

Public Education Act

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Text in Bulgarian: Закон за народната просвета

Chapter One

GENERAL PROVISIONS

Article 1

This Act shall regulate the structure, functions and management of the system of public education.

Article 2

The system of public education shall include kindergartens, schools and auxiliary units.

Article 3

The system of public education shall ensure education in conformity with state educational requirements.

Article 4

(1) All citizens shall have the right to education. They shall be entitled to constantly heighten their education and qualifications.

(2) Restrictions or privileges based on race, nationality, sex, ethnic and social origin, religion and social status shall be inadmissible.

Article 5

Education shall be secular.

Article 6

Education in state-owned and municipal schools shall be free of charge.

Article 7

(1) Schooling up to the age of 16 shall be compulsory.

(2) (Amended SG No. 36/1998) Schooling shall start at the age of 7, where such age shall have been attained in the year of enrolment in the first (1st) grade. Children, who have turned 6, shall also be entitled to enrolment in the first (1st) grade provided their physical and mental development, at their parents' or guardians' discretion, so allows.

Article 8

(Amended SG No. 36/1998)

(1) Bulgarian shall be the official language of instruction in kindergartens, schools and auxiliary units. Schooling shall ensure favourable conditions for the mastery of the literary Bulgarian language.

(2) Pupils whose mother tongue is not Bulgarian, besides the compulsory study of the Bulgarian language, shall have the right to study their own mother tongue in the municipal schools under the protection and control of the state.

Article 9

(1) Every citizen shall exercise his right to education in the school and type of his choice in keeping with his personal preferences and potential.

(2) The right pursuant to Paragraph (1) for minors shall be used by their parents or guardians.

Article 10

(Amended SG No. 36/1998)

(1) Kindergartens and schools shall be state-owned, municipal and private. Auxiliary units shall be state-owned and municipal.

(2) State-owned shall be such kindergartens, schools and auxiliary units that are of national significance and are financed by the state budget through the Ministry of Education and Science, or through other ministries and agencies as well. Any real estate and/or other property placed at their disposal shall be public state property.

(3) Municipal shall be all kindergartens, schools and auxiliary units that are financed by the municipal budgets. Any real estate and/or other property placed at their disposal shall be public municipal property.

(4) All state-owned and municipal kindergartens, schools and auxiliary units shall be juridical persons.

(5) State-owned kindergartens, state-owned and municipal schools and auxiliary units shall be opened, transformed

and closed by an executive order of the Minister of Education and Science. Municipal schools and auxiliary units shall be opened, transformed and closed by an executive order of the Minister of Education and Science on the respective municipal council's motion.

(6) Municipal kindergartens shall be opened, transformed and closed by an executive order of the respective municipality's mayor following a decision of the municipal council.

(7) State-owned and municipal kindergartens, schools and auxiliary units shall achieve the status of juridical persons, or shall cease to function as of the day of promulgation of the executive order to that effect in the official State Gazette, unless otherwise provided therein.

Article 11

(Amended SG No. 36/1998)

(1) Private shall be all kindergartens and schools that are opened or transformed at the request of Bulgarian natural or juridical persons and are not budgeted by the state.

(2) The persons specified under paragraph (1) above shall submit to the Ministry of Education and Science all documents prescribed by the Rules for the implementation of this Act.

(3) Private kindergartens and schools shall be opened or transformed by an executive order of the Minister of Education and Science and shall achieve the status of juridical persons as of the day of promulgation of the executive order to that effect in the official State Gazette.

(4) (Supplemented, SG No. 124/1998) Private kindergartens and schools shall make use of private pieces of property, or of holdings placed at their disposal that are public state or public municipal property or properties granted pursuant to procedures under Article 16, para 2 of the State Property Act, respectively the procedures of the Municipal Property Act.

(5) Any real estate or holdings placed at a kindergarten's or a school's disposal under the terms of paragraph (4) above, shall only be used for performing such activities that constitute the nature of their business and shall not be leased out to third parties or used for any other purpose.

Article 12

(Amended SG No. 36/1998)

(1) Bulgarian kindergartens and schools with foreign participation shall be opened or transformed at the request of associations, or corporations, or companies of Bulgarian and foreign natural and/or juridical persons, duly registered in the Republic of Bulgaria, by a decision of the Council of Ministers on a motion of the Minister of Education and Science.

(2) Foreign kindergartens and schools shall be opened or transformed at the request of foreign juridical persons in accordance with international agreements and conventions and under the terms laid down in paragraph (1) above.

(3) The persons specified under paragraphs (1) and (2) above shall submit to the Ministry of Education and Science all documents prescribed by the Rules for the implementation of this Act.

(4) Kindergartens and schools specified under paragraphs (1) and (2) above shall achieve the status of juridical persons as of the day of promulgation of the executive order to that effect in the official State Gazette.

(5) (Supplemented, SG No. 124/1998) Kindergartens and schools specified under paragraphs (1) and (2) shall make use of private holdings, or of holdings placed at their disposal that are public state or public municipal property or properties granted pursuant to procedures under Article 16, para 2 of the State Property Act, respectively the procedures of the Municipal Property Act.

(6) Any real estate or holdings placed at a kindergarten's or a school's disposal under the terms of paragraph (5) above, shall only be used for performing such activities that constitute the nature of their business and shall not be leased out to third parties or used for any other purpose.

Article 13

(Amended SG No. 36/1998)

(1) Kindergartens and schools specified under Articles 11 and 12 hereof shall be closed:

1. in the event it shall have been ascertained that the requirements laid down in this Act and in the Rules for the implementation thereof have not been being satisfied;

2. at the death of the natural person who had been granted the authorisation to open the kindergarten or school at issue, or in the event such person shall have been sentenced to imprisonment for a premeditated crime or felony;

3. in the event of terminating the activities of the juristic person that had been granted the authorisation to open the kindergarten or school in issue.

(2) In any of the cases presented in paragraph (1), items 2 and 3 above, a kindergarten or a school shall not be necessarily closed provided any third person(s) submit(s) to the Ministry of Education and Science, within one (1) month of the occurrence of the circumstances indicated here in above, all documents prescribed by the Rules for the implementation of this Act to continue their operations.

(3) Kindergartens and schools specified under paragraph (1) above may also be closed at the request of the persons representing them.

(4) Students from any school closed under the terms of paragraphs (1) and (3) above shall be entitled to continue their education in other schools under such terms and conditions as shall be prescribed in an ordinance enacted by the Minister of Education and Science.

(5) Any act decreeing a closure shall be issued in accordance with the terms set forth in paragraphs (1), (2), (3) and (4) above by the authority which has granted the authorisation to open the kindergarten or the school in issue and shall be promulgated in the official State Gazette.

Article 14

Schools and kindergartens shall create conditions for the normal physical and mental development of children and pupils.

Chapter Two

STATE EDUCATIONAL REQUIREMENTS

Article 15

(Paragraph 1, repealed, renumbered from Paragraph 2, SG No. 36/1998)

State educational requirements shall determine the levels of indispensably required general education and vocational training, and shall also ensure favourable conditions for:

1. (amended, SG No. 90/2002) the formation of free, moral and enterprising personalities who, as Bulgarian citizens respect the laws, as well as any other individual's rights, culture, language and religion;
2. satisfaction of any individual interests and needs, and acquisition of broad general knowledge;
3. attainment of basic scientific concepts and principles for integrating past experience with new knowledge in the different spheres of science and practice;
4. all students' option between alternative opportunities for training and vocational qualifications in accordance with the students' potential and the schools elected by them;
5. enhancement of the physical resources and the cultural and natural environment of all kindergartens, schools and auxiliary units.

Article 16

(Amended SG No. 36/1998)

State educational requirements shall be applicable to:

1. pre-school breeding, education and training;
2. educational degrees, the general educational minima and the curriculum (syllabus);
3. the content of instruction and educational courses;
4. the efficient and effective learning of the literary Bulgarian language;
5. the system and methods of assessment;
6. vocational education and training;
7. the attainment of professional qualifications in the various vocations;
8. (amended, SG No. 90/2002) the training of children and pupils with special educational needs and/or chronic diseases;
9. school textbooks and learning aids;
10. the documentation applicable in the system of public education;
11. extracurricular and out-of-school activities;
12. teaching certificates and teachers' professional qualifications;
13. the schools' physical resources;
14. the provision of health care;
15. ensuring safe conditions for breeding, education and work;
16. the provision of scientific, information and library services;
17. the annual cost of education per child and pupil/student in state- owned and municipal kindergartens, schools and auxiliary units;
18. the standardisation and remuneration of labour in the system of public education
19. (new, SG No. 90/2002) the inspection of the public education system.

Article 17

(Amended SG No. 36/1998)

State educational requirements as presented in Article 16 above shall be adopted and enacted as follows:

1. under items 2 and 6 - by a statute;
2. (amended, SG No. 90/2002) under items 9, 12, 13, 14, 15, 17 and 18 - by way of ordinances issued by the Council of Ministers;
3. under items 7, 8 and 10 - by way of ordinances issued by the Minister of Education and Science in co-ordination with the respective ministries and agencies;
4. (amended, SG No. 90/2002) under items 1, 3, 4, 5, 11, 16 and 19 - by way of ordinances issued by the Minister

of Education and Science.

Chapter Three

KINDERGARTENS

Article 18

(1) (Amended SG No. 36/1998) Kindergartens shall be made available to pre-school children from the age of 3 to the moment of enrolment in the first (1st) grade.

(2) (Repealed, SG No. 90/2002 - enters into force as from 2003/2004 school year)

Article 19

(1) (Amended SG No. 36/1998) Costs of child care in state-owned and municipal kindergartens shall be borne by the state or municipal budget, respectively.

(2) (Amended SG No. 36/1998) Parents shall pay fees in such amounts as shall be fixed by the respective municipal council in accordance with the Local Taxes and Fees Act.

(3) Besides the fee pursuant to Paragraph (2), parents shall also pay for activities outside the state educational requirements.

Article 20

(Amended, SG No. 90/2002 - effective 2003/2004 school year)

(1) The preparation of children for school attendance one year before enrolment in the first (1st) grade shall be compulsory and shall be carried out in preparatory groups at kindergartens or in preparatory classes at schools, the parents or guardians being exempted from payment of any fees.

(2) (Supplemented, SG No. 86/2003) As well as the preparation under Paragraph (1), children with poor command of the Bulgarian language shall be provided training in the Bulgarian language using specialized methods for learning Bulgarian language.

Article 20a

(New, SG No. 90/2002 - effective 2003/2004 school year)

(1) Children shall be enrolled in kindergartens at the free will and choice of their parents or guardians, except for the cases under Article 20, Paragraph (1).

(2) In the cases under Article 20, Paragraph (1), parents or guardians may choose the preparatory group or class where children are prepared.

Article 21

(Amended, SG No. 90/2002)

(1) Children with special educational needs and/or chronic diseases shall be enrolled at kindergartens pursuant to Article 18.

(2) Kindergartens under Paragraph (1) shall be obligated to accept children with special educational needs and/or chronic diseases.

(3) Special kindergartens and auxiliary units may also be established for children with special educational needs and/or chronic diseases.

(4) Children with special educational needs and/or chronic diseases shall be enrolled in the kindergartens and auxiliary units under Paragraph (3) only where all other opportunities for education at state-owned or municipal kindergartens and auxiliary units have been exhausted and where the parents or guardians have expressed such a wish in writing.

Chapter Four

SCHOOLS

Article 22

(Amended SG No. 36/1998)

(1) (New, SG No. 90/2002) The school education shall provide for the education and upbringing of pupils in accordance with social needs and individual capabilities and expectations for successful self-fulfillment in the civil society.

(2) (Renumbered from Paragraph 1, SG No 90/2002) School education in terms of degree shall be basic and secondary, while in terms of the content of instruction it shall be general and vocational.

(3) (Renumbered from Paragraph 2, SG No 90/2002) General education shall ensure the acquisition of the general educational minima and, where possible, specialised training in accordance with the state educational requirements.

(4) (Renumbered from Paragraph 3, SG No 90/2002) Vocational education shall ensure the acquisition of the general educational minima as well as the attainment of professional qualifications in a certain vocation in accordance with the state educational requirements.

(5) (Renumbered from Paragraph 4, SG No 90/2002) Vocational education shall ensure the attainment of professional qualifications in a certain vocation in accordance with the state educational requirements.

Article 23

(Amended SG No. 36/1998)

(1) Basic education shall be provided in two stages: primary embracing the grades one (1) to four (4) including, and

elementary (lower secondary, junior high) including the grades five (5) to eight (8).

(2) Anyone who has completed the primary stage of basic education shall be granted a certificate of completed fourth (4th) grade.

(3) Attainment of basic education shall be certified by a certificate of completed basic education which shall be conclusive.

(4) A certificate of attained basic education shall be issued upon successful completion of the eighth (8th) grade and shall entitle to education beyond the basic level or to vocational training.

Article 24

(Amended, SG Nos. 36/1998, 90/2002, amended and supplemented, SG No. 95/2002, SG No. 29/2003, amended SG No. 40/2004)

(1) Secondary education shall be attained upon the successful completion of the twelfth (12th) grade and after passing state matriculation examinations in subjects studied during the secondary school course and shall be certified by a secondary school diploma, specifying also the total score. Such diploma shall be conclusive and shall entitle its holder to post secondary education or to vocational training.

(2) The state matriculation examinations under para 1 shall be two, one of them being in the Bulgarian language and literature and the other one be ingselected at the choice of the pupil among the subjects taught in the classes for the compulsory general educational training.

(3) Pupils shall be free to sit for a third state matriculation examination on a subject of his or her choice from the compulsory or compulsory optional training programme.

(4) The state matriculation examinations under para 2 shall be held on the basis of curricular examination questionnaires covering the subject matter, the content of which has been studied as part of the compulsory training programme pursuant to Art. 15, para 2 of the Level of Education, General Education Minimum and Curriculum Act.

(5) The state matriculation examination under para 3 shall be based on curricular examination questionnaires, covering the subject matter, the content of which has been studied as part of the compulsory or compulsory optional training programme.

(6) Curricular examination questionnaires under paras 4 and 5 shall be adopted by an Ordinance of the Minister of Education and Science.

(7) State matriculation examinations shall be conducted, while observing the existing state educational requirements at the time of sitting for these examinations, without any restrictions as to the age or number of sittings.

(8) The terms and conditions for the organisation and holding of state matriculation examinations shall be laid down in an Ordinance of the Minister of Education and Science.

(9) A student who has successfully completed the twelfth (12th) grade and has not sat for or failed at the state matriculation examinations shall receive, at his or her choice, the certificate under Art. 7, para 5 of the Level of Education, General Education Minimum and Curriculum Act.

(10) Reattainment of the same educational degree at schools shall be inadmissible.

(11) The terms and conditions for calculating the total score under para 1 shall be laid down in an Ordinance of the Minister of Education and Science under Art. 17, items 3.

Article 25

(Amended SG No. 36/1998)

(1) Attainment of vocational education shall be certified by:

1. a diploma as per Article 24, paragraph (1) hereof;
2. a certificate of vocational qualifications to be obtained upon completion of vocational training;
3. a certificate evidencing a license granted to engage in businesses and occupations whose practising requires a license.

(2) (Amended, SG No. 90/2002) Completion of vocational training in correspondence with Article 22, paragraph (5) hereof shall be certified by:

1. a certificate as per Article 23, paragraph (4) hereof;
2. a certificate of vocational qualifications;
3. a certificate evidencing a license to engage in businesses and occupations whose practising requires a license;
4. a certificate of vocational training.

(3) None of the documents specified under paragraph (2), items 2, 3 and 4 above shall entitle a holder to education at a higher level.

(4) The document specified under paragraphs (1) and (2) above shall be issued only by a school, unless another competent authority has been also authorised by a statute.

Article 26

(Amended SG No. 36/1998)

(1) There shall exist the following types of schools:

1. primary - including the grades 1 to 4;
2. elementary (lower secondary, junior high) - including the grades 5 to 8;
3. basic - including the grades 1 to 8;
4. gymnasiums (grammar schools) - including the grades 9 to 12;
5. (amended, SG No. 67/1999) specialised gymnasiums;
6. secondary schools of general education - including the grades 1 to 12;
7. (amended, SG No. 68/1999) vocational gymnasiums and/or technical schools(technicums) - including the grades 8 or 9 to 12 or 13;
8. (amended, SG No. 68/1999) vocational - from grade 7 or 8 with an up to 3year course of instruction, from grade 9 - with an up to 4 year course of instruction and post-secondary Professional Colleges - with an up to 2 yearcourse of instruction;
9. sports schools;
10. arts schools;
11. specialised schools.

(2) Students shall be allowed to move from one school to another under such terms and conditions as shall be prescribed by the Rules for the implementation of this Act.

(3) (New, SG No. 90/2002) Students below the age of 16 living in communities where none of the schools under Paragraph (1), items 1, 2, 3, 4, 6, 7 and 8 exists shall be provided with free commuting and/or boarding-house education at the local school in the nearest community within the territory of the municipality.

(4) (New, SG No. 114/2003) The resources for covering the transportation costs under para 3 shall be provided as special central budget transfers tomunicipalities on the basis of rates approved by the Council of Ministers in the Decree on the Execution of the State Budget.

Article 26a

(New SG No. 40/2004)

(1) Students shall be enrolled in the eighth grade of the public and municipal schools under Art. 26, para 1, items 5 and 7, as well as in the profiled classes at the schools under Art. 26, para 1, items 6 for intensive foreign language learning after the completion of the seventh grade and a check of their capabilities under terms and conditions laid down in an ordinance of the Minister of Education and Science.

(2) Students may be enrolled in the ninth grade of the public and municipal schools under Art. 26, para 1, items 4, 5, 6, 7 and 8 after the completion of the seventh grade and a check of their capabilities and/or their documents under the terms and conditions laid down in the ordinance under para 1.

(3) (Amended, SG No. 103/2005) Students shall be enrolled in the seventh or eighth grade of the public and municipal schools under Art. 26, para 1, item 9 after a check of their capabilities under terms and conditions laid down in an ordinance of the Minister of Education and Science and the Chairperson of State Agency of Youth and Sports.

(4) Students shall be enrolled in the seventh or eighth grade of the public and municipal schools under Art. 26, para 1, item 10 after a check of their capabilities under terms and conditions laid down in an ordinance of the Minister of Education and Science and the Minister of Culture.

Article 27

(Amended, SG No. 90/2002)

(1) Children with special educational needs and/or chronic diseases shall be offered integrated education at the schools under Article 26, Paragraph (1), item 1 through 10.

(2) Schools under Paragraph (1) shall be obligated to accept children with special educational needs and/or chronic diseases.

(3) Special schools and auxiliary units may also be established for children with special educational needs and/or chronic diseases.

(4) Children with special educational needs and/or chronic diseases shall be enrolled in the schools and auxiliary units under Paragraph (3) only where all other opportunities for education at state-owned or municipal schools have been exhausted and where the parents or guardians have expressed such a wish in writing.

Article 28

(1) (Amended, SG No. 90/2002) All specialised schools for children with special educational needs and/or chronic diseases shall be of the boarding- and semi-boarding-school type.

(2) (Amended, SG No. 90/2002) Children shall be enrolled at the schools specified under paragraph (1) above following the procedures prescribed by the Ministry of Education and Science in concert with the competent state authorities and municipal councils.

(3) Training shall be organised for inmates who have not completed secondary education.

Article 29

For persons having attained the age of 16, evening (shift) schools shall also be opened.

Article 30

(1) With the permission of the Minister of Education and Science, religious institutions in the country shall be able to open religious schools for their ritual needs for children having completed their basic education.

(2) The education received in religious schools shall be granted the same status as secular education by the Ministry of Education and Science, provided the state educational requirements for the respective level of education have been satisfied.

Article 31

The forms of instruction shall be:

1. day schools;
2. evening schools;
3. extramural (extension) courses;
4. correspondence courses;
5. individual schooling;
6. self-training;
7. (new, SG No. 36/1998) distance courses.

Article 32

(1) Practical training in vocations and specialisms practised in harmful and dangerous working conditions shall commence after the age of 15 years has been attained.

(2) The Ministry of Health and the Ministry of Education and Science shall determine the specific requirements for the practical training of students pursuant to paragraph (1) above.

Article 33

Schools and auxiliary units within the system of public education shall organise various activities for the children and students in their leisure time and in keeping with their interests and abilities in the fields of arts, science, technology, manufacture and sports.

Article 33a

(New, SG No. 36/1998)

(1) Auxiliary units shall be:

1. scientific and informational;
2. extramural pedagogical institutions;
3. for international programme management;
4. for organised leisure, recreation and sports;
5. for social and welfare activities.
6. (new, SG No. 90/2002) for operational management and funding of the public education system.

(2) All auxiliary units shall organise and perform their activities in accordance with Rules and Regulations approved by the Minister of Education and Science.

Chapter Five

MANAGEMENT AND RESOURCES

Article 34

(1) The state policy in the field of education shall be implemented by the Council of Ministers.

(2) (Amended, SG No. 90/2002) The Minister of Education and Science shall be the specialised body for the management of the public education system.

Article 35

(Amended, SG No. 90/2002, SG No. 90/2002)

(1) The Minister of Education and Science shall exercise control over the activities of all types of kindergartens, schools, auxiliary units at all levels of education.

(2) The regional education inspectorates are the local subdivisions of the Ministry of Education and Science in the management and monitoring of the public education system.

(3) The regional educational inspectorates shall be juristic persons. Their structure, functions and municipalities within whose territory they are to perform their activities, shall be prescribed by Rules enacted by the Minister of Education and Science.

(4) The heads of regional educational inspectorates shall be civil servants appointed on competitive basis and discharged by the Minister of Education and Science.

(5) The Minister of Education and Science appoint on competitive basis and discharge the experts who are civil servants at the regional educational inspectorates.

Article 36

(1) (Amended, SG No. 36/1998, previous Article 36, supplemented SG No. 90/2002) All municipalities shall be required to ensure and control:

1. compulsory schooling of children up to the age of 16;
 2. (supplemented, SG No. 90/2002) health services and the safety of kindergartens and schools, of children and pupils by opening outpatient health offices;
 3. (supplemented, SG No. 36/1998) funds for the maintenance, construction, furnishing and overhauling of schools, kindergartens and auxiliary units;
 4. (new, SG No. 36/1998) the means requisite for the fulfilment of the state educational requirements as per Article 16, items 17 and 18, as well as for financing all sections of the curriculum in municipal kindergartens, schools and auxiliary units
 5. (renumbered from item 4, SG No 36/1998, supplemented, SG No. 90/2002) conditions for canteen catering, boarding houses, recreation, sports facilities and transport for children, school students and teachers, as well as the free-of-charge transport under Article 26, Paragraph (3);
 6. (renumbered from item 5, SG No 36/1998) scholarships and special grants to pupils.
- (2) (new, SG No. 90/2002) Mayors of municipalities shall supervise the spending of the resources provided to municipal kindergartens, schools and auxiliary units.

Article 37

- (1) Schools, kindergartens and auxiliary units shall be managed by principals.
- (2) (Amended, SG No. 36/1998) All principals of kindergartens, schools and auxiliary units shall be required to have a bachelor's or a master's degree, and kindergarten and school principals shall be also required to have teaching practice.
- (3) (Amended, SG No. 36/1998) The Minister of Education and Science shall conclude and terminate the employment agreements with all state-owned kindergartens', schools' and auxiliary units' principals.
- (4) (Amended, SG No. 36/1998, SG No. 90/2002) The regional educational inspectorates' heads shall conclude and terminate the employment agreements with the principals of municipal schools and auxiliary units.
- (5) (Amended, SG No. 36/1998) The municipality mayors shall conclude and terminate the employment agreements with the principals of municipal kindergartens.
- (6) (Amended, SG No. 36/1998) The position of a principal of a state-owned kindergarten, school and an auxiliary unit shall be filled on the basis of a competition held by the organs under paragraphs (3), (4) or (5) following the procedures prescribed under the Labour Code.
- (7) (New, SG No. 90/2002) Representatives of the municipal administration designated by the mayor of the municipality shall participate in the commission for the competition held to recruit persons for the positions under paragraph (4).
- (8) (Repealed, amended, SG No. 36/98, renumbered from Paragraph 7, amended, SG No. 90/2002) All administrative acts issued by state-owned kindergartens', schools' and auxiliary units' principals shall be repealable by the Minister of Education and Science, those issued by the principals of municipal schools and auxiliary units - by the respective regional educational inspectorate's head, and those issued by the principals of municipal kindergartens - by the mayor of the respective municipality.

Article 38

- (1) A school's Pedagogical Council shall be a specialised body tasked with discussing and solving essential educational issues.
- (2) (Repealed, SG No. 36/1998).
- (3) (Amended, SG No. 36/1998) A Pedagogical Council's make-up and functions shall be determined by the Rules for the implementation of the Public Education Act and each school's Code of Practice.
- (4) (New, SG No. 36/1998; Repealed, SG No. 90/2002)

Article 39

- (1) Any citizen holding a teaching certificate shall be entitled to be a teacher (supervisor).
- (2) Teacher training shall be carried out within the system of higher education.
- (3) Vocational training of students may be provided by persons educated in a given specialism as well.
- (4) Teachers and principals shall be ensured opportunities and favourable conditions for heightening their qualifications.

Article 40

- (1) (Amended, SG No. 90/2002) Teachers (supervisors), principals and assistant principals in state-owned and municipal schools, kindergartens and auxiliary units shall provide the teaching and/or upbringing of children and pupils in accordance with this Act and the secondary legislation for its application.
- (2) Employment agreements with assistant principals, teachers and staff shall be concluded by the school principal, the kindergarten principal or the director of the auxiliary unit, respectively.
- (3) The establishment, changes and termination of employment relations as per paragraph (2) above shall be effected in compliance with the Labour Code.
- (4) (New, SG No. 36/1998) The positions of a principal, an assistant principal and a teacher (supervisor) may only be filled by persons who shall not have been sentenced to imprisonment for a premeditated crime/felony, shall not have been

debarred from exercising their profession, nor shall have suffered from any disease and/or aberration, posing a threat to the life or health of children and students, as specified in an ordinance enacted by the Minister of Education and Science in concert with the Minister of Health.

(5) (New, SG No. 36/1998) Teachers shall be held in high respect and treated with deference by all students, the administrative bodies and the public. Offending teachers' dignity or undermining their authority shall be inadmissible.

Article 41

The funds requisite for the support and development of public education shall be determined by the state budget passed by the National Assembly, and by the municipal budgets.

Article 42

(1) (Amended, SG Nos. 36/1998, 90/2002) The annual cost of education per child and per student in state-owned kindergartens, schools and auxiliary units shall be determined by the Ministry of Education and Science in concert with the Ministry of Finance and in keeping with the state educational requirements as per Article 16, items 8 and 17 hereof.

(2) After endorsing the funds pursuant to Article 41, the Ministry of Education and Science shall earmark budgetary means for capital investments, for subsidising scientific research in the field of education and for further training and qualification of teachers and principals.

(3) The Ministry of Education and Science and the Ministry of Finance shall approve the standards and guarantee the regulators and other economic conditions for the realisation of activities within the system of public education.

(4) Funds for maintenance and wages shall be indicated on a separate line on education in the budget of the municipalities and of the Ministry of Education and Science.

(5) (Amended, SG No. 36/1998) The Minister of Education and Science shall exert control over the expenditure of public funds for maintenance and wages.

(6) (New, SG No. 36/1998) All vocations and specialisms to be acquired in schools shall be specified in a list endorsed by the Minister of Education and Science in co-ordination with other respective ministers and heads of agencies and authorities.

Article 43

(Amended, SG No. 36/1998)

(1) (Previous Article 43, SG 36/1998, amended, SG No. 90/2002) The Ministry of Education and Science shall ensure favourable conditions for identifying and training of particularly gifted children. It shall establish furtherance funds to award scholarships to gifted children, as well as scholarship funds for children with chronic ailments and for children with special educational needs.

(2) (New, SG No. 36/1998) The Ministry of Education and Science shall ensure additional educational opportunities for potential drop-out students.

Article 44

(Amended, SG No. 36/1998)

(1) (Amended, SG No. 90/2002) The sources for the support and development of the facilities of kindergartens, schools and auxiliary units shall be provided from the state budget, municipal budgets, sources provided for in other laws and acts of the Council of Ministers and own resources.

(2) (Amended, SG No. 36/1998, SG No.90/2002) The own resources shall be raised from the following sources:

1. rents paid for state-owned or municipal property;
2. rents paid for educational and sports facilities, machines and equipment owned by the respective kindergarten, school or auxiliary unit;
3. farmland and forests;
4. sale of registered indemnity vouchers and warrants;
5. sale of products and services generated in the course of practical education;
6. upgrading of qualifications and creative activities, educational and other services as laid down in a Regulation issued by the Minister of Education and Science;
7. gifts, donations, fees and other sources.

(3) (New, SG No. 90/2002) The principals of the state-owned and municipal kindergartens, schools and auxiliary units shall draw up the budgets.

(4) (New, SG No. 36/1998) Funds raised under the terms of paragraphs (1) and (2) above shall only be disbursed for the specific needs of the kindergarten, school or auxiliary unit that has raised and acquired them.

(5) (New, SG No. 36/1998) Fees shall be charged for any activities carried out in state-owned and municipal schools and auxiliary units outside of the state educational requirements, as well as for the provision of post- secondary vocational training, under such terms and conditions as shall be prescribed in an executive order issued by the Minister of Education and Science.

(6) (Renumbered from Paragraph 3, SG No 36/1998, renumbered from Paragraph 5, SG No 90/2002)The activities of the auxiliary units in the public education system shall be carried out in conformity with specific economic rules endorsed

by the Minister of Education and Science in consultation with the Minister of Finance.

(7) (New, SG No. 36/1998; repealed, SG No. 153/1998, renumbered from Paragraph 6, supplemented, SG No. 90/2002) Funds from the state budget and from the municipal budgets shall be made available to kindergartens, schools and auxiliary units serving the system of public education in keeping with such criteria as shall be set by the respective financing body and in accordance with Article 16, items 17 and 18 hereof.

(8) (New, SG No. 36/1998; amended, SG No. 90/2002) No ministry, agency and municipality shall be allowed to reduce the amount of the subsidies granted to state-owned and municipal kindergartens, schools and auxiliary units serving the system of public education under the terms and provisions of Article 7, Article 41, and Article 42, paragraph (1) hereof as a compensation for their own revenues generated through activities as per paragraphs (2) and (5) hereinabove.

Article 45

(1) Municipal budgetary means, as well as means from the funds of all organisations for whose needs personnel is trained, and moneys from other sources shall be also employed in the construction, reconstruction and modernisation of schools', kindergartens' and auxiliary units' physical resources and technical equipment.

(2) (New, SG No. 90/2002) The facilities released as a result of the closure or re-organisation of state-owned and municipal schools, kindergartens and auxiliary units shall be used for the needs of structural units within the public education system.

Article 46

(Repealed, SG No. 36/1998)

Chapter Six

(New, SG No. 90/2002)

TRUSTEESHIP

Article 46a

(1) Trusteeships shall be independent voluntary association to support the development of and provision of facilities to schools, kindergartens and auxiliary units under Article 33a, paragraph (1), items 2 and 5.

(2) Schools, kindergartens or auxiliary units under paragraph (1) may have one Trusteeship each.

(3) Trusteeships may be established also at groups of schools, kindergartens or auxiliary units in communities where no trusteeship has been established under paragraph (2).

Article 46b

Trusteeships shall be established as not-for-profit juristic persons acting for public benefit and they shall organise their activities under the terms and conditions laid down in the Not-for profit Juristic Persons Act and in compliance with the provisions of this Act, and their Articles or Memorandum of Association.

Article 46c

With a view to attaining their objectives, trusteeships shall:

1. discuss and make proposals to the respective authorities for the development or the resolving of current problems of schools, kindergartens or auxiliary units;
2. assist the raising of additional financial and material resources for the schools, kindergartens or auxiliary units and supervise their proper spending;
3. support the establishment and support of the facilities of schools, kindergartens or auxiliary units;
4. participate in the selection of textbooks by the Teachers' Council to be used in the education of the pupils at school and provide, if possible, for their purchase;
5. assist the organisation of the supply of food to pupils, the provision of transportation and the resolving of other social problems of children, pupils and teachers at schools, kindergartens or auxiliary units;
6. assist the development and implementation of educational programmes geared to the problems of children and pupils;
7. assist school and municipal authorities in the delivery of the compulsory schooling;
8. assist the implementation of extra-curricular forms, organised recreation, tourism and sports events with children and pupils;
9. assist the involvement of parents in the organisation of leisure time of children and pupils;
10. propose measures for the improvement of the activities of schools, kindergartens or auxiliary units;
11. organise the general public to assist kindergartens, schools or auxiliary units;
12. report violations in the public education system to the competent authorities;
13. organise and support the training of parents on issues related to the upbringing and development of their children;
14. assist schools in counteracting drug addictions and other harmful influences on children and pupils;
15. assist socially disadvantaged children and pupils;
16. assist commissions for combating anti-social behaviour of minors.

Article 46d

(1) Trusteeships shall be established at the initiative of principals of kindergartens, schools or auxiliary units, or parents,

teachers or public figures.

(2) The persons under Paragraph 1 shall send out invitations for participation in the constituent meeting through the mass media and/or personally by prominent public figures, donors or representatives of juristic persons.

Article 46e

(1) The bodies of the trusteeship shall be the General Meeting and the Board of Trustees.

(2) The General meeting shall elect the members of the Board of Trustees for a term of office of up to four years.

(3) The Board of Trustees shall elect a Chairperson from among its membership.

Article 46f

Principals of kindergartens, schools or auxiliary units shall provide the trusteeship with appropriate premises for the performance of its activities free of charge.

Chapter Seven

PENALTY PROVISIONS

(Previous Chapter 6, SG No. 90/2002)

Article 47

(Amended and supplemented, SG No. 36/1998, amended, SG No. 90/2002)

Parents, guardians or custodians who fail to ensure their children's attendance at school while liable to compulsory education, shall be penalised by a fine in the amount of from twenty thousand (20,000) to a hundred thousand (100,000) Bulgarian Leva. In the event the offence is repeated such penalty shall be in the amount of from fifty thousand (50,000) to two hundred and fifty thousand (250,000) Bulgarian Leva.

Article 48

(1) (Amended, SG No. 36/1998) Punishable offences shall be ascertained by way of written statements drawn up by the respective bodies of the municipalities.

(2) Penalty decrees shall be issued by the mayor of the municipality.

(3) The establishment of violations, the issuance, appeal and execution of penal decrees shall be effected in compliance with the Administrative Violations and Penalties Act.

Article 48a

(New, SG No. 36/1998)

(1) Punishable by a fine in the amount of up to five million (5,000,000) Bulgarian Leva shall be any natural or juristic person who:

1. has engaged in minor-raising-and-breeding activities in any facility that has not been opened under the terms laid down herein;

2. has set up and provided student training for the purpose of issuing documents certifying the completion of a school grade or of an educational degree, as well as for the purpose of issuing certificates of vocational qualifications, in any facility that has not been opened under the terms laid down herein.

(2) In the event the punishable offence is repeated, the penalty shall be in the amount of up to BGN (10,000).

(3) The written statements ascertaining such offences shall be drawn up by the respective bodies of the Ministry of Education and Science, and penal decrees shall be issued by the Minister of Education and Science or by other officials duly authorised by the Minister. The provisions of the Administrative Violations and Penalties Act shall be applicable to the drawing of written statements, as well as to the issuance, appeal and execution of penal decrees.

Article 49

The Ministry of Education and Science in concert with the Ministry of Finance shall exercise control over the expenditure of budgetary and extra- budgetary means intended for the training of pupils, for the construction, reconstruction and modernisation of school facilities, as well as for other activities within the system of public education.

SUPPLEMENTARY PROVISIONS

§ 1. (1) (New, SG No. 36/1998) The Minister of Education and Science shall determine by enactment of an executive order those kindergartens, schools and auxiliary units that shall be state-owned in the sense of Article 10, paragraph (2) hereof in accordance with the criteria laid down in the Rules for the implementation of this Act.

(2) The Ministry of Education and Science shall produce and keep a register of all state-owned kindergartens, of all state-owned and municipal schools and auxiliary units, of the kindergartens and schools provided for in Articles 11 and 12 hereof, and of the religious schools provided for under Article 30 hereof.

(3) (New, SG No. 90/2002, effective 2003/2004 school year; amended, SG No. 29/2003) The Minister of Education and Science shall issue an order to approve no more than three textbooks, for the public education system, in the same subject for each grade that need to be valid for a period not lesser than the one specified under art. 14 of the Educational Level, General Educational Minimum and Curriculum Requirements Act, having ascertained their conformity with the state educational requirements under Article 16, items 3, 7 and 9.

(4) (New, SG No. 90/2002, effective 2003/2004 school year; amended, SG No. 29/2003) The Minister of Education and Science shall issue an order to approve teaching aids for the public education system, and the Minister of

Culture - teaching aids for the arts and culture, once their conformity to state educational requirements under art. 16, items. 3, 7, and 9 has been ascertained.

(5) (New, SG No. 29/2003) The Minister of Culture shall approve within an Order no more than three textbooks in the same subject for each grade that need to be valid for a period not lesser than the one specified under art. 14 of the Educational Level, General Educational Minimum and Curriculum Requirements Act and falling under the mandatory training programme for the arts and culture, once their conformity with state educational requirements under art. 16, items. 3, 7, and 9 has been ascertained.

(6) (New, SG No. 29/2003) Textbooks to be used in more than one grade may be approved for subjects in vocational training following the procedure under paras. 3 and 5.

§ 1a. (Renumbered for § 1, SG No. 36/1998) In the secondary military schools under the Ministry of Defence, the Ministry of Home Affairs and other ministries and departments, this Act shall be enforced insofar as there are no other provisions in their statutes and in the special acts concerning their constitution and activities.

§ 2. Bulgarian state-owned schools abroad shall be opened, and their activities shall be organised, by the Ministry of Education and Science in compliance with this Act and with all relevant international agreements.

§ 3. This Act shall be applicable with respect to any Bulgarian citizens studying in Bulgarian state-owned schools abroad.

§ 4. (1) Foreign citizens shall have the right to study in Bulgarian schools in conformity with the statutes and the subordinate legislation acts applicable in the Republic of Bulgaria.

(2) (Amended, SG No. 36/1998) School education shall be free of charge for such foreign nationals who:

1. have been granted the right to domicile or permanently sojourn in the country;
2. have been admitted by acts of the Council of Ministers;
3. have been admitted under intergovernmental agreements where this issue has been specifically regulated.

(3) (Supplemented, SG No. 36/1998) Foreign citizens shall be also entitled to study in Bulgarian schools both in the country and abroad against payment. The amount of fees to be paid by foreign nationals studying in state-owned and municipal schools shall be approved by the Minister of Education and Science. The funds shall be used for the purposes of the educational process in the schools where such foreign nationals are trained.

§ 5. (Amended, SG No. 90/2002) The documents for completed school education, educational levels and vocational qualifications issued by schools of foreign States shall be recognised under the terms and conditions laid down in a Regulation of the Minister of Education and Science.

§ 6. Foreign citizens shall be entitled to teach in Bulgarian schools under such terms and conditions as shall be specified by the state educational requirements.

§ 6a. (New, SG No. 90/2002; aAmended, SG No. 29/2003) The Ministry of Education and Science shall levy fees in amounts specified in a Tariff approved by the Council of Ministers, as follows:

1. For the examination of a request for opening or transformation of a private kindergarten or private school; fee shall be determined depending on the type of kindergarten or school and shall cover costs for assessing compliance of stated facts, circumstances, and documents submitted to opening or transformation requirements applicable to private kindergartens or private schools;

2. For issuing permits or passing a decision for the opening or transformation of a private kindergarten or private school and for subsequent amendments thereto; fee shall be determined depending on the type of kindergarten or school and shall cover costs for the preparation of said acts;

3. For the examination of applications for approval of a textbook or teaching aid for the public education system; fees shall cover costs for the inspection of documents submitted;

4. For the assessment of a textbook or teaching aid for compliance to state educational requirements under art. 16, items 3 and 9;

5. For the recognition of documents certifying the completion of a training stage in school or an educational and vocational qualification level, that have been issued by a school in another state, as well as for issuing certificates; fees shall be determined depending on the training stage in school under recognition, the educational and vocational qualification level and shall cover costs for the inspection of documents and for the expert appraisal comparing the duration of training, the type of school where such training has been delivered, and the subjects studied, to requirements under applicable normative acts, curricula and training programmes in force within the public education system.

§ 6b. (New, SG No. 29/2003) With regard to operations for the approval of textbooks and teaching aids for the compulsory training in the arts and culture following the procedure under § 1, para. 4 and 5, the Ministry of Culture and Tourism shall levy fees as determined in a Tariff approved by the Council of Ministers.

§ 6c. (New, SG No. 90/2002) "Community school" within the meaning of this Act shall be the school located in the nearest settlement of the municipality and offering education to pupils from settlements without a school under Article 26, paragraph 1, items 1, 2, 3, 4, 6, 7 and 8.

§ 6d. (New, SG No. 90/2002) "Educational service" within the meaning of Article 44, paragraph 2 shall be the

education and upbringing of children and pupils beyond their studies, including that on subjects taught at school, without the awarding of educational level or professional qualifications.

TRANSITIONAL AND FINAL PROVISIONS

§ 7. Students enrolled in the secondary vocational technical schools, the technical schools, the arts schools, the specialised gymnasiums, as well as in the secondary level of general education schools prior to the enactment hereof, shall be trained and complete their education in compliance with the law applicable at the time of their enrolment.

§ 8. (1) Within one year of this Act's entry into force, the state bodies shall ensure the standards, regulators and other economic conditions for the realisation of the activities in the system of public education in conformity with current legal basis.

(2) Until the adoption of the new state educational requirements, schools and kindergartens shall perform their activities in conformity with the currently applicable requirements.

§ 9. (Amended SG No. 90/1996) The currently appointed principals of schools, principals of kindergartens and directors of auxiliary units shall retain their rights until the announcement of a competition for the respective position, but not exceeding 7 years after this Act's entry into force.

§ 10. Rescinded hereby shall be:

1. The Public Education Act (promulgated, State Gazette No. 218/1948; corrected, No. 223/1948; amended and supplemented, SG No. 235/1948, 10, 207 & 271/1950; SG No. 75 & 104/1951 and partially repealed, No. 90/1954).

2. The Act on closer links between school and life and on the continued development of public education in the People's Republic of Bulgaria (promulgated, SG No 54/1959; amended, SG Nos. 99/1963, 36/1979, 27/1986, 68/1988, 45 & 99/1989).

3. Decree No. 330 on Public Education (prom., SG No. 90/1954; amended, SG No. 33/1965 and 68/1988).

4. Decree No 2213 on the continued development of education (SG No 59/1983).

§ 11. (1) The responsibility for enforcing this Act shall be hereby entrusted to the Minister of Education and Science.

(2) (Repealed, SG No. 40/2004).

(3) (Repealed, SG No. 36/1998).

This Act was submitted to a vote and duly adopted by the Grand National Assembly on October 1, 1991, and the State Seal has been affixed thereto.

Act to Amend and Supplement The Public Education Act

Promulgated, SG No. 36/31.03.1998

ADDITIONAL PROVISIONS

§ 34. "Repeated" in the sense of Article 47 and Article 48a, paragraph (2) hereof, shall be any offence committed within two (2) years of the entry into force of the penal decree whereby a person has been penalised for the same offence.

§ 35. Effective January 1, 1999, additional remuneration shall be paid three times each year in the system of public education pursuant to an ordinance enacted by the Minister of Education and Science in co-ordination with the Minister of Finance.

TRANSITIONAL AND FINAL PROVISIONS

§ 36. (1) Within one (1) year of this Act's entry into force the Council of Ministers shall submit to the National Assembly the bills provided for under Article 16, items 2 and 6.

(2) The provisions of Article 24, subparagraph 1 shall be effective and enforceable as of the entry into force of the statutes provided for under Article 16, items 2 and 6.

§ 37. Within six (6) months of this Act's entry into force the Minister of Education and Science, in co-ordination with the Minister of Finance, shall enact the ordinance provided for under Article 40, paragraph (4).

§ 38. (1) The Minister of Education and Science shall enact the executive order provided for under § 1, paragraph (1) of the additional provisions within six (6) months of this Act's entry into force.

(2) The provisions of Article 37, paragraph (3) regarding the state- owned kindergartens and of Article 37, paragraph (4) shall become applicable and enforceable following the enactment of the executive order as per paragraph(1) above.

(3) The list provided for under Article 42, paragraph (6) shall be made up within one (1) year of this Act's entry into force.

§ 39. The Minister of Education and Science shall enact new Rules for the implementation of the Public Education Act within one (1) year of this Act's entry into force.

§ 40. The wording "Ministry of Public Education" shall be replaced by "Ministry of Education and Science", and the wording "Minister of Public Education" shall be replaced by "Minister of Education and Science", respectively, throughout the Act.

Lev Re-denomination Act

TRANSITIONAL AND FINAL PROVISIONS

Promulgated, State Gazette No. 20/5.03.1999 (effective 5.07.1999).

Amended, SG No. 30/2.04.1999 (effective 3.07.1999).

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

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

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

Act to Amend and Supplement The Public Education Act
Promulgated State Gazette No. 90/24.09.2002, amended, SG
No. 29/31.03.2003; 71/12.08.2003, 40/14.05.2004

TRANSITIONAL AND FINAL PROVISIONS

§ 29. (Amended, SG No. 71/2003) Existing heads of educational inspectorates and experts at the educational inspectorates as of the effective date of this Act, who have not sat for competitive examinations under the Civil Servants Act, shall retain their rights pending the announcement of a competition for the position as provided for in the Civil Servants Act

§ 30. (1) Existing trusteeships as of the effective date of this Act shall adjust their Articles or Memorandums of Association to the provisions of Chapter Six and the Not-for-profit Juristic Persons Act within a year after the effective date of this Act.

(2) Within the time limits under paragraph (1), trusteeships shall serve applications for entry into the Central Register of Not-for-profit Juristic Persons Acting for Public Benefit at the Ministry of Justice.

§ 31. (1) (Amended, SG No. 29/2003, repealed, SG No. 40/2004)

(2) (New, SG No. 29/2003) Students who were admitted to the 9th grade in the academic 1999-2000, including those who were admitted in the academic 1998-1999 after the 7th grade to classes with the intense study of a foreign language, based in profiled high schools, profiled and vocational classes in high schools, and in high general educational schools, and those admitted after the 7th grade to vocational colleges, high schools, and artsschools, who successfully graduate from the 12th grade in the academic 2002 - 2003, shall qualify for high school education and obtain diplomas following the terms and conditions of this act without sitting for state matriculation examinations under art. 24, paras. 1 and 2.

(3) (New, SG No. 29/2003) If they so wish, they shall be entitled to sit for state matriculation examinations under art. 24, s. 1 and 2.

(4) (New, SG No. 29/2003) Students under para. 2 shall not sit for matriculation examinations listed in the training programme of the school in force as of their admission.

(5) (New, SG No. 29/2003) The high school education diploma shall state in terms of marks at matriculation examinations the average of the annual marks in Bulgarian language and literature and in a subject chosen by the student falling into the training programme of the school, which is studied at the high school stage of training, as well as marks at state matriculation examinations, if those have been successfully passed following the procedure under para. 3.

(6) (New, SG No. 29/2003) Marks at matriculation examinations listed following the procedure under para. 5 may be altered by students following the terms and conditions laid out in the Regulations for the Implementation of the Public Education Act.

(7) (New, SG No. 29/2003) Individuals who have qualified for high school education and have obtained a diploma therefor following the procedure under para. 2, shall have the rights of individuals who have qualified for high school education and have obtained a diploma under art. 24, para. 1.

(8) (New, SG No. 29/2003) A diploma for students who have qualified for high school education following the procedure under para. 2 shall be final and allow them to continue their education or enlist for vocational training.

.....
§ 34. (Amended, SG No. 40/2004) Within six months after the effective date of this Act, the Council of Ministers shall adopt the National Plan for Integration of Children with Special Educational Needs and/or Chronic Diseases in the Public Education System at the proposal of the Ministry of Education and Science.

§ 35. This Act shall enter into force on the date of its promulgation in the State Gazette, except for Paragraphs 4, 5, 6 and § 28, item 1 which shall enter into force as from 2003/2004 school year.

This Act was adopted by the 39th National Assembly on 10 September 2002, and the State Seal has been affixed thereto.

Act to Amend and Supplement The Public Education Act

Promulgated State Gazette No. 29/31.03.2003

TRANSITIONAL AND FINAL PROVISIONS

§ 5. Textbooks that have been approved by Order of the Minister of Education and Science and of the Minister of Culture and Tourism prior to the entry into force of this Act shall continue to be used until new textbooks are approved following the procedure under § 1, para 3 and 5 of the Supplementary Provisions to the Public Education Act.

§ 6. Within two months of the entry into force of this Act the Council of Ministers shall approve:

1. A Tariff under § 6a - upon proposal of the Ministry of Education and Science;

2. A Tariff under § 6b - upon proposal of the Ministry of Culture and Tourism.

§ 7. This Act shall come into force as of the date of its publication in the State Gazette.

This Act was adopted by the 39th National Assembly on 19 March 2003, and the State Seal has been affixed thereto.

Act to Amend and Supplement The Public Education Act

Promulgated State Gazette No. 40/14.05.2004

TRANSITIONAL AND FINAL PROVISIONS

§ 5. (1) Students who completed the twelfth (12th) grade successfully during the 2003-2004 and 2004-2005 school years shall acquire secondary education and receive a diploma under the terms and conditions laid down in this Act without sitting for the state matriculation examinations under Art. 24.

(2) The students under para 1 shall be free to sit for state matriculation examinations pursuant to Art. 24, whereby the state matriculation examination in the Bulgarian language and literature shall be offered in two equivalent examination versions. Students shall sit for the state matriculation examination in the Bulgarian language and literature in the version of their choice.

(3) Students who completed the twelfth (12th) grade successfully during the 2003-2004 and 2004-2005 school years shall not sit for matriculation examinations, where such examinations were envisaged in the curriculum of the school at the time of their admission.

(4) The secondary education diploma shall specify the average score of the annual grades in the Bulgarian language and literature and in the subject at the student's choice from the compulsory classes as grades from matriculation examinations, as well as the grades from the state matriculation examinations, where the latter have been passed successfully under para 2.

(5) The persons who have acquired secondary education and received a secondary education diploma under para 1 shall enjoy equal rights with the persons who have acquired secondary education and received a diploma under Art. 24, para 1.

(6) The diploma of the students who have acquired secondary education under para 1 shall be conclusive and shall entitle its holder to post- secondary education or to vocational training.

Act to Amend and Supplement the Tourism Act

TRANSITIONAL AND FINAL PROVISIONS

(SG No. 28/2005, effective 1.04.2005)

§ 14. The statutory instruments of secondary legislation on the application of the Protection and Promotion of Culture Act, the Public Education Act, the People's Chitalishte Act, the Monuments of Culture and Museums Act, the Vocational Education and Training Act and the Motion Picture Industry Act, issued by or together with the Minister of Culture prior to the entry of this Act into force, shall continue in effect.

.....
§ 20 Throughout the Public Education Act Promulgated SG No. 86/1991, amended SG No. 90/1996; 36, 124 & 153/1998; 67 & 68/1999; 90 & 95/2002; 29, 71 & 86/2003 supplemented, SG No. 114/2003; amended and supplemented, SG No. 40/2004) the words "the Minister of Culture" and "the Ministry of Culture" shall be replaced, accordingly, by "the Minister of Culture and Tourism" and "the Ministry of Culture and Tourism".