

# **CODE OF RULES ON RECORDATION AND MAINTENANCE OF THE CENTRAL PROFESSIONAL REGISTRY OF CONSTRUCTION COMPANIES**

**Issued by the Chairman of the Bulgarian Construction Chamber,  
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## **Chapter one**

### **GENERAL PROVISIONS**

**Article 1.** The **CODE OF RULES** shall define:

1. The arrangements for recording and maintenance of the **Central Professional Registry of Construction Companies**, called hereinafter "the Registry".
2. The requirements to the construction companies, applicants for recording into the Registry.
3. The arrangements for usage of the procedures from the electronic structure of the Registry.

**Article 2. (1)** The Commission under Article 26 of the Construction Chamber Act (CCA), called hereinafter "the Commission", shall create, maintain and lead the functioning and use of the Registry pursuant to CCA and the Articles of Association of the Bulgarian Construction Chamber, called hereinafter "the Chamber".

**(2)** The organization and activity of the Commission shall be regulated by the Code of Rules, adopted by the Management Board of the Chamber.

**(3)** The Commission, subject to paragraph 1, shall be an independent body of the Chamber, whose activity shall be realized in compliance with CCA and with the provisions of this Code of Rules and with the Code of Rules subject to paragraph 2.

**Article 3.** To the Chamber unit "Registry" shall be created, consisting of employed on permanent basis personnel of the Chamber and structured as central unit "Registry" and units "Registry" in the regional representations of the Chamber.

**Article 4.** Liable to recording into the Registry are construction companies, executing construction sites on the territory of the Republic of Bulgaria from first to fifth category, pursuant to Article 137, paragraph 1 of the Territorial Development Act (TDA) or separate types of construction and assembly works (CAW), indicated in the Classificatory of Economic Activities (CEA-2008), position "Construction".

**Article 4a.** In the Registry, holding companies shall be inscribed, having in their structure inscribed in the Registry construction companies.

**Article 5. (1)** Construction companies, executing construction sites from first to fifth category pursuant to Article 137, paragraph 1 TDA and liable to recording in the Registry pursuant to Article 3, paragraph 2 CCA, can be recorded into one or more of the following groups:

1. first group: construction sites of high-rise construction (residential, public service, industrial), adjacent infrastructure, electronic communication networks and facilities.
2. Second group: construction sites of the transport infrastructure.
3. Third group: construction sites of the energy infrastructure.
4. Fourth group: construction sites of utilities infrastructure, hydro-technical construction and environment protection.

(2) Type and number of groups of the Registry, wherein the construction company wishes to be inscribed into is identified with the application for recording pursuant to Article 10, paragraph 1.

(3) A construction company, initially inscribed into the Registry in applied for by it group, can also apply for recording in other groups subject to Chapter four.

(4) In each group pursuant to paragraph 1 the following sub-groups shall be set out:

1. construction sites from first to fifth category.
2. Construction sites from second to fifth category.
3. Construction sites from third to fifth category.
4. Construction sites from fourth and fifth category.

(5) The constructed to the construction companies for their recordation into groups subject to paragraph 1 and into their sub-groups subject to paragraph 4 shall be determined in compliance with Chapter second.

(6) Construction sites pursuant to Article 137, paragraph 1 of TDA shall be distributed by groups and categories, as follows:

**1. first group:**

**1.1. first category:**

- 1.1.1. construction sites pursuant to Article 137, paragraph 1, item 1, indent "d" – construction sites, involving risk of explosion, of significant

hazardous impact on environment or spread of poisonous or hazardous substances.

1.1.2. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "f" – construction sites, where suspension of technological process is not allowed.

1.1.3. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "i" – production enterprises with capacity over 500 working places and facilities to them.

1.1.4. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "к" – production buildings, installations, facilities, adjacent infrastructure and others of the metallurgical and chemical industry.

1.1.5. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "l" – other construction sites of high-rise construction, its adjacent infrastructure, electronic communication networks and facilities of national significance, determined with act of the Council of Ministers.

1.1.6. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "m" – immobile cultural valuable assets from category "global significance" and "national significance", as well as buildings within the boundaries and guarded areas of archeological reserves beyond urbanized territories.

1.1.7. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "n" – reconstruction and overhaul of construction sites from this category.

## **1.2. Second category:**

1.2.1. construction sites pursuant to Article 137, paragraph 1, item 2, indent "e" – buildings and facilities for public servicing c capacity over 1000 places for visitors.

1.2.2. Construction sites pursuant to Article 137, paragraph 1, item 2, indent "f" – production buildings, installations, facilities, adjacent infrastructure and others c capacity from 200 to 500 working places and facilities to them.

1.2.3. Construction sites pursuant to Article 137, paragraph 1, item 2, indent "i" – reconstruction and overhaul of construction sites of this category.

## **1.3. Third category:**

1.3.1. construction sites pursuant to Article 137, paragraph 1, item 3, indent "b" – construction sites the high-rise construction and others networks, facilities and installations, not-belonging within the above categories.

1.3.2. Construction sites pursuant to Article 137, paragraph 1, item 3, indent "c" – residential and mixed buildings of high-rise construction; buildings and facilities for public servicing c undeveloped in-built area over 5000 m<sup>2</sup> or with capacity from 200 to 1000 places for visitors.

1.3.3. Construction sites pursuant to Article 137, paragraph 1, item 3, indent "d" – production buildings, installations, facilities, adjacent infrastructure and others with capacity from 100 to 200 working places and facilities to them.

1.3.4. Construction sites pursuant to Article 137, paragraph 1, item 3, indent "g" – reconstruction and overhaul of construction sites from this category.

1.3.5. Construction sites pursuant to Article 137, paragraph 1, item 3, indent "h" – electronic communication networks and facilities, constructed from highway type at national level, including communication and basic stations.

#### **1.4. Fourth category:**

1.4.1. construction sites pursuant to Article 137, paragraph 1, item 4, indent "b" – residential and mixed buildings with average built-up area; buildings and facilities for public servicing with undeveloped in-built area from 1000 to 5000 m<sup>2</sup> or with capacity from 100 to 200 places for visitors.

1.4.2. Construction sites pursuant to Article 137, paragraph 1, item 4, indent "c" – production buildings, installations, facilities, adjacent infrastructure and others with capacity from 50 to 100 working places and facilities to them.

1.4.3. Construction sites pursuant to Article 137, paragraph 1, item 4, indent "e" – reconstruction and overhaul of construction sites of this category and internal reconstructions of the buildings from first to fourth category, wherewith their structure is not affected.

1.4.4. Construction sites pursuant to Article 137, paragraph 1, item 4, indent "f" – immobile cultural assets with category "local significance".

1.4.5. Construction sites pursuant to Article 137, paragraph 1, item 4, indent "g" – electronic communication networks and facilities, constructed in urbanized territories of high-rise and average build-up.

### **1.5. Fifth category:**

1.5.1. construction sites pursuant to Article 137, paragraph 1, item 5, indent "a" – residential and mixed buildings of low build-up, villa buildings, buildings and facilities for public servicing of undeveloped in-built area up to 1000 m<sup>2</sup> or of capacity up to 100 places for visitors.

1.5.2. Construction sites pursuant to Article 137, paragraph 1, item 5, indent "b" – production buildings, installations, facilities, adjacent infrastructure and others of capacity up to 50 working places and facilities to them.

1.5.3. Construction sites pursuant to Article 137, paragraph 1, item 5, indent "c" – construction sites of from the additional build-up beyond these under sixth category.

1.5.4. Construction sites pursuant to Article 137, paragraph 1, item 5, indent "d" – reconstructions, refurbishments, basic overhauls and change of designation of construction sites from this category.

1.5.5. Construction sites pursuant to Article 137, paragraph 1, item 5, indent "e" – electronic communication networks and facilities, constructed in urbanized territories of low build-up.

1.5.6. Construction sites pursuant to Article 137, paragraph 1, item 5, indent "f" – immobile cultural assets of category "ensemble significance" and "for information".

## **2. Second group:**

### **2.1. first category:**

2.1.1. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "a" – highways, high speed motorways and roads I and II class from the republican road network, railway lines, ports and airports for public use, undergrounds and facilities to them.

2.1.2. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "1" – others construction sites from the transport infrastructure c national significance, determined with a decree of the Council of Ministers.

2.1.3. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "n" – reconstruction and overhaul of construction sites from this category.

## **2.2. Second category:**

2.2.1. construction sites pursuant to Article 137, paragraph 1, item 2, indent "a" – roads III class of the republican road network, the primary street network I and II class and facilities to them.

2.2.2. Construction sites pursuant to Article 137, paragraph 1, item 2, indent "i" – reconstruction and overhaul of construction sites from this category.

## **2.3. Third category:**

2.3.1. construction sites pursuant to Article 137, paragraph 1, item 3, indent "a" – municipal roads, streets of the primary street network III and IV class and facilities to them.

2.3.2. Construction sites pursuant to Article 137, paragraph 1, item 3, indent "b" – elements of the transport infrastructure and other networks, facilities and installations, not falling within the above categories.

2.3.3. construction sites pursuant to Article 137, paragraph 1, item 3, indent "g" – reconstruction and overhaul of construction sites from this category.

## **2.4. Fourth category:**

2.4.1. construction sites pursuant to Article 137, paragraph 1, item 4, indent "a" – private roads, streets from the secondary street network V and VI class and facilities to them.

2.4.2. Construction sites pursuant to Article 137, paragraph 1, item 4, indent "e" – reconstruction and overhaul of construction sites from this category.

## **3. Third group:**

### **3.1. first category:**

3.1.1. construction sites pursuant to Article 137, paragraph 1, item 1, indent "b" – transfer power lines (networks) of the technical infrastructure and facilities to them in the area of electricity supply, thermal supply, gas supply and other activities.

3.1.2. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "h" – electric power plants and thermal power plants of power over 100 MWT.

3.1.3. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "l" – others construction sites of the energy infrastructure of national significance, determined by Act of the Council of Ministers.

3.1.4. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "n" – reconstruction and overhaul of construction sites from this category.

### **3.2. Second category:**

3.2.1. construction sites pursuant to Article 137, paragraph 1, item 2, indent "b" – transfer power lines (networks) of the technical infrastructure and facilities to them in the area of electricity supply, thermal supply, gas supply and other activities.

3.2.2. Construction sites pursuant to Article 137, paragraph 1, item 2, indent "g" – electric power plants and thermal power plants of power from 25 to 100 MWt.

3.2.3. Construction sites pursuant to Article 137, paragraph 1, item 2, indent "i" – reconstruction and overhaul of construction sites from this category.

### **3.3. Third category:**

3.3.1. construction sites pursuant to Article 137, paragraph 1, item 3, indent "b" – elements of the power infrastructure and other networks, facilities and installations, not falling within the above categories.

3.3.2. Construction sites pursuant to Article 137, paragraph 1, item 3, indent "e" – electric power plants and thermal power plants of power up to 25 MWt except for the production of power pursuant to Article 147, paragraph 1, item 14.

3.3.3. Construction sites pursuant to Article 137, paragraph 1, item 3, indent "g" – reconstruction and overhaul of construction sites from this category.

## **4. Fourth group:**

### **4.1. first category:**

4.1.1. construction sites pursuant to Article 137, paragraph 1, item 1, indent "b" – transfer power lines (networks) of the technical infrastructure and facilities to them in the area of water supply.

4.1.2. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "c" – construction sites, necessary for prevention and protection of the population and recovery of the regions from disasters and accidents.

4.1.3. construction sites pursuant to Article 137, paragraph 1, item 1, indent "e" – hydrotechnical facilities, with risk of floods, incl. dams and their adjacent facilities and temporary construction.

4.1.4. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "g" – facilities for geo-protection and support of river banks and the seacoast.

4.1.5. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "l" – others construction sites of the utilities' infrastructure, hydro-technical construction environment protection of national significance, determined by act of the Council of Ministers.

4.1.6. Construction sites pursuant to Article 137, paragraph 1, item 1, indent "n" – reconstruction and overhaul of construction sites from this category.

#### **4.2. Second category:**

4.2.1. Construction sites pursuant to Article 137, paragraph 1, item 2, indent "b" – distribution power lines, facilities and the equipment to them in the area of water supply and sewage.

4.2.2. Construction sites pursuant to Article 137, paragraph 1, item 2, indent "d" – facilities and installations for treatment of wastes and closure of waste disposal sites through surface sealing with top insulation screen.

4.2.3. Construction sites pursuant to Article 137, paragraph 1, item 2, indent "i" – reconstruction and overhaul of construction sites from this category.

4.2.4. Construction sites pursuant to Article 137, paragraph 1, item 2, indent "k" – buildings and facilities of mines, pits and quarries, incl. for their liquidation, as well as construction sites, related to elimination of ecological damages in the area of their impact.

#### **4.3. Third category:**



4.3.1. construction sites pursuant to Article 137, paragraph 1, item 3, indent "b" – elements of the water supply and sewage networks, hydro-technical, hydro-amelioration and other networks, facilities and installations, not falling within the above categories.

4.3.2. Construction sites pursuant to Article 137, paragraph 1, item 3, indent "f" – parks and gardens of area over 1 ha.

4.3.3. Construction sites pursuant to Article 137, paragraph 1, item 3, indent "g" – reconstruction and overhaul of construction sites from this category.

#### **4.4. Fourth category:**

4.4.1. Construction sites pursuant to Article 137, paragraph 1, item 4, indent "d" – parks, gardens and landscaped areas up to 1 ha;

4.4.2. Construction sites pursuant to Article 137, paragraph 1, item 4, indent "e" – reconstruction and overhaul of the construction sites of this category.

**Article 6.** The construction companies, executing separate types construction and assembly works, indicated in CEA-2008, position "Construction", and liable to recording into the Registry pursuant to Article 3, paragraph 2 CCA, shall be inscribed into the Registry in standalone group with sub-division, in compliance with CEA-2008.

**Article 7.** The construction companies, inscribed into the Registry pursuant to Article 6, can apply and for recording subject to Article 4.

**Article 8.** With decision of the Governing Board of the Chamber, on proposal of the Commission to the Registry additional groups can be established, designated for recordation of persons, supporting branch "Construction", as producers and suppliers of construction materials, semi-processed products and products to be implemented in the construction sites and etc.

### **Chapter two**

#### **REQUIREMENTS FOR THE CONSTRUCTION COMPANIES**

**Article 9. (1)** Into the Registry, construction companies shall be recorded, which are in compliance with the following requirements:

1. they shall not have liquidity and outstanding public tax liabilities and liabilities for mandatory insurance instalments, as well as interests, related to these liabilities, unless the competent body has allowed for re-scheduling or deferral of their liabilities.
2. They shall not be declared in insolvency and are not in proceedings of insolvency or liquidation.

3. Dispose with the required technical equipment for carrying out of the stated construction and assembly works.

4. Dispose with the necessary personnel, hired on labour contracts basis:

a) for technical management of the construction sites;

b) for control on the quality of execution of construction, for compliance of construction products, implemented in the construction sites, with the essential safety requirements;

c) for control on the healthy and safe labour conditions;

d) for organising the execution of the activity, related to crises' management;

e) others persons, required to be employed by labour contract;

5. The hired technical personnel has the necessary legal capacity, according to the acquired specialty and education-qualification degree, professional experience, knowledge and technical competence on the specific national legislation.

6. The hired workers possess the necessary professional qualification for execution of the construction activities.

7. Have valid insurance for the damages, which can take place amid the non-execution of their obligations, required subject to legislative acts.

(2) For the execution of construction sites from first category, into the Registry shall be recorded construction companies, which except for the requirements, subject to paragraph 1 also comply with the following conditions:

1. average listed number of the personnel – not less than 50 persons for the preceding year.

2. Net revenues from sales for the preceding financial year – not less than BGN 3 000 000.

3. Balance sheet value of the fixed assets for the preceding financial year – over BGN 500 000.

(3) For the execution of the construction sites from the second category into the Registry shall be recorded construction companies, which except for the requirements, subject to paragraph 1 also comply with the following conditions:

1. average listed number of the personnel – not less than 30 persons for the preceding year.

2. Net revenues from sales for the preceding financial year – not less than BGN 1 500 000.

3. Balance sheet value of the fixed assets for the preceding financial year – over 200 000.

(4) For the execution of the sites pursuant to Article 137, paragraph 1, item 1, indent "m", Article 137, paragraph 1, item 4, indent "f" and Article 137, paragraph 1, item 5, indent "f" of TDA into the Registry shall be recorded construction companies, in compliance with requirements subject to paragraph 1, with experience in the area of restoration and conservation of sites – cultural values, and in the team of their personnel a qualified specialist – architect is included.

(5) The constructed subject to paragraph 2 and 3 shall not apply for construction companies, recorded into the Registry for execution of the sites subject to paragraph 4.

(6) Recorded into the Registry construction companies can execute construction sites from the respective group and category, for which they are recorded, as well as construction sites of lower category of the same group.

### **Chapter three**

#### **ORDER OF SUBMISSION OF APPLICATION**

**Article 10. (1)** The Commission shall prepare the forms of the applications and shall provide them to the construction companies.

(2) The application, accompanied by the respective documents, shall be submitted to unit "Registry" of the respective regional representation of the Chamber by seat of the construction company.

(3) Foreign entities, conducting construction on the territory of the Republic of Bulgaria, shall submit applications in the central unit "Registry".

**Article 11. (1)** The regional unit "Registry" shall send the electronic form of the application, accompanied by the documents to it, on paper medium to the central unit "Registry".

(2) The Commission shall take a decision on recording or refusal of recording on the grounds of the submitted application in form, accompanied by the respective documents, within 14-days deadline of their entry.

**Article 12.** Each construction company can withdraw a submitted application to the Commission, before the latter has delivered a decision on the respective application.

**Article 13.** The certificate for recording shall be obtained from unit "Registry" by seat of the construction company by the person, representing the construction company, or by authorized by it person.

**Article 14. (1)** In the certificate for recording into the Registry the group of construction shall be recorded sites, pursuant to Article 5, paragraph 1 and the categories of construction sites pursuant to Article 5, paragraph 4.

(2) In the certificate for the fifth group construction sites the separate types of construction and assembly works shall be recorded pursuant to CEA-2008, position "Construction".

(3) When the construction company, recorded in the Registry for execution of construction sites from first or second category, does not comply with the requirements of Article 15, paragraph 2 and 3 CCA, it shall submit application for change in the recordation.

(4) Upon conducting the change in recordation the Commission shall issue to the construction company certificate pursuant to Article 33.

**Article 15.** On refusal of recording within 14-days' deadline the Commission shall notify the applicant in writing. The notification shall contain the following information:

1. date and place of issuance;
2. Full name of the construction company and of the legal organizational form.
3. The seat and management address of the construction company.
4. The person, representing the construction company.
5. The grounds, pursuant to CCA, for refusal of recordation of the construction company into the Registry.
6. The number of the protocol, whereby the Commission refuses recordation of the construction company into the Registry.

**Article 16. (1)** On presence of the circumstances pursuant to Article 21, paragraph 1 CCA the Commission shall delete the construction company from the Registry.

(2) The deletion shall be effected on decision of the Commission, whereof it shall notify the construction company in writing.

(3) Upon expiration of one year from the decision of the Commission on deletion from the Registry the construction company shall be able to submit new application for recording.

**Article 17.** The refusal of recordation and deletion from the Registry shall be appealed subject to the Code of Administrative Procedures.

#### **Chapter four**

### **ELECTRONIC STRUCTURE OF THE REGISTRY**

**Article 18. (1)** The structure of the electronic system of CPRCC consists of the following information blocks: "Regulatory documents", "Commission", "Recorded into the Registry", "References to the Registry", "Unit "Registry", "Deleted from the Registry", "Forum for construction companies", "Forum for users", "Annual verifications".

(2) The structure of the electronic system of CPRCC consists of the following blocks by the separate procedures of the Registry: "Recording into the Registry of LE", "Recording into the Registry of FLE", "Lost certificates", "Change in scope – expansion", "Change of identification", "Declaring experience", "Change of circumstances", "Procedure, pursuant to Article 20, paragraph 2 CCA", "Change of scope – voluntary contraction", "Procedure, pursuant to Article 14, paragraph 3 of the Code of Rules of CPRCC".

(3) Changes in the structure can be effected by decision of the Commission.

(4) The information materials in the electronic page of the Registry shall be published with resolution of a heading person of unit "Registry".

#### **Chapter five**

### **INITIAL RECORDING INTO THE REGISTRY**

**Article 19. (1)** The construction companies, liable to recording into the Registry, shall apply application to the Chairman of the Commission, stating the group and the categories, they wish to be recorded into.

(2) The construction companies, liable to recording in the Registry, can inscribe themselves into one or more groups, pursuant to Article 5 depending on their specific specialization and experience.

(3) To the application for recording shall be enclosed:

1. diplomas, certificates for technical legal capacity and qualification of the technical legally capable personnel.
2. Reference from NRA on the current status of all effective labour contracts.
3. Certificate for recording into the Public Registry, pursuant to Article 165 of the Cultural Heritage Act – in the cases, pursuant to Article 15, paragraph 4 of the Construction Chamber Act.

4. Reference for the possessed by the construction company machines, facilities and equipment for execution of construction works in types, number and technical parameters.
5. Document for training of the person pursuant to Article 15, paragraph 1, item 4, indent "c" CCA.
6. Documents (licenses, certificates and etc.), permitting the construction company or its workers for construction, related to the construction or use of facilities of high risk.
7. Reference for the number and qualification of the personnel by categories.
8. Reference for carried out qualification training of engineering and technical personnel and of workers during the last three years, excluding the cases pursuant to Article 16, paragraph 4 CCA.
9. Reference for completed by the construction company construction sites during the last three years (by type and location) and volume of executed construction, excluding the cases pursuant to Article 16, paragraph 4 CCA.
10. Documents, referred to the executed by the construction company construction sites.
11. Reference for the executed construction sites pursuant to Article 137, paragraph 1, item 1, indent "m" and Article 137, paragraph 1, item 4, indent "f" and item 5, indent "f" TDA, accompanied by standpoint of the National Institute of Immobile Cultural Heritage regarding the quality of the executed construction sites – in the cases pursuant to Article 15, paragraph 4, or equivalent reference, issued by the respective competent bodies of the Member State of the European Union, or by other state – Party to the Agreement on European Economic Area – in the cases pursuant to Article 15, paragraph 4 CCA.
12. Documents about the circumstances, pursuant to Article 16, paragraph 3, item 10 and 11 CCA.
13. Reference about insurance security, pursuant to Article 15, paragraph 1, item 7 CCA.
14. Payment document about deposited price for recording into the Registry.
15. Financial information from the annual financial reports for the preceding three years, excluding the cases pursuant to Article 16, paragraph 4 CCA.

(4) The circumstances on the declared experience shall be certified with documents, drafted pursuant to the effective regulation.

**Article 20. (1)** In the cases, where the construction company is a legal entity, entitled to carry out such activity by the legislation of a Member State of the European Union, or of another state – Party to the Agreement on European Economic Area, for recording into the Registry application form shall be submitted.

(2) To the application for recording shall be attached:

1. copy of document, certifying the right of carrying out of construction sites, issued by a competent body of a Member State of the European Union, or of another state – Party to the Agreement on European Economic Area, accompanied by official translation into Bulgarian language, carried out in compliance with the Code of Rules on legalizations, certifications and translations of documents and other papers, endorsed with LCM № 184 of 1958. (promulgated in SG, issue 73 of 1958.; last amendment, issue 103 of 1990) and with the Convention on elimination of the requirement for legalization of foreign public acts (SG, issue 45 of 2001), or indication of the legislative act and the according legal grounds, pursuant whereof the applicant is entitled to carry out the activity.
2. The documents pursuant to Article 19, paragraph 3, accompanied by official translation into Bulgarian language, done in compliance with the Code of Rules on legalizations, certifications and translations of documents and other papers and with the Convention on elimination of the requirement for legalization of foreign public acts.

### **Chapter six**

#### **PROCEDURE PURSUANT TO ARTICLE 20, PARAGRAPH 2 of CCA**

**Article 21. (1)** The construction company shall submit annually by 30 June to the Commission, through unit "Registry" by seat of the construction company, application pursuant to Article 20, paragraph 2 of CCA for the last financial year.

(2) To the application shall be attached:

1. document about the circumstances pursuant to Article 16, paragraph 3, item 10 of CCA;
2. Financial information from the annual financial report for the last year.

(3) The information subject to paragraph 1 and 2 shall be submitted on paper and electronic media.

(4) Payment document for deposited price for annual servicing in the Registry shall be enclosed to the application.

**Article 22.** The Commission shall issue control talon to the certificate for recording within 14-days' deadline upon receipt of the documents pursuant to Article 20, paragraph 2 of CCA.

### **Chapter seven**

#### **DECLARATION FOR PRODUCTION EXPERIENCE**

**Article 23. (1)** Production experience shall be declared in the application form, pursuant to the instructions of the Commission.

(2) To the application shall be enclosed:

1. Construction Permit;
2. Construction Contract.
3. Finding Statement form № 15 on establishment of fitness for acceptance of the construction site.
4. Protocol of Findings on acceptance of the construction and assembly works.

(3) The construction company can enclose use permit or commissioning certificate and reference, issued by the Contracting Authority.

### **Chapter eight**

#### **CHANGE OF IDENTIFICATION**

**Article 24. (1)** The construction company shall notify within 14-days' deadline the Commission about each change of circumstances, liable to recording pursuant to Article 16, paragraph 3, item 1 and 2 CCA.

(2) To the construction company a new certificate shall be issued with control talon to it within 14-days' deadline.

### **Chapter nine**

#### **CHANGE OF CIRCUMSTANCES**

**Article 25. (1)** With the application for change of circumstances the construction company states that data changes have occurred, which are part of the grounds for recording, pursuant to Article 20, paragraph 1 CCA.

(2) The construction company shall notify within 14-days' deadline the Commission through unit "Registry" by the seat of the construction company for each change of the circumstances, liable to recording pursuant to Article 16, paragraph 3, item 3, 4, 5, 6, 7 and 8 CCA.

### **Chapter ten**

#### **EXPANSION OF SCOPE OF RECORDING**

**Article 26. (1)** Construction company, recorded into the Registry for execution of certain group and category construction sites, can submit application for recording for execution of construction sites of higher category than the granted group and/or for the recordation into another group construction sites and/or for execution of separate types construction and assembly works, indicated in CEA-2008, position "Construction", not earlier than three months of the date of its last change of recording scope.



(2) Application for expansion of recording scope into the Registry can be submitted upon submission of application pursuant to Article 20, paragraph 2 CCA for the preceding year, excluding the cases, where the application for expansion of the scope of recording is submitted in the year of initial recording into the Registry.

(3) If by the data from the last annual financial report the construction company does not cover the requirements, pursuant to Article 15, paragraph 2 and 3 CCA on expansion of the scope for recording, it proves achieved intermediate results during the current year.

(4) In the case of paragraph 3 to the application shall be applied:

1. certificate, issued by NRA on declared data, containing information of the summed tax bases of the tax liable supplies, including the supplies under the conditions of remote sales with place of execution on the territory of the country;
2. Accounting reference, drafted by the last date of the month, preceding the one of submission of the application, whereby the callable by CCA value of the fixed assets.
3. Reference from NRA of current status of all affective labour contract by the date of submission of the application for scaling up of the recording scope.

(5) To the application for recording payment document for deposited price for scaling-up of recording scope into the Registry shall be attached.

(6) On the grounds of the submitted application subject to paragraph 1, the Commission shall expand the scope of recording of the construction company.

(7) To the construction company new certificate shall be issued with control talon to it within a 14-days' deadline.

### **Chapter eleven**

#### **VOLUNTARY CONTRACTION OF RECORDATION SCOPE**

**Article 27. (1)** Construction company, recorded into the Registry for execution of certain group and category construction sites, can submit application for voluntary contraction of the scope of recording into the Registry.

(2) On the grounds of the submitted application subject to paragraph 1, the Commission shall take decision for change in the scope of recording into the Registry.

(3) To the construction company new certificate with control talon to it shall be issued within 14-days' deadline.

## **Chapter twelve**

### **PROCEDURE PURSUANT TO ARTICLE 14, PARAGRAPH 3 OF THE CODE OF RULES**

**Article 28.** (1) Construction company, recorded into the Registry for execution of first or second category construction sites, which with its last financial report does not comply with the requirements, pursuant to Article 15, paragraph 2 and 3 CCA, shall be rendered in compliance, by submission of application pursuant to Article 14, paragraph 3.

(2) On the grounds of the submitted application subject to paragraph 1, the Commission shall take decision for change of the scope of recording into the Registry.

(3) To the construction company new certificate of control shall be issued within 14-days' deadline.

## **Chapter thirteen**

### **TEMPORARY OR ONE-TIME PROVISION OF SERVICES**

**Article 29.** (1) In the cases of temporary or one-time delivery of construction services, the entities, entitled to carry out such activity by the legislation of a Member State of the European Union, or of another state – Party to the Agreement for European Economic Area, notify the Commission, pursuant to Article 26 CCA (central unit "Registry" – Sofia) about the full and precise name of the construction site pursuant to the awarded construction permit, subject to Article 148 TDA or the complete and exact denomination of the construction and assembly works, referred to the contract, entered into with the main Contractor.

(2) To the notification subject to paragraph 1 shall be applied:

1. copy of document, certifying the right of completion of construction sites, issued by a competent body of a Member State of the European Union, or of another state – Party to the Agreement for European Economic Area, accompanied by official translation into Bulgarian language, carried out in compliance with the Code of Rules for legalizations, certifications and translations of documents and other papers and with the Convention on elimination of the requirement for legalization of foreign public acts, or indication of the regulatory act and the according legal grounds, on the grounds whereof the applicant is entitled to conduct the activity.

2. Copy of the construction permit or copy of the contract with the main contractor of the construction site and copy of the construction permit.

(3) The information of the entities, subject to paragraph 1 shall be published in a list to the Registry.

(4) The Commission shall award certificate for delivery of single or temporary construction service for specific site on the territory of the Republic of Bulgaria, covering the necessary scope of recording into the Central Professional Registry of the Bulgarian Construction Chamber for execution of this construction site.

## **Chapter fourteen**

### **PUBLICITY**

**Article 30.** The information in the Registry shall be public. It shall be published on the electronic page of the Registry, excluding the information, constituting personal data.

**Article 31. (1)** In the public part of the Registry for the construction companies, recorded into the Registry, the following information shall be indicated:

1. legal-organizational form, trade firm (denomination), seat and management address, registration of the construction company pursuant to the legislation of its registration.
2. Correspondence address and contact person.
3. Manner of payment, representation and persons, representing the construction company.
4. UIC of the construction company.
5. General textual information about the construction company.
6. Production experience.
7. Financial information for the preceding three years.
8. Number of issued certificates for recording of the construction company into the Registry.
9. Number and date of the protocol of the Commission for recording of the construction company.
10. The group and the category of the construction sites or the different types of construction and assembly works pursuant to position "Construction" of CEA-2008, for which the construction company is recorded.
11. Validity deadline of the control talon, integral part of the certificate for recording into the Registry.

(2) For the declared construction sites and/or separate construction and assembly works the following information is publicly available: year of execution, denomination and location of the construction site under construction permit, №

and date of building permit, contracting authority, date of statement form № 15, description of the construction and assembly works.

(3) Publicly accessible photocopies of the following documents: statement form № 15, protocol of findings, internal corporate documents, analogical to statement form № 15, document for concluded stage/part of site, use permit or commissioning certificate, reference.

(4) Publicly accessible photocopies of the application pursuant to Article 20, paragraph 2 CCA.

(5) Construction companies, practicing their activity for a period, less than three years, shall submit information subject to paragraph 1, item 6 and 7 for the last year of its activity.

(6) Everyone can make references to the public part of the Registry under UIC or company.

(7) The information of the Registry, constituting personal data, shall be provided under arrangements, determined by the law.

**Article 32.** Written references on carried out recordation into the Registry shall be issued, under arrangements, endorsed by the Commission.

### **Chapter fifteen**

#### **CERTIFICATE OF RECORDING AND CONTROL TALON**

**Article 33. (1)** To the recorded into the Registry construction company the Commission shall issue certificate by form (format A4), endorsed by Governing Board.

(2) The certificate subject to paragraph 1 contains information about:

1. the six digit number of the recording into the Registry.
2. Correspondence address and contact person.
2. The full denomination of the construction company and the legal-organizational form.
3. The seat and management address of the construction company.
4. The persons, representing the construction company.
5. The UIC of the construction company.
6. The group and category of the respective construction sites pursuant to Article 137, paragraph 1 TDA or the separate types of construction and assembly works pursuant to

position "Construction" from CEA-2008, for which the construction company is recorded.

7. The number of the protocol of the Commission of the decision for recording.

(3) The certificate shall be signed by the Chairman of the Commission and the Chairman of the Governing Board of the Chamber.

**Article 34. (1)** At the recordation of construction company into the Registry, the Commission issues a control talon to the certificate for recordation into the Registry.

(2) The control talon shall be re-issued annually upon submission of application pursuant to Article 20, paragraph 2 of CCA.

(3) The control talon is integral part of the certificate for recording and contains the following information:

1. two – digital sequential number;
2. The full denomination of the construction company and the legal-organizational form.
3. The UIC of the construction company.
4. Number of certificate for recording in the Registry.
5. Validity of the control talon.

### **Chapter sixteen**

### **MAINTENANCE OF THE REGISTRY**

**Article 35. (1)** For the entry of the information in the Registry pursuant to Article 16, paragraph 3 CCA specialized software program has been developed.

(2) The central unit "Registry" conducts the technical run and maintenance of the Registry.

(3) The central unit "Registry" is responsible for:

1. the timely and complete entry of the information into the Registry pursuant to Article 16, paragraph 3 of CCA upon decision of the Commission for recording;
2. The updating of any occurring changes of circumstances, liable to recording into the Registry.
3. The preparation of references for the recorded into the Registry construction companies.

(4) At the end of each calendar month, the information from the Registry is recorded once on electronic medium and is kept at a place, beyond the seat of the Chamber on decision of the Commission.

**Article 36. (1)** Access right to the complete information of the Registry is entrusted with the Chairman of the Chamber or authorized by it person by the Governing Board of the Chamber, the members of the Commission and the officials of the central unit "Registry" under arrangements, endorsed by the Commission.

(2) The Chairman of the Chamber, the members of the Commission and the personnel sign declaration for confidentiality of the information, contained in the Registry and constituting personal data.

### **ADDITIONAL PROVISIONS**

§ 1. The holding company presents evidence that the recorded construction company from its structure is its affiliated company, pursuant to Article 277, paragraph 3 of the Commercial Act.

§ 2. (1) For initial recording into the Registry and for issuance of certificate for recording, for change in the recordation, for annual servicing in the Registry, for re-issuance of lost or perished certificate and others services fees are paid at prices, determined by the General Assembly of the Chamber.

(2) The prices, subject to paragraph 1, shall be paid to account of the Chamber before the submission of the application for execution of the service.

§ 3. The committed obvious and factual mistakes during the recording into the Registry and at the issuance of the certificates shall be rectified by the administration of the Registry under arrangements, determined by the Commission.

§ 4. The Commission shall keep the submitted applications with the supplements to them on paper for five years of the date of the decision of the Commission.

### **TRANSITIVE AND CONCLUSIVE PROVISIONS**

§ 5. The Code of Rules for recordation and maintenance of the Central Professional Registry of the Bulgarian Construction Chamber is abrogated (SG, issue 65 of 2007).

§ 6. This Code of Rules is adopted pursuant to Article 14, paragraph 7 of the Construction Chamber Act.

§ 7. The Code of Rules is adopted by the General Meeting of the Bulgarian Construction Chamber on 17 October 2013. **CODE OF RULES on recordation and maintenance of the Central Professional Registry of the Bulgarian Construction Chamber**

**Issued by the Chairman of the Bulgarian Construction Chamber, promulgated, SG, issue 101 of 22.11.2013.**