

Bulgarian Red Cross Act

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Promulgated, SG. 87/29.09.1995, amended SG. 44/12.05.1999, amended SG. 54/31.05.2002 (effective 1.12.2002)

Text in Bulgarian: Закон за Българския Червен кръст

Art. 1. (1) The Bulgarian Red Cross shall be the only national organisation of the Red Cross on the territory of the Republic of Bulgaria. It shall be part of the International movement of the Red Cross and the Red Crescent.

(2) The Bulgarian Red Cross shall implement its activity in compliance with the Bulgarian legislation, with the provisions of the Geneva conventions of August 12, 1949, the Additional protocols to them from June 8, 1977, as well as with the basic Red Cross principles, established by the international conferences of the Red Cross.

Art. 2. (1) The Bulgarian Red Cross shall be a legal entity, registered under the Persons and Family Act with a in Sofia.

(2) The structure, the composition and the functions of the organisation shall be set forth with a statute thereof.

Art. 3. The Bulgarian Red Cross shall be an autonomous organisation, which shall assist the State in the humanitarian sphere, in the preparation for functioning under marshal law, during military conflicts and disasters, towards preservation and promoting of the health of the population, and towards its education in the spirit of high morals, compassion and charity.

Art. 4. The Bulgarian Red Cross shall, in order to achieve its goals:

1. carry out social - support activities, organise the collecting and the distribution of humanitarian aid from the State and from abroad;

2. work towards:

a) increasing of the health culture of the population;

b) the restriction and the prevention of socially significant diseases;

c) training the population in rendering first aid;

d) facilitating, increasing the popularity and further establishing of the gratuitous blood donation;

e) the prevention of, and giving aid in cases of accidents at mountainous and water body regions

f) the training and qualification of staff for its activities, issuing for the purpose the appropriate documents;

g) promotion and dissemination of the Red Cross principles among children, adolescents and youths;

3. providing support in Bulgaria and abroad to victims of armed conflicts and natural disasters;

4. work towards increasing the preparedness of the population for actions during disasters, and jointly with the Civil Defence organs shall train first aid providing formations, and shall also and give first aid;

5. promote the goals and the objectives of the international Red Cross movement, and of the Bulgarian Red Cross, and shall provide assistance in studying, dissemination and the observing of the standards of the international humanitarian law;

6. (supplemented SG No. 44/1999, amended SG No. 54/2002) assist foreigners, who seek, or who have received protection in the Republic of Bulgaria under the Asylum and Refugees Act.

7. in compliance with the Geneva conventions of August 12, 1949, the Additional protocols thereto of June 8, 1977 and the Resolutions of the International Conferences of the Red Cross and the Red Crescent, shall seek out on the territory of Bulgaria and outside Bulgaria, members of families, separated as result of wars, armed conflicts and natural disasters;

8. create its charity institutes and charity establishments in compliance with the legislation in effect.

Art. 5. (1) The Bulgarian Red Cross shall be assisted by the State.

(2) The Bulgarian State institutions on the territory the country and abroad, the business companies and the citizens shall be under the obligation to support the Bulgarian Red Cross in the implementation of its objectives.

Art. 6. (1) The Bulgarian Red Cross shall ensure the resources, necessary for its activities, from membership fees, subsidies from the state budget, donations, testaments, incomes from real estate and from other activities, compliant with the Bulgarian legislation.

(2) Funds for financing its activities may be established with The Bulgarian Red Cross

Art. 7. For the fulfillment of its activities, the Bulgarian Red Cross shall benefit from the following alleviation:

1. (supplemented SG No. 44/1999) the shipments intended for the Bulgarian Red Cross and the chattels, presented as gifts therefro to foreign natural and legal entities, shall be exempt from customs tax and charges, while the transport vehicles, necessary for its humanitarian activity shall be in addition exempt from excise duty as well;

2. the transport vehicles of the Bulgarian Red Cross, shall be exempt of road fees while those are on missions, associated with the activities with the Bulgarian Red Cross and participate in road traffic within the Republic of Bulgaria;

3. under marshal law and during disaster situations the Bulgarian Red Cross shall be exempt from transportation fees for all kinds of transport vehicles, as well as from post fees, and the persons, who carry out their official duties, shall have the right to travel free of charge;

4. under marshal law and during disaster situations the bodies of the Bulgarian Red Cross shall use the communication lines free of charge;

5. under marshal law and during disaster situations the Bulgarian Red Cross shall have the right to free of charge

administrative services and of free of charge assistance on part of all state and local authorities.

Art. 8. (1) The Bulgarian Red Cross shall have the exclusive right to use the name of Red Cross and the emblem thereof, established by the Geneva Conventions of August 12, 1949 - a red cross on a white background.

(2) In peace time the emblem may be used by other persons and organisations only subject to the permission and under the control of the Bulgarian Red Cross.

(3) At war time the use of the emblem shall be restricted according to the rules of the Geneva Conventions of August 12, 1949 and the Additional Protocols thereto of June 8, 1977.

ADMINISTRATIVE PUNITIVE PROVISIONS

Art. 9. (1) Anyone, who in violation of the provisions of this Act have used the emblem, established with the Geneva Conventions of August 12, 1949 or the name of Red Cross, shall be punished with a fine in the amount of BGN five to two hundred, unless subject to a heavier sanction.

(2) Anyone, who has violated the provisions of this Act excluding those under Paragraph 1 above, shall be punished with a fine in the amount of fifty to one hundred BGN, unless subject o a heavier sanction.

(3) In the event that the violations under Paragraphs 1 and 2 above have been committed by legal entities, proprietary sanction shall be imposed in an amount ranging from ten to three hundred BGN.

(4) Anyone, who fails to fulfil his/her obligations under this Actor who impedes the implementing of the activity of the Bulgarian Red Cross, shall be punished with a fine in the amount of BGN five to two hundred.

(5) The violations under the above paragraphs shall be evidenced with acts, which shall be issued by the Chairperson of the Bulgarian Red Cross or by officials, authorised thereby.

(6) The punitive decrees shall be issued by the Minister of Finance or by officials, authorised thereby.

(7) The issuing of the acts, the issuing, the appealing against and the execution of the punitive decrees shall be implemented in accordance with the procedures set forth with the Administrative Violations And Sanctions Act.

(8) The revenues, collected from the fines and the proprietary sanctions, imposed under this Act, shall be paid as income to the Bulgarian Red Cross.

CONCLUDING PROVISIONS

§ 1. This Act shall revoke Edict No 494 of December 22, 1953 for the Bulgarian Red Cross.

§ 2. In Paragraph 1 of Article 157 under the Labour Code (Promulgated SG Nos 26 and 27/1986, Amended and supplemented, SG No. 6/1988; Amended SG Nos 21, 30 and 94/1990; Amended SG Nos 27, 32 and 104/1991; Amended SG Nos 23, 26, 88 and 100/1992, Amended SG No. 69/1995 by Decision No. 12 of the Constitutional Court of 1995) item 7 shall be created:

"7. for participation as a volunteer in events or training, organised by the Bulgarian Red Cross "up to 5 working days for organised events and up to 3 working days for training".

§ 3. Under Article 5 of the Stamp Duty Act (Promulgated Transactions No. 104/1951, amended and supplemented SG 89/1959, SG No. 21/1960, SG No. 53/1973, SG No. 87/1974, SG No. 21/1975, SG No. 21/1990, SG No. 55/1991, SG No. 100/1992, SG No. 69/1995) the following item "o" shall be created:

o) The Bulgarian Red Cross.

§ 4. Under the Local Taxes and Fees Act (Promulgated Transactions No. 154/1951, corrected, SG No. 10/1952; amended and supplemented SG Nos 12, 104/1954, SG No 91/1957, SG No 13/1958, SG Nos 57, 89/1959, SG Nos 21, 91/1960; SG 85/1963, SG Nos 1, 52/1965, SG No. 53/1973, SG No. 87/1974, SG No. 21/1975, SG No. 102/1977, SG No. 88/1978, SG No. 36/1979, SG No. 99/1981, SG No. 55/1984, SG No. 73/1987, SG Nos 33, 97/1988, SG No. 21/1990; amended SG No. 30/1990, SG No. 82/1991, SG No. 59/1993, SG No. 40/1995) the following amendments shall be made:

1. In Paragraph 1 under Article 6, item "l" shall be created as follows:

"l) the buildings, the land sites and the land parcels of the Bulgarian Red Cross, if they have not been conceded for use to another person."

2. In item "e)" under Article 26 following the words "the municipalities", the words "the Bulgarian Red Cross" shall be added.

3. In Article 41a Paragraph 3 shall be created:

"(3) For the purposes of transactions, to which the Bulgarian Red Cross is a party the fees due shall be paid by the other party to the contract and in the events of donations in favour of the Bulgarian Red Cross no fees shall be collected"

4. In Paragraph 1 under art. 48, the words "and the Bulgarian Red Cross" shall be added at the end.

5. The following item "d)" shall be created under Article 53:

"d) The Bulgarian Red Cross, when utilised for the purposes, pursued by the organisation."

6. Paragraph 1 under Article 64, shall be amended as follows

a) item "b)" shall be created:

"b) the Bulgarian Red Cross;"

b) the previous items "b)" and "c)" shall become items "c)" and "d)" respectively.

7. Under Article 80 an item "f" shall be created:

"f) the Bulgarian Red Cross."

§ 5. In Paragraph 1 under Article 63, of the Code of Civil Procedure (Promulgated Transactions No. 12/1952; amended and supplemented SG No. 92/1952, SG No. 89/1953, SG No. 90/1955, SG No. 90/1956, SG No. 90/1958, SG Nos 50, 90/1961, corrected No. 99/1961, amended and supplemented, SG No. 1/1963, SG No. 23/1968, SG No. 27/1973, SG No. 89/1976, SG No. 36/1979, SG No. 28/1983, SG No. 41/1985, SG No. 27/1986, SG No. 55/1987, SG No. 60/1988, SG Nos 31, 38/1989, SG No. 31/1990, SG No. 62/1991, SG No. 55/1992, SG Nos 61, 93/1993) following the word "institutions", the words "and the Bulgarian Red Cross" shall be added.

§ 6. The implementation of this Act shall be assigned to the Minister of Finance and to the Chairperson of the Bulgarian Red Cross.

TRANSITIONAL AND CONCLUDING PROVISIONS

to the Act for Amending and Supplementing
the Bulgarian Red Cross Act
(SG No. 44/1999)

§ 4. (1) Pursuant to the State Property Act and to the Municipal Property Act, The Bulgarian Red Cross shall be gratuitously granted the right to use of the buildings and the other immovable property to meet its own necessities, which had been conceded thereto by the state or by municipal authorities prior to the coming into force of this Act.

(2) The right of use shall be deemed extinct with the extinction of the need for the property.

Lev Re-denomination Act

Promulgated, State Gazette No. 20/5.03.1999,

amended, SG No. 65/20.07.1999

(effective 5.07.1999).

TRANSITIONAL AND FINAL PROVISIONS

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

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

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