

# LAW FOR THE BULGARIAN IDENTIFICATION DOCUMENTS

*Prom. SG. 93/11 Aug 1998, amend. SG. 53/11 Jun 1999, amend. SG. 67/27 Jul 1999, amend. SG. 70/6 Aug 1999, amend. SG. 113/28 Dec 1999, amend. SG. 108/29 Dec 2000, amend. SG. 42/27 Apr 2001, amend. SG. 45/30 Apr 2002, amend. SG. 54/31 May 2002, amend. SG. 29/31 Mar 2003, suppl. SG. 63/15 Jul 2003, amend. SG. 96/29 Oct 2004, amend. SG. 103/23 Nov 2004, amend. SG. 111/21 Dec 2004, amend. SG. 43/20 May 2005, amend. SG. 71/30 Aug 2005, amend. SG. 86/28 Oct 2005, amend. SG. 88/4 Nov 2005, amend. SG. 105/29 Dec 2005, amend. SG. 30/11 Apr 2006, amend. SG. 82/10 Oct 2006, amend. SG. 105/22 Dec 2006, amend. SG. 29/6 Apr 2007*

## Chapter one. BULGARIAN IDENTIFICATION DOCUMENTS

### Section I. General Provisions

Art. 1. (1) This law settles the conditions and the order of issuance, using and keeping Bulgarian identification documents.

(2) (amend. SG 54/02, amend. SG 111/04, amend. SG 88/05) The Bulgarian identification documents shall be issued by the Ministry of Interior. The Ministry of Interior, the Ministry of Transport, the Ministry of Defense and the State agency for the refugees at the Council of Ministers, according to their competence given to them by this law.

(3) The refusal to issue Bulgarian identification document, the revoking and the imposition of other restrictions related to the use and keeping shall be settled by this law.

Art. 2. The Bulgarian identification documents shall be property of the state.

Art. 3. (1) (amend., SG 108/00) The Bulgarian identification documents shall certify the identity and, if necessary, the citizenship of the person through the data contained in them.

(2) The identity of the citizens of the Republic of Bulgaria can also be certified by substituting documents specified by this law.

(3) The identity of the Bulgarian citizens can also be established by other documents by the order and in the cases stipulated by a law.

Art. 4. (1) Every Bulgarian citizen shall have right to identification document.

(2) Foreigner, staying on the territory of the Republic of Bulgaria, shall have the right to Bulgarian identification document by the order and in the cases determined by a law.

(3) The competent bodies shall not have the right to refuse the issuance, to revoke or detain Bulgarian identification documents besides by the order and in the cases determined by

a law.

Art. 5. (suppl. – SG 105/06, in force from 31.10.2007) The issuance of Bulgarian identification documents to under age persons and to prodigals shall be made personally and to those under 16 years of age and to full prodigals – in person and through their legal representatives.

Art. 6. The citizens shall be obliged, upon request by the competent bodies determined by a law, to certify their identity.

Art. 7. (1) The citizens, holders of Bulgarian identification documents, shall be obliged to protect them against damage, destruction or lost.

(2) (amend., SG 108/00) Citizen who has found an identification document shall be obliged to submit it to the bodies of the Ministry of Interior.

Art. 8. (1) The identification documents shall be kept by:

1. the persons to whom they have been issued;
2. the parents or guardians of underage persons for whom they are responsible;
3. the legal representatives of prodigals;
4. the officials authorised by a law.

(2) In case of losing, theft or destruction of Bulgarian identification document the persons shall be obliged, within 3 days, to declare this fact to the closest office of the Ministry of Interior.

(3) (new – SG 54/02) When the application of para 2 refers to identification document of a foreigner, looking for or received protection under the Law for the asylum and refugees, the respective service of the Ministry of Interior shall notify immediately the State agency for the refugees or its nearest territorial division.

Art. 9. (1) (amend., SG 108/00) For change of the name, the unified citizen's code, the sex, the citizenship or for substantial and permanent changes of the image the person shall be obliged to obtain new identification documents within 30 days.

(2) (new, SG 108/00, amend. SG 54/02) For change of the permanent address the identification card, the card of a foreigner permanently residing in the Republic of Bulgaria, the card of a refugee and the card of foreigner with humanitarian status shall be replaced within 30 days.

(3) (prev. para 2 - SG 108/00) For issuance of new identification document the previous one shall be returned.

Art. 10. The Bulgarian identification documents shall be submitted to the issuing body in case of:

1. death of the holder;
2. loss of the Bulgarian citizenship;
3. establishment of irregularity of the document;
4. dropping the grounds for their issuance or using.

Art. 11. Nobody shall have the right to give or accept as a pawn, as well as use or cede Bulgarian identification document to another person.

Art. 12. (1) The Bulgarian citizens, holding identification documents issued by another state shall be obliged, within 60 days from their acquisition, to inform in writing the competent Bulgarian bodies.

(2) (amend., SG 108/00) The Bulgarian citizens, holding identification documents issued by the bodies of another country, in their relations with the Bulgarian state institutions, shall be obliged to certify their identity by Bulgarian identification documents.

## Section II. Types of Bulgarian identification documents

Art. 13. (1) The following identification documents shall be issued to the Bulgarian citizens:

1. personal card;
2. (suppl., SG 108/00, suppl. SG 29/03, amend. SG 111/04) passport, diplomatic passport, official passport, sailor's passport, military identity card;
3. driving licence.

(2) The following documents substituting the passport shall also be issued to the Bulgarian citizens:

1. (amend. – SG 105/06, in force from 31.10.2007) temporary passport;
2. border pass;
3. temporary pass for leaving the Republic of Bulgaria for good.

(3) (new, SG 108/00) The certifying of the identity of the Bulgarian citizens can be made by each of the documents under para 1 and 2.

Art. 14. The following identification documents shall be issued to the foreigners staying in the Republic of Bulgaria:

1. card for a continuously staying foreigner in the Republic of Bulgaria;
2. card for a permanently staying foreigner in the Republic of Bulgaria;
- 2a. (new – SG 29/07) card for staying of a member of the family of a citizen of the European Union;
3. card for a refugee;
4. (amend. SG 54/02) temporary certificate of refugee and temporary certificate of refugee in card;
5. certificate for travelling abroad for a refugee;
6. certificate for travelling abroad for a person without citizenship;
7. temporary certificate for leaving the Republic of Bulgaria;
8. temporary card for a foreigner;
9. (newm – SG 53/99) certificate for a return of a foreigner to the Republic of Bulgaria
10. (new – SG 54/02) card of foreigner with humanitarian statute;
11. (new – SG 54/02) certificate of foreigner with temporary protection;
12. (new – SG 54/02) certificate for travel abroad of foreigner with humanitarian status.

13. (new – SG 29/03) card of foreigner, accredited as employee in a diplomatic or consular representation or in international organisation with headquarters on the territory of the Republic of Bulgaria.

Art. 15. (revoked – SG 29/07)

### Section III. Data in the Bulgarian identification documents

Art. 16. (1) The Bulgarian identification documents shall contain the following obligatory personal data:

1. names;
2. date of birth;
3. unified citizen's code (or personal foreigner's number);
4. sex;
5. citizenship.

(2) (new – SG 105/06, in force from 31.10.2007) In the passport, official, diplomatic and sailor's passport, certificate for traveling abroad of a refugee, certificate for traveling abroad of a person without citizenship and certificate for traveling abroad of a foreigner with humanitarian statute, except for data under Art. 16, par. 1, shall be included also biometrical data about the person.

(3) (prev. par. 2 – SG 105/06, in force from 31.10.2007) The denomination of the data under para 1 shall be written in Bulgarian and English language.

(4) (New, SG 67/99; prev. par. 3 – SG 105/06, in force from 31.10.2007)) The personal number of a foreigner (PNF) shall identify unambiguously the foreigners staying for a long term in the Republic of Bulgaria. The way of its formation shall be determined by the Council of Ministers.

Art. 17. (1) For issuance of Bulgarian identification documents the persons shall present application to the competent bodies.

(2) (\*) (amend. – SG 105/06) The application shall be signed personally by the person in the presence of authorised official, who shall take biometric data in the provided by the law cases.

(3) (\*) (new – SG 105/06) For taking biometric data, provided in this Law, the person shall appear in person.

Art. 18. The application for issuance of Bulgarian identity documents shall contain the following data:

1. names;
2. date of birth;
3. place of birth;
4. sex;
5. unified citizen's code;
6. citizenship;
7. changed names;

8. pseudonym;
9. available other citizenship;
10. eye colour;
11. height;
12. particular marks;
13. permanent address;
14. present address;
15. education;
16. profession;
17. place of occupation;
18. scientific rank and scientific degree;
19. marital status;
20. telephone;
21. number(s) of other identification documents if issued and of the previous identity document.

Art. 19. (1) (prev. art. 19 – SG 96/04) The name and the place of birth of the Bulgarian citizens in the Bulgarian identity documents shall be written in Bulgarian language and in English transcription according to rules approved by an act of the Council of Ministers.

(2) (new – SG 96/04) The names of the Bulgarian citizens in the Bulgarian identification documents shall be written in the following order: family name, given name, father name.

(3) (new – SG 96/04) In the Bulgarian identification documents the family name, the given name and the father name shall be written without abbreviations as they are written in the presented certification documents.

Art. 20. (1) The Bulgarian identity documents shall be readable by machines.

(2) The machine readable zone of the Bulgarian identification documents shall contain the following data:

1. type of the document;
2. the body issuing the document;
3. family and other names of the holder of the document;
4. number of the document;
5. citizenship of the holder of the document;
6. date of birth of the holder of the document;
7. sex of the holder of the document;
8. expiration date of the document;
9. unified citizen's code or personal number of foreigner;
10. control figures of the data under the preceding items.

(3) The data in the machine readable zone must correspond to the data in the visual part of the identification document.

(4) para 1, 2 and 3 shall not apply for driving licences which correspond to the unified sample of driving licences of the European Union.

(5) The remaining requirements for the forms and the data of the machine readable zone shall be determined by an act of the Council of Ministers.

Art. 20a. (new – SG 105/06, in force from 31.10.2007) (1) In the passport, official, diplomatic and sailor's passport, certificate for traveling abroad of a refugee, certificate for traveling abroad of a person without citizenship and certificate for traveling abroad of a foreigner with humanitarian statute and electronic carrier of information shall be included.

(2) Electronic carrier or information shall contain the data under Art. 20, par. 2, person's photograph, his/her fingerprints, taken at the time of submission of application, as well as place of birth of the person, written in Cyrillic and Latin letters.

(3) The requirements to the formats and other data, included in the electronic carrier of information shall be determined with an act of the Council of Ministers in compliance with the recommendations of the International Civil Aviation Organization (ICAO) DOC 9303.

Art. 21. (1) (suppl. SG 54/02) the names of the foreigners in the Bulgarian identification documents shall be written by order and number as written in the travel documents by which they have entered the Republic of Bulgaria. When the foreigners, seeking or received protection, do not have such documents, their names shall be written by the order, in which they point them out in a declaration, signed by them to the competent body.

(2) The names of the foreigners in the Bulgarian identification documents shall also be written by Bulgarian transcription according to rules approved by an act of the Council of Ministers.

Art. 22. (1) For issuance of Bulgarian identification documents the persons shall be obliged to present photos corresponding to the following requirements:

1. size - 45 mm by 35 mm;
2. the photo shall be taken en face;
3. the height of the face from the beard to the top of the height must be between 25 mm and 35 mm.

(2) (new – SG 105/06, in force from 31.10.2007) When at the points of acceptance of applications it is technically possible, digital taking of a photograph of the person shall be done there.

(3) (prev. par. 2 – SG 105/06, in force from 31.10.2007) The remaining requests for the photos under para 1 shall be determined by an act of the Council of Ministers.

## Chapter two. PERSONAL CARD OF THE BULGARIAN CITIZENS

### Section I. General Provisions

Art. 23. (1) (prev. Art. 23 – SG 105/06, in force from 01.01.2007) The personal card of the Bulgarian citizens is a basic identification document valid for the territory of the Republic of Bulgaria or on the territory of another country according to international agreements.

(2) (new – SG 105/06, in force from 01.01.2007) Every Bulgarian citizen shall have right to leave the country also with a personal card and to return with it through the internal borders of the Republic of Bulgaria with the member states of the European Union, as well as in cases, provided in international treaties.

(3) (new – SG 105/06, in force from 01.01.2007) The right under par. 2 shall not be subject to limitations, unless this is provided in a law and has as an objective protection of the national security, public order, citizens' health or of the rights and freedoms of other citizens.

Art. 24. Every Bulgarian citizen can possess only one personal card.

Art. 25. The control over the observance of the regime for using the personal cards shall be carried out by the Ministry of Interior with the assistance of the local administration.

## Section II. Data contained in the personal card

Art. 26. (1) The personal card, besides the data under Art. 16, para 1, shall also contain data:

1. photo of the holder;
2. place of birth;
3. height;
4. eye colour;
5. permanent address;
6. signature of the holder;
7. number of the personal card;
8. date of issuance;
9. expiration date;
10. the body of the Ministry of Interior who has issued the personal card;
11. particular marks.

(2) The application for issuance of personal card, besides the data under Art. 18 shall also contain data about:

1. parents (names, date of birth, citizenship and personal number of foreigner);
2. brothers and sisters (names, date of birth, citizenship and personal number of foreigner);
3. spouse (names, date of birth, citizenship, unified citizen's code or personal number of the foreigner);
4. children under 14 years of age (names, date of birth, citizenship, unified citizen's code or personal number of the foreigner);
5. legal representative (names, date of birth, citizenship, unified citizen's code or personal number of the foreigner);
6. edict of the President of the Republic of Bulgaria for change of the citizenship.

Art. 27. (1) Every Bulgarian citizen shall be obliged to indicate the permanent address chosen by him.

(2) At the permanent address the citizen shall receive official notifications by the bodies of the state administration and by the bodies of the judiciary authority.

(3) The permanent address of the citizens shall serve for:

1. entering all changes related to the citizen status of the persons in the population registers;



2. (amend., SG 108/00; amend. - SG 105/05, in force from 01.01.2006) the correspondence address and court address;
  3. receiving social security and support;
  4. rendering free medical care;
  5. exercising right of voting;
  6. issuance of identification documents and other documents related to the citizen status of the persons;
  7. other grounds stipulated by a law.
- (4) The permanent address can coincide with the present address.

Art. 28. The Bulgarian citizens, living predominantly abroad, shall be obliged to indicate in the application for issuance of personal card address on the territory of the state where they stay.

### Section III. Issuance, replacement and using the personal cards of the citizens of the Republic of Bulgaria

Art. 29. (1) Every Bulgarian citizen who lives on the territory of the country shall be obliged, within 30 days from accomplishment of 14 years of age, to request the issuance of personal card.

(2) The persons who have restored or acquired Bulgarian citizenship shall be obliged to request the issuance of personal card within the period under para 1 upon receipt of certificate for that.

(3) The Bulgarian citizens who have accomplished 14 years of age, staying abroad, upon their return to the country, shall be obliged within the period under para 1 to request the issuance of personal card.

Art. 30. (1) The personal cards of the Bulgarian citizens shall be of term or of no term.

(2) The personal cards of term shall be issued to persons from 14 to 18 years of age for a period of 4 years and to persons from 18 to 58 years of age - for a period of 10 years. To persons who have accomplished 58 years of age personal cards of no term shall be issued.

Art. 31. The personal cards shall be issued and replaced by the bodies of the Ministry of Interior at the permanent address of the person upon presentation of an application and documents for the citizen status, issued by the local administration by an order determined by the Council of Ministers.

Art. 32. (1) Void shall be declared the personal cards of persons who:

1. have lost their Bulgarian citizenship;
2. have declared that their personal card has been lost, stolen or destroyed;
3. whose personal card has expired;
4. who have changed their personal data;



5. have changed their permanent address;
  6. have died.
- (2) The invalidity shall be announced by the body who has issued the personal card to the person.

## Chapter three. PASSPORTS OF BULGARIAN CITIZENS AND REPLACEMENT DOCUMENTS

### Section I. General Provisions

Art. 33. (1) (amend. SG 111/04) Every Bulgarian citizen shall have the right to leave the country and to return to it with a passport, substituting document or military identity card through the places determined for this purpose.

(2) The places for crossing the state border shall be determined by an act of the Council of Ministers.

(3) The right under para 1 shall not be subject to restrictions, unless they are stipulated by a law and if they are needed for the protection of the national security, the public peace, the health of the citizens or the rights and freedoms of other citizens.

Art. 34. (1) The passport is a document for crossing the state border of the Republic of Bulgaria and for staying abroad.

(2) The passport shall be basic identification document of the Bulgarian citizens in the territory of the Republic of Bulgaria as well.

(3) The Bulgarian citizens, holding documents substituting the passport, can certify their identity by them within the period for which they have been issued.

Art. 35. (1) (prev., art. 35 - SG 42/01, amend. SG 29/03) Every citizen of the Republic of Bulgaria shall have the right to only one passport according to Art. 38, item 3.

(2) (revoked – SG 29/03)

(3) (revoked – SG 29/03)

Art. 36. (1) The passports of the Bulgarian citizens shall be issued for a period of 5 years.

(2) The passports issued by the Ministry of foreign affairs and by the Ministry of Transport shall be valid for 5 years.

(3) In the cases when the passport is damaged, destroyed, lost, stolen or the pages are full a new passport shall be issued.

(4) (new – SG 105/06, in force from 01.01.2007) Upon request of the person, a new passport can be issued also before the expiration of the validity under par. 1 or 2.

Art. 37. (revoked – SG 105/06, in force from 31.10.2007)

## Section II. Types of passports and substituting documents

Art. 38. (1) (prev. art. 38 – SG 29/03) For crossing the state border and staying abroad the following types of passports shall be issued:

1. (amend. SG 103/04) diplomatic passport - issued by the Minister of Foreign Affairs or officials, authorized by him after making check of the existence of lawful ground for its issuing to the following persons:

- a) the President and the vice President of the Republic of Bulgaria;
- b) the chairman of the National Assembly, his deputies and the people's representatives;
- c) the Prime Minister, the deputy Prime Ministers, the Ministers and the deputy Ministers, the regional governors;
- d) employees with diplomatic rank in the Ministry of Foreign Affairs and in the diplomatic and the consular representations of the Republic of Bulgaria abroad;
- e) the members of the Constitutional Court;
- f) international employees, had or having diplomatic rank, who have taken position through the Ministry of Foreign Affairs of the Republic of Bulgaria in the United Nations Organisation, in organizations in the system of the United Nations Organisation or in other international government organizations, as well as international employees, had or having diplomatic rank, who are working in the pointed out organizations at position with category P-5 or higher according to the system of the United Nations Organisation or equaled to them;
- g) persons at elected positions in international organizations of universal or religious character;
- h) the chairman of the Supreme Court of Appeal and his deputies, the chairman of the Supreme Administrative Court and his deputies, the Chief Prosecutor and his deputies, the director of the National Investigation Service and his deputies;
- i) the governor and the deputy governors of the Bulgarian National Bank, the chairman of the Audit Office;
- j) the chief secretary of the National Assembly, the chief secretary of the President of the Republic, the chief secretary of the Council of Ministers; the chiefs of the offices of the chairman of the National Assembly, the President, the vice President and the Prime Minister; the secretaries of the President of the Republic; the director of directorate "International relations and protocol" of the National Assembly; the director of directorate "Protocol" in the administration of the President of the Republic and the director of directorate "Protocol" of the Council of Ministers;
- k) the chief of the General Staff of the Bulgarian Army;
- l) the chiefs of the National Intelligence Service and the National Service Guarding, the chief of service "Military information";
- m) employees in the National Service Guarding and diplomatic couriers in the Ministry of Foreign Affairs when they fulfill their functions abroad;
- n) the President and the vice-President of the Republic of Bulgaria, the chairman of the National Assembly, the Prime Minister, the Minister of Foreign Affairs, the members of the Constitutional Court, the chairman of the Supreme Court of Appeal, the chairman of the Supreme Administrative Court, the Chief Prosecutor and the director of the National Investigation Service after elapse of their authorities;
- o) ambassadors and plenipotentiary Ministers with practice over 20 years in the

diplomatic carrier, the using of the passport after their retirement being implemented observing the provisions of the Vienna convention for the diplomatic relations;

p) persons, whose official obligations include fulfillment of special foreign policy tasks – upon discretion of the Minister of Foreign Affairs;

q) the members of the families of the persons of items a), b), d), e), f) and h) except the members of the families of the deputies of the chairman of the Supreme Court of Appeal, the deputies of the chairman of the Supreme Administrative Court, the deputies of the Chief Prosecutor and the deputies of the director of the National Investigation Service; the members of the families of the Prime Minister, the deputy Prime Ministers, the Minister of Foreign Affairs; the members of the families can use the diplomatic passports when they travel together with the persons pointed out; this restriction shall not refer for the cases when the employees of items d) and f) are commissioned for long term abroad;

r) to the children of employees with diplomatic rank working abroad:

- up to 25 years of age, not married, who continue their education (secondary or higher) abroad, or

- subject to conscript military service – with the consent of the Minister of Defense, shall be admitted issuing of diplomatic passport.

2. (new – SG 29/03, suppl. SG 103/04) official passport – issued by the Ministry of Foreign Affairs to the employees of the central and the territorial administration, implementing official functions abroad, and to administrative – technical employees of the diplomatic and the consular representations of the Republic of Bulgaria according to a list of the positions, determined with an act of the Council of Ministers of art. 47a. Official passports shall also be issued to the judges in the Supreme Court of Appeal and the Supreme Administrative Court, to the prosecutors in the Supreme Appeal Prosecutor's Office and the Supreme Administrative Prosecutor's Office and to the investigators in the National Investigation Service. Official passports shall also be issued to the persons, to whom are assigned concrete foreign policy tasks – upon discretion of the Minister of Foreign Affairs, as well as to persons upon discretion for official expediency and proposal by the direct chief to the chief of the respective institution or organization, who shall direct written request to directorate "Consular relations" in the Ministry of Foreign Affairs.

3. (prev. item 2 – SG 29/03) passport - issued by the Ministry of Interior to persons travelling abroad;

4. (prev. item 3 – SG 29/03) sailor passport - issued by the State Inspection for navigation to sailors.

(2) (new – SG 29/03) The persons of para 1, items 2 and 4 shall have right to only one passport of the respective kind.

Art. 39. (amend. – SG 105/06, in force from 31.10.2007) In addition to the passports under Art. 38, the following substituting documents shall also be issued:

1. (amend. – SG 105/06, in force from 31.10.2007) temporary passport - issued by the diplomatic and consular representations of the republic of Bulgaria to Bulgarian citizens, who are residing abroad and do not hold valid documents for traveling or identification with a term of validity up to 12 months after coordination with the Ministry of Interior;

2. border pass - issued by the Ministry of Interior according to international agreements, for a period of up to one year;

3. temporary passport for final leaving of the Republic of Bulgaria - issued by the

Ministry of Interior to persons who have lost their Bulgarian citizenship.

Art. 39a. (new – SG 111/04) For crossing the state border of the Republic of Bulgaria in connection with fulfillment of the regular military service on the territory of countries – members of NATO and/or participants in "Partnership for peace", to the military servicemen from the Ministry of Defense, the Bulgarian army and the structures subordinated to the Minister of defense shall be issued military identity card under the conditions of art. III of the Agreement between the parties of the North Atlantic Treaty about the statute of their armed forces. The military identity card shall be issued by the Ministry of Defense.

Art. 39b. (new – SG 105/06, in force from 01.01.2007) Diplomatic and consular representations of the Republic of Bulgaria shall issue provisional document for traveling to citizens of other member states of the European Union, having lost or got their documents stolen, provided that the member state, whose citizen is the person, does not have representation in the country, where he/she is.

Art. 40. (1) The colours of the covers of the individual types of passports shall be the following:

1. diplomatic passport - dark blue;
2. (new – SG 29/03) official passport – olive-green;
3. (prev. item 2 – SG 29/03) passport - Bordeaux;
4. (prev. item 3 – SG 29/03) sailor passport - marine blue.

(2) The nuances of the colours of the covers of the individual types of passports and the colours of the covers of the substituting documents shall be determined by an act of the Council of Ministers.

(3) Printed on the face cover of the passports and the substituting documents shall be:

1. the coat-of-arms of the Republic of Bulgaria and the text "Republic of Bulgaria" in Bulgarian and in English language;
2. the name of the respective type of identification document in Bulgarian and in English language.

(4) (new – SG 105/06, in force from 31.10.2007) On the face side of the cover of passports under par. 1 shall be printed:

1. the words "European Union" in Bulgarian and English language;
2. the symbol of electronic passport.

### Section III. Data contained in the passports and in the substituting documents

Art. 41. (1) The passports and the substituting documents, besides the data under Art. 16, para 1 shall contain:

1. photo of the holder as well as data for:
2. the place of birth;
3. permanent address;
4. signature of the holder;

5. number of the passport;
  6. date of issuance;
  7. expiration date;
  8. the body who has issued the passport.
- (2) The documents substituting the passport shall not contain permanent address.
- (3) The application for issuance of passports and the substituting documents, besides the data under Art. 18, shall also contain:
1. parents (names, date of birth, citizenship and personal number of foreigner);
  2. brothers and sisters (names, date of birth, citizenship and personal number of foreigner);
  3. spouse (names, date of birth, citizenship, unified citizen's code or personal number of the foreigner);
  4. legal representative (names, date of birth, citizenship, unified citizen's code or personal number of the foreigner);
  5. edict of the President of the Republic of Bulgaria for change of the citizenship.
- (4) For issuance of passports to children under 14 years of age signature shall not be placed.

Art. 41a. (new – SG 111/04) The military identity card shall contain, apart from the data of art. 16, para 1, also:

1. photo of the owner;
2. rank;
3. kind of armed forces;
4. signature of the owner;
5. number of the card;
6. date of issuing;
7. date of expiry of the validity;
8. the body, issued the card.

Art. 42. Individual types of passports and substituting documents, besides the data under Art. 41 can also contain:

1. data related to the professional and social status of the holder;
2. other data determined by an act of the Council of Ministers.

## Section IV. Order of issuance of passports and substituting documents

Art. 43. Passport or substituting document shall be issued against application to the respective body upon establishment of the identity of the person.

Art. 44. (1) (new – SG 105/06, in force from 31.10.2007) The application for issuing a passport shall be submitted in person.

(2) (prev. Art. 44, suppl. – SG 105/06, in force from 31.10.2007) The application for issuing of a substituting the passport document shall be presented personally and, as an exemption, by an authorised person upon presentation of notary certified explicit letter of

attorney.

(3) (new – SG 105/06, in force from 31.10.2007) The passport of the substituting it document shall be received in person, and as an exception – by an authorised person upon presentation of notary certified explicit letter of attorney.

Art. 45. (suppl. – SG 105/06, in force from 31.10.2007) The application for issuance of a passport or a substituting document to under age and to persons under judicial disability shall be presented in person and by their parents, guardians or trustees.

Art. 46. The application shall be accompanied by:

1. document for paid state fee;
2. birth certificate for persons under 18 years of age;
3. previous passports;
4. photo according to a standard.

Art. 47. For issuance of sailor's passport shall also be presented:

1. letter - request by the owner or lessee of the ship certifying that the person is employed for an occupation, is on probation or is included in the crew on other grounds;
2. certificate of legal capacity for the ship occupations for which it is required.

Art. 47a. (new – SG 29/03) The conditions and the order for issuing of the official passports shall be determined with an act of the Council of Ministers.

Art. 47b. (new – SG 111/04) The conditions and the order for issuing of military identity cards and for announcing their invalidity shall be determined with an act of the Council of Ministers.

Art. 48. (1) Void shall be declared the passports of persons who:

1. have lost their Bulgarian citizenship;
2. have declared that the passport had been lost, stolen or destroyed;
3. whose passport's validity has expired;
4. have changes in the personal data under Art. 16, para 1.
5. are deceased.

(2) The invalidity shall be declared by the body who has issued the passport.

(3) (new, SG 63/03) A passport of a child, adopted under the conditions of international adoption, shall be issued within three days from the date of filing the application.

Art. 49. (1) As invalid shall be announced the passports of persons, who:

1. have lost Bulgarian citizenship;
2. have declared, that the passport is lost, stolen or destroyed;
3. have passport with expired term of validity;
4. have changes in the personal data, pointed out in art. 16, para 1;
5. have deceased.

- (2) The invalidity shall be announced by the body, issued the passport;
- (3) (new – SG 29/03) The persons, for whom has fallen out the ground for issuing of diplomatic, official or sailor passport, shall be obliged to return it to the body, who has issued it. The invalidity of the passport shall be announced by the order of para 2.

## Chapter four. DRIVING LICENCE

### Section I. General Provisions

Art. 50. (1) The Bulgarian driving licence is an individual certifying document for legal capacity of driving vehicles.

(2) (amend., SG 108/00) The driving licence shall serve as identification document on the territory of the Republic of Bulgaria.

(3) The foreigners holding Bulgarian driving licence shall certify their identity by the travel document by which they have entered the Republic of Bulgaria or by some of the documents under Art. 59.

Art. 51. (1) The driving licence shall be issued by the bodies of the Ministry of Interior to persons under conditions and by an order determined by an act of the Council of Ministers.

(2) The term of validity of the driving licence shall be 10 years and of persons with physical defects - up to 5 years.

Art. 52. Foreign driving licence cannot be used for certifying the identity in the context of Art. 50, para 2.

### Section II. Data contained in the driving licence

Art. 53. (1) The driving licence, besides the data under Art. 16, para 1, shall contain:

1. photo of the holder;
2. place of birth;
3. name of the settlement of the permanent address;
4. signature of the holder;
5. number of the driving licence;
6. date of issuance of the licence;
7. place of issuance of the licence;
8. the body who has issued the licence;
9. expiration date of the licence;
10. category(s) of vehicles for which the driving licence is valid;
11. notes (restrictive conditions for using the licence).

(2) The application for issuance of driving licence, besides the data under Art. 18, shall contain data for:

1. parents (names, date of birth, citizenship, unified citizen's code or personal number



of the foreigner);

2. spouse (name, date of birth, unified citizen's code or personal number of the foreigner).

Art. 54. The data contained under Art. 53, para 1, item 3, 7 and 8 shall be written in Bulgarian language and in English transcription according to rules approved by the Council of Ministers.

## Chapter five. BULGARIAN IDENTIFICATION DOCUMENTS ISSUED TO FOREIGNERS STAYING IN THE REPUBLIC OF BULGARIA

### Section I. General Provisions

Art. 55. (1) (prev. art. 55 – SG 54/02) To every foreigner who has accomplished 14 years of age, having a permit to stay in the Republic of Bulgaria for a period longer than 3 months, shall be issued Bulgarian identification document of foreigner staying in the country.

(2) (new – SG 54/02) The temporary certificate of refugee shall be issued immediately after the opening of the procedures for conceding of statute. The temporary certificate of refugee shall also be issued to foreigner, below 14 years of age, who is not accompanied by a major member of his family.

Art. 56. The permits and the refusals for stay in the Republic of Bulgaria of foreigners shall be stipulated by a law.

Art. 57. (1) The Bulgarian identification document for foreigner shall be valid on the territory of the Republic of Bulgaria together with his national identification document.

(2) (amend. SG 54/02) Persons without citizenship and the foreigners, seeking or received protection under the Law for the asylum and the refugees can certify their identity only by Bulgarian identification document.

Art. 58. (suppl. SG 54/02) Foreigner staying on the territory of the Republic of Bulgaria for up to 3 months, shall certify his identity by the travel document by which he has entered the country, except a foreigner, having temporary certificate of refugee.

### Section II. Types of Bulgarian identification documents issued to foreigners staying in the Republic of Bulgaria

Art. 59. (new - SG 53/99) (1) To foreigners with permitted stay in the Republic of Bulgaria shall be issued the following types of Bulgarian identification documents:

1. card of foreigner continuously staying in the Republic of Bulgaria - issued by the bodies of the Ministry of Interior for a period of validity up to one year;

2. card of foreigner permanently staying in the Republic of Bulgaria - issued by the bodies of the Ministry of Interior for a period depending on the validity of the national passport by which the person has entered the Republic of Bulgaria;

2a. (new – SG 29/07) card of a continuously staying member of the family of a citizen of the European Union – issued by the Ministry of Interior, of validity up to 5 years;

2b. (new – SG 29/07) card of a continuously staying member of the family of a citizen of the European Union – issued by the Ministry of Interior, of validity up to ten years;

3. (amend. SG 54/02) temporary certificate of refugee – issued by the State agency for the refugees to foreigners with opened procedures by the general order for granting refugee status, and temporary certificate of refugee in summary procedures – by the State agency for the refugees, to whom has been opened summary procedures for granting refugee status, with terms, determined in the Law for the asylum and the refugees;

4. (amend. SG 54/02) refugee card - issued to persons with refugee status or protection with validity of up to 5 years;

5. (amend. SG 54/02) certificate for travelling abroad issued to refugee – issued by the bodies of the Ministry of Interior to a foreigner with conceded refugee status or asylum with term of validity up to 5 years, but not bigger than the validity of the term of validity of the refugee card;

6. certificate for travelling abroad of person without citizenship - issued by the bodies of the Ministry of Interior to foreigners with a status of persons without citizenship and with permitted permanent stay on the territory of the Republic of Bulgaria;

7. temporary card of a foreigner - issued by the bodies of the Ministry of Interior to foreigners whose national identification documents have been revoked in the cases stipulated by a law;

8. (revoked – SG 29/07);

9. (new – SG 54/02) card of foreigner with humanitarian status – issued by the bodies of the Ministry of Interior to a foreigner with conceded humanitarian status with term of validity up to 3 years;

10. (new – SG 54/02) certificate of a foreigner with temporary protection – issued to foreigners, received temporary protection, under the conditions and by the order, determined with the act for decreeing of the temporary protection;

11. (new – SG 54/02) certificates for travel abroad of a foreigner with humanitarian status – issued by the bodies of the Ministry of Interior to a foreigner with conceded humanitarian status with term of validity up to 3 years, but not bigger than the term of validity of the card of foreigner with humanitarian status.

12. (new – SG 29/03) temporary certificate for leaving of the Republic of Bulgaria - issued by the Ministry of Foreign Affairs;

13. (new – SG 29/03) card of a foreigner, accredited as employee in a diplomatic or consular representation or in international organisation with headquarters on the territory of the Republic of Bulgaria – issued by the Ministry of Foreign Affairs with term of validity – the term of the accreditation.

(2) (New, SG 53/99, amend. SG 54/02, suppl. SG 29/03) The certificate for return of a foreigner to the Republic of Bulgaria shall be issued by the diplomatic and the consular representations to a person without citizenship or to a foreigner with conceded protection in the Republic of Bulgaria, who has lost abroad his Bulgarian identification document under para 1, item 5, 6 and 11. The same document shall also be issued to a foreigner under art. 34, para 3 and art. 58, para 3 of the Law for the asylum and the refugees when he does not possess

valid national documents for travelling abroad.

Art. 60. (suppl. SG 54/02) The documents certifying the identity of refugees staying on the territory of the Republic of Bulgaria shall be issued by the Ministry of Interior, except the documents of art. 59, para 1, item 3.

Art. 60a. (new – SG 54/02; revoked – SG 105/06, in force from 31.10.2007)

### Section III. Data contained in the identification documents of foreigners

Art. 61. (1) The Bulgarian identification documents for foreigners, besides the data under Art. 16, para 1 shall also contain data for:

1. photo of the holder;
2. place of birth;
3. height;
4. eye colour;
5. permanent address;
6. signature of the holder;
7. number of the document;
8. date of issuance;
9. expiration date;
10. the body who has issued the document;
11. other data stipulated by a law.

(2) (new – SG 29/03) The Bulgarian identification documents for foreigners under art. 14, item 13 shall contain, apart from the data of art. 16, para 1, items 1, 2, 4 and 5, shall also contain data about:

1. the diplomatic or the consular representation or the international organisation, to which the foreigner is accredited;
2. diplomatic rank and/or position.

(3) (amend. SG 54/02, prev. (2) – SG 29/03) The permanent address shall be entered in the identification documents of the foreigners who have a permit for permanent stay on the territory of the Republic of Bulgaria or conceded protection, refugee status or humanitarian status.

(4) (amend. SG 54/02, prev. (3) – SG 29/03) In the identification documents of foreigners continuously staying in the country and those under procedure for granting refugee status shall be entered the present address.

Art. 62. (1) (prev. art. 62 – SG 54/02) Bulgarian identification document of foreigner shall be issued against application to the respective body and presented travel document by which the foreigner has entered the country.

(2) (new – SG 54/02) The conceding of the document of the previous para shall not be required from a foreigner, seeking or received protection, when he has entered the country without documents.

Art. 63. The application for issuance of Bulgarian identity document of foreigner, besides the data under Art. 18, shall also contain data for:

1. parents (names, date of birth, citizenship and personal number of the foreigner);
2. brothers and sisters (names, dates of birth, citizenship and personal number of the foreigner);
3. spouse (name, date of birth, citizenship, unified citizen's code or personal number of the foreigner, has he or she been Bulgarian citizen and when, present place of stay;
4. children under 14 years of age (names, dates of birth, citizenship, unified citizen's code or personal number of the foreigner);
5. legal representative (names, date of birth, citizenship, unified citizen's code or personal number of the foreigner);
6. edict of the President of the Republic of Bulgaria for change of the citizenship;
7. address abroad;
8. occupation abroad;
9. travel document (series, number, date and place of issuance and term of validity);
10. visa (type, number and date of issuance, place of issuance and term of stay indicated on the visa);
11. date and place of entry in the Republic of Bulgaria;
12. purpose of coming to the Republic of Bulgaria;
13. grounds on which the stay in the Republic of Bulgaria is permitted;
14. duration of the stay in the Republic of Bulgaria;
15. address in the Republic of Bulgaria (name of the owner or of the user of the home);
16. data for the establishments, organisations and persons undertaking the support of the person;
17. has the person been Bulgarian citizen, when and under what name;
18. is he accompanied by persons under 14 years of age registered in the passport, of whom the person has parental or guardian's rights (name, citizenship, date of birth, place of birth, address, personal number);
19. data for previous stay in the Republic of Bulgaria (when, for how long, addresses);
20. other data stipulated by a law.

Art. 64. The order and the way of issuance of identification documents of foreigners shall be stipulated by an act of the Council of Ministers.

## Chapter six. INFORMATIONAL FUNDS OF DATA RELATED TO THE BULGARIAN IDENTIFICATION DOCUMENTS

### Section I. Establishment of the informational funds and keeping data in them

Art. 65. (1) For issuance, using and keeping the Bulgarian identification documents shall be established and maintained documentary, filing and automated informational funds

containing:

1. (amend. and suppl. – SG 105/06, in force from 31.10.2007) data from the identification documents, the applications for their issuance and biometric data;

2. former meaning of the personal data from the identification documents and the applications for their issuance;

3. official (non-personal) data related to the identification documents.

(2) When establishing the automated informational funds under para 1 data can also be used from other informational funds stipulated by a law.

(3) On the basis of the automated informational funds under para 1 shall be established National automated informational fund for the Bulgarian identification documents.

Art. 66. (1) The data for the imposed measures of state compulsion related to the Bulgarian identification documents shall be kept in a separate informational fund.

(2) The informational fund under para 1 shall also contain data for imposed measures of state compulsion related to the identification documents of foreigners or their stay in the Republic of Bulgaria.

Art. 67. The automated informational funds under Art. 65 and 66 shall be kept separately and independently from other automated informational funds, unless stipulated otherwise by a law.

Art. 68. The technological requirements for the establishment and keeping the informational funds shall be determined by an act of the Council of Ministers.

## Section II. Using and protection of the informational funds

Art. 69. (1) The administrative bodies issuing the identification documents shall use the data kept in the informational funds for administrative services of the population.

(2) Admitted shall be the use of data from the informational funds by an order established by a law in case of threat for the national security, for discovering, prevention and interruption of crime, as well as in case of violation of the public peace.

Art. 70. (1) (suppl. – SG 105/06, in force from 31.10.2007) The data from the informational funds for Bulgarian identification documents, except for the fingerprints, taken pursuant to the provisions of this law, shall be submitted to:

1. state bodies and organisations in compliance with their legal authority;

2. Bulgarian and foreign citizens holding Bulgarian identification documents only if the data do not affect third persons;

3. Bulgarian and foreign corporate bodies on the grounds of a law or an act of the judiciary authority.

(2) The submission of data to foreign official representatives in the Republic of Bulgaria shall be carried out through the Ministry of foreign affairs in compliance with bilateral and multilateral agreements ratified by the Bulgarian state.

(3) Bulgarian and foreign citizens holding Bulgarian identification documents shall

have the right to obtain information kept in the funds of data related to the Bulgarian identification documents regarding third persons only on the grounds of a law or an act of the judiciary authority.

(4) The data under para 1, 2 and 3 shall be submitted by an order determined by an act of the Council of Ministers.

Art. 71. (amend. - SG 30/06, in force from 12.07.2006) The refusal to submit information for data of the informational funds, stipulated by this law, can be appealed by the order of the Administrative procedure code.

Art. 72. For protection of the data kept in the informational funds for the Bulgarian identification documents against accidental or prohibited destruction, as well as in case of accidental lost and prohibited access, amendment or dissemination special protection measures shall be taken in compliance with the Convention for protection of the persons in automatic processing of personal data by an order determined by the Council of Ministers.

Art. 73. (1) The bodies, the individuals and the corporate bodies having obtained data from the informational funds, in case of establish incorrectness can request their correction by the body who has submitted them.

(2) Correction of the data under para 1 shall be made by the body having legal competence for their authenticity.

## Chapter seven. MEASURES OF ADMINISTRATIVE COMPULSION

### Section I. Compulsory administrative measures

Art. 74. (1) The personal cards shall be temporarily withdrawn for:

1. measure of "detention";
2. imprisonment;
3. administrative measure "detention in the detachments of the Ministry of Interior";
4. other cases determined by a law.

(2) The personal card shall be returned to the holder when the grounds for its withdrawal are dropped.

Art. 75. (amend. – SG 105/06, in force from 01.01.2007) It shall not be permitted to leave the country and passports and the substituting documents shall not be issued to:

1. persons for whom there is enough evidence that by their travelling they threaten directly the security of the Republic of Bulgaria;

2. (Revoked, SG 67/99; New, SG 45/02) persons, for whom enough evidence exists that by their travelling they threaten the system of protection of the classified information representing a state secret of the Republic of Bulgaria.

3. (Amend., SG 70/99, amend., SG 86/05, in force from 29.04.06) persons to whom prohibition under Art. 68 of the Penal Procedure Code, as well as sentenced persons to



imprisonment till serving the imposed punishment, except the cases of Art. 66 of the Penal Code.

4. persons who are sentenced to pay support to someone else and who have not provided it for the period of their stay abroad;

5. (Suppl., SG 45/02, amend. SG 29/03; amend. - SG 105/05, in force from 01.01.2006) tax liable persons, for whom prohibition is required by the order of art. 182, Para 2, item 3, letter "a" and Art. 221, Para 6, item 1, letters a) and b) of the Tax-insurance Procedure Code.

Art. 76. (amend. – SG 105/06, in force from 01.01.2007) It may not be permitted to leave the country, passports and substituting documents to be issued to:

1. persons regarding whom prosecution is instituted for premeditated crime of general nature, which is punishable by prison up to three years and of convicted persons for such crime until the serving of the term of punishment;

2. persons convicted for premeditated crime of general nature, but not rehabilitated;

3. (Suppl. SG 43/05, in Force from 1st of September 2005) persons with financial liabilities in large sums to Bulgarian or foreign individuals or corporate bodies, established by court order, unless their personal property covers the liability or if they provide due indemnification;

4. persons who, at the time of applying for issuance of passport or other documents for crossing the state border have presented false data related to grounds for refusal or to circumstances of losing, theft or destruction of the issued passport or substituting document - for a period of one year from applying;

5. (amend. SG 29/03) persons who, during their stay in another country, have committed offences of its legislation - two years from the receipt of an official letter from the Ministry of Foreign Affairs or the documents for compulsory taking out or expelling, pointing out the committed offence, by the competent bodies of the respective country;

6. (amend. SG 29/03; amend.. – SG 105/06, in force from 31.10.2007)) persons who are taken out or expelled from another country for violation of the entering regime - for a period of two years from the receipt of an official letter from the Ministry of Foreign Affairs for the committed offence or from the date of receiving from the competent bodies of the documents for compulsory taking out or expelling;

7. persons repeatedly punished for violation of the Bulgarian customs, tax or foreign exchange legislation - for a period of one year from the last punishment;

8. (suppl. – SG 105/06, in force from 31.10.2007) persons who have declared lost, stolen or physically destroyed identification document and it is established that they continue to use it – for a period of one year from the date of identification of the violation;

9. (New, SG 67/99) junior and underaged and persons under legal disability who do not have written consent for travel abroad by their parents, adoptive parents, guardians.

Art. 76a. (new – SG 71/05, in force from 31.10.2005) (1) Leaving the country shall be prohibited, passports and substituting documents shall not be issued and the issued shall be taken away from under the adulthood age persons, about which persons incoming data from a Bulgarian or a foreign competent body is available that during the stay abroad he/she has been involved in and used for the activities under Art. 11 of the Law of Protection of the Child.

(2) The measures under Para 1 shall be with the purpose to protect the child and shall



be for a period up to two years from the issue of the order of their application.

(3) As an exception, in case of evidenced health reasons or other excluding postponing cases, the measures under Para 1 shall not be applied.

(4) The Minister of Interior, the Chairperson of the State Agency for Protection of the Child and the Minister of Foreign Affairs shall issue a joint instruction on the application of the measures under Para 1.

Art. 77. (amend. – SG 105/06, in force from 01.01.2007) To persons outside the Republic of Bulgaria, with imposed compulsory administrative measures under Art. 75 or 76, or measures under Art. 76a shall be issued temporary passports.

Art. 78. (Suppl., SG 42/01) (1) (Prev. text of art. 78 - SG 45/02) The compulsory administrative measures shall apply by a motivated order of the Minister of Interior or by officials authorised by him to exercise the authorities under this section.

(2) (New, SG 45/02) The compulsory administrative measure under art. 75, item 2 shall be applied by a motivated order of the chairman of the State Commission for the security of the information or of the chiefs of the security services and the public order services.

(3) (new – SG 71/05, in force from 31.10.2005) The measure under Art. 78a shall be applied by a reasoned order of the Minister of Interior or empowered by him/her officials upon a proposal or after submission of a statement of the Chairperson of the State Agency for Protection of the Child.

Art. 78a. (new – SG 105/06, in force from 01.01.2007) (1) The body, having issued the act, from which the reason for application of compulsory administrative measure results, shall send this act through an official channel to the body, which is competent to apply it or to revoke it.

(2) The compulsory administrative measure shall be applied or revoked after acceptance of the act under par. 1.

Art. 79. (1) (prev. art. 79 - suppl., SG 42/01; amend., SG 45/02, amend. SG 29/03, amend. - SG 30/06, in force from 12.07.2006) The issuance of the orders under Art. 78 and their appealing shall be carried out by the order of the Administrative procedure code.

(2) (New, SG 42/01; amend., SG 45/02, amend. - SG 30/06, in force from 12.07.2006) In issuing the orders under art. 75, item 1 - 3 shall not apply the provisions of art. 35 of the Administrative procedure code.

(3) (New, SG 42/01, amend. - SG 30/06, in force from 12.07.2006) The orders under para 2 shall be subject to immediate fulfilment and can be appealed by the order of the Administrative procedure code.

(4) (amend. SG 29/03) The complaint against an order under para 1 shall not stop the fulfilment of the order.

## Section II. Administrative and punitive provisions

Art. 80. Fined with 50 to 300 levs shall be a person who:

1. uses forged or somebody else's identification documents, if not subject to a more severe punishment;
2. steals, takes without the consent of the holder, hide or destroy identification document of another person;
3. accepts or pawns or cedes Bulgarian identification document;
4. (revoked, SG 108/00)
5. does not present identification document upon request by the competent officials;
6. (revoked, SG 108/00)
7. (revoked, SG 108/00)

Art. 81. (1) Fined with 20 to 150 levs shall be Bulgarian citizen who:

1. (revoked, SG 108/00)
2. does not declare before the competent Bulgarian bodies the obtaining of identification documents issued by another state within the determined period;
3. loses, damages or destroys Bulgarian identification document;
4. obstructs the authorised bodies to carry out inspection for establishing his identity;
5. (suppl. SG 29/03) does not present identification document to the issuing body within 3 months from the expiration of its validity or after falling away of the ground for issuing it;
6. declares false data when applying for issuance of identification documents, unless subject to more severe punishment under another law;
7. uses invalid Bulgarian identification documents;
8. (suppl. – SG 105/06, in force from 01.01.2007) does not replace the identification documents for a period of 30 days for change of the names, the personal data, permanent address or permanent and essential change of the image;
9. does not make the necessary as a legal representative for providing identification document of the person he represents.

(2) If the deed under para 1 is committed by a foreign person the fine shall be up to 3 000 levs.

Art. 82. For minor offences under this law fine of 20 levs by receipt shall be imposed by the persons authorised for it.

Art. 83. (revoked, SG 108/00)

Art. 84. (1) The offences shall be established by acts issued by competent officials authorised by the heads of the administrative bodies under Art. 1, para 2 of this law.

(2) On the grounds of the issued acts the heads of administrative bodies under para 1 or the officials authorised by them shall issue penalty decrees.

(3) (amend. - SG 30/06, in force from 12.07.2006) The establishment of the offences and the issuance of penalty decrees shall be carried out by the order of the Law for the administrative offences and penalties and their appeal - by the order of the Administrative procedure code.

## Additional provisions

§ 1. In the context of this law:

1. "Identification document" is a certifying document issued by the competent bodies of the Republic of Bulgaria with the purpose of individual identification of the Bulgarian and foreign citizens.

2. "Invalid identification document" is the one which:

a) is not issued by the order of this law and does not contain the data stipulated by it;  
b) is not officially certified by the body who has issued it or has been issued by a person or a body who are not competent;

c) does not allow establishment of the identity of the holder by his photo;

d) (amend. – SG 105/06, in force from 01.01.2007) contains corrections, crossings, deletion, addition and others;

e) there are traces of replacement of the photo, the seal is not clear or the image of the photo does not coincide with his actual image;

f) has missing pages or added new ones not by the body who has issued it;

g) has expired.

3. "Permanent address" is the address in the settlement on the territory of the Republic of Bulgaria where the citizen is registered in the register of the population.

4. "Present address" can be the permanent address or another address at which the person lives.

5. "Financial liabilities in large size" are those exceeding 5 000 000 levs.

6. "Permanent changes of the image" are: age changes; changes caused by disease, traumas, surgical intervention, etc., which do not allow the identification of the image by the photo made before their occurrence.

7. "Transcription" is a process of transformation of letters or syllables of one language into written signs of another language.

8. "Sea persons" are individuals who carry out duties on a ship or are included in the list of the crew on some other grounds. "Sea persons" are also the individuals who, ashore fulfil duties related to the navigation or the control over it.

9. "Machine readable identification documents" are documents issued according to the requirements of the International Civil Aviation Organisation (ICAO) for machine readable travel documents DOC 9303.

10. "Visual zone" of the identification documents is the zone of personal data of the holder of the document allowing their visual inspection without technical means.

11. "Machine readable zone" of the identification documents is the zone allowing visual and optic sign check up by technical devices according to the requirements ISO1073-2 of the International Standardisation Organisation, by a type of the font of the printed data "OCR-B".

12. "Repeated" is the offence committed within one year from enactment of the punishment imposed for the same offence.

13. "Personal data" mean every information regarding definite individual.

14. "Automatic procession" includes the following operations carried out entirely or partially by machines: registration of data, carrying out logical or arithmetic operations regarding these data, their amendment, erasure, abstracts or dissemination.

15. (new – SG 103/04) "Members of the families" are the spouses and the children

under full age.

16. (new – SG 105/06, in force from 01.01.2007) “Biometric data” is the image of the citizen’s face and his/her fingerprints, which shall be used for recognition and verification of the stated identity.

17. (new – SG 105/06, in force from 01.01.2007) “Internal borders” are the common land frontiers of the Member States, including river ones, frontiers along inland lakes, airports of the European Union Member States for domestic flights, ports of sea, river and transport on inland lakes of the Member States for regular transportations.

18. (new – SG 29/07) “Temporary document for travelling” is the one, issued pursuant to the procedure set in the Bulgarian legislation, and shall give the right to the person to return back to the state, a citizen of which he/she is, to the country of his/her usual residence or, as an exception, to another state, does not contain any corrections, cancellations, additions, seals affixed are clear, its validity has not expired and data contained in it allow identity confirmation.

## Transitional and concluding provisions

§ 2. The Bulgarian identification documents shall be worked out according to the recommendations of ICAO DOC 9303 in the following sizes:

1. passport of Bulgarian citizen - size ID-3;
2. (amend. – SG 105/06, in force from 01.01.2007) temporary passport for peremptory leaving of the Republic of Bulgaria and travel certificates of foreigners - size ID-3;
3. sticker with Bulgarian visa - size A;
4. the remaining Bulgarian identification documents - size ID-1.

§ 3. The samples of the Bulgarian identification documents, the special protection elements, including the choice of the material for their making, shall be approved by an act of the Council of Ministers at the proposal of the Minister of Interior, the Minister of foreign affairs and the Minister of Transport.

§ 4. (suppl. SG 29/03) The forms of the applications for issuance of Bulgarian identification documents shall be approved by the Council of Ministers at the proposal of the Minister of Interior and the Minister of Interior.

§ 5. This law revokes:

1. Edict No 2772 for the passports and the address registration of the citizens of the Republic of Bulgaria (prom., SG, No 100 of 1980; amend., No 11 of 1998).
2. The law for the travelling passports (prom., SG, No 92 of 1969; amend., No 38 of 1989, No 7 of 1991; corr., No 9 of 11991; amend., No 11 of 1998).
3. The Law for the sailor's passports (SG, No 42 of 1994).

§ 6. Art. 102 of the Law for the defence and the armed forces of the Republic of Bulgaria (prom., SG, No 112 of 1995; amend., No 67 of 1996, No 122 of 1997 and No 70 of

1998) is amended as follows:

"Art. 102. (1) To every recruitment military man shall be issued a military book certified by the commander or the head of the detachment. It shall specify the occupation and the rank as well as other data stipulated by the statute of the armed forces.

(2) The identification documents issued by the order of the Law for the Bulgarian identification documents shall be kept by the detachment where the recruitment man serves his time as a soldier."

§ 7. The following amendments are introduced to Art. 11 of the Law for the stay of foreigners in the Republic of Bulgaria (prom., SG, No 93 of 1972; amend., No 36 of 1979, No 17 of 1987, No 26 of 1988, No 53 of 1989, No 27 of 1994, No 120 of 1997 and No 11 of 1998):

1. In para 2 the second sentence is deleted.

2. In para 3 the expression "certificate for identity" is replaced by "card of a foreigner permanently residing in the Republic of Bulgaria".

§ 8. Until the enactment of the Law for the Bulgarian identification documents the present legislation shall apply.

§ 9. (amend. SG 113/99) The issued identification documents under the acting legislation shall be valid and shall be replaced depending on their type from the moment of enactment of this law as follows:

1. (amend., SG 108/00) passport of citizen of the Republic of Bulgaria - by a personal card of citizen of the Republic of Bulgaria till December 31, 2001;

2. diplomatic passport, official passport, travel passport and sailor's passport of Bulgarian citizen - by diplomatic passport, passport and sailor's passport of Bulgarian citizen - till December 31, 2000;

3. (amend., SG 108/00) driving licence - by driving licence according to this law till December 31, 2001;

4. pass for returning to the Republic of Bulgaria, official pass, pass for final leave of the Republic of Bulgaria of persons relieved from Bulgarian citizenship - by temporary passport for returning to the Republic of Bulgaria, border pass, temporary passport for final leaving the Republic of Bulgaria till December 31, 2000;

5. identification certificate of foreigner, identification certificate of refugee, certificate for travelling abroad of person without citizenship, certificate for travelling abroad of refugee - by a card for temporary staying foreigner in the Republic of Bulgaria, refugee card, temporary refugee card, certificate for travelling abroad of person without citizenship, certificate for travelling abroad of refugee, certificate for leaving the Republic of Bulgaria, temporary card of foreigner and sticker for Bulgarian visa - within two years.

§ 9a. (new, SG 108/00) The Bulgarian citizens who have accomplished 70 years of age shall replace their identification documents: passport of a citizen of the Republic of Bulgaria - by an identification card and driving licence by their own choice or due to expiration of the term of validity.

§ 9b. (new – SG 54/02) All identification documents of foreigners, who are in procedures of conceding refugee status or of refugees, issued till the Law for the asylum and the refugees enters into force, shall be valid till the expiry of the term for which they have been issued.

§ 10. For issuance of Bulgarian identification documents and for submission of data from the informational funds fees shall be collected by an order and amount determined by an act of the Council of Ministers.

§ 11. The law shall come into force on April 1, 1999.

§ 12. (New, SG 67/99; revoked SG 113/99)

§ 13. (New, SG 67/99; revoked SG 113/99)

§ 14. (New, SG 67/99; revoked SG 113/99)

§ 15. (New, SG 67/99; revoked SG 113/99)

§ 16. (New, SG 67/99; revoked SG 113/99)

§ 17. (New, SG 67/99; revoked SG 113/99)

§ 18. (New, SG 67/99; revoked SG 113/99)

§ 19. (New, SG 67/99, suppl. SG 29/03) The applications for issuing diplomatic and official passport shall be submitted at the Ministry of Foreign Affairs where data from them shall be verified with the data from the information funds of USCRASP and shall be officially certified for "confirmed data". The personal passport shall be received at the place where the corresponding application has been submitted.

§ 20. (New, SG 67/99) The applications for issuing sailor's passport shall be submitted at the Ministry of Transport where shall be implemented verification of the data from them with the data from the information funds of USCRASP and they shall be officially certified for "confirmed data". The personal passport shall be received at the place where the corresponding application has been submitted.

§ 21. (New, SG 67/99, amend. SG 54/02; amend. - SG 82/06; amend. – SG 105/06, in force from 01.01.2007) The applications for issuing identity documents to foreigners and refugees, issued by the bodies of the Ministry of Foreign Affairs, shall be submitted to the National Police Office pursuant to a procedure approved by the Council of Ministers. The

personal identity document shall be received at the place where the corresponding application has been submitted.

§ 22. (New, SG 67/99) Paragraphs 12, 13, 14, 15, 16, 17, 18, 18, 19, 20 and 21 of the transitional and concluding provisions of this law shall enter into force on April 1, 1999.

§ 23. (Previous § 12 - SG 67/99, amend. SG 54/02, amend. SG 88/05) The fulfilment of the law is assigned to the Minister of Interior, the Minister of Foreign Affairs and the Minister of Transport and the chairman of the State agency for the refugees.

The law was adopted by the 38th National Assembly on July 28, 1998 and was affixed with the official seal of the National Assembly.

### Transitional and concluding provisions of the Law of amendment and supplement of the Law of the Bulgarian identification documents (SG 29/03)

§ 15. The law shall enter into force from the day of its promulgation in State Gazette, except § 1, § 4, item 1a), § 5, 6 and 14, which shall enter into force 6 months after its promulgation.

§ 16. The Council of Ministers shall approve the acts of art. 38, para 1, item 2 and of art. 47a and approve the models of official passport and of the application by the order of § 3 and 4 of the transitional and concluding provisions in 6 months term after the promulgation of the law.

### Concluding provisions of the Law of amendment and supplement of the Law of the Bulgarian identification documents (SG 71/05)

§ 3. Within two months from the promulgation of this law through the State Gazette, the Minister of Interior, the Minister of Foreign Affairs and the Chairperson of the State Agency for Protection of the Child shall issue the instruction under Art. 76a, Para 4.

§ 4. The law shall enter into force two months after its promulgation through the State Gazette.

### Transitional and concluding provisions TO THE TAX-INSURANCE PROCEDURE CODE

(PROM. – SG 105/05, IN FORCE FROM 01.01.2006)



§ 88. The code shall enter in force from the 1st of January 2006, except Art. 179, Para 3, Art. 183, Para 9, § 10, item 1, letter "e" and item 4, letter "c", § 11, item 1, letter "b" and § 14, item 12 of the transitional and concluding provisions which shall enter in force from the day of promulgation of the code in the State Gazette.

## Transitional and concluding provisions TO THE ADMINISTRATIVE PROCEDURE CODE

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

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

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

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

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

## Transitional and concluding provisions OF THE LAW OF AMENDMENT AND SUPPLEMENTATION OF THE LAW OF THE BULGARIAN IDENTIFICATION DOCUMENTS

(PROM - SG 105/2006)

§ 25. The standard of Bulgarian identification documents, special protection components, including selection of the material for their production, shall be approved with an Act of the Council of Ministers not later than 31 October 2007 under a proposal of the Minister of Interior, of the Minister of Foreign Affairs and of the Minister of Transport.

§ 26. The identification documents, having been issued before entering of this Law in force, shall be valid until their expiration.

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§ 28. (1) Collected fees for issuing identification documents, containing electronic carrier of information with recorded biometric data, shall be received in a separate account for

external funds of the Ministry of Interior and shall be used for:

1. covering expenses, related to issuing identification documents, containing electronic carrier of information with recorded biometric data;

2. covering expenses on the budget of the Ministry of Interior for the respective year.

(2) Amounts, required for covering the expenses under par. 1, item 2, shall be transferred and used on the budget of the Ministry of Interior for the respective year.

(3) The account under par. 1 shall be opened from 31 October 2007.

§ 29. The account under § 28 shall be closed after the settlement of the debts to companies – producers according to a concluded agreement, whereas the balance of the account as of the date of its closing shall be transferred to the budget of the Ministry of Interior.

§ 30. The Council of Ministers shall adopt regulations for amendment and supplementation of the regulations for issuing of Bulgarian identification documents within three months after entering of this Law in force.

§ 31. The Law shall enter in force from the date of entering in force of the Treaty for Accession of the Republic of Bulgaria to the European Union, except for:

1. paragraphs 1, 2, 3, 5, 6, 9, 10, 12, 13, 14, 15, 16 and 17, which shall enter in force on 31 October 2007;

2. paragraph 4, which shall enter in force on 31 October 2007, except for the requirements related to taking fingerprints, which shall enter in force on 28 June 2009.