

# Chamber of Builders Act

Promulgated, SG No. 108/29.12.2006, amended, SG No. 19/13.03.2009, effective 10.04.2009, SG No. 35/12.05.2009, effective 12.05.2009, SG No. 92/20.11.2009, effective 20.11.2009, supplemented, SG No. 15/23.02.2010, effective 23.02.2010, amended and supplemented, SG No. 82/26.10.2012, effective 26.11.2012, SG No. 83/24.09.2013, SG No. 13/7.02.2017, SG No. 63/4.08.2017, effective 1.01.2018, amended, SG No. 92/17.11.2017, effective 1.01.2018

Text in Bulgarian: Закон за Камарата на строителите

## Chapter One GENERAL PROVISIONS

Article 1. This act shall define the requirements for persons who perform construction works, as well as the structure and the activities of the professional organization of builders.

Article 2. The act aims to create conditions for:

1. identification and transparency of the activities of persons who perform construction works;
2. improved management of construction activities, increasing the responsibility of builders to comply with the essential requirements to construction sites and the quality of building structures;
3. protection of the interests of construction service users.

Article 3. (1) This act shall apply to Bulgarian and foreign natural and legal persons registered as traders under their domestic legislation, their branches, state and municipal undertakings which perform construction works in the Republic of Bulgaria, hereinafter referred to as "builders".

(2) (Supplemented, SG No. 15/2010, effective 23.02.2010, amended, SG No. 83/2013) Builders constructing category one to five buildings under Article 137, paragraph 1 of the Spatial Development Act or particular types of construction and assembly works as indicated in the "Construction" Section of the National Classification of Economic Activities shall be subject to entry into the Central Register of Professional Builders, hereinafter referred to as "the register".

(3) When natural or legal persons unite to develop a construction project or to perform specific types of construction and assembly works, as described in paragraph 2, at least one of the participants in the consortium must be entered in the register.

(4) Participation in a consortium, as described in paragraph 3, shall not entitle persons not entered in the register to carry out construction works or specific construction and assembly works as described in paragraph 2, independently.

## Chapter Two CHAMBER OF BUILDERS

Article 4. (1) A chamber of builders, hereinafter referred to as "the Chamber" shall be established as a legal person with its head office in Sofia. The Chamber shall establish regional structures under the conditions and procedures set out in the statutes.

(2) The Chamber of Builders:

1. shall represent its members and protect their professional interests;
2. shall create and maintain a Central Register of Professional Builders;

3. shall take part in drafting strategies, analyses and programmes for the development of the construction industry and shall assist in their implementation;

4. shall issue standpoints and take part in the drafting of legislation in the field of construction;

5. shall assist in the development of health and safety at work standards for the construction industry and shall submit them to the National (Sector) Council on Working Conditions;

6. shall develop a code of professional ethics with regards to the branches of the construction industry and shall prevent monopolist practices, unfair competition and inequality among its members;

7. shall develop guidelines on the implementation of construction and assembly works and on good construction practices, risk analysis models and systems and rules designated for control and self-control to ensure safety and quality of construction project works and, in particular, of construction and assembly works, as well as on the physical protection of cultural values in the course of construction and repair activities;

8. shall notify the competent authorities about any malpractice in the implementation of on-site construction and assembly activities and about other infringements on the part of persons taking part in the construction process in the course of and on the occasion of their performance or non-performance of functional duties as regulated in the respective legislative acts;

9. shall organize courses to increase the level of qualification of construction industry personnel;

10. shall perform other functions as prescribed in the statutes.

Article 5. Membership of the Chamber shall be voluntary and in accordance with the requirements set out in this act and in the Statutes of the Chamber.

Article 6. (Supplemented, SG No. 13/2017) The bodies of the Chamber shall comprise the General Assembly, the Managing Board, the Control Council and the Central Register of Professional Builders Commission. The Chamber of Builders shall be represented by either the chairperson of the Managing Board or the executive director who is elected by the Managing Board, in accordance with the powers laid down with a decision of the Chamber's Managing Board.

Article 7. (1) The General Assembly of the Chamber shall be convened on a regular or extraordinary basis.

(2) Regular meetings of the General Assembly shall be convened annually.

(3) An Extraordinary General Assembly may be convened by a decision of the Managing Board or on the demand of at least one tenth of the members of the Chamber.

Article 8. (1) The convening procedure and the regulations on work and decision making of the General Assembly shall be defined in the Statutes of the Chamber.

(2) The delegates to the General Assembly shall be nominated under the conditions and procedures defined in the Statutes of the Chamber.

Article 9. The General Assembly shall be valid if two thirds of the delegates are present. In the absence of a quorum, the General Assembly shall be postponed by one hour, after which it shall be conducted and considered as valid irrespective of the number of delegates present.

Article 10. (1) The General Assembly:

1. shall adopt, amend and supplement the Statutes;

2. shall elect and dismiss the Chairpersons and members of the Managing Board and Control Council and of the Central Register of Professional Builders Commission;

3. shall approve reports on the activities of the Managing Board and Control Council and of the Central Register of Professional Builders Commission;

4. shall determine the amount of the membership fee and the prices of services provided by the Chamber;

5. shall approve the budget of the Chamber;

6. shall approve the Code of Professional Ethics;

7. shall resolve other issues in accordance with the Statutes.

(2) Decisions of the General Assembly shall be approved by the simple majority of those present, with the exception of decisions under paragraph 1, item 1, which shall be approved by the qualified majority of two thirds of those present.

(3) The Chairpersons and the members of the Managing Board and the Control Council shall be elected by secret ballot.

Article 11. (1) The Managing Board shall comprise a chairperson and twenty-eight members elected for a term of three years.

(2) The Managing Board:

1. shall convene and organize the General Assembly of the Chamber;

2. shall organize the activities of the Chamber;

3. shall manage the property of the Chamber;

4. shall organize the creation and maintenance of the Central Register of Professional Builders;

5. shall approve internal working regulations;

6. shall accept new members and discontinue membership of the chamber under the conditions and procedure set out in the Statutes;

7. shall perform other functions assigned to the Managing Board by the General Assembly or the Statutes of the Chamber;

8. shall submit an annual report on its activities to the General Assembly.

Article 12. (1) the Control Council shall comprise a chairperson and six members elected for a term of three years. The Chairperson of the Control Council may attend meetings of the Managing Board with advisory powers.

(2) The Control Council:

1. shall control the implementation of the decisions taken by the General Assembly and shall verify the lawfulness of the Managing Board's decisions;

2. shall submit proposals to the General Assembly for the dismissal or non-dismissal from duty of members of the Managing Board;

3. shall perform other functions assigned to it by the General Assembly or the Statutes of the Chamber;

4. shall submit an annual report on its activities to the General Assembly.

Article 13. (1) The budget of the Chamber shall be determined for each fiscal year.

(2) The income of the Chamber shall comprise the following:

1. lump sum affiliation fees;
2. annual membership fees;
3. income from services provided by the Chamber;
4. donations, publishing activities and other income.

## **Chapter Three**

# **CENTRAL REGISTER OF PROFESSIONAL BUILDERS**

Article 14. (1) Builders shall be entered into the Central Register of Professional Builders according to building categories (e.g. buildings of Category 1, buildings of Category 2, buildings of Category 3, 4 and 5), as well as according to specific construction and assembly works under Article 3, paragraph 2, for the construction of which the builder shall prove that he or she meets the requirements set out in this act.

(2) Low-rise residential and mixed-designation buildings, villas and structures under Article 137, paragraph 1, item 5, letters "c" and "d" of the Spatial Development Act may be constructed by builders who are not entered in the register.

(3) Builders entered in the register for the construction of category one buildings and holding a certificate for them may construct buildings of all categories.

(4) Builders entered in the register for the construction of category two buildings and holding a certificate for them may construct buildings of all categories except category one.

(5) Builders entered in the register for the construction of category three, four and five buildings and holding a certificate for them may only construct buildings of the categories indicated.

(6) Builders entered in the register for the implementation of particular types of construction and assembly works under Article 3, paragraph 2 and who hold a certificate for them may only carry out the activities for which they have been entered in the register.

(7) The register entry and the maintenance procedure shall be specified in regulations adopted by the General Assembly of the Chamber, which shall be promulgated in the State Gazette.

(8) (New, SG No. 82/2012, effective 26.11.2012) Foreign legal and physical persons - builders within the meaning of the Spatial Development Act - who have been assigned the implementation of investment projects on the territory of the Republic of Bulgaria under the NATO Security Investment Program shall not be entered into the Central Register of Professional Builders. The builder shall inform in writing the Chairperson of the Commission under Article 26 within 7 days of signing the contract with the Assigning Party.

Article 15. (1) Builders shall be entered into the register when they meet the following requirements:

1. They do not have public tax obligations payable in cash or obligations to pay compulsory insurance contributions or interest related to such obligations, unless the competent authority has sanctioned rescheduling or deferment of the obligations;

2. They have not been declared insolvent and are not involved in insolvency or liquidation procedures;

3. They have the required technical equipment at their disposal to carry out the stated construction and assembly works;

4. They have the necessary personnel at their disposal, employed under labour contracts:

a) to implement technical management of the construction projects;

b) to exercise control over the quality of the performed construction and the compliance of the building products employed in the structures with the essential safety requirements;

c) to monitor compliance with health and safety at work regulations;

d) (amended, SG No. 35/2009, effective 12.05.2009) to organize disaster protection activities;

e) including other persons required by law to be employed under labour contracts;

5. They employ technical personnel with the necessary qualifications in accordance with their specialization and level of education and qualifications, professional experience, knowledge and technical competence with regard to the domestic legislation;

6. They employ workers with the necessary professional qualifications to carry out the construction activities;

7. They have valid insurance for damage which may arise as a consequence of non-performance of their obligations as required under acting legislation.

(2) (Amended, SG No. 13/2017) The regulation referred to in Article 14, Paragraph 7 shall lay down criteria for registration in the different categories, based on which it is established whether the builder has the required human and technical resources, as well as the necessary production experience.

(3) (Repealed, SG No. 13/2017).

(4) (Amended, SG No. 82/2012, effective 26.11.2012, SG No. 13/2017) For the execution of work on sites which constitute immovable cultural assets pursuant to the Cultural Heritage Act, builders shall be entered into the register who meet the requirements under paragraph 1, have experience in the restoration and protection of cultural assets and have a specialized qualified architect among their staff.

(5) (Repealed, SG No. 13/2017).

Article 16. (1) The Central Register of Professional Builders shall be accessible to the public and shall be published on the Internet site of the Chamber. All persons shall be entitled to make reference to entries in the register.

(2) Information representing personal data shall be provided in accordance with the law.

(3) The register shall contain information on the following:

1. the legal form of the organization, the name of the commercial company, the head office and management address and the registration details of the builder in accordance with the legislation in force where the builder is registered;

2. the management structure and form of representation and the persons who represent the builder;

3. the numbers and qualifications of employed persons;

4. the number of persons employed under labour contracts: separately for technical supervisors and for persons responsible for compliance with health and safety of work regulations;

5. training and qualification courses for technical personnel and workers conducted during the past three years;

6. machines, installations and equipment owned by the builder by type, number and technical specifications;

7. the rights of the builder and his or her workers to carry out construction works related to the construction and exploitation of dangerous installations;

8. construction projects completed during the last three years by type, location and amount of construction works expressed as a value;

9. the annual financial reports of the builder for the last three years prior to the current year;

10. tax obligations and obligations to pay compulsory insurance contributions;

11. (supplemented, SG No. 15/2010, effective 23.02.2010, SG No. 83/2013) penalties imposed on the builder by the control authorities for violations of the Spatial Development Act or under the respective legislation of a Member State of the European Union or of another State which is a Contracting Party to the Agreement on the European Economic Area or of the Swiss Confederation.

(4) Builders who have carried out activities over a period shorter than three years since they were established shall provide the information under paragraph 3, items 5, 8 and 9 relating to the last year of their activities.

Article 17. (1) Applications for entry shall be submitted to the Chairperson of the Commission described under Article 26 using a form approved by the Managing Board of the Chamber.

(2) The following documents shall accompany applications for entry:

1. a certificate of entry into the trade register or a legalized document in accordance with the legislation on registration of builders;

2. a declaration that the builder has not been declared insolvent and is not involved in insolvency or liquidation procedures;

3. documents (licences, certificates, etc.) authorizing the builder or his or her workers to carry out building works related to the construction or exploitation of dangerous installations;

4. information on the number and qualifications of the various categories of personnel;

5. information on qualification courses for engineering and technical personnel and workers conducted during the last three years, except in the cases stipulated in Article 16, paragraph 4;

6. information on the machines, installations and equipment owned by the builder for the implementation of construction works by type, number and technical specifications;

7. information on the buildings constructed by the builder during the last three years by type and location of the buildings and the volume of construction works carried out, except in cases under Article 16, paragraph 4;

8. (amended, SG No. 92/2009, supplemented, SG No. 15/2010, effective 23.02.2010, amended, SG No. 82/2012, effective 26.11.2012, supplemented, SG No. 83/2013, amended, SG No. 13/2017) information on completed construction works – immovable cultural assets pursuant to the Cultural Heritage Act, accompanied by a statement by the National Institute for Immoveable Cultural Heritage regarding the quality of construction work in the cases stipulated under Article 15, paragraph 4 or an equivalent statement issued by the relevant competent authorities of a Member State of the European Union or of another State which is a Contracting Party to the Agreement on the European Economic Area or of the Swiss Confederation;

9. copies of the annual financial reports of the construction undertaking for the last three years, except in the cases under Article 16, paragraph 4;

10. (amended, SG No. 63/2017, effective 1.01.2018) information regarding the circumstances described in Article 16, paragraph 3, item 11;

11. copies of the insurance policies proving the availability of insurance coverage in accordance with Article 15, paragraph 1, item 7.

(3) (New, SG No. 15/2010, effective 23.02.2010, amended, SG No. 83/2013) In the cases where the builder is a person, entitled to engage in such activity under the legislation of a Member State of the European Union, or of another State which is a Contracting Party to the Agreement on the European Economic Area, or of the Swiss Confederation, an application in standard form for entry on the register must be submitted, to which the following shall be attached:

1. copy of the document, certifying the right to perform construction works, issued by a competent body of a Member State of the European Union, or of another State which is a Contracting Party to the Agreement on the European Economic Area, or of the Swiss Confederation, accompanied by official translation into Bulgarian language, performed in accordance with the Rules on legalisations, certifications and translations of documents and other papers (published, SG No. 73/1958, as amended, No. 10/1964, No. 77/1976, No. 96/1982, No. 77/1983 and No. 103/1990) and of the Convention abolishing the requirement for legalisation of foreign public documents (ratified by legislative act - SG No. 47/2000; as supplemented, No. 30/2013 (SG No. 45/2001) or indication of the statutory act and the respective legal grounds, by virtue of which the applicant is entitled to conduct the activity;

2. the documents under paragraph 2, accompanied by official translation into Bulgarian language, performed in accordance with the Rules on legalisations, certifications and translations of documents and other papers and the Convention abolishing the requirement for legalisation of foreign public documents.

(4) (New, SG No. 63/2017, effective 1.01.2018, amended, SG No. 92/2017, effective 1.01.2018) The commission under Article 26 shall request by official channels information regarding the existence or non-existence of liabilities under Article 87, paragraph 11 of the Tax and Social Insurance Procedure Code regarding the applicant concerned.

Article 18. (1) The Commission described under Article 26 shall carry out entries or refuse to carry out entries in the register within 14 days of submission of entry applications.

(2) The Commission shall refuse entry when the builder does not meet one or more of the requirements set out under Article 15.

Article 19. (1) The certificate of entry or refusal of entry in the register shall be issued to the applicant within 15 days of submission of the application.

(2) The construction project categories and/or construction and assembly works which the builder is entered in the register as authorised to carry out shall be marked in the certificate described in paragraph 1.

Article 20. (1) The builder shall declare for entry any change in circumstances subject to entry in the register within 14 days after the change has been effected.

(2) (Amended, SG No. 63/2017, effective 1.01.2018) By 30 June every year the builder shall submit to the Commission described under Article 26 an annual financial report.

(3) (New, SG No. 63/2017, effective 1.01.2018, amended, SG No. 92/2017, effective 1.01.2018) Within the time limit specified in paragraph 2, the commission under Article 26 shall request by official channels information regarding the existence or non-existence of liabilities under Article 87, paragraph 11 of the Tax and Social Insurance Procedure Code regarding the builder concerned.

Article 21. (1) A builder shall be deleted from the register in the following circumstances:

1. discontinuation of the builder's legal person;
2. non-performance of construction works for a period exceeding three years, except in cases when a foreign party does not operate on permanent basis in the Republic of Bulgaria;
3. failure to meet the obligations stipulated in Article 20, paragraph 1 on more than three occasions in one year;
4. failure to meet the obligations stipulated in Article 20, paragraph 2;
5. deletion of the entry of a natural person acting as a sole trader or when he or she is placed under judicial disability;

6. entry into force of an insolvency ruling;

7. (amended, SG No. 13/2017) it is established that a builder no longer meets one or more of the requirements stipulated under Article 15, such a finding is made in accordance with the terms and procedure laid down with the regulation referred to in Article 14, Paragraph 7;

8. discontinuation of a state or municipal undertaking.

(2) Deletions from the register shall be carried out by a resolution of the Commission described under Article 26.

Article 22. (1) The register entry certificate of a builder shall be null and void following deletion of the builder from the register.

(2) After the expiry of one year following the deletion of a builder from the register, the builder may submit a new application for entry under the general procedure.

Article 23. Any refusal to make an entry in the register and to issue a certificate and any deletion from the register shall be duly justified and shall be subject to appeal under the procedures set out in the Administrative Procedure Code.

Article 24. (1) In the event of loss or destruction of a certificate of entry in the register, the builder shall be required to notify in writing the Chairperson of the Commission specified under Article 26 within 7 days.

(2) A duplicate of the certificate in cases described in paragraph 1 shall be issued by resolution of the Chairperson of the Commission on the request of the builder.

Article 25. Entries, deletions or changes in circumstances entered in the register and the destruction or invalidation of register entry certificates shall be announced by the Chairperson of the Commission described under Article 26 in the information newsletter of the Chamber.

Article 25a. (New, SG No. 83/2013) (1) In cases of temporary or one-time provision of construction services the persons, entitled to engage in such activity under the legislation of a Member State of the European Union, or of another State which is a Contracting Party to the Agreement on the European Economic Area, or of the Swiss Confederation, shall notify the Commission described under Article 26 of the precise and complete name of the construction project according to the building permit, issued pursuant to Article 148 of the Spatial Development Act or of the precise and complete titles of the construction and assembly works under the contract, executed with the principal contractor.

(2) The following shall be attached to the notice under paragraph 1:

1. copy of the document, certifying the right to perform construction works, issued by a competent body of a Member State of the European Union or of another State, which is a Contracting Party to the Agreement on the European Economic Area, or of the Swiss Confederation, accompanied by official translation into Bulgarian language, performed in accordance with the Rules on legalisations, certifications and translations of documents and other papers and of the Convention abolishing the requirement for legalisation of foreign public documents or indication of the statutory act and the respective legal grounds, by virtue of which the applicant is entitled to conduct the activity;

2. copy of the building permit or copy of the contract with the principal contractor of the construction project and copy of the building permit issued.

(3) The information on the persons under paragraph 1 shall be published in a separate list by the register under Article 14, paragraph 1.

(4) The Commission shall issue a certificate of performance of one-time or temporary construction service for a specific construction project on the territory of the Republic of Bulgaria, covering the scope required for entry on the Central Register of Professional Builders for implementation of this construction project.

Article 26. (1) A Commission to manage, maintain and use the Central Register of Professional Builders shall be



created at the Chamber.

(2) The Commission shall comprise 15 members elected by the General Assembly of the Chamber.

(3) The organization and the activities of the Commission shall be governed by regulations endorsed by the Managing Board of the Chamber. Decisions of the Commission under Article 27, paragraph 1, item 3 shall be adopted by a two thirds majority of the members.

(4) Meetings of the Commission shall be convened by the Chairperson or on a request, placed by more than half of its members.

Article 27. The Commission described under Article 26:

1. shall provide information to builders about the conditions and procedures for entry into the register;

2. shall prepare application forms and other documents related to entry into the register;

3. shall take decisions on entries, deletions and refusals to make entries in the register;

4. (amended, SG No. 35/2009, effective 12.05.2009) shall support the activities of the Managing Board in organizing the implementation of activities related to the security of classified information, management of preparation for defence mobilization;

5. shall draft and provide information and documentation requested by the competent authorities about circumstances entered in the register.

## **TRANSITIONAL AND FINAL PROVISIONS**

§ 1. (1) The conditions and procedures for convening and conducting of the Constituent Assembly of the Chamber of Builders and the regional assemblies to elect delegates to the Constituent Assembly shall be determined by order of the Minister of Regional Development and Public Works, which shall be promulgated in the State Gazette within one month of entry into force of the act.

(2) Participants in the regional assemblies to elect delegates to the Constituent Assembly of the Chamber of Builders may be all persons who undertake construction activities in the Republic of Bulgaria and who submit an application for participation in the regional assemblies within two months of entry into force of the act.

(3) Persons as defined in paragraph 2 with head offices in the respective region shall submit applications to the Regional Governor accompanied by a current status certificate issued no earlier than one month prior to the application.

(4) Within two months of expiry of the deadline set in paragraph 1, the Regional Governors shall organize, fix the date for and conduct the regional assemblies to elect delegates to the Constituent Assembly of the Chamber of Builders.

(5) The regional assemblies shall elect delegates to the Constituent Assembly of the Chamber of Builders at a rate of representation of one representative for every 10 applicants described under paragraph 3.

(6) Within 14 days of conducting the regional assemblies to elect delegates, the Regional Governors shall send statements of results to the Minister of Regional Development and Public Works.

(7) Within one month of expiry of the deadline set out in paragraph 6, the Minister of Regional Development and Public Works shall issue an order to appoint provisional commissions to prepare the draft Statutes of the Chamber of Builders and the regulations stipulated in Article 14, paragraph 7 and shall fix a date to conduct the Constituent Assembly.

(8) The Order of the Minister of Regional Development and Public Works stipulated in paragraph 7 shall be promulgated in the State Gazette no later than 30 days before the Constituent Assembly.

(9) The Constituent Assembly shall be chaired by a Chairperson elected by the Assembly.

(10) The Constituent Assembly shall adopt the Statutes and regulations stipulated under paragraph 7 and shall elect the bodies of the Chamber of Builders under the conditions and procedures defined by law.

§ 2. (1) The builders must be entered into the Central Register of Professional Builders within one year of entry into force of the act and must have been issued with a certificate for the activities which they are entitled to carry out.

(2) After expiry of the deadline stipulated in paragraph 1, buildings of category one to five and specific types of construction and assembly works may only be constructed by builders entered in the register.

(3) The requirements stipulated in paragraphs 1 and 2 shall not apply to builders performing construction in accordance with Article 14, paragraph 2.

§ 3. The following amendments and supplements shall be made to the Spatial Development Act (promulgated in State Gazette No. 1/2001; amended No. 41 and 111/2001, No. 43/2002; No. 20, 65 and 107/2003; No. 36 and 65/2004; No. 28, 76, 77, 88, 94, 95, 103 and 105/2005; No. 29, 30, 34, 37, 65, 76, 79 and 82/2006):

1. (Effective 3.01.2008 - SG No. 108/2006) In Article 157, paragraph 2, a second sentence shall be inserted as follows: "Opening of a building site, definition of the building frontal line and level and legalization of the order book shall be carried out after the Assigning Party has presented a contract for the construction of the project by a builder entered in the Central Register of Professional Builders, unless the project is of a category for which entry of the builder in the register is not required."

2. In Article 163a:

a) the following new paras 1, 2 and 3 shall be inserted:

"(1) The builder shall be obliged to appoint technically qualified persons under labour contracts to carry out the technical supervision of the construction works.

(2) Technically qualified persons shall be considered to be those who hold a diploma issued by an accredited higher education establishment with the qualification "construction engineer", "engineer" or "architect", as well as persons who have completed high school education with a four-year training course and professional qualifications acquired in the fields of "architecture and construction" and "engineering technology".

(3) Apart from the cases stipulated in paragraph 2, technical qualifications may be recognized of a foreign person under conditions of mutuality established for each particular case when he or she holds a diploma legalized in accordance with the relevant procedures and when he or she meets the requirements set out in this act.";

b) The previous paragraph 1 shall henceforward be referred to as paragraph 4 and shall contain a second sentence as follows: "Other technically qualified persons under paragraph 2 may perform specialized technical supervision of specific construction and assembly works in accordance with their specialization and level of education and qualifications.";

c) The previous paragraph 2 shall henceforward be referred to as paragraph 5.

3. Article 231 shall be amended as follows:

"Article 231. Requirements to natural and legal persons performing construction work shall be regulated by an act of law."

4. (Effective 3.01.2008 - SG No. 108/2006) Article 237, paragraph 1 shall henceforward contain the following new subparas 8, 9, 10 and 11:

"8. on a builder for carrying out construction works on projects of Category 1 without being entered in the Central Register of Professional Builders and without possessing a certificate for such buildings: from BGN 50,000 to 100,000;

9. on a builder for carrying out construction works on projects of Category 2 without being entered in the Central Register of Professional Builders and without possessing a certificate for such buildings: from BGN 30,000 to 50,000;

10. on a builder for carrying out construction works on projects of Category 3, 4 and 5 without being entered in the Central Register of Professional Builders and without possessing a certificate for such buildings: from BGN 10,000 to 30,000;

11. on a builder for carrying out construction and assembly works without being entered in the Central Register of Professional Builders and without possessing a certificate for such structures: from BGN 2,000 to 5,000."

§ 4. The provisions set out in § 3, items 1 and 4 shall enter into force one year after entry into force of the act.

This act was adopted by the 40th National Assembly on 21 December 2006 and has been stamped with the official stamp of the National Assembly.

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#### TRANSITIONAL AND FINAL PROVISIONS to the Cultural Heritage Act

(SG No. 19/2009, effective 10.04.2009)

§ 38. In the Chamber of Builders Act (promulgated, SG No. 108 of 2006), the words "the National Institute for Monuments of Culture", "monuments of culture" and "the monuments of culture" shall be replaced by the words "the National Institute for Preservation of Immovable Cultural Values", "cultural values" and "the cultural values" respectively everywhere in the text.

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#### TRANSITIONAL AND FINAL PROVISIONS

to the Act amending and supplementing the Cultural Heritage Act

(SG No. 92/2009, effective 20.11.2009)

§ 39. The Ministry of Culture and the NIICH shall be the legal successors of the assets and liabilities of the National Institute for Preservation of Immovable Cultural Values.

§ 40. (1) The powers of the Director of the National Institute for Preservation of Immovable Cultural Values shall be terminated from the date of entry into force of this Act.

(2) The legal relationships of individuals from the the National Institute for Preservation of Immovable Cultural Values shall be governed by Article 123 of the Labour Code and Article 87a of the Civil Servants Act in accordance with the rules set by the Organizational Rules of the Ministry of Culture and the NIICH structure and numerical strength.

§ 41. (1) Within one year of entry into force of this Act, the NIICH shall provide the Registry Agency with a list of entries for the incumbent declared immovable monuments of culture.

(2) The Registry Agency shall note the status of cultural values on lots of sites within two months of submission of the list under Paragraph.

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§ 43. In the Chamber of Builders Act (promulgated, SG No. 108/2006, amended, SG No. 19/2009, SG No. 35/2009) in Article 17, Paragraph 2, Item 8, the words "the National Institute for Preservation of Immovable Cultural Values" shall be replaced by "the National Institute of Immovable Cultural Heritage".

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