

LAW OF THE COMMERCIAL REGISTER

Prom. SG. 34/25 Apr 2006, amend. SG. 80/3 Oct 2006, amend. SG. 105/22 Dec 2006, amend. SG. 53/30 Jun 2007, amend. SG. 59/20 Jul 2007, amend. SG. 104/11 Dec 2007

Chapter one.

GENERAL PROVISIONS

Subject

Art. 1. This law shall provide the commercial registration, the keeping, the preservation and the access to the commercial register as well as the effect of the entries, deletions and the announcements in it.

Definition

Art. 2. (1) The commercial register shall be unified centralised electronic data base containing the entered circumstances of art. 4 and the announced acts of art. 5 which is managed by information system.

(2) Separate file shall be kept for each trader and branch of foreign trader in electronic form.

Keeping and preservation of the commercial register

Art. 3. (1) The commercial register shall be kept by the Registry Agency at the Minister of Justice, called hereinafter "the agency".

(2) The commercial register shall be preserved by the agency in a way guaranteeing the security of the information contained in it.

(3) The agency shall ensure automated supply of information about the entered traders, branches of foreign traders and the circumstances connected with them and the announced acts in the commercial register of the National Revenue Agency as well as of other subjects determined with a law.

Circumstances subject to entering

Art. 4. In the commercial register shall be entered traders, branches of foreign traders and the circumstances connected with them for which entering is provided with a law.

Acts subject to announcement

Art. 5. In the commercial register shall be announced acts referring to the traders and branches of foreign traders for which entering is provided with a law.

Obligation for declaring and presenting

Art. 6. (1) Each trader shall be obliged to require to be entered in the commercial register declaring the circumstances subject to entering and presenting the acts subjects to announcement.

(2) Each person obliged to declare entering of circumstances or to present acts to the commercial register must implement this in 7 days term after the occurrence of the circumstance, respectively the approval of the act unless other term is determined with a law.

(3) (amend. – SG 105/06) The acts under Art. 40, paras 1 through 3 from the Accountancy law shall be filed declared and presented for announcement in the commercial register following the procedure and within the terms, laid down in the Accountancy law.

Effect of the entering

Art. 7. (1) The entered circumstance shall be considered known for the third conscientious persons from the moment of entering. Till the elapse of 15 days after the entering it cannot be opposed to third persons who prove it has been impossible to know it.

(2) The third persons may go to circumstance subject to entering although the entering has not been implemented unless a law explicitly provides it to have effect after the entering.

Effect of the deletion

Art. 8. The deletion of the entering shall terminate in the future the effect of the entering.

Effect of the announcing

Art. 9. (1) The announcing shall give publicity of the announced act.

(2) The presented acts of art. 5 shall be considered known for the third persons from the moment of announcing.

Trust in the commercial register

Art. 10. (1) Third conscientious persons may go to the entering as well as to the announcing even if the entered circumstance, respectively the announced act, does not exist.

(2) The circumstances not entered shall be considered not existing for the third

conscientious persons.

Publicity

Art. 11. The commercial register shall be public. Anyone shall have right to free access to it and to the documents on the basis of which the entering, the deletions and the announcements have been made.

Fees

Art. 12. (1) State fee shall be paid for entering in the commercial register, issuing of certificate, preservation of firm as well as for conceding of the data base, according to tariff approved by the Council of Ministers.

(2) The agency shall render specialised services for automated access to the commercial register against fee from the tariff of para 1.

(3) The access to the commercial register in official way of the state bodies, the bodies of local government and local administration and the persons to whom exercising of public function has been assigned shall be free of charge. The order and the way for its implementation shall be provided with an act of the Council of Ministers.

Chapter two.

REGISTER PROCEEDINGS

Application

Art. 13. (1) entering, deletion and announcing shall be implemented on the basis of application according to a model.

(2) The application shall contain:

1. data about the applicant;
2. data about the trader or the branch of foreign trader in which case is required entering, deletion or announcement;
3. the circumstance subject to entering, the entering which deletion is required or the act subject to announcement, and
4. signature of the applicant.

(3) The documents, respectively the act subject to announcement, according to the requirements of the law shall be attached to the application.

(4) The applications and the acts of the court on paper shall be submitted in any territorial unit of the agency at the seat of the regional courts.

(5) The applicant shall sign declaration for the truth of the circumstances declared b him or the adoption of the presented acts.

(6) At accepting the application the identity of the applicant shall be checked.

Acts of the court

Art. 14. Entering, deletion and announcement shall be implemented immediately and on the basis of acts of the court in the cases provided with a law. The court shall send in official way the court act to the agency.

Applicant

Art. 15. (1) Entering, deletion and announcement shall be declared by the trader personally or in his name by person or persons who represent him according to law and in the cases provided by law – also in the name of other person.

(2) Upon change in the bodies or in the representation the declaring shall be implemented by the newly elected body or representative.

Paper carrier

Art. 16. (1) The applications, the acts of the court and the appeals submitted on paper shall be introduced in the information system through taking of electronic image from them and the documents attached to them. The identity of the presented documents on paper with the documents in electronic form shall be certified by an employee of the agency on each page.

(2) Until the contrary of proved shall be considered that the electronic document created in the way pointed out in para 1 shall be identical with the document submitted on paper.

(3) The documents of para 1 presented by the applicant shall be preserved by the agency in the territorial divisions at the initial registration of the trader.

(4) References shall not be made and certificates shall not be issued for the documents of para 1 except in the cases of court litigation.

Electronic form

Art. 17. The agency shall ensure opportunity for accepting applications, acts of the court, appeals against refusals and sending of documents in electronic form, transferred in electronic way under the conditions and by the order of the Law of the electronic document and the electronic signature.

Language

Art. 18. (1) The application and the appendices to telecommunications shall be submitted in Bulgarian language.

(2) The documents of para 1 may also be presented in each of the official languages of the European Union. In this case the documents shall be presented together with certified translation in Bulgarian language.

(3) In case of controversy between the text of the document and the translation in Bulgarian language priority shall have the translation in Bulgarian language. Third persons may go to the presented text unless the trader proves that the translation in Bulgarian language has been known to them.

Considering of the applications

Art. 19. (1) The applications for entering, deletion and announcement shall be considered by official for registration by the order of receiving them.

(2) The official for registration shall pronounce on the application for entering or deletion at latest till the end of the first working day after receiving it unless with a low other term for pronouncing is provided.

(3) The official for registration shall pronounce on the application or announcement immediately.

Official for registration

Art. 20. (1) As official for registration shall be appointed person who has graduated higher education in law, acquired judicial legal competence and judicial practice not less than 3 years.

(2) The official for registration shall be civil servant.

(3) The executive director of the Registry Agency shall be person with higher judicial education and judicial practice not less than 5 years.

Scope of the check

Art. 21. The official for registration shall check whether:

1. application has been submitted for the required entering, deletion or announcement;
2. the declared circumstance is subject to entering or the presented act is subject to announcement;
3. the application is by authorised person;
4. to the application have been attached all documents according to the requirements of law, respectively the act subject to announcement;
5. the existing of the circumstance declared for entering is established from the presented documents of item 4;
6. declaration of art. 13, para has been presented;

7. other person has no right over the firm and it meets the requirements of art. 7, para 2 of the Commercial Law at initial entering or change of the firm;
8. the due state fee has been paid.

Entering, deletion and announcement

Art. 22. (1) The official for registration shall implement in the respective fund of art. 19 entering or deletion of the entering, respectively announcement of the presented act when the requirements provided in art. 21 exist.

(2) The entering and the deletion shall be implemented by consequently input of information about the respective circumstance in the commercial register.

(3) The announcement shall be implemented by transfer of the content of the presented act in the commercial register in format subject to automated processing.

Unified identification code

Art. 23. (1) The agency shall determine unified identification code, called hereinafter "UIC", obligatory for the persons entered in the commercial register.

(2) The unified identification code shall be determined at the initial entering of the traders and the branches of the foreign traders in the commercial register and it shall remain unchanged till their deletion.

(3) The way of forming of UIC shall be determined with the ordinance of art. 31.

(4) If UIC is pointed out the state bodies, the bodies of local government and the local administration and the persons to whom the exercising of public function has been assigned shall not have right to require the proving of circumstances entered in the commercial register and the presenting of acts announced in the commercial register.

Refusal

Art. 24. (1) The official for registration shall decree motivated refusal when some of the requirements provided in art. 21 have not been met. The refusal shall be delivered to the applicant immediately after its decreeing by the order of the Civil Procedure Code.

(2) When the applicant has pointed out in the application that he wishes to be notified electronic way the refusal shall be sent to the electronic address pointed out by him. In this case confirmation of the receiving of the refusal shall not be required.

Appeal

Art. 25. (1) The refusal shall be subject to appeal before the regional court at the seat of the trader or the branch of foreign trader in 7 days term after delivering it.

(2) The appeal shall be submitted through the agency. The agency shall send immediately the submitted appeal to the court together with the attachments to telecommunications, the decreed refusal, the application and the attachments to it.

(3) At lack of technological opportunity of then court to accept in electronic way the documents pointed out in para 2 they shall be reproduced on paper and sent to the curt certified by an employee of the agency.

(4) (amend. – SG 59/07, in force from 01.03.2008) The court shall consider the appeal with panel of one judge in closed session by the order of chapter Twenty One "Appeal of Rulings". The decision of the court shall be subject to appeal in 7 days term of its announcement before the respective court of appeal which decision shall be ultimate.

(5) At revoking of the refusal the court shall decree decision with which gives obligatory instructions to the agency to implement the required entering, deletion or announcement.

New application

Art. 26. At refusal or not implementing the required entering, deletion or announcement in the respective term of art. 19 the applicant may submit new application for entering, respectively deletion, of the same circumstance or for announcement of the same act. The new application shall be considered by the order of its receiving.

Errors and incompleteness

Art. 27. Errors and incompleteness admitted at entering of circumstances, deletion of entries or announcement of acts, including at discrepancy between the data reflected in the application and the data in the appendices to it shall be removed by new entering, respectively announcement.

Responsibility at errors and incompleteness

Art. 28. The agency shall be responsible for the damages caused by admitted errors and incompleteness at the transfer of information from the application or

the act of the court to the commercial register. Such errors and incompleteness shall be removed officially.

Protection against entering

Art. 29. (1) Each person who has legal interest as well as the prosecutor may present claim for establishing of invalidity or inadmissibility of the entering as well as for not existing of entered circumstance.

(2) The claim of para 1 shall be presented before the regional court at the seat of the trader, respectively of the branch of foreign trader about whom the entering has been implemented.

Deletion of the entering

Art. 30. (1) If the clam of art. 29 is respected the deletion of the entering shall be implemented by the agency by the order of art. 14 on request by the interested person or the prosecutor.

(2) At revoking of decision of a body of the trader on the basis of which entering has been implemented the entering shall be deleted by the order of para 1.

Ordinance

Art. 31. (1) The Minister of Justice shall issue ordinance for keeping, preservation and access to the commercial register.

(2) The ordinance shall determine the models for applications, point out comprehensively the appendices to them for each kind of entering, deletion or announcement according to the requirements of the law as well as the form of the electronic documents.

Chapter two.

„A” REGISTER PROCEEDINGS AND ORDER OF ISSUING EUROPEAN COMPANIES, EUROPEAN

ECONOMIC INTEREST GROUPINGS, EUROPEAN COOPERATIVE SOCIETIES CERTIFICATES AND IN

CASE OF TRANSFORMATION INVOLVING COMPANIES OF MEMBER STATES OF THE EUROPEAN

UNION OR OTHER STATES - PARTIES TO THE AGREEMENT ON THE EUROPEAN ECONOMIC AREA

(NEW – SG 104/07, IN FORCE FROM 01.01.2008)

Registration and Announcement

Art. 31a. (new – SG 104/07, in force from 01.01.2008) (1) In the commercial register shall be registered:

1. the European companies in the sense of Council Regulation (EC) No 2157/2001 of 8 October 2001 on the Statute for a European company (SE), further referred to as “Regulation (EC) No 2157/2001”, seated in the Republic of Bulgaria and their branches;
2. the European cooperative societies in the sense of Council Regulation (EC) No 1435/2003 of 22 July 2003 on the Statute for a European Cooperative Society (SCE), further referred to as “Regulation (EC) No 1435/2003”, seated in the Republic of Bulgaria and their branches;
3. the European economic interest groupings in the sense of Council Regulation (EEC) No 2137/85 of 25 July 1985 on the European Economic Interest Grouping (EEIG), further referred to as “Regulation (EC) No 2137/85”, seated in the Republic of Bulgaria and the subsidiaries in the Republic of Bulgaria of the European economic interest groupings seated abroad.

(2) In the commercial register shall be entered the circumstances subject to entry in case of transformation involving companies from Member States of the European Union or other countries – parties to the Agreement on the European Economic Area. Entered shall be also the circumstances and the changes therein regarding the persons under Para 1 and their branches and subsidiaries.

(3) In the commercial register shall be announced the acts concerning the persons referred to in Para 1 and their branches and subsidiaries.

Verification in Case of Establishment of an European Company and an European Cooperative Society seated in the Republic of Bulgaria

Art. 31b. (new – SG 104/07, in force from 01.01.2008) (1) Where by virtue of consolidation or merger an European company is established with a seat in the Republic of Bulgaria, the official for registration shall enter the European company upon verifying that:

1. the requirements of Regulation (EC) No 2157/2001 regarding its establishment have been met;
2. the transforming companies seated in the Republic of Bulgaria have complied with the requirements of this Regulation and
3. the applicable provisions of the Bulgarian legislation regarding the companies limited by shares.

(2) In case of registration of the formation of a European cooperative society seated in the Republic of Bulgaria the official for registration shall verify

also whether the cooperatives seated in the Republic of Bulgaria involved in the consolidation have met the requirements of Regulation (EC) No 1435/2003.

Certificate on Legality regarding an European Company and an European Cooperative Society

Art. 31c. (new – SG 104/07, in force from 01.01.2008) (1) Where by virtue of consolidation or merger an European company is established with a seat in another Member State, the official for registration shall issue a certificate under Art. 25, Para 2 of Regulation (EC) No 2157/2001 on the legality of the consolidation or merger regarding the company under transformation seated in the Republic of Bulgaria and shall publish it ex officio.

(2) In case of moving an European company seated in the Republic of Bulgaria to another Member State, the official for registration shall issue a certificate under Art. 8, Para 8 of Regulation (EC) No 2157/2001 on the legality of the acts of moving the seat and shall publish it ex officio.

(3) In case of establishment of an European cooperative society by virtue of consolidation or merger, the official for registration shall issue a certificate under Art. 29, Para 2 of Regulation (EC) No 1435/2003 on the legality of the consolidation regarding the consolidating company seated in the Republic of Bulgaria and shall publish it ex officio.

(4) In case of moving an European cooperative society seated in the Republic of Bulgaria to another Member State, the official for registration shall issue a certificate under Art. 7, Para 8 of Regulation (EC) No 1435/2003 on the legality of the acts of moving the seat and shall publish it ex officio.

(5) When issuing a certificate under Para 1 – 4 the official for registration shall check ex officio, if the company or the cooperative society seated in the Republic of Bulgaria owns land.

Certificate on Legality in Case of Transformation;

Art. 31d. (new – SG 104/07, in force from 01.01.2008) (1) Where all requirements of Chapter Sixteen, Section V of the Commercial Law, as well as all requirements of the law on taking a decision for transformation have been met, the official for registration shall issue the requested certificate at least 14 days after the submission of the request and shall publish it ex officio. The official for registration shall check ex officio, if the transforming company seated in the Republic of Bulgaria owns land.

(2) The submission of an owelty of exchange claim by a partner or a shareholder

under Art. 263p of the Commercial Law or the submission of a leave notification under Art. 263q of the Commercial Law shall not pose a restriction on issuing the certificate referred to in Para 1, but the official for registration shall not these circumstances in the certificate.

Refusal to Issue a Certificate

Art. 31e. (new – SG 104/07, in force from 01.01.2008) Art. 25 shall apply in case of refusal to issue a certificate under Art. 31c or 31d. The refusal, which has entered into force, shall be published.

Notification

Art. 31f. (new – SG 104/07, in force from 01.01.2008) (1) Within one month from registration of a European company or a European economic interest grouping the Registry Agency shall send ex officio a notification for publication in the Official Journal of the European Union containing information of the name, number, date and place of registration, seat and subject of activity of the European company, respectively of the European economic interest grouping. Such a notification shall be send also in case of writing off the commercial register a European company and a European economic interest grouping.

(2) Immediately after the registration of the transformation under Art. 265n of Commercial Law the Registry Agency shall notify the registers, where the transforming companies seated in another Member State are registered, thereof.

Chapter three.

PUBLICITY

References

Art. 32. (1) Anybody may require and make reference about the existence or the lack of entered circumstance or announced act in the commercial register.

(2) References in the commercial register may be implemented by:

1. the name, respectively the firm, or UIC of the trader or the branch of foreign trader;
2. the name, respectively the firm, or UIC of the partner or the sole owner of the capital;
3. the name, respectively the firm, or UIC of a member of the bodies of a corporate body – trader.

(3) In the file of the separate trader, respectively branch of foreign trader and of its grantors and legal successors references may be implemented about

each circumstance or announced act.

Content of the references and the certificates

Art. 33. (1) The references and the certificates may contain excerpt from the commercial register or copies of the documents on the basis of which the entering, the deletion or the announcement has been implemented.

(2) Certificates shall also be issued about the fact that defined circumstance has not been entered for defined trader or branch of foreign trader.

(3) The references shall be verbal and written.

(4) The certificates shall be official documents.

Implementing of references and issuing of certificates

Art. 34. (1) References shall be implemented and certificates shall be issued immediately at each territorial unit of the agency.

(2) The agency shall insure opportunity for implementing references by distant access as well as the issuing of written references and certificates in electronic form and their transfer in electronic way.

Chapter four.

PRESERVATION OF FIRM

Preservation of firm

Art. 35. (1) Anyone may preserve firm before submitting application for entering.

(2) The preservation shall be implemented on the basis of application according to model by the interested person by immediate reflecting in the commercial register by the order of receiving of the application.

(3) For each application check shall be implemented whether another person has rights over the firm and whether the due state fee has been paid.

Effect

Art. 36. The preservation shall have effect for two months and it shall be obstacle other trader to be entered in the commercial register under the same firm.

Prohibition of transfer

Art. 37. The preserved firm shall be inalienable and non-transferable.

Chapter five.

FINANCING OF THE COMMERCIAL REGISTER

Principle of self financing

Art. 38. (1) The financing of the activities for keeping, preservation and development of the commercial register shall be ensured by the fees under this law as well as with resources from national, regional and international programmes and projects and international agreements.

(2) The incomes from fees under this law shall be used only for financing of the keeping, preservation and development of the commercial register.

(3) When the resources of para 1 are not sufficient for financing of the activities for keeping and preservation of the commercial register the necessary resources shall be ensured through subsidy from the budget of the Ministry of Justice.

(4) The excess of the incomes from the fees under this law over the expenses for financing of the activities for keeping and preservation of the commercial register shall be ground for reduction of the extent of the fees for the following financial year.

Development of the register

Art. 39. (1) Twenty five percent of the fees collected under this law as well as 25 percent of the collected fines and proprietary sanctions imposed for breaches of this law shall be spent for development of the material base, for increase of the qualification and for stimulation of the employees of the agency under conditions and by order determined with an ordinance by the Minister of Justice.

(2) The resources for stimulation of the employees cannot exceed 25 percent of the annual extent of the resources for salary.

Chapter six.

ADMINISTRATIVE PUNITIVE PROVISIONS

Breaches and fines

Art. 40. (1) A person who is obliged but does not declare entering of circumstance of art. 4 or does not present act of art. 5 in the term defined by a law shall be punished with fine from 500 to 1000 levs.

(2) (amend. – SG 105/06) A person who does not fulfil his/her obligation pursuant to Art. 6, para 3, shall be punished with fine from 1500 to 3000 levs.

(3) If after being punished with fine the obliged person does not declare

entering or does not present he acts in the defined term he shall be punished with the fines of para 1 and 2 every month till the implementing of the actions.

(4) With the fines of para 1 and 3 shall also be punished official from the agency who, being obliged, does not implement the necessary entering, deletion or announcement in the commercial register or does not decree refusal.

(5) The guilty officials shall be punished for breach of art. 23, para 4 with fine from 100 to 500 levs.

Establishing of breaches and imposing of fines

Art. 41. (1) The breaches shall be established with acts compiled by officials determined by the executive director of the agency and the punitive decrees shall be issued by the executive director of the agency or by officials authorised by him.

(2) The establishing of the breaches, the issuing, appealing and fulfilment of the punitive decrees shall be implemented by the order of the Law of the administrative offences and penalties.

Additional provisions

§ 1. In the sense of this law "electronic way" is the transfer of data in digital form using devices for electronic processing, including digital compressing and preservation of information, the transfer being implemented by using conductor, radio waves, optical, electromagnetic or other means.

Temporary and concluding provisions

§ 2. (1) The Council of Ministers and the regional governors shall at latest till July 1, 2006 concede buildings or premises to the agency for the needs of the registers kept by it.

(2) Till the ensuring of the buildings of para 1 the Supreme Judicial Council shall concede to the agency the premises in the regional courts for the registers kept by them.

§ 3. (1) In one month term after the promulgation of the law the regional courts shall deliver gratuitously to the agency structured data in electronic form about the traders and the branches of foreign traders entered in the commercial register and the registers of the co-operations as well as the preserved firms.

(2) In the term of para 1 the Supreme Judicial Council and the Minister of

Finance shall organise the gratuitous conceding by the regional courts to the agency of permanent and unlimited access for electronic exchange of information to the information systems used till this moment by the courts for the traders and the branches of foreign traders entered in the commercial registers and the registers of the co-operations as well as the preserved firms.

(3) The way of implementing the exchange of information of para 2 shall be provided with joint act of the Minister of Justice and the Minister of Finance issued in the term of para 1.

(4) In the term of para 1 the Supreme Judicial Council shall on proposal by the chairmen of the regional courts concede to the agency list of the judicial employees with position "entering clerk in regional court" who must be transferred to the agency. The employment legal relations between these employees and the agency shall be arranged by the order of art. 123 of the Labour Code after the law enters into force.

§ 4. The traders and the branches of foreign traders entered in the commercial register and in the register of the co-operations at the regional courts shall be obliged to re-register under this law in three years term after it enters into force. State fee for re-registration shall not be due.

(2) The re-registration of para 1 shall be implemented by entering in the commercial register of the trader or the branch of foreign trader and the respective circumstances about him on the basis of application by the trader, respectively by the manager of the branch of foreign trader and certificate of the actual status of his registration in which the court points out the BULSTAT code of the trader, respectively the branch of foreign trader. The companies and the co-operations shall also present actual company contract or statutes certified by its management body.

(3) The court of registration shall issue the certificates of para 2 in three days term after the request. State fee shall not be due for the certificates.

(4) After the delivery of the certificates of the trader, respectively the branch of the foreign trader, the court shall immediately concede to the agency access for taking electronic image of the whole numbered firm file. The taking of the electronic image shall be implemented jointly by employee of the court and representative of the agency. After the processing and the input of electronic copy of the firm file in the commercial register by the agency the court shall archive the firm file.

(5) In the term of para 1 references and certificates about the documents on

which basis the entering, the deletions or the announcements of the re-registered traders, respectively branches of foreign traders, have been made before the re-registration shall be issued by the agency in 14 days term after the request.

(6) At coincidence of the firms of two or more traders established at submitted application for re-registration the agency shall send a message about this telecommunications all traders whose firms coincide conceding to the trader declared re-registration two months term for declaring change of the firm. Upon not declaring change of the firm the agency shall re-register the trader according to the certificate of para 2 and to the firm shall be obligatory added the settlement of the regional court of the registration. Till the elapse of the term of para 1 the coincidence of the firms and the addresses of management of the traders shall be established from the data of § 3.

(7) Simultaneously with the application for re-registration may also be required application for entering of new circumstance, deletion or announcement.

(8) (amend. – SG 105/06) At presenting for announcement in the commercial register of the acts under Art. 6, para 3 for 2006 the traders shall also present the respective acts for 2004 and 2005.

(9) At the re-registration the traders and the branches of foreign traders shall be excluded from register BULSTAT and the code of BULSTAT shall become UIC of the trader.

§ 5. (1) With the elapse of the term of § 4, para 1 the court shall officially issue certificates of § 4, para 2 to the sole entrepreneurs and branches of foreign traders who have not re-registered and send hem to the agency by the order of art. 14. The agency shall officially enter in the commercial register the sole entrepreneurs and branches of foreign traders not re-registered in term and immediately delete them, respectively close.

(2) With the elapse of the term of § 4, para 1 the curt shall issue officially certificates of § 4, para 2 to the commercial companies and the co-operations which have not re-registered, send them to the agency by the order of art. 14 and concede to the agency access for taking electronic image from their firm files of § 4, para 4. After the processing and the input by the agency of electronic copy of the firm file in the commercial register the court shall archive the firm file. The agency shall officially enter the trader and the termination of his activity, appoint liquidator, determine his remuneration and the term of the liquidation.

(3) As liquidator of traders terminated under para 2 shall be appointed unlimited liable partner in personal companies or member of management body in capital companies or co-operations. If such persons cannot be found in 6 months term after the termination of the activity of the trader the agency shall officially appoint liquidator from the list of liquidators with it.

(4) The expenses for the procedures for liquidation shall be for the account of the trader. The members of the management bodies shall be jointly and unlimited liable for the liabilities of the trader connected with the procedures for liquidation.

(5) When liquidator is appointed by the order of para 3, second sentence and the property of the trader is insufficient for covering the expenses for liquidation they shall be taken by the agency for the account of the fees collected under art. 12. The officially appointed liquidators shall finish the procedures in 6 months term after their appointment.

§ 6. The register procedures started before the law enters into force shall be finished by the court by the previous order.

§ 7. In the law of co-operations (prom. SG 113/99; amend. SG 92/00, SG 98/01, SG 13/03, SG 102, 105/05) the following amendments shall be made:

1. In art. 3:

a) in para 1 the text before item 1 shall be changed to:

"(1) The co-operation shall be entered in the co upon application by the management council, to which shall be attached";

b) in para 3 the words "the court shall enter the new co-operation or the changes of art. 3, para 1 after to it is presented" shall be substituted by "the new co-operation or the changes of art. 37, para 1 shall be entered in the commercial register after presenting".

2. Art. 4 shall be changed to:

"Emerging

Art. 4. The co-operation shall emerge from the day of its entering in the commercial register."

3. In art. 41 para 2 shall be changed to:

"(2) In the cases of art. 40, para 1, item 2 the Registry Agency shall appoint liquidator, determine the term of liquidation and the remuneration of the liquidator."

4. In art. 42:

- a) in para 1 the words "the register of the court and promulgated in State Gazette" shall be substituted by "the commercial register";
 - b) in para 2 the words "the day" shall be substituted by "the moment".
5. In art. 44, para 1 the words "the promulgation" shall be substituted by "the entering in the commercial register".
6. In art. 47:
- a) para 2 shall be revoked;
 - b) para 3 shall be changed to:
"(3) The liquidators shall be obliged in 7 days term after the adoption of the decision of para 1 to require its entering in the commercial register."
7. In art. 49, 3d sentence the words "the register of the court" shall be substituted by "the commercial register".

§ 8. In the Law of register BULSTAT (prom. SG 39/05; amend. SG 105/05) the following amendments and supplements shall be made:

- 1. In art. 3, para 1:
 - a) in item 1 at the end shall be added "who are not traders";
 - b) item 2 shall be revoked;
 - c) in item 3 at the end shall be added "who are not traders";
 - d) item 8 shall be changed to:
"8. the branches and the divisions of the persons of items 1, 5 and 7 as well as the branches of the traders entered in the commercial register;"
- 2. In art. 6, para 2 the words "or the sole entrepreneur" shall be deleted.
- 3. In art. 13 the words "apart from their registration as sole entrepreneurs" shall be deleted.
- 4. In art. 19, para 2, item 2 the words "or the sole entrepreneur" shall be deleted.
- 5. In art. 27, para 1 the words "sole entrepreneurs, commercial companies and other corporate bodies" shall be substituted by "the corporate bodies who are not traders".
- 6. In art. 44, art. 45, para 1, art. 46, 47 and 48 the words "and sole entrepreneurs" shall be deleted.

§ 9. In the Civil Procedure Code (prom. Izv 12/52; amend. 92/52, 89/53, 90/55, 90/56, 90/58, 50, 90/61; corr. 99/61; amend. SG 1/63, SG 23/68, SG27/73, SG 89/76, SG36/79, SG 28/83, SG 41/85, ASG 27/86, SG 55/87, SG 60/88, SG 31, 38/89, SG 31/90, SG 62/91, SG 55/92, SG 61., 93/93, SG 87/95, SG 12, 26, 37, 44,

104/96, SG 43, 55, 124/97, SG 21, 59, 70, 73/98, SG 64, 103/99, SG 36, 85, 92/00, SG 25/01, SG 105, 113/02, SG 58, 84/03, SG 28, 36/04, SG 38, 42, 43, 79, 86, 99, 105/05, SG 17/06) the following amendments and supplements shall be made:

1. In art. 398b:

a) in para 1, first sentence the words "to the regional court of registration of the company" shall be substituted by "for entering in the commercial register" and in third sentence the words "The court of registration" shall be substituted by "The Registry Agency";

aa) in fourth sentence the words "this shall be entered officially in the commercial register after which liquidation shall be implemented by liquidator appointed by the court" shall be substituted by "send the decision of the Registry Agency for entering in the commercial register";

bb) fifth sentence shall be created: "After the entering liquidation shall be implemented by liquidator appointed by the official for registration at the Registry Agency.";

c) in para 3:

aa) in fourth sentence the words "this shall be entered officially in the commercial register after which liquidation shall be implemented by liquidator appointed by the court" shall be substituted by "send the decision of the Registry Agency for entering in the commercial register";

bb) fifth sentence shall be created: "After the entering liquidation shall be implemented by liquidator appointed by the official for registration at the Registry Agency."

2. In the name of chapter fifty two the words "and sole entrepreneurs" shall be deleted.

3. In art. 489, para 1 the words "the restoration of co-operations as well as the registration and the deletion of sole entrepreneurs" shall be substituted by "who are not traders".

4. In art. 490, para 1:

a) in item "a" the words "or of the firm of the sole entrepreneurs" shall be deleted.

5. In art. 491 the words "or of the firm of the sole entrepreneurs" shall be deleted.

6. In art. 491a:

a) in para 1 everywhere the words "the commercial" shall be substituted by "the respective" and the words "the trader" shall be substituted by "the corporate

body";

b) in para 2 the words "the commercial" shall be substituted by "the respective" and the words "the company" shall be substituted by "the corporate body".

7. In art. 494 item "c" shall be revoked.

8. In art. 495:

a) in para 1, item "b" the words "or of the firm of the sole entrepreneur" shall be deleted;

b) in para 2 the words "or the firm of the sole entrepreneur" shall be deleted;

c) in para 3 the words "or sole entrepreneur" shall be deleted and the words "who do not have" shall be substituted by "who does not have".

§ 10. In the Tax Insurance Procedures Code (SG 105/05) the following amendments and supplements shall be made:

1. In art. 28, para 1:

a) item 1 shall be changed to:

"1. the permanent address – for the individuals, if no other address is pointed out in writing, for the persons registered in register BULSTAT – the address for correspondence entered in the register, and for the sole entrepreneurs – the address of management;"

b) in item 2 at the end shall be added "respectively in the commercial register is not entered other address of management".

2. In art. 77 para 1 shall be changed to:

"(1) In the cases of deletion of sole entrepreneur from the commercial register as well as at termination of corporate body – trader, transfer of enterprise under art. 15 of the Commercial Law or at transformation by the order of chapter sixteen of the Commercial Law, the trader shall notify the territorial directorate of the National Revenue Agency at the seat of the trader in term not later than 7 days before submitting of the respective application for entering of the circumstance subject to entering. The territorial directorate of the National Revenue Agency shall issue to the trader certificate for the notification and send officially to the Registry Agency message about the existence or the lack of liabilities for taxes and obligatory insurance instalments under the conditions and in the term of art. 87, para 6, In the certificate and the message shall not be included liabilities secured by the ordered of this law. The certificate of second sentence shall be attached to the application for entering."

3. In art. 81, para 1 item 3 shall be changed to:

"3. the unified identification code determined by the Registry Agency or the unified identification code BULSTAT, respectively the unified civil number or the personal number of the foreigner;"

4. In art. 82, para 2, 3 and 4 shall be changed to:

"(2) The data about the local and the foreign individuals except the persons of art. 80, para 2, of the persons entered in the commercial register, and of the persons subject to registration in register BULSTAT shall be entered in the register of the respective territorial directorate on the basis of the first submitted declaration connected with tax levying or obligatory insurance instalments.

(3) The data of art. 81, para 1 about the persons entered in the commercial register, and of the persons entered in register BULSTAT shall be entered officially by the respective competent territorial directorate on the basis of the data from the commercial register, respectively register BULSTAT.

(4) The official entering of data in the register out of the data subject to entering by the commercial register, respectively by register BULSTAT, shall be implemented with record of art. 50 on the basis of entries in other official (public) registers or findings made after check of a body for revenues. In this case if there is no unified civil number or personal number of foreigner the person shall receive official number."

5. In art. 84 para 1 and 2 shall be changed to:

"(1) The registered persons shall be identified by the data of art. 81, para 1, items 2 – 4 the identification of the persons entered in register BULSTAT being implemented by unified identification code of BULSTAT, and for the sole entrepreneur – by unified identification code issued by the Registry Agency, respectively personal number of foreigner, and unified identification code of BULSTAT.

(2) The identification of individuals who are not entered in the commercial register, respectively in register BULSTAT, shall be implemented by the unified civil number or the personal number of a foreigner."

6. In art. 248, para 9 first sentence shall be changed to: "In the record shall be entered the tender number of the chattel, the price and the number of the participant proposed the highest price, for the individuals – name and UCN, for the traders – name and unified identification code, issued by the Registry Agency, for the persons entered in register BULSTAT – also unified identification code BULSTAT, respectively the data of the authorised representative."

7. In art. 251, para 3 item 1 shall be changed to:

"1. data about the offerer – name, unified civil number (name, unified identification code determined by the Registry Agency, unified identification code BULSTAT) and address;"

8. In the additional provisions shall be created § 2a:

"§ 2a. The branches of the commercial companies and the divisions may continue to be accounted as insurers separate from the company and its other branches and divisions being identified with their unified identification code of BULSTAT according to art. 6, para 2 of the Law of register BULSTAT."

§ 11. In the Social Insurance Code (prom. SG 110/99, SG 55/00 – Decision No 5 of the Constitutional Court of 2000; amend. SG 64/00, SG 1, 35, 41/01, SG 1, 10, 45, 74, 112, 119, 120/02, SG 8, 42, 67, 95, 112, 114/03, SG 12, 38, 52, 53, 69, 70, 112, 115/04, SG 38, 39, 76, 102, 103, 104, 105/05, SG 17/06) the following amendments shall be made:

1. In art. 7, para 6 the words "of register BULSTAT" shall be deleted.

2. In art. 110, para 4 the word "judicial" shall be substituted by "commercial".

3. In art. 112 the words "the identification code of BULSTAT" shall be substituted by "the unified identification code" and the words "in register BULSTAT" shall be deleted.

4. In art. 122a, para 1, item 8 the word "Bulstat" shall be substituted by "unified identification code".

5. In art. 122d:

a) in para 1 the words "The regional code at the seat of the pension insurance company" shall be substituted by "The registry Agency";

b) in para 2 the words "the court decision" shall be substituted by "the certificate".

6. In art. 123h the words "the court implemented the judicial registration" shall be substituted by "the Registry Agency".

7. In art. 145, para 1, item 9 the words "certificate for actual judicial status" shall be substituted by "actual certificate for entering in the commercial register".

8. In art. 50, para 1, item 4 the words "certificate for actual judicial status" shall be substituted by "actual certificate for entering in the commercial register".

9. In art 169a, para 2 the words "the judicial" shall be substituted by "the commercial" and the words "the code of BULSTAT" shall be substituted by "the

unified identification code".

10. In art. 218, para 1, item 9 the words "certificate for actual judicial status" shall be substituted by "actual certificate for entering in the commercial register".

11. In art. 221, para 3, item 3 the words "certificate for actual judicial status" shall be substituted by "actual certificate for entering in the commercial register".

12. In art. 237, item 1 after the words "the pension license and" the words "the judicial" shall be substituted by "the commercial" and after the words "pension insurance and" the words "the code of BULSTAT" shall be substituted by "the unified identification code".

13. In art. 269, para 1, item 8 shall be changed to:

"actual certificate for the entering n the commercial register of the insurance company".

14. In art. 272, para 3, item 3 the words "certificate for actual judicial status" shall be substituted by "actual certificate for entering in the commercial register".

15. In art. 305, item 1 after the words "the license and" the words "the judicial" shall be substituted by " the commercial" and after the words "the code BULSTAT" shall be substituted by "the unified identification code".

§ 12. In the Law of then medicines and the pharmacies in human medicine (prom. SG 36/95, SG 61/96 – Decision No 10 of the Constitutional Court of 1996; amend. SG 38/98, SG 30/99, SG 10/00, SG 37/00 – Decision No 3 of the Constitutional Court of 2000; SG 78/00 – Decision No 7 of the Constitutional Court of 2000; amend. SG 41/01, SG 107, 120/02; corr. SG 2/03; amend. SG 56, 71, 112/03, SG 70, 111/04, SG 37, 76, 85, 99, 105/05) the following amendments shall be made:

1. In art. 11, para 3 item 2 shall be changed to:

"2. actual certificate for entering in the commercial register;".

2. In art. 56, item 3 the words "copy of the court decision or certificate for registration in judicial register" shall be substituted by "actual certificate for entering in the commercial register".

3. In art. 74:

a) in para 1 item 7 shall be changed to:

"7. actual certificate for entering in the commercial register if he is trader.";

b) in para 6:

aa) in item 3 the word "judicial" shall be deleted;

bb) item 4 shall be deleted.

4. In art. 81, para 2 item 1 shall be changed to:

"1. actual certificate for entering in the commercial register;"

§ 13. In the Law of support of the agricultural producers (prom. SG 58/98; amend. SG 79, 153/98, SG 12, 26, 86, 113/99, SG 24/00, SG 34, 41/01, SG 46, 96/02, SG 18/04, SG 14, 105/05, SG 18/06) the following amendments shall be made:

1. In art. 7g, para 3;

a) item 1 shall be changed to:

"1. actual certificate for the entering of the applicant in the commercial register issued up to one month before the submitting of the application;"

b) item 3 shall be revoked.

2. In art. 10c, para 2 item 1 shall be changed to:

"1. actual certificate for the entering in the commercial register;"

§ 14. In the Law of the corporate income tax levying (prom. SG 115/97; corr. SG 19/98; amend. SG 21, 153/98, SG 12, 50, 51, 64, 81, 103, 110, 111/99, SG 105, 108/00, SG 34, 110/01, SG 45, 61, 62, 119/02, SG 42, 109/03, SG 18, 53, 107/04, SG 39, 88, 91, 102, 103, 105/05) in art. 41, para 1 the words "the court" shall be substituted by "the commercial register".

§ 15. In the Law of guaranteeing receivables of the workers and the employees at insolvency of the employer (prom. SG 37/04; amend. SG 104, 105/05) the following amendments shall be made:

1. In art. 4, para 1, item 1 the word "promulgation" shall be substituted by "entering".

2. In art. 6 the words "promulgation in State Gazette" shall be substituted by "entering in the commercial register".

3. In art. 23, para 4 the word "promulgation" shall be substituted by "entering".

4 In art. 24 the word "promulgation" shall be substituted by "entering".

§ 16. In the Law of film industry (prom. SG 105/03; amend. SG 28, 94, 105/05) in art. 20, para 1 the following amendments shall be made:

1. Item 1 shall be changed to:

"1. actual certificate for entering in the commercial register;"

2. Items 2 and 3 shall be revoked.

§ 17. In the Law of tourism (prom. SG 56/02; amend. SG 119, 120/02, SG 39/04, SG 28, 39, 94, 99, 105/05) the following amendments shall be made:

1. In art. 18, para 1:

a) in the text before item 1 the words "code of BUSTAT" shall be substituted by "unified identification code";

b) in item 1 the words "certificate for actual judicial registration" shall be substituted by "actual certificate for entering in the commercial register".

2. In art. 21, para 1 item 5 shall be changed to:

"5. unified identification code;"

3. In art. 50, para 3, item 1 the words "certificate for actual judicial registration" shall be substituted by "actual certificate for entering in the commercial register".

4. In art. 50b, para 1, item 1 the words "certificate for actual judicial registration" shall be substituted by "actual certificate for entering in the commercial register".

5. In art. 50c, para 1, item 1 the words "certificate for actual judicial registration" shall be substituted by "actual certificate for entering in the commercial register".

6. In art. 50d, para 1, item 1 the words "certificate for actual judicial registration" shall be substituted by "actual certificate for entering in the commercial register".

7. In art. 61, para 1:

a) in item 1 item "e" shall be changed to:

"e) unified identification code;"

b) in item 2, item "h" and item "i" the words "code BULSTAT" shall be substituted by "unified identification code";

c) in item 3, item "f" the words "code BULSTAT" shall be substituted by "unified identification code".

§ 18. In the Law of registration and control of the agricultural and forestry machinery (prom. SG 79/98; amend. SG 22/03, SG 74, 88/05) the following amendments and supplements shall be made:

1. In art. 9, para 3 item 1 shall be changed to:

"1. actual certificate for entering in the commercial register;"

2. In art. 11:

a) in para 1 after the words "the judicial" shall be added "respectively the commercial";

b) in para 4:

aa) in item 6 the words "or the sole entrepreneur" shall be substituted by "when he is not trader, respectively actual certificate for entering in the commercial register – for the traders";

bb) item 7 shall be revoked;

c) in para 5, item 1 after the word "judicial" shall be added "respectively commercial".

§ 19. In the Law of radio and television (prom. SG 138/98, SG 60/99 – Decision No 10 of the Constitutional Court of 1999; amend. SG 81/99, SG 79/00, SG 96/01, SG 77, 120/02, SG 99, 114/03, SG 99, 115/04, SG 88, 93, 105/05, SG 21/06) in art. 111, item 2 the word "judicial" shall be substituted by "commercial".

§ 20. In the Law of preservation of public order at conducting of sport events (prom. SG 96/04; amend. SG 103, 105/05) in art. 6 para 3 item 1 shall be changed to:

"1. seat and address of management, unified identification code for the traders, respectively identification code BULSTAT;".

§ 21. In the Law of patronage (SH 103/05) in art. 11 the following amendments and supplements shall be made:

1. In para 4 the words "certified copies of the documents of para 3, items 1, 2, 4 and 5" shall be substituted by "actual certificate for commercial registration and certificate for tax registration".

2. In art. 5:

a) in item 1 after the words "the judicial registration" shall be added "for the persons of art. para 2" and after the words "of register BULSTAT" shall be added "for the persons of art. 9, para 2 and unified identification code for the traders";

b) in item 2 after the word "judicial" shall be added "respectively commercial".

§ 22. In the Law of the medical establishments (prom. SG 62/99; amend. SG 8, 113/99; corr. SG 114/99; amend. SG 36, 65, 108/00, SG 51/01 – Decision No 11 of the Constitutional Court of 2001; amend. SG 28, 62/02, SG 83, 102, 114/03, SG

70/04, SG 46, 76, 85, 88, 105/05) the following amendments shall be made:

1. In art. 36, para 4 the words "The judicial" shall be substituted by "The commercial".
2. In art. 36a, para 3 the words "The judicial" shall be substituted by "The commercial".
3. In art. 37, para 6 the words "the judicial" shall be substituted by "the commercial".
4. In art. 40, para 1 item 1 shall be changed to:
"1. actual certificate for commercial registration;"
5. In art. 41, para 1 item 3 the words "number and lot of the judicial registration, number of the company case" shall be deleted.
6. In art. 47 item 1 shall be changed to:
"1. actual certificate for commercial registration;"
7. In art. 49, para 1 item 2 shall be changed to:
"2. data about the medical establishment – name, seat, capital, unified identification code;"
8. In art. 51a, para 2 item 1 shall be changed to:
"1. actual certificate for commercial registration;"

§ 23. In the Law of telecommunications (prom. SG 88/03; amend. SG 19, 77, 88, 95, 99, 105/05, SG 17/06) the following amendments shall be made:

1. In art. 88, para 1 the words "certificate for actual status of the judicial registration, copy of certificate for registration in BULSTAT" shall be substituted by "actual certificate for commercial registration".
2. In art. 148, item 1 the words "judicial registration" shall be substituted by "registration in the commercial register".

§ 24. In the Law of physical training and sport (prom. SG 58/96, SG 53/97 – Decision No 8 of the Constitutional Court of 1977; amend. SG 124/98, SG 51, 81/99, SG 53/00; corr. SG 55/00; amend. SG 64/00, SG 75/02, SG 95/02 – Decision No 6 of the Constitutional Court of 2002; amend. SG 120/02, SG 96/04, SG 88, 103/05) in art. 51a, para 5 after the words "the judicial" shall be added "respectively the commercial".

§ 25. In the Law of spatial planning (prom. SG 1/01; amend. SG 41, 111/01, SG 43/02, SG 20, 65, 107/03, SG 36, 65/04, SG 28, 76, 77, 88, 94, 95, 103, 105/05) in art. 167, para 2 item 1 shall be changed to:

"1. actual certificate for commercial registration;"

§ 26. In the Law of tobacco and tobacco products (prom. SG 101/93; amend. SG 19/94, SG 110/96, SG 153/98, SG 113/99, SG 33, 102/00, SG 110/01, SG 20/03, SG 57, 70/04, SG 91, 95, 99, 105/05, SG 18/06) the following amendments shall be made:

1. In art. 37, para 1 item 1 shall be changed to:

"1. actual certificate for commercial registration;"

2. In appendix No 1 of art. para 1 and in appendix No 3 of art. 37, para 1 everywhere the word "BULSTAT" shall be substituted by "unified identification code".

§ 27. In the Law of preservation and trade with grain (prom. SG 93/98; amend. SG 101/00, SG 9, 58/03, SG 69, 105/05) the following amendments shall be made:

1. In art. 11a, para 2:

a) item 1 shall be changed to:

"1. actual certificate for commercial registration;"

b) item 2 shall be revoked.

2. In art. 24, para 4:

a) item 1 shall be changed to:

"1. actual certificate for commercial registration;"

b) item 2 shall be revoked.

§ 28. In the Law of postal services (prom. SG 64/00; amend. SG 112/01, SG 45, 76/02, SG 26/03, SG 19, 88, 99, 105/05, SG 17/06) the following amendments shall be made:

1. In art. 43, para 2:

a) item 1 shall be changed to:

"1. actual certificate for commercial registration;"

b) items 2 and 3 shall be revoked.

2. In art. 59:

a) in para 1, item 1 the words "registration in BULSTAT" shall be substituted by "unified identification code";

b) in para 2:

aa) item 1 shall be changed to:

"1. actual certificate for commercial registration;"

bb) item 2 shall be revoked.

§ 29. In the Law of the small and medium enterprises (prom. SG 84/99; amend. SG 80, 92/00, SG 42/01, SG 28/02, SG 64/04) in § 1, item 5 of the additional provision the words "the respective regional court" shall be substituted by "the Registry Agency".

§ 30. In the Law of encouragement of investments (prom. SG 97/97; corr. SG 9/97; amend. SG 29, 153/98, SG 110/99, SG 28/02, SG 37/04; corr. SG 40/04) in art. 7 the words "the court in which region is located his seat" shall be substituted by "the Registry Agency".

§ 31. In the Law of the commodity exchanges and the market places (prom. SG 93/96; amend. SG 41, 153/98, SG 18/99, SG 20/00, SG 41/01) the following amendments and supplements shall be made:

1. In art. 14, para 3 item 1 shall be changed to:

"1. actual certificate for entering in the commercial register of the respective trader;"

2. Art. 18 shall be changed to:

"Art. 18. (1) The Registry Agency shall enter in the commercial register the implemented activity as commodity exchange after the permit issued by the commission is presented.

(2) The Registry Agency shall enter in the commercial register the implemented activity as market place after the permit issued by the commission is presented."

3. In art. 21:

a) in para 1 the words "the regional court" shall be substituted by "the Registry Agency" and second sentence shall be created: "In these cases the commission shall appoint liquidator and determine the term for implementing the liquidation and the remuneration of the liquidator.";

b) in para 2 the words "the regional court" shall be substituted by "the Registry Agency".

§ 32. In the Law of the private guarding activity (prom. SG 15/04; amend. SG 105/05) in art. 15, para 2 the following amendments shall be made:

1. Item 1 shall be changed to:

"1. actual certificate for entering in the commercial register;"

2. Item 2 shall be revoked.

§ 33. In the Law of excise and tax warehouses (prom. SG 91/05; amend. SG 105/05) the following amendments shall be made:

1. In art. 48, para 2 item 1 shall be changed to:

"1. actual certificate for entering in the commercial register;"

2. In art. 51, para 1, item 5 the word "BULSTAT" shall be substituted by "the unified identification code".

3. In art. 54, para 2, item 3 the word "BULSTAT" shall be substituted by "the unified identification code".

4. In art. 56, para 2, item 2 the word "BULSTAT" shall be substituted by "the unified identification code".

5. In art. 57, para 3:

a) item 1 shall be changed to:

"1. actual certificate for entering in the commercial register – original or copy certified by a notary;"

b) item 5 shall be changed to:

"5. copy of the certificate for tax registration certified by the person;"

§ 34. In the Law of movement on roads (prom. SG 20/99, SG 1/00, SG 43, 45, 76/02, SG 16, 22/03, SG 6, 70, 85, 115/04, SG 79, 92, 99, 102, 103, 105/05) the following amendments shall be made:

1. In art. 148, para 3:

a) item 1 shall be changed to:

"1. copy of the judicial decision for registration by the order of the Law of the non profit corporate bodies, respectively actual certificate for entering in the commercial register;"

b) In item 2 at the end shall be added "for the non profit corporate bodies".

2. In art. 152, para 3:

a) item 1 shall be revoked;

b) item 2 shall be changed to:

"2. actual certificate for entering in the commercial register;"

§ 35. In the Law of waste management (prom. SG 86/03; amend. SG 70/04, SG 77, 87, 95, 105/05) the following amendments shall be made:

1. in art. 30:

a) in para 3 the words "the judicial registration of the persons under the Commercial Law" shall be substituted by "the seat of the persons under the

commercial register";

b) in para 4 the words "the judicial registration under the Commercial Law" shall be substituted by "the seat under the commercial register".

2. In art. 39, para 1, item 3 the words "actual judicial status" shall be substituted by "entering in the commercial register".

3. In art. 51, para 1:

a) in item 1 the words "actual judicial status" shall be substituted by "entering in the commercial register";

b) item 2 shall be revoked.

4. In art. 54:

a) in para 4:

aa) in item 1 the words "actual judicial status" shall be substituted by "entering in the commercial register";

bb) item 5 shall be revoked;

b) in para 5 the words "and 5" shall be deleted;

c) in para 6 the figure "5" shall be deleted.

5. In art. 57, para 2 the words "number of the company file; number of the volume and the batch; identification code of register BULSTAT" shall be substituted by "unified identification code".

6. In art. 62, para 4:

a) in item 1 the words "actual judicial status" shall be substituted by "entering in the commercial register";

b) item 2 shall be revoked.

7. In art. 67, para 1, item 2 the words "judicial status" shall be substituted by "status in the commercial register".

8. In art. 80, para 1:

a) in item 1 the words "certificate for actual status of the judicial registration" shall be substituted by "actual certificate for commercial registration".

9. In art. 84, item 3 the words "certificate for actual status" shall be substituted by "actual certificate for commercial registration".

10. In art. 87, para 2, item 2 the word "BULSTAT" shall be substituted by "unified identification code".

§ 36. In the Law of foods (prom. SG 90/99; amend. SG 102/03, SG 70/04, SG 87, 99, 105/05) the following amendments shall be made:

1. In art. 12, para 3 item 1 shall be changed to:

1. actual certificate for entering in the commercial register when the applicant is trader;"
2. In art. 19, para 2 the words "code in BULSTAT" shall be substituted by "unified identification code".
3. In art. 22b, para 1 in the text before item 1 after the words "the corporate body" shall be added "when he s not trader, and unified identification code when he is trader".
4. In art. 25a, para 3 item 1 shall be changed to:
"1. actual certificate for entering in the commercial register of the Bulgarian company – importer;"

§ 37. In the Law of the administrative regulation of the production and trade with optical discs, matrices and other carriers containing objects of copyright (prom. SG 74/05; amend. SG 105/05) the following amendments and supplements shall be made:

1. In art. 8
 - a) in para 1, item 1 the words "identification code in register BULSTAT" shall be substituted by "unified identification code" and the word "judicial" shall be substituted by "commercial";
 - b) in para 2:
 - aa) item 1 shall be changed to:
"1. actual certificate for entering in the commercial register;";
 - bb) items 2 and 4 shall be revoked.
2. In art. 9, para 9:
 - a) in item 2 the word "judicial" shall be substituted by "commercial";
 - b) item 4 shall be changed to:
"4. unified identification code;".
3. In art. 12, item 5 the word "judicial" shall be substituted by "commercial".
4. n art. 14, para 1, item 3 the word "judicial" shall be substituted by "commercial".
5. In art. 15, para 1, item 1 the words "identification code of register BULSTAT" shall be substituted by "unified identification code" and the words "judicial registration" shall be substituted by "the registration in the commercial register".
6. In art. 17, para 1:
 - a) in item 2 the word "judicial" shall be substituted by "commercial";
 - b) item 3 shall be changed to:

"3. unified identification code".

7. In art. 20:

a) in para 1, item 1 after the word "BULSTAT" shall be added "respectively unified identification code for the traders" and after the word "judicial" shall be added "respectively commercial";

b) in para 2 item 2 shall be changed to:

"2. actual certificate for entering in the commercial register;".

8. In art. 22, para 1, item 2 after the word "BULSTAT" shall be added "respectively unified identification code for the traders" and after the word "judicial" shall be added "respectively commercial".

9. In art. 24, para 1, item 1 after the word "BULSTAT" shall be added "respectively unified identification code for the traders" and after the word "judicial" shall be added "respectively commercial".

10. In art. 24, para 1, item 1 after the word "BULSTAT" shall be added "respectively unified identification code for the traders" and after the word "judicial" shall be added "respectively commercial".

11. In art. 27, para 1, item 2 after the word "BULSTAT" shall be added "respectively unified identification code for the traders" and after the word "judicial" shall be added "respectively commercial".

12. In art. 27, para 1, item 2 after the word "BULSTAT" shall be added "respectively unified identification code for the traders" and after the word "judicial" shall be added "respectively commercial".

13. In art. 30, para 4:

a) item 1 shall be changed to:

"1. actual certificate for entering in the commercial register issued up to two months before the submitting of the application;";

b) item 3 shall be revoked;

c) in item 4 the word "judicial" shall be substituted by "commercial".

14. In art. 34, para 1:

a) in item 2 the words "number of the company file" shall be deleted;

b) in item 3 the words "the judicial" shall be substituted by "the commercial";

c) item 4 shall be changed to:

"4. unified identification code;".

15. In art. 36, item 5 the word "judicial" shall be substituted by "commercial".

16. In art. 41, para 1, item 1 after the word "BULSTAT" shall be added "respectively unified identification code for the traders" and after the word "judicial" shall be added "respectively commercial".

17. In art. 42, para 1, item 1 after the word "BULSTAT" shall be added "respectively unified identification code for the traders" and after the word "judicial" shall be added "respectively commercial".

18. In art. 48, para 1 after the words "the judicial" shall be added "respectively commercial".

19. In art. 51, para 4 after the words "the judicial" shall be added "respectively commercial".

§ 38. In the Law of wine and alcohol beverages (prom. SG 86/99; amend. SG 56/02, SG 16, 108, 113/04, SG 99, 105/05, SG 18/06) the following amendments shall be made:

1. In art. 23a, para 3, item 3 the words "copy of card for identification in register BULSTAT and" shall be deleted.

2. In art. 40, para 4:

a) item 1 shall be changed to:

"1. actual certificate for entering in the commercial register;";

b) item 7 shall be changed to:

"7. certified by the trader copy of the certificate for registration under the Tax – Procedure Code;"".

§ 39. In the Law of animal breeding (prom. SG 65/00; amend. SG 18/04, SG 87, 105/05) the following amendments and supplements shall be made:

1. In art. 14b:

a) in para 1 after the words "of BULSTAT" shall be added "respectively unified identification code for the traders";

b) in para 2, item 1 before the words "decision for judicial" shall be added "actual certificate for entering in the commercial register for the traders, respectively".

2. In art. 15, para 4:

a) item 1 shall be changed to:

"1. actual certificate for entering in the commercial register;";

b) items 2 and 3 shall be added.

§ 40. In the Law of crafts (prom. SG 42/01; amend. SG 112/01, SG 56/02, SG 99, 105/05, SG 10/06) the following amendments and supplements shall be made:

1. In art. 23, para 1, item 1 the words "the registration and BULSTAT" shall be substituted by "the commercial registration and the unified identification

code".

2. In art. 24:

a) in para 2, item 1 at the end shall be added "and the unified identification code for the traders, respectively identification code BULSTAT for the other persons";

b) in para 3 item 2 shall be changed to:

"2. for the persons registered under the Commercial Law and the Law of co-operations - actual certificate for entering in the commercial register;".

§ 41. In the Law of biological diversity (prom. SG 77/02; amend. SG 88, 105/05) the following amendments and supplements shall be made:

1. In art. 43a, para 5 item 3 shall be changed to:

"3. actual certificate for entering in the commercial register;"

2. In art. 81, para 2, item 2 shall be changed to:

"2. actual certificate for entering in the commercial register;".

3. In art. 82, para 2 item 4 shall be changed to:

"4. actual certificate for entering in the commercial register;".

4. In art. 92, para 1, item 1 at the end shall be added "or unified identification code for the traders".

5. In art. 97:

a) in para 1 after the word "judicial" shall be added "or commercial";

b) in para 2, item 1 at the end shall be added "or unified identification code for the traders".

§ 42. In the Law of forests (prom. SG 125/97; amend. SG 79/98, SG 26/99, SG 29, 78/00, SG 77, 79, 99/02, SG 16, 107/03, SG 72, 105/05) the following supplements shall be made:

1. in art. 1c, para 2, item 1 after the words "for identification" shall be added "actual certificate for entering in the commercial register".

2. In art. 16a, para 2, item 1 after the words "for identification" shall be added "actual certificate for entering in the commercial register".

3. In art. 68a, para 1, item 4 at the beginning before the word "certificate" shall be added "actual certificate for entering in the commercial register, respectively".

4. In art. 68b, para 2, item 5 at the beginning before the word "certificate" shall be added "actual certificate for entering in the commercial register, respectively".

5. In § 123, para 2, item 1 after the words "for identification" shall be added "actual certificate for entering in the commercial register".

§ 43. In the Law of privatisation funds (prom. SG 1/96, amend. SG 68, 85/96, SG 39, 52/98, SG 114/99) in art. 15 the words "The regional court shall enter the privatisation fund" shall be substituted by "The privatisation fund shall be entered".

§ 44. In the Law of the companies with special investment objective (prom. SG 46/03; amend. SG 109/03, SG 107/04) the following amendments shall be made:

1. In art. 5, para 4 the words "receiving of the court decision" shall be substituted by "the entering".

2. In art. 14:

a) in para 1 the words "the court of registration of the company with special investment objective" shall be substituted by "the Registry Agency";

b) in para 2 the words "the court" shall be substituted by "the Registry Agency";

c) in para 3 the words "the court of registration shall officially change" shall be substituted by "the Registry Agency shall officially enter change of".

3. In art. 15, para 3 shall be changed to:

"(3) The change in the statutes shall be entered in the commercial register after presenting of the approval of para 1."

§ 45. In the Law of the electronic document and the electronic signature (prom. SG 34/01; amend. SG 112/01) the following amendments shall be made:

1. In art. 24, para 1:

a) in item 1 the word "BULSTAT" shall be substituted by "the unified identification code";

b) in item 2 the words "the judicial registration" shall be substituted by "the registration".

2. In art. 36, para 1 item 1 shall be changed to:

"1. actual certificate for entering in the commercial register;".

§ 46. In the Law of protection from the harmful impact of chemical substances and preparations (prom. SG 10/00; amend. SG 91/02, SG 86, 114/03, SG 100, 101/05) the following amendments shall be made:

1. In art. 14d, para 2 item 1 shall be changed to:

"1. actual certificate for entering in the commercial register;".

2. In art. 18, para 1:
a) in item 1 item "a" shall be changed to:
"a) actual certificate for entering in the commercial register;"
b) in item 2 item "a" shall be changed to:
"a) actual certificate for entering in the commercial register;"

3. In art. 19f, item 2 the words "the judicial" shall be substituted by "the commercial".

4. In art. 13h, para 1 item 1 shall be changed to:
"1. actual certificate for entering in the commercial register;".

5. In art. 19q item 1 shall be changed to:
"1. actual certificate for entering in the commercial register;".

6. In art. 19s, para 1 item 2 shall be changed to:
"2. actual certificate for entering in the commercial register;".

7. In art. 22a, para 2, item 1 the words "certificate for actual status of the judicial registration" shall be substituted by "actual certificate for entering in the commercial register".

8. In art. 22e, para 1, item 2 the words "certificate for actual status of the judicial registration" shall be substituted by "actual certificate for entering in the commercial register".

§ 47. In the Law of health (prom. SG 70/04; amend. SG 46, 76, 85, 88, 94, 103/05, SG 18/06) in art. 36, para 1 the words "and for the traders – the data of the judicial registration" shall be substituted by "and if he is trader – to present actual certificate for entering in the commercial register".

§ 48. In the Law of health insurance (prom. SG 70/98; amend. SG 93, 153/98, SG 62, 65, 67, 69, 110, 113/99, SG 1, 31, 64/00, SG 41/00, SG 1, 54, 74, 107, 112, 119, 120/02, SG 8, 50, 107, 114/03, SG 28, 38, 49, 70, 85, 111/04, SG 39, 45, 76, 99, 102, 103, 105/05, SG 17, 18/06) the following amendments and supplements shall be made:

1. In art. 88, para 2 item 1 shall be changed to:
"1. actual certificate for entering in the commercial register; number and date of issuing of the license of the health insurance company;".

2. In art. 95, para 2 item 1 shall be changed to:
"1. data about the applicant – name, UCN, permanent address – for the individuals; actual certificate for entering in the commercial register;".

3. In art. 99, para 1, item 2 after the words "the corporate bodies" shall be added "respectively unified identification code – for the traders".

§ 49. In the Law of special pledges (prom. SG 100/96; amend. SG 86/97, SG 42/99, SG 19, 58/03, SG 34, 43/05) the following amendments shall be made:

1. In art. 21:

a) in para 2 the words "the batch" shall be substituted by "the file";

b) para 6 shall be changed to:

"(6) Simultaneously with the entering of the transformation the Registry Agency shall enter in the company files of each of the companies being transformed as well as of the sole entrepreneur at transfer of property to sole owner and the passing of the pledge of commercial company to the respective legal successor."

2. In art. 50, item 5 the words "by the court of registration" shall be substituted by "with decision of the court".

3. "In art. 51 the words "the court of registration" shall be substituted by "the Registry Agency".

§ 50. In the Insurance Code (prom. SG 103/05; amend. SG 105/05) the following amendments and supplements shall be made:

1. In art. 35:

a) in para 1 the words "The court shall enter in the commercial register" shall be substituted by "In the commercial register shall be entered";

b) in para 2 the words "copy of the judicial decision" shall be substituted by "the certificate" and at the end shall be added "in the commercial register".

2. In art. 44:

a) in para 1 the words "The court shall enter in the commercial register the branch" shall be substituted by "In the commercial register shall be entered branch";

b) in para 2 the words "the judicial decision" shall be substituted by "the certificate" and at the end shall be added "in the commercial register".

3. In art. 120, para 1, item 1 the words "by the court" shall be deleted.

4. In art. 122:

a) the title shall be changed to: "Entering of the termination";

b) in para 1 the words "the court" shall be substituted by "the Registry Agency";

c) para 2 shall be changed to:

"(2) The insurer shall be obliged to present to the commission certificate for

the entering of para 1 term of three working days after implementing the entering."

5. In art. 123:

a) para 1 shall be changed to:

"(1) In the cases of art. 119, item 2 the procedure for liquidation shall be opened with decision of the commission. The decision shall contain the ground for divesting the license and with it shall be determined liquidator, his remuneration and term for implementing the liquidation. The decision shall be sent to the Registry Agency for entering in the commercial register."

b) para 2 shall be changed to:

"(2) The Registry Agency shall enter the termination of the insurer and the name of the liquidator."

6. In art. 124 para 3 shall be changed to:

"(3) In the cases of para 2 the commission may discharge the liquidator about which it shall send its decision to the Registry Agency for entering."

7. In art. 125 the words "the court and" shall be deleted.

8. In art. 139:

a) in para 1 the words "The decision of the court for opening of procedure for liquidation r insolvency" shall be substituted by "The entering of the opening of the procedure for liquidation as well as the decision of the court for opening of procedure for insolvency" and the word "has" shall be substituted by "have";

b) para 2 shall be changed to:

"(2) Simultaneously with the entering in the commercial register of the opening of the procedure for liquidation and the announcement in the commercial register of the decision of the court for opening of procedure for insolvency the Registry agency shall send the decision of the court for publishing on "Official Gazette" of the European Union as well as information about the applicable law, the competent court and the entered liquidator, respectively receiver.";

c) in para 3 the words "the decision for opening of procedure for liquidation or" shall be substituted by "the entering of the opening of procedure for liquidation or the decision for opening of the procedure".

9. In art. 302 para 8 shall be changed to:

"(8) Upon request by the deputy chairman, respectively the commission in the commercial register shall be entered the circumstances, respectively announced the acts of para 2, items 3, 7, 9, 10 and 11 of para 3."

10. In art. 310, para 1 item 3 shall be changed to:

"3. has been divested the license of insurer till the appointment by the court of receiver or the entering in the commercial register of liquidator."

§ 51. In the Law of banks (prom. 52/97; supl. SG 15/98; amend. SG 21, 52, 70, 89/98, SG 54, 103, 114/99, SG 24, 63, 84, 92/00, SG 1/01, SG 45, 91, 92/02, SG 31/03, SG 19, 31, 39, 105/05) the following amendments shall be made:

1. Art. 22 shall be changed to:

"Art. 22. (1) After the taking of decision for divesting license of a bank the Central bank shall:

1. in the cases of art. 21, para 1 appoint liquidator and determine term in which the liquidation must be implemented; the decision shall be sent to the commercial register; or

2. in the cases of art. 221, para 2 direct request to the respective regional court for opening of insolvency procedure.

(2) The decision of para 1, item 2 shall be promulgated in State Gazette".

2. In art. 65 para 5 shall be changed to:

"(5) Upon request by the Central bank in the commercial register shall be entered the circumstances, respectively announced the acts of para 2."

§ 52. In the Law of bank insolvency (prom. SG 92/02; amend. SG 67/03, SG 36/04, SG 31, 105/05) the following changes shall be made:

1. Art. 15 shall be changed to:

"Entering of the court decisions

Art. 15. The decision of the court of art. 13, para 1 shall be entered in the commercial register. "

1. In art. 16 para 5 shall be changed to:

"(5) The decision with which is revoked decision of art. 13, para 1 or art. 14 shall be entered in the commercial register."

3. In art. 19, para 2 the words "promulgation in State Gazette" shall be substituted by "entering in the commercial register".

4. In art. 24, para 2 the words "the promulgation in State Gazette" shall be substituted by "the entered in the commercial register".

5. In art. 26:

a) in para 5 the words "the respective court register and shall be promulgated in State Gazette" shall be substituted by "the commercial register";

b) in para 6, second sentence "the court register and promulgation in State

Gazette" shall be substituted by "the commercial register" and the third sentence shall be deleted;

c) para 7 shall be revoked.

6. In art. 29:

a) in para 3 the words "the respective court register and shall be promulgated in State Gazette" shall be substituted by "the commercial register";

b) in para 4 in the first sentence at the end shall be added "as well as to the Registry Agency" and the second and the third sentence shall be deleted;

c) para 5 shall be revoked.

7. In art. 56, para 1 the words "the promulgation" shall be substituted by "the entering".

8. 7. In art. 59, para 4 the word "promulgation" shall be substituted by "entering".

9. 7. In art. 63, para 1 the words "the promulgation" shall be substituted by "the entering".

10. In art. 64, para 2 the words "announces in State Gazette" shall be substituted by "declares for announcement in the commercial register" and the words "the promulgation of the announcement" shall be substituted by "the announcing".

11. In art. 105:

a) in para 4 the words "the respective court register and shall be promulgated in State Gazette" shall be substituted by "the commercial register";

b) in para 5 the words "its promulgation in State Gazette" shall be substituted by "its entering in the commercial register".

12. In art. 109, para 2 the words "the promulgation" shall be substituted by "the entering".

§ 53. In the Law of public offering of securities (prom. SG 114/99; amend. SG 63, 92/00, SG 28, 61, 93, 101/02, SG 8, 31, 67, 71/03, SG 37/04, SG 19, 31, 39, 103, 105/05) the following amendments and supplements shall be made:

1. Art. 31 shall be changed to:

"Art. 31. The Registry Agency shall enter in the commercial register the stock exchange after the license issued by the commission s presented to it."

2. In art. 36 the words "the court of registration" shall be substituted by "the Registry Agency" and second sentence shall be created: "In these cases the commission shall appoint liquidator, determine term for implementing the liquidation and the remuneration of the liquidator."

3. Art. 49 shall be changed to:

"Art. 49. The Registry Agency shall enter in the commercial register subject of activity organising of unofficial market of securities of the person of art. 44, para 2 after the license issued by the commission is presented to it."

4. Art. 67 shall be changed to:

"Art. 67. The Registry Agency shall enter in the commercial register the company, respectively the right to be implemented services and activities of art. 54, para 2 and 3 in its subject of activity after the license issued by the commission is presented to it."

5. In art. 74a para 6 shall be changed to:

"(6) The Registry Agency shall enter in the commercial register the changes of para 1, items 1 and 2 after the approval issued by the commission, respectively by the deputy chairman, is presented to it."

6. In art. 89, para 2 the words "of the court" shall be deleted.

7. In art. 9 para 4 shall be changed to:

"(4) Apart from the cases of art. 79, para 1, items 3, 4, 5, 6 and 8 in the commercial register shall be entered the increase of the capital implemented under the conditions of art. 5 after the confirmation issued by the commission is presented to it."

8. In art. 112c, second sentence the words "before the court" shall be deleted.

9. In art. 115 para 2 shall be changed to:

"(2) The company shall be obliged to announce the invitation of art. 223, para 4 of the Commercial Law in the commercial register and publish it in one central daily newspaper at least 30 days before its opening."

10. In art. 122, para 2 the words "in the court" shall be deleted.

11. In art. 183:

a) para 1 shall be changed to:

"(1) The Registry Agency shall enter the investment company in the commercial register after the respective license issued by the commission is presented to it.";

b) in para 2 the words "copy of the court decision" shall be substituted by "certificate for entering".

12. In art. 192, para 5 the words "The court" shall be substituted by "The Registry Agency".

13. Art. 207 shall be changed to:

"Art. 207. The Registry Agency shall enter the company in the commercial register, respectively the right to implement the activity of art. 202 in its

subject of activity after the respective license issued by the commission is presented to it."

14. In art. 212 para 7 shall be changed to:

"(7) Upon request by the commission, respectively the deputy chairman, the Registry Agency shall enter the circumstances, respectively announce the acts of para 1 in the commercial register."

§ 54. The Council of Ministers shall, in term till October 1, 2006, submit to the National Assembly draft laws of amendment and supplement of the laws which provisions must be brought in compliance with this law.

§ 55. The by law normative acts for the implementation of this law shall be adopted in the term of the entering in force of the law.

§ 56. (amend. SG 80/06, in force from 03.10.2006; amend. SG 53/07, in force from 30.06.2007) This law shall enter into force on January 1, 2008 except § 2 and § 3 which shall enter into force from the day of promulgation of the law in State Gazette.

§ 57. The implementation of the law shall be assigned to the Council of Ministers and the Supreme Judicial Council.

The law was passed by the 40th National Assembly on March 24, 2006 and on April 20, 2006 and is affixed with the official seal of the National Assembly.

Concluding provisions

TO THE LAW OF AMENDMENT AND SUPPLEMENT OF THE LAW OF THE COMMERCIAL REGISTER

(PROM. – SG 80/06, IN FORCE FROM 03.10.2006)

§ 3. The law shall enter into force from the day of its promulgation in State Gazette.

Concluding provisions

TO THE LAW OF AMENDMENT AND SUPPLEMENT OF THE ACCOUNTANCY LAW
(PROM. – SG 105/06, IN FORCE FROM 01.07.2007)

§ 61. This Law shall enter into force from the 1st of January 2007, except for § 48, which shall enter into force from the 1st of July 2007.

Temporary and concluding provisions

TO THE CIVIL PROCEDURE CODE

(PROM. – SG 59/07, IN FORCE FROM 01.03.2008)

§ 61. This code shall enter into force from 1 March 2008, except for:

1. Part Seven "Special Rules Related to Proceedings on Civil Cases Subject to Application of European Union Legislation"
2. Paragraph 2, Para 4;
3. Paragraph 3 related to revocation of Chapter Thirty Two "a" "Special Rules for Recognition and Admission of Enforcement of Decisions of Foreign Courts and of Other Foreign Authorities" with Art. 307a – 307e and Part Seven "Proceedings for Returning a Child or Exercising the Right of Personal Relations" with Art. 502 – 507;
4. Paragraph 4, Para 2;
5. Paragraph 24;
6. Paragraph 60,

which shall enter into force three days after the promulgation of the Code in the State Gazette.