fees for the provision of electronic administrative services

Article 10a. (New, SG No. 80/2023, effective 19.09.2023) (1) Administrative authorities shall provide the administrative services electronically at a reduced fee compared to the fee for physical request and provision, if the implementation of the methodology for determining the cost-oriented amount of the fees under Article 7a of the Act restricting Administrative Regulation and Administrative Control over Economic Activity results in a different cost amount.  
(2) The minimum percentage of fee reduction shall be ten per cent and the reduction shall not exceed twenty BGN.  
(3) The Council of Ministers may determine, within its competences, a greater reduction of the fees for the electronic provision of administrative services in accordance with the methodology laid down in Article 7a of the Act restricting Administrative Regulation and Administrative Control over Economic Activity, while municipal councils may do so in accordance with Article 115a of the Local Taxes and Fees Act.  
(4) The electronic provision of administrative services shall not require the submission of a document for a paid fee if the fee is paid electronically. The set of data concerning the payment received on the account of the service provider shall be considered a document proving that the fee has been paid.

#### Obligation to Accept and Issue Electronic Statements (Title amended, SG No. 50/2016, effective 1.07.2016)

Article 11. (Amended, SG No. 50/2016, effective 1.07.2016) Electronic administrative service providers may not refuse to accept electronic documents, statements issued and signed as

electronic documents in compliance with the requirements of the law, nor may they refuse to issue electronic documents.

#### Accessibility of Services

Article 12. (1) (Amended, SG No. 50/2016, effective 1.07.2016, SG No. 15/2022, effective 22.02.2022, SG No. 80/2023, effective 19.09.2023) The Minister of e-Government shall develop and maintain an e-Government portal.

(2) (Amended, SG No. 50/2016, effective 1.07.2016, supplemented, SG No. 94/2019, effective 29.11.2019) Electronic administrative services shall be provided in an accessible manner through the portal referred to in paragraph 1, including for people with disabilities.

(3) The electronic administrative service provider shall ensure access to the current status of the service provided.

(4) (Amended, SG No. 94/2019, effective 29.11.2019) The general requirements for the provision of electronic administrative services shall be set out in a regulation adopted by the Council of Ministers.

(5) The electronic payment methods for the provision of electronic administrative services shall be specified in the regulation referred to in paragraph 4.

(6) (New, SG No. 50/2016, effective 1.07.2016) The Council of Ministers shall be entitled to use the domain name 'gov.bg'.

#### Obligation to Provide Information

Article 13. (1) The electronic administrative service provider shall provide the recipients with unimpeded, direct and permanent access to the following information:

1. name;
2. seat and address;
3. addresses of the territorial units, if any, and if different from the address referred to in Item 2;
4. (amended, SG No. 50/2016, effective 1.07.2016) contact details, including phone, electronic address and web page with an electronic correspondence interface;
5. current and active telephone where the user could obtain information about the service provided, advice and assistance on the action required in order to obtain the service;
6. (supplemented, SG No. 80/2023, effective 19.09.2023) a unique identifier of the organisation and all its territorial structures, including geographical coordinates and cadastral identifiers;
7. information concerning the body exercising control over the provider's operations;
8. information for submitting proposals, reports and complaints;
9. information on the procedures for appealing its actions and the acts issued;
10. (new, SG No. 80/2023, effective 19.09.2023) the amount of the fee for the electronic provision of the service;
11. (renumbered from item 10, SG No. 80/2023, effective 19.09.2023) other relevant information provided for in a normative act.

(2) When charges are payable in order to obtain an electronic administrative service, said charges shall be identified clearly, comprehensibly and unequivocally and shall specify the cost of the entire service and the payment methods.

(3) When providing an electronic administrative service, the provider shall inform the recipient of the service in advance in a clear, comprehensive and unequivocal manner of:

1. the technical steps in providing the service, their legal significance and the time-frame for its provision;
2. the possibility that the act issued may be kept in an electronic form by the provider and the way to access it;

3. the technical means for identifying and removing errors when information is entered, before the statements related to the service are made;

4. the languages through which the service could be used.

(4) (New, SG No. 80/2023, effective 19.09.2023) Administrative authorities shall, in consultation with the Minister of e-Government, promote the electronic provision of administrative services, publish information on the internal administrative services they provide and shall annually, by 31 March, submit a report to the Minister of e-Government on the type and number of services provided in the previous year.

#### Possibilities to Correct Errors and Omissions

Article 14. The electronic administrative service provider shall provide adequate, effective and accessible technical means for establishing and correcting errors when information is entered, before the recipient of the service has made his/her statements.

#### Access to the Issued Acts and Statements

Article 15. (1) The electronic administrative service provider shall provide the recipient with access to its acts and to any statements and data collected about the recipient in relation to the provision of the service in a manner allowing their storage and reproduction.

(2) Electronic administrative service providers shall provide access by electronic means to their general administrative acts and statements.

#### Obligation to Collect, Process and Provide Personal Data

Article 16. (1) (Amended and supplemented, SG No. 50/2016, effective 1.07.2016) Electronic administrative service providers shall be obliged to collect, process and provide only personal data that are needed for the provision of electronic services within the meaning of this Act.

(2) The data collected may not be used for purposes other than those specified in paragraph 1 save with the express consent of the data subject.

#### Technical Standards and Policies

Article 17. (1) The technical requirements for ensuring access to electronic administrative services and policies of electronic administrative service providers concerning the graphic and other interfaces of the information systems used shall be specified in the regulation referred to in Article 12(4).

(2) (Amended and supplemented, SG No. 50/2016, effective 1.07.2016, amended, SG No. 15/2022, effective 22.02.2022, SG No. 80/2023, effective 19.09.2023) The technical requirements for ensuring access to electronic administrative services and policies concerning the graphic and other interfaces used, as well as the types of electronic documents accepted by electronic administrative service providers shall be published, including in machine-readable open format, on the website of the Ministry of e-Government and on the e-Government portal and shall be binding on all persons when they receive or send, as the case may be, electronic documents from and to providers.

(3) (New, SG No. 66/2023, effective 5.08.2023) The administrative authorities shall maintain constant Internet and communication connectivity of their administrations for the needs of the e-government components according to minimum quality requirements published on the website of the Ministry of E-Government.

(4) (New, SG No. 66/2023, effective 5.08.2023) The administrative authorities shall use the shared resources of e-government according to standards and the procedure laid down in the ordinance referred to in Article 12(4).

## Applicability of the Obligations to Persons Performing Public Functions and to Organisations Providing Public Services

Article 18. The provisions of this chapter related to the obligations of the administrative authorities, with the exception of the obligations under Articles 37 and 38, shall also apply *mutatis mutandis* to the persons performing public functions and to the organisations providing public services.

## **Section II**

### **Submitting Electronic Documents**

#### Use of Electronic Administrative Services

Article 19. (Amended and supplemented, SG No. 50/2016, effective 1.07.2016) The recipients of electronic administrative services may make electronic statements and send them electronically, subject to the requirements stipulated by law.

#### Sending Electronic Documents

(Title amended, SG No. 50/2016, effective 1.07.2016)

Article 20. (Amended, SG No. 50/2016, effective 1.07.2016) Electronic documents shall be submitted by citizens and organisations:

1. (amended, SG No. 94/2019, effective 29.11.2019) via a user interface, such as:
  - (a) (amended, SG No. 15/2022, effective 22.02.2022, SG No. 80/2023, effective 19.09.2023) a personal profile registered in a secure electronic service information system maintained by the Ministry of e-Government as a module of the e-Government portal, which allows to receive a message containing information for downloading the document prepared, or
  - (b) electronic address which allows to receive a message containing information for downloading the document prepared from a secure electronic service information system;
2. via an interface for automated data interchange;
3. by other means for submitting electronic documents specified with the regulation referred to in Article 12(4).

#### Format and Particulars

Article 21. The Council of Ministers shall determine in the regulation referred to in Article 12(4) the formats and the mandatory particulars with which electronic documents shall comply.

#### Identification, Integrity and Authorship

Article 22. (1) (Amended, SG No. 38/2016, effective 21.05.2017) Bulgarian nationals and foreign nationals residing in Bulgaria for a long term who are recipients of electronic administrative services and signatories of electronic statements shall be identified in accordance with a procedure set out in a law, unless a law permits the provision of an administrative service with no identification required. The recipients of electronic administrative services which are legal persons shall be identified with their unique identifier.

(2) (New, SG No. 38/2016, effective 21.05.2017, amended, SG No. 50/2016, effective 1.07.2016) The citizens of a European Union Member State shall be identified with their national electronic identifier in compliance with the act referred to in Article 12(8) of Regulation (EU) No 910/2014.

(3) (Renumbered from Paragraph (2), SG No. 38/2016, effective 21.05.2017, amended, SG No. 50/2016, effective 1.07.2016) The integrity and authorship of electronically submitted statements



related to electronic administrative services shall be authenticated through an electronic signature in compliance with applicable law in this field unless the law provides otherwise.

(4) (Renumbered from Paragraph (3), amended, SG No. 38/2016, effective 21.05.2017) Except in the cases covered by paragraph 3, the authentication of the integrity and authorship of electronic statements shall be regulated with the regulation referred to in Article 12 (4) for the respective access method.

(5) (New, SG No. 50/2016, effective 1.07.2016) When applications for electronic administrative services are submitted by natural persons who have identified themselves electronically according to the procedure set out in the Electronic Identification Act, the electronic statements may be signed with an advanced electronic signature.

(6) (New, SG No. 80/2023, effective 19.09.2023) A request for an electronic administrative service, submitted by a legal person after the applicant has been identified by electronic identification means with an assurance level equal to or higher than the assurance level of the service referred to in Article 5(4), shall be deemed signed.

(7) (New, SG No. 80/2023, effective 19.09.2023) A request for an electronic administrative service, submitted by a legal person after the applicant has been identified by electronic identification means with an assurance level "high", may also be signed with an advanced electronic signature.

(8) (New, SG No. 80/2023, effective 19.09.2023) The integrity of the requests referred to in paragraphs 6 and 7 shall be ensured by a qualified electronic time stamp within the meaning of Article 3(34) of Regulation (EU) No. 910/2014.

#### Requirements to the Certificates for Electronic Signatures

Article 23. For the use of electronic administrative services, certificates for electronic signatures shall be issued with an exact indication of the name of the electronic signature's author, and when the certificate contains data concerning a signatory - also his/her name.

#### Representation

(Title amended, SG No. 38/2016, effective 21.11.2017)

Article 24. (Amended, SG No. 38/2016, effective 21.11.2017) In order to use electronic administrative services by proxy, the principal must authorise said proxy pursuant to the Electronic Identification Act.

#### Intermediation in requesting administrative services

(Title amended, SG No. 80/2023, effective 19.09.2023)

Article 24a. (New, SG No. 50/2016, effective 1.07.2016, amended, SG No. 80/2023, effective 19.09.2023) (1) Citizens may request administrative services through an intermediary, except for those under the Foreigners in the Republic of Bulgaria Act, the European Union Citizens and Members of Their Families Entry and Residence in and Departure from the Republic of Bulgaria Act and the Bulgarian Personal Documents Act. The intermediary shall electronically request the administrative services.

(2) The intermediary services may be subject to a fee.

(3) The requirements for the activity of the intermediaries, for the electronic administrative service providers in relation to the intermediation and the rules for making payments to the service providers shall be regulated by the regulation referred to in Article 12(4).

#### Automatic Ascertainment of Legal Representative Authority

Article 24b. (New, SG No. 50/2016, effective 1.01.2018) The original data controllers shall provide to all administrative authorities and to the persons referred to in Article 1(2) an internal electronic administrative service for ascertainment of representative authority when such authority ensues or may be established from entries in registers or databases maintained by them.

#### Obligation to Accept Electronic Statements

Article 25. (1) The recipient of the electronic administrative service shall be obliged to accept the electronic statements of the provider concerning the confirmation of receipt and the result of the check of the regularity of the documents submitted.

(2) The recipient of the electronic administrative service may agree to receive the electronic statements related to the service required or all electronic statements from the respective provider.

#### Delivery of Electronic Documents

(Title amended, SG No. 50/2016, effective 1.07.2016)

Article 26. (Amended, SG No. 50/2016, effective 1.07.2016) (1) The recipient of an electronic administrative service shall be obliged to indicate an electronic address for notification pursuant to the requirements set out in the regulation referred to in Article 12(4).

(2) (Amended, SG No. 94/2019, effective 29.11.2019, SG No. 15/2022, effective 22.02.2022, SG No. 80/2023, effective 19.09.2023) Electronic administrative service providers may deliver electronic statements by sending to the electronic address a notification containing information for downloading the document prepared from the secure electronic service information system maintained by the Ministry of e-Government or from the e-Government portal referred to in Article 12(1). The documents shall be deemed delivered when downloaded.

(3) When the recipient has not downloaded a document within seven days of the sending of the notification referred to in paragraph 2, the document shall be delivered in accordance with a procedure provided for by law.

(4) (Amended, SG No. 94/2019, effective 29.11.2019, SG No. 15/2022, effective 22.02.2022) The electronic submission and delivery of documents shall be certified with a copy of the electronic record of the sending, respectively downloading, stored in the secure electronic service system maintained by the Ministry of e-Government. The delivery may also be ascertained also by a provider of qualified service for electronic registered mail within the meaning of Regulation (EU) No. 910/2014.

(5) (New, SG No. 94/2019, effective 29.11.2019, amended, SG No. 15/2022, effective 22.02.2022) The electronic submission and delivery of documents in relation to the provision of electronic administrative services shall also be carried out through a secure electronic service system maintained by the Ministry of e-Government.

#### Requirements for the secure electronic service system

Article 26a. (New, SG No. 80/2023, effective 19.09.2023) (1) The system referred to in Article 26(2) shall use a qualified electronic time stamp within the meaning of Article 3(34) of Regulation (EU) No. 910/2014 for each message sent and received.

(2) The Minister of e-Government shall commission an audit of the system referred to in Article 26(2) to an external contractor at least once every two years. The rules for conducting the audit shall be laid down in the regulation referred to in Article 12(4).

(3) A summary of the audit report shall be published on the website of the Ministry of e-Government after addressing the recommendations therein, but no later than 6 months after its receipt by the Minister of e-Government.

(4) The format of the electronic addresses in the system referred to in Article 26(2) shall be laid down in the regulation referred to in Article 12(4).

(5) (Effective 31.03.2024 - SG No. 80/2023) Individuals may use the system referred to in Article 26(2) to give and withdraw their consent to statements of administrative offence, electronic tickets and penal orders in accordance with the procedure laid down in the Administrative Violations and Sanctions Act being served on them electronically via the same system.

(6) (Effective 31.03.2024 - SG No. 80/2023) Using the system referred to in Article 26(2), individuals may specify another qualified electronic registered delivery service within the meaning of Article 3(37) of Regulation (EU) No. 910/2014. The system referred to in Article 26(2) shall forward all messages to the system servicing the respective service.

#### Changes in the Stated Circumstances

Article 27. (Amended, SG No. 50/2016, effective 1.07.2016) The recipient of the electronic administrative service shall be obliged to notify the provider of any changes in the stated circumstances related to representative authority, consent to receive electronic statements and electronic address. The change shall have effect as of the moment of notification.

#### Identity Verifications of Legal Persons

(Title amended, SG No. 38/2016, effective 21.05.2017)

Article 28. (Amended, SG No. 38/2016, effective 21.05.2017) The identity of legal persons shall be verified by performing an automated check of their status in the relevant registers in which they have been entered, where such verifications are technically feasible.

Article 29. (Repealed, SG No. 38/2016, effective 21.05.2017).

#### Transformation of Applications and Acts Accepted in a Hard Copy

Article 30. (1) (Amended, SG No. 50/2016, effective 1.07.2016) When applications of citizens and organisations, court acts as well as acts of administrative and other authorities arrive in a hard copy, they shall be entered in the information system of the respective administrative authority through taking an electronic image from them and from the attached documents using a suitable device in a form and manner which allows their reading. The full and exact correspondence between the electronic image taken and the scanned document shall be certified with the electronic signature of the official who has done the scanning.

(2) (Amended, SG No. 50/2016, effective 1.06.2017) The administrative authority shall return documents referred to in paragraph 1 to the applicant.

(3) (Amended, SG No. 50/2016, effective 1.06.2017) The documents referred to in paragraph 1 may be shared among the administrative authorities only in electronic form.

## **Section III**

### **Accepting Electronic Documents**

#### Persons Accepting Electronic Statements

Article 31. Electronically submitted documents shall be accepted by persons authorised by the respective electronic administrative service providers.

#### Time for Receiving Electronic Statements

Article 32. (1) (Amended, SG No. 50/2016, effective 1.07.2016, supplemented, SG No. 80/2023, effective 19.09.2023) The electronic statements shall be deemed received by the electronic administrative service provider when they arrive in its information system, the secure electronic service system or in another system according to a procedure determined in the regulation referred to in Article 12(4). If the electronic statement is received in more than one of the systems referred to in the preceding sentence, the time of receipt of the electronic statement shall be the time of receipt in the first system.

(2) The risk of errors in the transmission of the statements to the provider of the service shall be for the applicant.

#### Conformity Verification

Article 33. (1) When documents sent electronically are in a format diverging from the one established in Article 22 or the applicant cannot identify himself/herself if required by law, the applicant shall be sent a message that receipt is not confirmed and the reasons for this.

(2) The verification according to paragraph 1 shall be performed automatically if there is a technical possibility.

#### Confirmation of Receipt

Article 34. (1) After registering an incoming electronic document received at the administration of the administrative authority, a confirmation of receipt shall be generated and sent to the applicant

(2) The confirmation shall be an electronic document containing:

1. (amended, SG No. 50/2016, effective 1.07.2016) unique register identifier of the document received;
2. time of receipt of the electronic document;
3. (amended, SG No. 50/2016, effective 1.07.2016) information concerning the access to the electronic document and all documents attached thereto.

(3) The text in the confirmation shall be written in Bulgarian, in Cyrillic letters and with transliteration. In the cases covered by Article 13(3)(4), the confirmation may also be in any of the official languages of the European Union.

(4) (Amended, SG No. 50/2016, effective 1.07.2016) The confirmation shall be sent signed to the electronic address of the applicant referred to in Article 26 unless the statement has been submitted by other means for the respective access specified in the regulation referred to in Article 12(4).

#### Verification of the Regularity

Article 35. The electronic administrative service provider shall conduct a verification of the regularity of the requests and of the completeness and veracity of the data submitted. If irregularities are found, an electronic message with instructions and a time limit for their removal shall be sent to the applicant.

## **Section IV**

### **Sending and Storing Electronic Documents**

Sending of Electronic Documents to the Recipients

Article 36. (1) (Amended, SG No. 50/2016, effective 1.07.2016) The electronic statements of the providers addressed to the recipients of electronic administrative services shall be sent in the ways specified in Article 26.

(2) The Council of Ministers may specify in the regulation referred to in Article 12(4) other means for sending electronic statements of providers.

#### Rules For Using Electronic Signatures

Article 37. (Amended, SG No. 50/2016, effective 1.07.2016) (1) (Previous text of Article 37, SG No. 80/2023, effective 19.09.2023) The rules for acquiring, using, renewing and terminating certificates for electronic signatures, certificates for electronic seals, certificates for electronic time stamps and certificates for authenticity of websites of the administrations shall be laid down in a regulation of the Council of Ministers.

(2) (New, SG No. 80/2023, effective 19.09.2023) The integrity and origin of the electronic documents produced by the administrative authorities in the course of providing internal electronic administrative services may also be certified by a qualified electronic seal within the meaning of Article 3(27) of Regulation (EU) No. 910/2014. In this case, the electronic signature of the administrative authority is not required.

#### Storing Electronic Documents

Article 38. (1) All electronic documents received and sent shall be stored in the information system of each administration.

(2) The storage of electronic documents shall be laid down in the regulation referred to in Article 42(1).

## **Chapter Three**

# **INTERCHANGE OF ELECTRONIC DOCUMENTS**

#### Internal Electronic Administrative Services

Article 39. (1) Internal electronic administrative services shall be internal administrative services which may be requested and/or provided at a distance through the use of electronic means.

(2) Internal electronic administrative services shall also be the services which may be requested and/or provided at a distance through the use of electronic means and which are offered by persons performing public functions and by organisations providing public services to one another and to administrative authorities.

(3) Internal electronic administrative services may also be provided by administrative authorities to persons performing public functions and to organisations providing public services.

#### Obligation for Electronic Interchange

Article 40. (1) (Amended and supplemented, SG No. 94/2019, effective 29.11.2019) The persons referred to in paragraphs 1 and 2 of Article 1 shall be obliged to provide to each other internal electronic administrative services related to the exercise of their powers and to the provision of electronic administrative services to citizens and organisations, insofar as a law does not provide otherwise.

(2) (Repealed, SG No. 94/2019, effective 29.11.2019).

Terms and Conditions for Interchange of Electronic Documents  
(Title amended, SG No. 50/2016, effective 1.07.2016)

Article 41. (Amended, SG No. 50/2016, effective 1.07.2016) The terms and conditions for automated interchange of electronic documents as internal administrative services shall be laid down in the regulation referred to in Article 43(2).

#### Internal Turnover of Electronic and Paper Documents

Article 42. (1) The general rules for the internal turnover of electronic documents and paper documents in the administrations shall be regulated with a regulation of the Council of Ministers.  
(2) (Amended, SG No. 94/2019, effective 29.11.2019) The persons referred to in Article 1(1) shall draw up, on the basis of the general rules, their own rules for internal turnover of electronic and paper documents taking into account the specifics and particularities of their activities and structures.

## **Chapter Four**

# **TECHNICAL INFRASTRUCTURE, NETWORKS AND INFORMATION SYSTEMS**

### **(Title amended, SG No. 50/2016, effective 1.07.2016)**

## **Section I**

### **Operational Compatibility**

#### Requirement for Interoperability

Article 43. (1) The provision of internal electronic administrative services and the interchange of electronic documents among the administrative authorities shall be done under conditions of interoperability.

(2) (Supplemented, SG No. 50/2016, effective 1.07.2016, amended, SG No. 94/2018, SG No. 94/2019, effective 29.11.2019, SG No. 80/2023, effective 19.09.2023) The general requirements for interoperability of information systems, electronic registers and electronic administrative services shall be laid down in the regulation referred to in Article 12(4).

(3) (Amended, SG No. 82/2009, effective 16.10.2009, amended and supplemented, SG No. 50/2016, effective 1.07.2016, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government shall ensure integration of the information systems of the administrative authorities with the information systems of the European Union Member States in order to create possibilities for providing cross-border electronic administrative services.

#### Requirement for Uniform Standards and Rules

Article 44. The administrative authorities shall be obliged to use the uniform standards and rules determined on the basis of this act and establishing technological and functional parameters that must be maintained by their information services in order to achieve interoperability.

#### Semantic Interoperability

Article 45. (1) Semantic interoperability of the interchange of electronic documents among administrative authorities shall be ensured through:

1. standardisation of the names of data that are subject to storage in databases or in registers;
2. formalisation of the data and of the administrative services in order to ensure technological possibility for automated interchange among the administrative authorities and for data processing.

(2) (Amended, SG No. 50/2016, effective 1.07.2016) The formalised data and the formalised description of the electronic administrative services shall be entered in the register of data objects or in the Administrative Register referred to in Article 61 of the Administration Act, as the case may be.

#### Applicability to the Persons Performing Public Functions and the Organisations Providing Public Services

Article 46. The obligations of the administrative authorities under this chapter shall also apply to the persons performing public functions and the organisations providing public services when said persons and organisations provide internal electronic administrative services unless a law provides otherwise.

## **Section II Interoperability Registers**

#### Register of Standards

Article 47. (1) (Amended, SG No. 50/2016, effective 1.07.2016, SG No. 15/2022, effective 22.02.2022) The Ministry of e-Government shall keep a register of standards as a single centralised electronic database managed by an information system that contains the technical standards and their applicability.

(2) The technical standards that the administrative authorities shall apply to provide electronic administrative services and to ensure interoperability, information security and automated interchange of information and documents among the administrative authorities shall be entered in the register of standards.

(3) The maintenance, storage of and access to the register of standards shall be regulated by the regulation referred to in Article 43(2).

#### Register of Data Objects

Article 48. (1) (Amended, SG No. 50/2016, effective 1.07.2016) The Minister of e-Government shall keep a register of data objects as a uniform centralised electronic database managed by an information system that contains a description of all data objects through a specified technical standard.

(2) Data objects shall be single or composite data collected, created, stored and processed in the course of the exercise of an administrative authority's powers.

(3) The maintenance, storage of and access to the register of data objects and the specification of the standard referred to in paragraph 1 shall be regulated by a regulation on the register of data objects and electronic services adopted by the Council of Ministers.

#### Entry in the Register of Data Objects

Article 49. (Amended, SG No. 50/2016, effective 1.07.2016, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government shall ensure the drawing up of a technical description and the entry in the register of every data object according to a procedure laid down in the regulation referred to in Article 43(2).

#### Register of Registers

Article 50. (Repealed, SG No. 50/2016, effective 1.07.2016, new, SG No. 94/2019, effective 29.11.2019) (1) (Amended, SG No. 15/2022, effective 22.02.2022) The Minister of e-

Government shall keep a register of registers in which registers and databases of primary data controllers that contain primary data shall be registered.

(2) The conditions and procedure for registration in the register referred to in paragraph 1 shall be laid down in the regulation referred to in Article 7d(6).

Article 51. (Repealed, SG No. 50/2016, effective 1.07.2016).

#### Standardised Request and Provision of Services

Article 52. (Amended, SG No. 50/2016, effective 1.07.2016, SG No. 94/2019, effective 29.11.2019) (1) Administrative authorities shall request from each other internal electronic administrative services by submitting standardised requests on the basis of the technological description of the service entered in the Administrative Register referred to in Article 61 of the Administration Act.

(2) The service referred to in paragraph 1 shall be provided in the standardised form under the conditions and according to the procedure laid down in the regulation referred to in Article 61 (5) of the Administration Act.

#### Information system for centralised creation and maintenance of registers

Article 52a. (New, SG No. 80/2023, effective 31.03.2024) (1) The Minister of e-Government shall set up and maintain an information system for centralised creation and maintenance of registers.

(2) Using the system referred to in paragraph 1, the Minister of e-Government shall provide an option for the creation and maintenance of electronic records that meet the requirements of this Act.

(3) The administrative authorities, persons and organisations referred to in Article 1(2) shall use the system referred to in paragraph 1:

1. free of charge and without limitation as to the resources used;
2. with regard to all registers without a dedicated information system.

(4) The procedure for making a request and using a register via the system referred to in paragraph 1 shall be governed by the regulation referred to in Article 12(4).

(5) The Minister of e-Government shall not be the central data controller in relation to their duties to maintain the system referred to in paragraph 1.

#### General rules for record-keeping

Article 52b. (New, SG No. 80/2023, effective 19.09.2023) (1) Registers shall be kept subject to the following requirements:

1. the law provides for the keeping of the register, specifying:
  - (a) the authority or authorities responsible for the data in the register;
  - (b) the circumstances, acts and facts which must be entered in the register;
2. the data in the register constituting data objects must be entered in the Register of Data Objects under Article 48;
3. each entry in the register shall have a unique identifier generated in accordance with a standard set by the regulation referred to in Article 12(4), unless otherwise provided by law; the identifier of a person, object or event may not change over time, unless otherwise provided by law;
4. it provides programming interfaces for the entry, deletion and verification of circumstances, acts and facts;
5. it maintains public, open and free interfaces for linked open data in accordance with the procedure laid down in the Access to Public Information Act;



6. each operation of entry, deletion or retrieval of circumstances, acts and facts shall be subject to the storage of information on the time of its completion and on the official, respectively, on the information system that performed the operation;
7. other technical requirements laid down in the regulation referred to in Article 12(4).
- (2) The general requirements for the registers, including their structuring, functionalities and data authentication, shall be laid down in the regulation referred to in Article 12(4).
- (3) The information security requirements for the registers kept by the persons referred to in Article 1(1) and (2) shall be laid down in the Cybersecurity Act and the regulation referred to in Article 12(4).
- 4) The requirements under paragraph 3 shall include at least:
  1. fault tolerance;
  2. regular creation of backup copies;
  3. keeping reliable traceability data;
  4. performing external penetration tests.

#### General procedure for registration, deletion and verification

Article 52c. (New, SG No. 80/2023, effective 19.09.2023) (1) If the law does not provide for a procedure for entry, the procedure for entry of a request shall be as follows:

1. the applicant shall submit a request for entry;
  2. the original data controller shall accept and register the request;
  3. the original data controller verifies the facts and circumstances on the grounds of which the entry is requested;
  4. the original data controller shall make the entry.
- (2) Where an ex officio entry by the original data controller is provided for by law, without an available procedure in place, the original data controller shall:
1. establish, within its competence, the conditions for ex officio entry;
  2. make the entry;
  3. notify the persons to whom the entry relates in accordance with the procedure laid down in the Code of Administrative Procedure.
- (3) Where no procedure for removal or for ex officio removal is provided by law, the relevant procedure laid down in paragraphs 1 and 2 shall apply.
- (4) Where no procedure is provided by law for the verification of circumstances, the following procedure shall apply:
1. the applicant shall, including in the case of ex officio collection of data, request verification of circumstances;
  2. the original data controller shall check in an automated manner whether the applicant is entitled to obtain the requested circumstances and shall notify the applicant accordingly.
- (5) The application for entry or deletion may also be sent ex officio as an internal electronic administrative service by another authority, on behalf of an applicant, within the framework of provision of complex administrative services.

#### Functionality of Information Systems

Article 53. All information systems of administrative authorities shall maintain functionality and interfaces for automatic submission, servicing respectively, of standardised applications for administrative services by electronic means.

**Section III**  
**(Repealed, SG No. 94/2018)**  
**Network and Information Security**  
**(Title amended, SG No. 50/2016, effective 1.07.2016)**

Article 54. (Supplemented, SG No. 50/2016, effective 1.07.2016, repealed, SG No. 94/2018).

Article 55. (Supplemented, SG No. 50/2016, effective 1.07.2016, repealed, SG No. 94/2018).

Article 55a. (New, SG No. 50/2016, effective 1.07.2016, repealed, SG No. 94/2018).

**Section IV**  
**Conformity with the Requirements for Interoperability and**  
**Network and Information Security**  
**(Title amended, SG No. 20/2013, supplemented, SG No.**  
**50/2016, effective 1.07.2016)**

Introduction of Information Systems

Article 56. (1) (Amended, SG No. 20/2013, supplemented, SG No. 50/2016, effective 1.07.2016, amended and supplemented, SG No. 94/2018) The administrative authorities shall use information systems which are in conformity with the requirements for interoperability and network and information security set out in this Act and in the Cybersecurity Act.

(2) (Amended, SG No. 20/2013, supplemented, SG No. 50/2016, effective 1.07.2016) When conducting public procurement procedures for developing, upgrading or introduction of information systems, the administrative authorities shall be obliged to include as a requirement that these systems should be in conformity with the requirements for interoperability and network and information security.

Conformity Assessment

Article 57. (1) (Amended, SG No. 20/2013, amended and supplemented, SG No. 50/2016, effective 1.07.2016, amended, SG No. 94/2018, SG No. 15/2022, effective 22.02.2022) The conformity of the information systems introduced by the administrative authorities with the established statutory requirements for interoperability shall be certified by the Minister of e-Government.

(2) (Amended, SG No. 20/2013) The methodology and the rules for performing the conformity assessment shall be determined in the regulation referred to in Article 43(2).

(3) (Repealed, SG No. 20/2013).

(4) (Repealed, SG No. 20/2013).

Article 58. (Repealed, SG No. 20/2013).

## **Section V**

### **(New, SG No. 50/2016, effective 1.07.2016)**

# **Requirements for Projects and Activities in the Field of Electronic Government**

Mandatory Requirements When Drawing Up Specifications  
(Title amended, SG No. 94/2019, effective 29.11.2019)

Article 58a. (New, SG No. 50/2016, effective 1.07.2016, amended, SG No. 94/2019, effective 29.11.2019, supplemented, SG No. 80/2023, effective 19.09.2023) When drawing up technical specifications for conducting public procurement procedures for developing, upgrading or introduction of information systems or electronic services, the administrative authorities, as well as the public and sectoral contracting authorities under the Public Procurement Act, which are public enterprises within the meaning of the Public Enterprises Act, must include in the specifications the following requirements:

1. (supplemented, SG No. 94/2019, effective 29.11.2019) in the cases where the subject of the procurement includes the development or upgrading of computer programs:
  - a) the computer software shall comply with the criteria for open source code;
  - b) all copyright and similar rights on the respective computer applications, their source code, the interface design and the databases, the development of which is the subject of the procurement must arise for the assignor in full, without limitation of their use, amendment and distribution;
  - c) (amended, SG No. 94/2019, effective 29.11.2019) the repository and the version control system shall be used for the development;
2. automated interfaces shall be implemented to ensure free public access to the electronic documents, the information and the data in machine-readable format, including through publication on the open data portal according to the procedure laid down in the Access to Public Information Act;
3. technological and architectural solutions shall be implemented to ensure non-discriminatory installation, operation and maintenance, as well as efficiency and fault tolerance of the information system in a productive regime on the shared resources of the electronic government;
4. a service interface for automated on-line data interchange and provision of internal electronic administrative services pursuant to the requirements set out in this Act shall be implemented;
5. (supplemented, SG No. 94/2019, effective 29.11.2019) a service interface for automated on-line interchange of data concerning the history of completed transactions for the electronic services provided, the conducted electronic data interchange and the fees charged to the information systems of other public institutions and public service providers shall be implemented with a view of providing comprehensive administrative service in compliance with the existing requirements for interoperability and network and information security;
6. (supplemented, SG No. 94/2019, effective 29.11.2019) if more than one administration is a potential user of the system, a technical possibility shall be implemented for simultaneous use of the system by more than one administration in compliance with the existing requirements for interoperability and network and information security;
7. (amended, SG No. 94/2019, effective 29.11.2019) a functionality for electronic certification of authorship, integrity, time, delivery, etc. through electronic certification services within the meaning of Regulation (EU) No. 910/2014 shall be implemented;

8. periodic creation of backup copies and archiving according to a procedure determined in the regulation referred to in Article 43(2) shall be implemented;
9. (amended, SG No. 94/2019, effective 29.11.2019) opportunities for electronic identification in accordance with Article 5 shall be provided;
10. other specific requirements set out in the regulation referred to in Article 12(4) shall be complied with

#### Certification of Conformity

Article 58b. (New, SG No. 50/2016, effective 1.07.2016, amended, SG No. 94/2019, effective 29.11.2019) (1) (Amended, SG No. 15/2022, effective 22.02.2022) The compliance of the technical specifications with the normative requirements under Article 58a shall be certified by the Minister of e-Government under the conditions and the procedure of the ordinance Under Article 7d (6).

(2) (Supplemented, SG No. 80/2023, effective 19.09.2023) Only the technical specifications for public procurement with an estimated value equal to or higher than the threshold set out in Article 20(4)(2) of the Public Procurement Act shall be confirmed in accordance with the procedure set out in paragraph 1, as well as technical specifications for projects and activities in the field of e-government and information and communication technologies planned for implementation in one of the following ways:

1. in accordance with the exceptions under Articles 13, 14 and 15 of the Public Procurement Act;
2. in accordance with the procedure for the award of system integration under Article 7q;
3. using the administrative authority's own capacity.

## **Section VI**

**(New, SG No. 94/2019, effective 29.11.2019)**

### **Accessibility of the Content of Websites and Mobile Applications and Dispute Resolution**

#### Accessibility of the Content of Websites and Mobile Applications

Article 58c. (New, SG No. 94/2019, effective 29.11.2019) (1) The persons referred to in paragraphs 1 and 2 of Article 1 shall ensure that the content of their websites and mobile application is accessible in accordance with the applicable harmonised standards, parts of such standards or technical specifications.

(2) The obligation set out in paragraph 1 shall not apply to:

1. websites and mobile applications of:

(a) public radio and television operators and providers of media services and public service television and radio broadcasters;

(b) public law bodies that are legal persons engaged in a non-profit making activity provided that they do not provide services that:

(aa) are intended to address the needs of, or are meant for, persons with disabilities;

(bb) are essential to the public;

(c) schools, kindergartens or nurseries, in respect of the content thereof that does not relate to the provision of electronic administrative services;

2. the following content of websites and mobile applications:

(a) live time-based media;

- (b) online maps and mapping services, if essential information is provided in an accessible digital manner for maps intended for navigational use;
- (c) third-party content that is neither funded nor developed by, nor under the control of, the respective authority or organisation referred to in paragraph 1;
- (d) reproductions of items in heritage collections that cannot be made accessible because of either for reasons of preservation of the item concerned or of the authenticity of the reproduction, or because of the unavailability of automated and cost-efficient solutions that would easily extract the text of manuscripts or other items in heritage collections and transform it into accessible content.
- (3) The persons referred to in paragraphs 1 and 2 of Article 1 can be fully or partially exempted from the obligation to ensure accessibility of the websites and mobile applications according to paragraph 1 if the fulfilment of said obligations would impose a disproportionate burden on person concerned. Disproportionate burden shall be established by carrying out an assessment of the burden.
- (4) The persons referred to in paragraphs 1 and 2 of Article 1 shall draw up and prominently place on their websites and mobile applications accessibility statements in accordance with Commission Implementing Decision (EU) 2018/1523 of 11 October 2018 establishing a model accessibility statement in accordance with Directive (EU) 2016/2102 of the European Parliament and of the Council on the accessibility of the websites and mobile applications of public sector bodies (OJ L 256/103 of 12.10.2018). A link to the text of the accessibility statement placed on the website of the person referred to in paragraphs 1 and 2 of Article 1 shall be made available on every other web page of said person.
- (5) The persons referred to in paragraphs 1 and 2 of Article 1 shall update their accessibility statements at least annually.
- (6) The persons referred to in paragraphs 1 and 2 of Article 1 shall encourage and facilitate the training of their employees to ensure up-to-date knowledge of accessibility requirements when designing, maintaining and updating the accessible content on their websites and mobile applications, and shall set requirements for contractor qualification in respect to accessibility when conducting public procurement procedures the scope of which includes the construction and upgrading of websites and mobile applications.
- (7) The regulation referred to in Article 12(4) shall define:
1. the exceptions from the obligation to ensure accessibility of the content of websites and mobile applications;
  2. the conditions and procedure for carrying out and approval of the assessment referred to in paragraph 3 and the requirements for its content.

#### Filing Reports and Complaints

- Article 58d. (New, SG No. 94/2019, effective 29.11.2019) (1) The persons referred to in paragraphs 1 and 2 of Article 1 shall indicate in the accessibility statements referred to in Article 58c(4) the procedure and time limits within which they consider reports from citizens and organisations in respect of violations of the accessibility requirements for the content of a website or mobile application of the authority or organisation concerned.
- (2) (Amended, SG No. 15/2022, effective 22.02.2022) The sender of the report may file a complaint to the Minister of e-Government if the person referred to in paragraph 1 or 2 of Article 1:
1. fails to respond to the report within the time limit specified in the accessibility statement;
  2. fails to take the action for removing the breach of accessibility identified in the response.

# **Chapter Five**

## **CONTROL AND COORDINATION**

### General Control

Article 59. (Amended, SG No. 82/2009, effective 16.10.2009, SG No. 50/2016, effective 1.07.2016, SG No. 94/2019, effective 29.11.2019, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government or persons authorised thereby shall exercise control of the implementation of this Act.

#### Powers in the Exercise of Control

Article 59a. (New, SG No. 94/2019, effective 29.11.2019) (1) (Amended, SG No. 15/2022, effective 22.02.2022) In the discharge of powers, the Minister of e-Government or the persons authorised thereby under Article 59 shall be entitled to:

1. carry out inspections at the entities subject to control in which the communication and information systems, facilities and technical means are located; to this end, the administrative authorities and organisations shall be obliged to grant access;
2. gain access from the persons inspected to original documents, data, information, enquiries and other data media related to the exercise of control, as well as to require certified copies of documents in connection with the implementation of the control and/or with the ascertainment of administrative violations under this Act;
3. inspect accounting, business or other books or documents and data mediums, as well as other documents related to the implementation of the control and/or with the ascertainment of administrative violations under this Act.

(2) (Amended, SG No. 15/2022, effective 22.02.2022) The administrative authorities, officials and organisations are obliged to assist the persons authorised by the Ministry of e-Government in exercising their powers.

#### Coercive Administrative Measures

Article 59b. (New, SG No. 94/2019, effective 29.11.2019) (1) (Amended, SG No. 15/2022, effective 22.02.2022) For the purposes of preventing and discontinuing violations covered by this Act and the statutory instruments for its implementation, as well as for the purposes of eliminating the harmful consequences of such violations, the Minister of e-Government or the persons authorised thereby pursuant to Article 59 shall issue compulsory instructions to the administrative authorities and set a time limit for their implementation. The following compulsory administrative measures can be imposed for failure to implement the instructions within the time limit set:

1. suspension of the commissioning of communication and information systems, facilities and technical means if the provisions of this Act and the statutory instruments for its implementation have not been complied with;
2. suspension of the operation of communication and information systems, facilities and technical means if the provisions of this Act and the statutory instruments for its implementation have not been complied with.

(2) The compulsory administrative measures set out in paragraph 1 may be appealed according to the procedure established by the Code of Administrative Procedure.

#### Control of Interoperability

(Title supplemented, SG No. 50/2016, effective 1.07.2016, amended, SG No. 94/2018)

Article 60. (1) (Amended and supplemented, SG No. 50/2016, effective 1.07.2016, amended, SG No. 94/2018, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government shall exercise control of the compliance with the requirements for interoperability.

(2) (Amended, SG No. 50/2016, effective 1.07.2016, SG No. 94/2018, SG No. 94/2019, effective 29.11.2019, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government may carry out inspections through persons authorised thereby to verify compliance with the criteria for interoperability of a certain information system or of the measures taken by the administrative authority and may issue instructions for their improvement.

#### Control of the Accessibility of the Content of Websites and Mobile Applications

Article 60a. (New, SG No. 94/2019, effective 29.11.2019) (1) (Amended, SG No. 15/2022, effective 22.02.2022) The control of the compliance of the content of websites and mobile applications with the accessibility requirements set out in Article 58c shall be exercised by the Minister of e-Government on the basis of a methodology pursuant to Commission Implementing Decision (EU) 2018/1524 of 11 October 2018 establishing a monitoring methodology and the arrangements for reporting by Member States in accordance with Directive (EU) 2016/2102 of the European Parliament and of the Council on the accessibility of the websites and mobile applications of public sector bodies (OJ L 256/108 of 11.10.2018).

(2) (Amended, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government shall:

1. perform monitoring and checks to verify the compliance of the websites and mobile applications of the persons referred to in paragraphs 1 and 2 of Article 1 with the accessibility requirements and review the assessments referred to in Article 58c(3);

2. consider the complaints referred to in Article 58d(2) filed against the persons referred to in paragraphs 1 and 2 of Article 1 and relating to failure to comply with accessibility requirements or failure to follow the procedure for consideration of reports established by the person concerned.

(3) (Amended, SG No. 15/2022, effective 22.02.2022) At the request of the Minister of e-Government, the persons referred to in paragraphs 1 and 2 of Article 1 shall provide, within 14 days of receiving such request, data and information required for the monitoring and verification.

(4) (Amended, SG No. 15/2022, effective 22.02.2022) At the request of the Minister of e-Government, the Minister for Labour and Social Policy shall provide, within 14 days of receiving such request, a binding opinion on non-technical issues related to the specific needs of persons with disabilities when such issues arise in the course of monitoring, verifications and reviews referred to in item 1 of paragraph 2 or during the consideration of complaints according to item 2 of paragraph 2.

(5) (Amended, SG No. 15/2022, effective 22.02.2022) When considering a complaint referred to in Article 58d(2), the Minister of e-Government shall deliver a decision to:

1. issue compulsory instructions if he/she finds a violation of the accessibility requirements for the content according to Article 58c or of the regulation referred to in Article 12(4), and set a time limit for their implementation by the person referred to in paragraphs 1 and 2 of Article 1;

2. dismiss the complaint if no violation is found.

(6) The decision referred to in paragraph 5 may be appealed according to the procedure established by the Code of Administrative Procedure.

#### Monitoring and Reporting

Article 60b. (New, SG No. 94/2019, effective 29.11.2019) (1) (Amended, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government shall prepare a monitoring report in line with the accessibility requirements under Article 58c (1).

(2) (Repealed, SG No. 15/2022, effective 22.02.2022).

(3) (Amended, SG No. 15/2022, effective 22.02.2022) The report under paragraph 1 shall be published on the website of the Ministry of e-Government.

#### Cooperation and Coordination

Article 61. (Amended, SG No. 50/2016, effective 1.07.2016, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government shall cooperate and coordinate with the competent authorities of the European Union Member States and with the European Commission on matters of electronic government.

#### Publishing of Information

Article 62. (1) (Amended, SG No. 50/2016, effective 1.07.2016, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government shall organise and maintain the information required for the implementation of this Act, which shall be published on the official web site of the Ministry of e-Government and shall contain:

1. general information concerning the rights and obligations of providers and recipients of electronic administrative services, and
2. information regarding the authorities and persons that may provide additional information or render practical assistance in relation to the use of electronic administrative services.

(2) (Amended, SG No. 50/2016, effective 1.07.2016, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government shall ensure the possibility to be contacted by electronic means on matters ensuing from paragraph 1.

## **Chapter Six**

### **ADMINISTRATIVE PENALTY PROVISIONS**

Article 63. (1) (Amended and supplemented, SG No. 50/2016, effective 1.07.2016, amended, SG No. 94/2019, effective 29.11.2019) (1) Any official or person performing public functions who commits or allows a violation covered by Article 2(1), Article 3, Article 4, Article 5(2), Article 6(1), Article 7e(3), Article 7f(3) and (4), Article 7g(1), Article 8(2) and (3), Articles 10 to 16, Articles 30 to 38, Article 40(1), Article 42(2), Articles 43, 44, 46, 52, 53, 56, 58a, and Article 59a(2) shall be punished by a fine of between BGN 500 and BGN 1 500, unless the act constitutes a criminal offence.

(2) Any official who commits or allows a violation covered by paragraphs 2, 3, 4, 7 and 8 of Article 7d shall be punished by a fine of between BGN 1 500 and BGN 4 500, unless the act constitutes a criminal offence.

(3) In the case of a repeated violation, the fine under paragraph 1 shall be between BGN 1 500 and BGN 3 000, and the fine under paragraph 2 shall be between BGN 4 500 and BGN 15 000.

(4) Any person performing public functions that is a legal person or a sole trader and commits or allows a violation covered by Article 2(1), Article 3, Article 4, Article 5(2), Article 6(1), Article 7e(3), Article 7f(3) and (4), Article 7g(1), Article 8(2) and (3), Articles 10 to 16, Articles 30 to 38, Article 40(1), Article 42(2), Articles 43, 44, 46, 52, 53, 56, 58a, and Article 59a(2) shall be punished by a financial penalty of between BGN 1 500 and BGN 15 000.



(5) Any organisation providing public services that commits or allows a violation covered by Article 2(1), Article 3, Article 4, Article 5(2), Article 6(1), Article 7e(3), Article 7f(3) and (4), Article 7g(1), Article 8(2) and (3), Articles 10 to 16, Articles 30 to 38, Article 40(1), Article 42(2), Articles 43, 44, 46, 52, 53, 56, 58a, and Article 59a(2) shall be punished by a financial penalty of between BGN 1 500 and BGN 15 000.

(6) In the case of a repeated violation, the financial penalty under paragraph 4 or paragraph 5, as the case may be, shall be between BGN 4 500 and BGN 25 000.

Article 64. (Amended, SG No. 50/2016, effective 1.07.2016, SG No. 94/2019, effective 29.11.2019) (1) Any official who fails to provide the information referred to in Article 60a(3) shall be punished by a fine of between BGN 500 and BGN 1 500.

(2) In the case of a repeated violation, the fine under paragraph 1 shall be between BGN 1 500 and BGN 3 000.

(3) Any official who fails to comply with the instructions referred to in Article 60a(5)(1) shall be punished by a fine of between BGN 1 500 and BGN 3 000.

(4) In the case of a repeated violation, the fine under paragraph 3 shall be between BGN 1 500 and BGN 4 500.

Article 64a. (New, SG No. 94/2019, effective 29.11.2019) (1) Any official who commits or allows a violation of this Act or of the instruments issued pursuant to this Act and no other punishment is envisaged for said violation, shall be punished by a fine of between BGN 500 and BGN 1 500.

(2) Any person performing public functions that is a legal person or a sole trader and commits or allows a violation of this Act or of the instruments issued pursuant to this Act and no other punishment is envisaged for said violation, shall be punished by a financial penalty of between BGN 1 500 and BGN 15 000.

(3) Any organisation providing public services that commits or allows a violation of this Act or of the instruments issued pursuant to this Act and no other punishment is envisaged for said violation, shall be punished by a financial penalty of between BGN 1 500 and BGN 15 000.

Article 64b. (New, SG No. 94/2019, effective 29.11.2019) (1) Any person that fails to implement a compulsory instruction referred to in Article 59b(1)(1) shall be punished by a fine of between BGN 500 and BGN 1 500, and where said person is a legal person or a sole trader, a financial penalty of between BGN 1 500 and BGN 15 000 shall be imposed.

(2) Any person that fails to implement a directive referred to in Article 7i shall be punished by a fine of between BGN 500 and BGN 1 500, and where said person is a legal person or a sole trader, a financial penalty of between BGN 1 500 and BGN 15 000 shall be imposed.

Article 65. (1) (Amended, SG No. 82/2009, effective 16.10.2009, SG No. 50/2016, effective 1.07.2016, SG No. 15/2022, effective 22.02.2022) The statements establishing violations shall be drawn up by officials designated by the Minister of e-Government.

(2) (Amended, SG No. 82/2009, effective 16.10.2009, SG No. 50/2016, effective 1.07.2016, SG No. 94/2019, effective 29.11.2019, SG No. 15/2022, effective 22.02.2022) The penal decrees shall be issued by the Minister of e-Government or by an official authorised by him/her.

(3) Violations shall be ascertained and penal orders shall be issued, appealed against and executed in accordance with the procedure laid down in the Administrative Violations and Sanctions Act.

## **SUPPLEMENTARY PROVISIONS**

§ 1. Within the meaning give by this Act:

1. (Amended, SG No. 80/2023, effective 19.09.2023) "Administrative authority" shall be any administrative authority within the meaning of § 1 of the Supplementary Provisions of the Code of Administrative Procedure.
2. "Administrative Service" shall be:
  - (a) the issue of individual administrative acts which ascertain facts of legal significance;
  - (b) the issue of individual administrative acts whereby the existence of rights or obligations is recognised or denied;
  - (c) the carrying out of other administrative actions which represent a legal interest for an individual or a legal person;
  - (d) consultations representing a legal interest for an individual or a legal person and related to an administrative or legal regime that are given pursuant to a statutory instrument or that are related to the issue of an administrative act or to the provision of another administrative service;
  - (e) expert opinions representing a legal interest for an individual or a legal person when a statutory instrument envisages their provision as an obligation of the administration of a state body or by an authorised organisation.
3. "Internal Administrative Service" shall be an administrative service which one administrative authority provides to another for the sake of exercising the latter's powers.
4. "Citizen" shall be any individual who is a Bulgarian citizen or a foreigner.
5. (Amended, SG No. 50/2016, effective 1.07.2016) "Electronic document" shall be an electronic document within the meaning of Regulation (EU) No. 910/2014.
6. "Unformatted Electronic Document" shall be an electronic document which is not registered in the register of data objects.
7. (Repealed, SG No. 50/2016, effective 1.07.2016).
8. "Request and/or Provision of Services at a Distance" shall mean requesting or providing, as the case may be, of services when the parties are not located at the same place at the same time.
9. "Integrity" shall be a feature of the electronic document comprising an absence of a damage to its integrity from the moment of its drawing up and/or signing by its author until the moment of its inspection by the addressee.
10. (Amended, SG No. 50/2016, effective 1.07.2016, SG No. 94/2018) "Network and Information Security" is a concept within the meaning of Article 2, Paragraph 3 of the Cybersecurity Act.
11. (Supplemented, SG No. 40/2014, effective 1.07.2014, amended, SG No. 13/2016, effective 15.04.2016) "Persons Performing Public Functions" shall be public notaries, private enforcement agents, state and municipal educational establishments, state and municipal medical treatment facilities, contracting authorities under Article 5 (2) – (4) of the Public Procurement Act, which are not administrative authorities or organisations providing public services, and other persons and organisations through which the state exercises its functions and to which public functions have been assigned by law.
12. (Supplemented, SG No. 50/2016, effective 1.07.2016, SG No. 80/2023, effective 19.09.2023) "Public Services" shall be educational, medical, water and sewerage, heating, electricity and gas supply, telecommunication, postal, banking and financial services, including insurance and trust services, within the meaning of Regulation (EU) No. 910/2014 or other similar services provided to meet public needs, including on a commercial basis, in relation to the provision of which administrative services can be carried out.

13. "Operational Compatibility" shall be the ability of information systems to process, store and interchange electronic documents and data among themselves using uniform technological standards and processes.

14. (Amended, SG No. 50/2016, effective 1.07.2016) "Organisation Providing Public Services" shall be any organisation, regardless of the legal form of its incorporation, which provides one or more of the services listed in Item 12.

15. "Special Form" shall be a form of carrying out acts and actions which, due to its nature or by force of a statutory instrument, cannot be done by electronic means.

16. "Official Web Page" shall be a publicly available website through which an administrative authority provides information concerning the activity it performs and the electronic administrative services it provides.

17. "Provision of Services by Electronic Means" shall mean the provision of services where each party uses electronic processing devices, including devices for digital compression and storage of the information, and where the service is done entirely by the use of cable, radio waves, optical or other electromagnetic means.

18. "Repeated" shall be a violation committed within one year of the entry into force of the penalty decree whereby the offender has been imposed a penalty for a violation of the same kind.

19. "Semantic interoperability" shall be an element of interoperability consisting on the ability for the same interpretation of the same data by different information systems.

20. "Transliteration" shall mean the transformation (conversion) of letters, syllables or words from one alphabetical system to another.

21. "Web-based Application" shall mean an information system that ensures, through a website or another electronic interface, the possibility to send and/or receive electronic statements from and to electronic administrative service providers.

22. (Repealed, SG No. 80/2023, effective 19.09.2023).

23. (New, SG No. 50/2016, effective 1.07.2016) "Electronic address" shall be an information system for receiving electronic statements that can be identified through a generally accepted standard.

24. (New, SG No. 50/2016, effective 1.07.2016, amended, SG No. 94/2019, effective 29.11.2019) "Information resource" shall be an information and communication environment or its component that ensures the implementation of the e-government strategy.

25. (New, SG No. 50/2016, effective 1.07.2016) "Electronic seal" shall be and electronic seal in the meaning of Regulation (EU) No. 910/2014.

26. (New, SG No. 50/2016, effective 1.07.2016) "State hybrid private cloud" shall be a centralised state-owned information infrastructure (servers, data storage facilities, communication equipment, ancillary equipment and system software) distributed in several locations in premises complying with the criteria for building protected information centres, which provides physical and virtual resources for use and administration by state bodies, while guaranteeing a high level of security, reliability, isolation of the individual users and impossibility of interference in the operation of their information systems or unauthorised access to their information resources. The isolation of the resources and networks of the individual sector users is guaranteed through measures for separation on physical and logical level.

27. (New, SG No. 50/2016, effective 1.07.2016, amended, SG No. 15/2022, effective 22.02.2022, supplemented, SG No. 80/2023, effective 19.09.2023) "Shared information resources of electronic government" shall be the technical infrastructure, the single electronic communications network, the information centres, the protected shared e-Government information space and the state-owned hybrid private cloud which are created and developed by the Ministry of e-Government and are used in shared mode by all state bodies.

28. (New, SG No. 50/2016, effective 1.07.2016) "Information resources policy" shall be a set of rules and standards that define the permissible standard requirements for the technical and functional characteristics for the purchase or rental of tangible and intangible assets, as well as rules for using and managing the asset's life cycle, in the field of electronic government and the use of information and communication technologies in the work of the administrative authorities and their administrations.

29. (New, SG No. 50/2016, effective 1.07.2016) "Source code" shall be a set of instructions and comments written in a programming language understandable for humans, which form a computer program.

30. (New, SG No. 50/2016, effective 1.07.2016) "Open code software" shall be a computer program whose source code is publicly accessible for free use with a right to review and a right to edit under terms specified by the copyright holder.

31. (New, SG No. 50/2016, effective 1.07.2016, amended, SG No. 94/2019, effective 29.11.2019, SG No. 80/2023, effective 19.09.2023) "Secure electronic service system" shall be an electronic registered delivery service within the meaning of Regulation (EU) No. 910/2014 and a system through which the time of dispatch, receipt and service is authenticated and the identification of the person who sends, receives or delivers electronic documents or electronic statements through the system, as well as the authorship and integrity of such documents, is guaranteed.

32. (New, SG No. 50/2016, effective 1.07.2016, amended, SG No. 80/2023, effective 19.09.2023) "e-Government Portal" shall be a single point of access to the electronic administrative services of all administrations, implemented using state of the art technological means and interfaces.

33. (New, SG No. 50/2016, effective 1.07.2016, repealed, SG No. 94/2019, effective 29.11.2019).

34. (New, SG No. 50/2016, effective 1.07.2016) "Fault tolerance" shall be the ability of information systems and technical infrastructure to continue operating despite operational breakdowns or lack of achieved result by part of their components.

35. (New, SG No. 50/2016, effective 1.07.2016, supplemented, SG No. 80/2023, effective 19.09.2023) "Intermediary in applying for electronic administrative services" shall be a person who represents by virtue of a power of attorney, or a contract, a recipient of electronic administrative services for applying and receiving a certain service.

36. (New, SG No. 94/2019, effective 29.11.2019) "e-Government architecture" shall be a structured comprehensive description of the fundamental elements of electronic government, of their interconnections, of the main processes, activities and information resources at national level that implement the Strategy for e-Government Development.

37. (New, SG No. 94/2019, effective 29.11.2019) "Architecture by policy area" shall be an integral part of the e-Governance architecture presenting a structured, comprehensive description of the elements of electronic government in a specific policy area, which includes the interconnections of these elements, the main processes, the interaction with systems at national level, the activities and information resources at the level of the relevant area that implement the Strategy for e-Government Development.

38. (New, SG No. 94/2019, effective 29.11.2019) "Electronic authentication" shall be a horizontal system for identification of all entities, objects and information systems involved in electronic government.

39. (New, SG No. 94/2019, effective 29.11.2019) "Electronic government" shall be the realisation by the administrative authorities of legal interconnections, administrative processes and services and of interaction with users, persons performing public functions and organisations providing public services through the use of information and communication technologies that ensure a higher level of effectiveness.

40. (New, SG No. 94/2019, effective 29.11.2019) "Information and communication technologies" shall be technologies for creating, processing, storing and sharing digital information in various formats using hardware.
41. (New, SG No. 94/2019, effective 29.11.2019) "Information system" shall be an application, service, information technology asset and any other component that processes information.
42. (New, SG No. 94/2019, effective 29.11.2019) "National Computer Security Incident Response Team" shall be the team within the meaning of Article 17 of the Cybersecurity Act.
43. (New, SG No. 94/2019, effective 29.11.2019) "Project" shall be a project or activity of an administrative authority that is related to electronic government, information and communication technologies or the provision of electronic administrative services.
44. (New, SG No. 94/2019, effective 29.11.2019) "Electronic identification means" shall be electronic identification means within the meaning given by Article 2(3) of Regulation (EU) No. 910/2014.
45. (New, SG No. 94/2019, effective 29.11.2019) "Mobile application" means application software designed and developed, by or on behalf of public sector bodies, for use by the general public on mobile devices such as smartphones and tablets. Mobile applications do not include the software that controls those devices (mobile operating systems) or hardware.
46. (New, SG No. 94/2019, effective 29.11.2019) "Time-based media" means media of the following types: audio-only, video-only, audio-video, audio and/or video combined with interaction.
47. (New, SG No. 94/2019, effective 29.11.2019) "Items in heritage collections" means privately or publicly owned goods presenting an historical, artistic, archaeological, aesthetic, scientific or technical interest that are part of collections preserved by cultural institutions such as libraries, archives and museums.
48. (New, SG No. 80/2023, effective 19.09.2023) "Protected shared information space" shall be a set of network and hardware components with software-defined rights and conditions of access and data exchange, which ensures a high level of security, availability of the services provided, centralised management of the access to internal and external resources, allowing employees to perform their duties regardless of their physical location.

§ 2. (Amended, SG No. 50/2016, effective 1.07.2016, SG No. 15/2022, effective 22.02.2022, amended and supplemented, SG No. 80/2023, effective 19.09.2023) The regulations referred to in Article 6(1), Article 12(4), Article 37(1), Article 42(1) and Article 48(3) shall be adopted on a proposal by the Minister of e-Government, and the regulation referred to in Article 41(2) - on a proposal by the Minister of e-Government.

## **TRANSITIONAL AND FINAL PROVISIONS**

§ 3. The following amendments shall be made to § 1 of the Supplementary Provision of the Administration Act (promulgated, SG No. 130/1998; SG No. 8/1999 - Ruling No. 2 of the Constitutional Court of 1999; amended, SG No. 67/1999, SG Nos 64 and 81 of 2000, SG No. 99/2001; corrected, SG No. 101/2001; amended, SG No. 95/2003, SG No. 19/2005, SG Nos 24, 30, 69 and 102 of 2006):

1. A new Item 3 is created:

"3. "Internal administrative service" shall be an administrative service which one administrative authority provides to another in the course of exercising the latter's powers."

2. What were previously Items 3 and 4 are renumbered to become Items 4 and 5.

§ 4. (Effective 12.06.2007 - SG No. 46/2007) The instruments of secondary legislation on the implementation of this Act shall be adopted within six months after the promulgation of the Act in the State Gazette.

§ 5. (Effective 12.06.2007 - SG No. 46/2007, amended, SG No. 50/2016, effective 1.07.2016, SG No. 15/2022, effective 22.02.2022) Within six months of the promulgation of the instruments of secondary legislation on the implementation of this Act, the Minister of e-Government shall conduct a review of the information systems used by each administration and shall issue recommendations which of these systems shall be certified for conformity with the requirements of this Act as well as what new information systems should be introduced.

§ 6. (Amended, SG No. 50/2016, effective 1.07.2016, SG No. 15/2022, effective 22.02.2022) The administrative authorities shall bring their information systems in compliance with the requirements set out in this Act and the recommendations of the Minister of e-Government referred to in § 5 within one year of the promulgation of this Act.

§ 7. This Act shall enter into force one year after its promulgation in the State Gazette with the exception of the provisions of § 4 and 5 which shall enter into force from the date of promulgation.

§ 8. (Amended, SG No. 50/2016, effective 1.07.2016, SG No. 15/2022, effective 22.02.2022) The Minister of e-Government shall be in charge of the implementation of the Act.

This act was adopted by the 40th National Assembly on 31 May 2007 and has been stamped with the official seal of the National Assembly.

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ACT Amending and Supplementing the Electronic Government Act  
(SG No. 82/2009, effective 16.10.2009)

.....  
Supplementary Provision

§ 5. Throughout the text of the Act the following replacements shall be made:

1. "Minister of State Administration and Administrative Reform" shall be replaced by "Minister of Transport, Information Technology and Communications".
2. "Ministry of State Administration and Administrative Reform" shall be replaced by "Ministry of Transport, Information Technology and Communications".
3. "President of the Ministry of Transport, Information Technology and Communications" shall be replaced by "Minister of Transport, Information Technology and Communications".
4. "State Agency for Information Technologies and Communications" shall be replaced by "Ministry of Transport, Information Technology and Communications".

Transitional and Final Provisions

§ 6. Any secondary statutory instruments issued prior to the enforcement of this Act shall retain their validity as far as they do not contradict the provisions of the Act.

.....  
TRANSITIONAL AND CONCLUDING PROVISIONS  
to the Act Amending and Supplementing the Electronic Government Act  
(SG No. 20/2013)

.....

§ 6. (1) In regard to information systems, developed or in process of development as at the date of entry into force of this Act, the provisions of this Act shall apply.

(2) Any certificates of operational compatibility and information security requirements, issued as at the date of entry into force of this Act, shall remain in effect.

#### TRANSITIONAL AND FINAL PROVISIONS

to the Electronic Identification Act

(SG No. 38/2016, effective 21.11.2016)

.....  
§ 5. The Electronic Government Act (promulgated, SG No. 46 of 2007; amended, SG No. 82 of 2009, No. 20 of 2013, No. 40 of 2014, and No. 13 of 2016) shall be amended and supplemented as follows:  
.....

§ 6. This Act shall enter into force 6 months after its promulgation in the State Gazette, excluding:

1. Article 8, Article 9(2), Article 10, Article 11, and Articles 15 – 17 which shall enter into force 7 months after the promulgation of this Act;
2. Article 9, paragraphs 1, 3 and 4, Articles 19 – 21, Article 22 (excluding paragraph 1, sub-paragraph 3), Articles 23 – 28, § 4 and § 5, sub-paragraphs 1, 2, 4 and 5 which shall enter into force one year after the promulgation of this Act;
3. Articles 29 – 33 and § 5, sub-paragraph 3 which shall enter into force 18 months after the promulgation of this Act;
4. Article 22, paragraph 1, sub-paragraph 3 which shall enter into force as from 1 April 2017.

#### ACT

Amending and Supplementing the Electronic Government Act

(SG No. 50/2016, effective 1.07.2016, supplemented, SG No. 62/2016, effective 1.07.2016)

.....  
§ 43. In the remaining texts of the Act the words "Minister of transport, information technologies and communications" and "ministry of transport, information technologies and communications" shall be replaced respectively by "the Chairperson of the Electronic Government State Agency" and "Electronic Government State Agency".

#### Transitional and Final Provisions

§ 44. Within three months of the entry into force of this Act the Council of Ministers shall adopt the regulation under Article 7d, Paragraph 6.

§ 45. The Council of Ministers and the ministers shall bring the adopted, issued respectively, by them second level normative acts in compliance with this Act within six months of its entry into force.

§ 46. (1) The Executive Agency "Electronic Communication Networks and Information Systems" under the Minister of Transport, Information Technologies and Communications shall be closed down.

(2) The assets, liabilities, archive, as well as the other rights and obligations of the closed Executive Agency "Electronic Communication Networks and Information Systems" shall be transferred to the Electronic Government State Agency.

(3) (Supplemented, SG No. 62/2016, effective 1.07.2016) The Council of Ministers shall adopt the rules for the operation, structure and organisation of the Electronic Government State Agency and

the rules for the operation, structure and organisation of the State-owned Enterprise "Single System Operator" and shall regulate the relations concerning the closure of the Executive Agency "Electronic Communication Networks and Information Systems" under Paragraph 2 and the transfer under Paragraph 2 within three months after the entry into force of this Act. Prior to the entry into force of the Rules of Organisation and Procedure, structure and organisation of the Electronic Government State Agency, the functions and activities related to the Electronic Government shall be performed by the Minister of Transport, Information Technology and Communications in the current order.

(4) The employment and service relationships with the employees of the closed Executive Agency "Electronic Communication Networks and Information Systems", who perform functions in the field of electronic government shall be transferred to the Electronic Government State Agency under terms and procedures of Article 123 of the Labour Code and Article 87a of the Civil Servants Act and in compliance with the structure and personnel numbers determined with the rules of the work, structure and organisation of the Electronic Government State Agency.

(5) The employment and service relationships with the employees of the closed Executive Agency "Electronic Communication Networks and Information Systems", besides the ones under Paragraph 4, shall be regulated under the terms and procedures of Article 328, Paragraph 1, Item 1 of the Labour Code, and respectively of Article 106, Paragraph 1, Item 1 of the Civil Servants Act.

§ 47. The Chairperson of the Electronic Government State Agency shall conduct stock-taking and audit of all information resources in the administrations within six months after the entry into force of this Act.

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§ 59. Within two years after the entry into force of this Act in case there is no technological possibility to provide the data automatically under the procedure of Article 4 the data shall be requested, respectively sent, as an unformatted electronic document or on a hard copy.

§ 60. This Act shall enter into force on the day of its promulgation in the State Gazette with the exception of the provisions of:

1. Paragraph 15, which shall enter into force on 1 January 2018;
2. Paragraphs 18, Items 2 and 3, which shall enter into force on 1 June 2017.

ACT  
to Amend and Supplement the Electronic Government Act  
(SG No. 94/2019, effective 29.11.2019, supplemented,  
SG No. 102/2019, effective 29.11.2019)

.....  
Supplementary Provision

§ 40. This Act transposes the requirements of Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (OJ L 327/10 of 2.12.2016).

Transitional and Concluding Provisions  
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§ 45. (1) (Supplemented, SG No. 102/2019, effective 29.11.2019) The system integration provided for in Section IV of Chapter One "a" shall be carried out by Information Services – AD. Information Services – AD shall be a public contracting authority only when awarding the activities covered by Article 7q.



(2) Within two months of the entry of this Act into force, the Council of Ministers shall designate the administrative authorities which, in the performance of their functions related to system integration activities, assign the performance of these activities to the system integrator referred to in paragraph 1.

(3) (New, SG No. 102/2019, effective 29.11.2019) Information Services AD shall not apply the provisions of the Public Procurement Act when awarding supply, service and works contracts required for the implementation of contracts concluded before 29 November 2019, as well as with respect to contracts concluded after that date where the contract award procedures have been launched before 29 November 2019.

§ 46. The requirements for accessibility of the content of websites and mobile applications set out in Article 58c shall not apply to:

1. document file formats published in the website or application concerned before 23 September 2018, unless their content is needed for the provision of electronic administrative services by the public authority or organisation concerned;
2. pre-recorded time-based media published before 23 September 2020;
3. content of extranets and intranets that are websites if they are only available for a limited group of people and the content has been published before 23 September 2019; if a substantial revision of the content of such websites have been made after 23 September 2019, compliance with the accessibility requirements set out in Article 58c shall be ensured;
4. archived content of websites and mobile applications that is neither intended for the provision of electronic administrative services nor updated or edited after 23 September 2019.

§ 47. (1) The persons referred to in paragraphs 1 and 2 of Article 1 shall ensure accessibility of content according to Article 58 in respect of:

1. websites created between 23 September 2018 and the entry of this Act into force: within 6 months of the entry of this Act into force;
2. websites created before 23 September 2018: by 23 September 2020;
3. mobile applications: by 23 September 2021.

(2) The first report pursuant to Article 60b(2) shall be drawn up and published by 1 September 2022 and shall cover the period from 1 January 2020 to 22 December 2021.

§ 48. This Act shall enter into force on the day of its promulgation in the State Gazette, with the exception of § 10 which shall enter into force from 1 January 2021.

## ACT

Amending and Supplementing the Electronic Government Act  
(SG No. 15/2022, effective 22.02.2022)

.....  
Supplementary Provision

§ 9. In the remaining texts of the Act, the words:

1. "State Agency for E-Government" and "the Agency" shall be replaced with "the Ministry of E-Government";
2. The words "the Chairperson of the State Agency for e-Government", "the Chairperson of the State Agency for E-Government" and "the Chairperson of the Agency" shall be replaced with "the Minister of e-Government" and the words "Chairperson of the e-Government State Agency" shall be replaced with "the Minister of e-Government".

## Transitional and Concluding Provisions

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

(2) The statutory instruments of secondary legislation for the application of this Act shall be brought into conformity with this Act within 3 months from the entry into force thereof.

§ 11. (1) The State Agency for e-Government under the Council of Ministers shall be closed.

(2) The Council of Ministers shall establish a liquidation commission, which within three months from the entry into force of this law shall regulate the relations related to the closure, including managing the assets, liabilities, registers, databases, archives, other rights and obligations of the closed agency and shall settle labour and official legal relations with employees.

(3) The powers of the Chairperson and of the Deputy-Chairperson of the State Agency for e-Government shall be terminated as of the date of entry into force hereof.

(4) Until the harmonisation of the structural regulations of the Ministry of e-Government with this law, the powers of the Minister of Transport and Communications in the field of information technologies shall be exercised by them according to the current procedure.

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#### FINAL PROVISIONS

to the Act to Amend and Supplement the Electronic Government Act  
(SG No. 80/2023, effective 19.09.2023)

§ 27. (Effective 31.03.2024 - SG No. 80/2023) The Minister of e-Government proposes a mechanism for determining the amount of compensation under Article 45(2) of the Public Finance Act in relation to the provision by municipalities of electronic administrative services at a reduced fee pursuant to Article 10a(1) and (2) of the Public Finance Act.

.....  
§ 39. Within 6 months of the entry into force of this Act, the administrative authorities shall bring the administrative services application forms into conformity with Article 29(2) of the Code of Administrative Procedure.

§ 40. The administrative authorities shall bring the registers kept by them into conformity with this Act no later than 31 March 2025 according to a schedule adopted by a decree of the Council of Ministers by 31 October 2023.

§ 41. Within a six month time limit from the entry into force of this act, the Council of Ministers shall bring the ordinance under Article 12(4) in accordance with it.

§ 42. This Act enters into force on the day of its promulgation in the State Gazette, except for § 4, § 5 regarding Article 4a(2), § 17 regarding Article 26a(5) and (6), § 21, 27, 29 and § 34(1)(c), which shall enter into force as of 31 March 2024.