

BULGARIA

Law on the Control of Explosives, Firearms and Ammunitions

Promulgated in the "State Gazette" No. 133 dated 11.11.1998, as amended and supplemented in No. 85 dated 17.10.2000, in force as of 17.10.2000, Book 12/98, page 299, Volume 1, section 6, _ 640

Law on the Control of Explosives, Firearms and Ammunitions

Chapter One

General Dispositions

Article 1

The present Law shall govern the control of activities involving explosives, firearms and ammunitions exercised by natural persons, legal persons and traders as defined by the Commercial Act.

The present Law shall not be applicable to the Ministry of the Interior and to the Armed Forces of the Republic of Bulgaria.

Article 2

The activities involving other devices, which represent a general public danger and are able to cause damages and injuries similar to those caused by explosives, firearms and ammunitions shall be regulated by a Law.

Article 3

Explosives are such chemical compounds or mixtures of compounds that under certain conditions are able to generate a rapid self-propagating chemical transformation discharging a large quantity of heat and high-pressure gaseous products with a destructive and/or propulsive action.

According to their purpose, explosives can be used for:

1. Industrial purposes - separate explosives and their mixtures or alloys, which are used for the extraction of ore and non-ore mineral products, as well as for the demolition of buildings and other structures;

2. Special purposes - separate explosives and their mixtures or alloys, which are used for the industrial output of explosives and ammunitions with a military destination;
3. Cultural purposes - separate explosives and their mixtures or alloys, which are used for the production of devices providing smoke, sound, light and other effects in case of theatrical performances, movie pictures and television features, show programs, etc.

Article 4

Firearms are technical devices that, using the energy of explosives, can eject hard objects causing the mechanical destruction of the target.

Article 5

According to the intended end use, to the subjects that use them and to their technical specifications, firearms can be used for official or for civic purposes.

The firearms used for official purposes have definite specifications and can be made available to legal persons and to traders, as defined by the Commercial Act, for property protection and for the defense of the life and the health of individuals, as well as for other legal activities.

The firearms used for civic purposes have definite specifications and can be made available to natural and legal persons and to traders, as defined by the Commercial Act, for self-defense, hunting, sporting and cultural purposes:

1. The self-defense firearms are pistols, revolvers and smooth-bore rifles;
2. The hunting firearms are smooth-bore and grooved-bore rifles;
3. The sporting firearms are pistols, revolvers, smooth-bore and grooved-bore rifles;
4. The weapons for cultural purposes that are used for movie pictures and television features, theatrical events, for collections and other cultural purposes are all types of pistols, revolvers, smooth-bore and grooved-bore rifles and automatic firearms.

In case of the discharge of protective duties with a high level of danger for the protected site and for the protection personnel, the Minister of Interior can authorize the use of automatic fire weapons.

Article 6

Ammunitions are sets or combinations of explosives and other elements, as well as of hard objects that, by themselves or when ejected by firearms or by other technical devices, have a destructive, incendiary, poisonous, corrosive, suffocating, narcotic, tear provoking or other damaging action, or light and sound effects.

The type and the number of ammunitions per firearm unit permitted for official or civic purposes shall be determined by the Regulations for the application of the present Law.

Article 7

The permits for the activities governed by the present Law shall be issued by the Ministry of the Interior with a fixed duration of the validity and under terms and conditions determined by the Regulations for the application of the present Law.

The permits granted by virtue of the present Law shall be used exclusively by the persons to whom they have been granted. The reassignment to third persons of permits or of rights thereupon causes the nullity of the permits.

The permits are only valid for the activities indicated in the permits themselves.

The Council of Ministers may prohibit or restrict the activities exercised by virtue of the present Law in respect of certain types of explosives, firearms and ammunitions whenever this is made necessary in view of the protection of public interest or because of international obligations assumed by the country.

The refusal to grant a permit for the exercise of activities in accordance with the present Law and the revocation of such a permit can be appealed in compliance with the dispositions of the Law on administrative procedures.

Article 8

The control on activities involving explosives, firearms and ammunitions shall be exercised by the Minister of Interior or by persons authorized by him.

The Council of Ministers can assign the exercise of control on the activities referred to in paragraph 1 also to other state bodies.

During the exercise of control, the control bodies shall do the following:

1. Request the information necessary for the exercise of control;
2. Engage in an inspection of the explosives, firearms and ammunitions together with the related documents;
3. Refer the matter to the authorities of the public prosecution whenever data indicating committed crimes is found;
4. Request access to the premises where explosives, firearms and ammunitions are kept.

The control authorities shall be obliged to keep in confidence the business, production and trade secrets of the inspected persons and entities.

Chapter Two

Activities Involving Explosives, Firearms and Ammunitions

Section I

Production, Trade and Transportation

Article 9

(Abolished - "State Gazette", No. 85 of 2000).

Article 10

Production of and trade in explosives, firearms and ammunitions shall only be carried out by traders as defined by the Commercial Act and on the basis of permits issued under terms and conditions established by the Regulations for the application of the present Law.

Traders shall be obliged to:

1. Maintain a specialized accountancy for each produced and sold quantity and apply the security measures established by the statutory acts;
2. To secure with armed guards the activities related to the production and the storage of explosives, firearms and ammunitions;

3. To implement the construction process, the equipping and the acceptance of warehouses for the storage and of shops for trading in explosives, firearms and ammunitions under the terms and conditions established by the Regulations for the application of the present Law.

Article 11

The transportation of explosives, firearms and ammunitions shall be carried out with a permit issued by the Ministry of the Interior.

The transportation of explosives, firearms and ammunitions shall be carried out with armed guards.

Article 12

Permits for the production, trade in and transportation of explosives, firearms and ammunitions shall not be issued, while issued permits shall be revoked from sole traders who fall into the following categories:

1. (As supplemented in the "State Gazette", No. 85 of 2000) Those who have been sentenced for intentionally committed common crimes, or against whom preliminary inquests or police investigations have been initiated in respect of an intentionally committed common crime;
2. (As amended in the "State Gazette", No. 85 of 2000) Who have concealed from the tax administration income, profits, property or transactions thereupon, such an infringement having been established by an enacted tax investigation warrant or by a valid punitive injunction, provided that one year has not elapsed from their respective entry into force;
3. Who suffer from a mental disease;
4. Who use systematically alcohol, narcotic or psychotropic substances;
5. Who violate public order systematically or drastically;
6. Who endanger national security with their actions.

Article 13

Permits for the carrying out of the activities referred to in Article 12 shall not be issued, while issued permits shall be revoked from commercial companies that:

1. (As amended in the “State Gazette”, No. 85 of 2000) have concealed income, profits, property or transactions thereupon from the tax administration, such an infringement having been established by an enacted tax investigation warrant or by a valid punitive injunction, provided that two years have not elapsed from the entry of such warrants or injunctions into force;
2. Who have as their partners, general managers or members of the governing bodies individuals who:
 - a. (As supplemented in the “State Gazette”, No. 85 of 2000) have been sentenced for intentionally committed common crimes, or against whom preliminary inquests or police investigations have been initiated in respect of an intentionally committed common crime;
 - b. suffer from a mental disease;
 - c. use systematically alcohol, narcotic or psychotropic substances;
 - d. violate systematically or drastically public order;
 - e. endanger with their actions the national security.

Section II

Acquisition, storage, transportation and use of explosives, Firearms and Ammunitions

Article 14

Legal entities and natural persons can acquire, store and use explosives, firearms and ammunitions for professional security activities and for self-protection, for industrial, hunting, sporting and cultural purposes.

The employees of legal entities, the natural persons and the sole traders are permitted to carry firearms for the purposes enumerated in paragraph 1.

Article 15

Whoever finds explosives, firearms and ammunitions shall be obliged to inform immediately the bodies of the Ministry of the Interior without changing the location of the find.

In case of inheriting any of the chattel referred to in paragraph 1, the inheritor shall be obliged to apply to the bodies of the Ministry of the Interior within seven days upon the inheritance event in order to obtain a permit for the preservation or the carrying of such chattel.

The respective permit shall also be applied for within the time limit indicated in paragraph 2 whenever the firearm in question has been acquired as a prize.

Article 16

Permits for the acquisition, storage, carrying and use of explosives, firearms and ammunitions shall not be issued, while issued permits shall be revoked from natural persons, including sole traders, falling into the categories listed below:

1. In the cases referred to in Article 12;
2. Persons who have not come of full legal age.

Permits for the carrying out of the activities referred to in paragraph 1 shall not be issued to legal entities, which fall into the categories described in Article 13.

Article 17

Explosives, firearms and ammunitions, for which the renewal of the respective permits has been refused, shall be impounded by the police authorities against the issuance of a document and shall be stored in accordance with the established procedure.

The owner of the chattel referred to in paragraph 1 can transfer the title of ownership on explosives to legal persons or to natural persons in possession of the respective permits within six months, while the title of ownership on firearms and ammunitions can be conveyed to legal or natural persons in possession of the required permits within one year from the date of the impounding.

In the cases when the owner does not convey his title of ownership within the time limits listed in paragraph 2, the chattel in question shall be appropriated in favour of the state.

Article 18

Whoever loses explosives, firearms and ammunitions, or a permit allowing activities with such

items, shall be obliged to inform immediately the bodies of the Ministry of the Interior.

Section III

Imports, Exports and Transiting of Explosives, Firearms and Ammunitions

Article 19

The police permits for imports, exports and transiting of explosives, firearms and ammunitions shall be issued by the Ministry of the Interior in case of the presence of permits issued under terms and conditions established by the Law on the control on foreign trade activities with arms, goods and technologies with a possible double use and by the Regulations for its application.

Article 20

The imports, exports and transiting of explosives used for industrial purposes, of hunting firearms and of firearms for sporting and cultural purposes and their ammunitions, excluding those for grooved-bore hunting weapons, shall be carried out on the basis of permits issued by the Ministry of the Interior under terms and conditions established by the Regulations for the application of the present Law.

Article 21

The border control performed during the implementation of the activities referred to in Article 20 shall be carried out by the bodies of the Ministry of the Interior and of the Ministry of Finance.

In case of infringements of the established border-crossing regime for the imports, exports and transiting of explosives, firearms and ammunitions, they shall be impounded and delivered to the Ministry of the Interior.

Section IV

Repairs, Decommissioning and Destruction

Article 22

Permits to engage in firearms repairs shall not be issued, while issued permits shall be revoked from sole traders in the cases referred to in Article 12; such permits shall be revoked from commercial companies in the cases referred to in Article 13.

Article 23

The decommissioning and destruction of unusable explosives, firearms and ammunitions shall be carried according to the terms and conditions established by the Regulations for the application of the present Law.

Chapter Three

Compulsory Administrative Measures and Administrative Punitive Dispositions

Article 24

The Minister of the Interior, or persons duly authorized by him, can suspend by ordinance certain activities dealing with explosives, firearms and ammunitions in case of systematic violations of the present Law or of the Regulations for its application.

The ordinances referred to in paragraph 1 shall be issued, appealed and executed according to the Law on administrative procedures.

Article 25

Firearms shall be impounded, while the respective permit shall be revoked for one year, when used in disregard of its purpose or in a way that creates hazards for the life and the health of the public.

Whenever the offence referred to in paragraph 1 has been committed after the use of alcohol or other narcotic substances, the firearm shall be impounded, while the permit shall be revoked for a duration from 5 to 10 years.

In case of a repeated offence as described in paragraph 2, the permit shall be revoked for good and for all.

Article 26

Whoever violates the dispositions of the present Law or of the Regulations for its application with respect to the production, trade, storage and use of explosives, firearms and ammunitions shall be punishable by a fine ranging from 500 to 2000 Bulgarian leva, if not subject to a more severe sanction, or by a pecuniary sanction amounting from 1000 to 5000 leva.

Article 27

Whoever violates the dispositions of the present Law or of the Regulations for its application with respect to the order of acquisition, carrying and repairs of firearms shall be punishable by a fine ranging from 200 to 500 leva, if not subject to a more severe sanction, or by a pecuniary sanction amounting from 500 to 1000 leva.

Article 28

Whoever engages in the activities enumerated in Articles 10 and 11 without the respective permission shall be punishable by a fine ranging from 500 to 2000 Bulgarian leva, if not subject to a more severe sanction, or by a pecuniary sanction amounting from 1000 to 5000 leva.

Article 29

Whoever carries a firearm on legal grounds but without the presence of the respective permission issued by the Ministry of the Interior shall be punishable by a fine amounting up to 100 leva.

In case of a repeated offence as referred to in paragraph 1, the fine amounts from 100 up to 200 leva.

In case of systematic violations as referred to in paragraph 1, the fines amount from 200 up to 500 leva and shall be accompanied by the revocation of the permit for one year.

Article 30

Whoever loses explosives, firearms or ammunitions and does not inform immediately the bodies of the Ministry of the Interior, shall be punishable by a fine between 200 and 500 leva.

Article 31

Whoever refuses to submit for inspection explosives, firearms, ammunitions or the documents related to them, shall be punishable by a fine of 100 up to 200 leva or by a pecuniary sanction amounting from 200 up to 500 leva.

Article 32

The offences shall be established by written statements of facts drawn by the bodies of the Ministry of the Interior.

Based on the produced written statements of facts, the Minister of the Interior, or the persons authorized by him, shall issue the respective punitive injunctions.

The drawing of the written statements of facts, and the issuance, appealing and execution of punitive injunctions shall be carried out according to the procedure of the Law on administrative violations and sanctions.

Additional Dispositions

In terms of the present Law:

1. "Repeated" is the offence committed within one year from the entry into force of the punitive injunction sanctioning the offender for an offence of the same type.
2. "Systematic" is the committing of three or more offences within two years.

Smooth-bore hunting weapons with an additionally mounted grooved-bore barrel shall be considered to be equal to grooved-bore hunting weapons.

Transitory and Concluding Dispositions

3. The present Law shall abolish the Law on the control on explosives, weapons and ammunitions (promulgated in the "State Gazette", No. 128 of 1950; as amended in No. 137 of 1950; as amended and supplemented in the "State Gazette", No. 51 of 1965, No. 26 of 1968, No. 62 of 1997 and No. 11 of 1998).
4. The persons who are in possession of issued permits for work with explosives, firearms and ammunitions, shall submit applications for the updating of the permits in accordance with the present Law within six months upon its entry into force.
5. For the issuance of permits along the procedure of the present Law, fees in amounts established by the Council of Ministers shall be collected.
6. The Ministry of the Interior and the Armed Forces of the Republic of Bulgaria shall carry out the implementation of activities related to explosives, firearms and ammunitions and to the control over them in accordance with the terms and conditions established by an act of the Council of Ministers.
7. The commissioned and the non-commissioned officers of the Ministry of the Interior and the career military personnel from the Armed Forces having served no less than 10 years, as well as those officers who have left the Armed Forces, shall be allowed to purchase firearms. The former /police and military/ personnel dismissed for breach of discipline shall apply for permits in accordance with the general rules envisaged by the present Law.
8. The dispositions of the present Law shall not be applicable to the historical specimens of mouth-charged firearms and small weapons (models dating up to 1890).
9. Within three months upon the entry of the Law into force, the Council of Ministers shall adopt the Regulations for its application.
10. The execution of the present Law is entrusted to the Council of Ministers and to the Minister of the Interior.

Transitory and Concluding Dispositions

related to the Law on the denomination of the Bulgarian lev
(Promulgated in the "State Gazette", No. 20 of 1999, as amended in the "State Gazette" No. 65 of 1999, in force from July 5, 1999)

(As supplemented according to the "State Gazette", No. 65 of 1999) After the entry into force of the present Law, all sums of money expressed in old Bulgarian leva and referred to in the legislation having entered into force before July 5, 1999, shall be replaced by figures reduced by a factor of 1000 and expressed in denominated leva. The replacement of all sums of money expressed in old Bulgarian leva with amounts in new leva reduced by a factor of 1000 shall also be applicable to all legislative acts adopted before July 5, 1999 and having entered into force or due to enter into force after July 5, 1999.

The bodies that have adopted or issued administrative regulations having entered into force before July 5, 1999, where sums of money expressed in old leva exist, shall introduce the respective amendments ensuing from the present Law in such a way that the amendments be applied as from the date of the entry of the present Law into force.

The present Law shall enter into force on July 5, 1999.

BULGARIA

**Law on the Control of Foreign Trade Activity in
Arms and in Dual – Use Goods and Technologies**

Adopted in 1995, in force from 1996; amended and complemented on 19 July 2002, in force from 3 September 2002

Law on the Control of Foreign Trade Activity in Arms and in Dual – use Goods and Technologies

Chapter One

General Provisions

Article 1

1. The present Law regulates the terms and procedure for the conducting of foreign trade activity in arms and in goods and technologies of potential dual use and state control over these activities.
2. Goods and technologies are deemed to be of potential dual-use when they can be used for both civil and military purposes, including goods and technologies, which can be used for non-explosive purposes as well as to assist in any way the production of nuclear weapon or other nuclear explosive devices. This category also comprises the software bearing such characteristics.
3. The list of weapons and the goods and technologies of dual use shall be adopted by the Council of Ministers and shall be published in the State Gazette.
4. The following are not subject to control under this law: weapons, outfit, machinery and equipment of Bulgarian and foreign military and police contingents during their transition through or stay in the territory of the Republic of Bulgaria in cases when:
 - 4.1. They fulfil the obligations of the Republic of Bulgaria undertaken with international conventions or by virtue of membership in international organizations;
 - 4.2. They participate in peacekeeping operations;
 - 4.3. They participate in international military training exercises held in or outside the territory of the Republic of Bulgaria;
 - 4.4. They perform humanitarian, environmental, demonstrational or sports tasks of peaceful character.

Article 2

The conducting of foreign trade activity pursuant to Art 1 is subject to state control in order to ensure that national security and the economic foreign political interests of the Republic of Bulgaria will be protected, international peace and security – strengthened and the international obligations of the Republic of Bulgaria - fulfilled.

Article 3

In order to ensure the attainment of the purposes referred to in Art 2, the government bodies, within the scope of their competence, may directly co-operate and exchange information with the corresponding competent authorities of other states, international organizations and regimes, the signing of Cooperation Agreements included.

Article 4

1. The Council of Ministers may introduce restrictions and impose bans on the execution of foreign trade activity in arms and in dual-use goods and technologies when:

- 1) The activity contravenes the purposes and obligations referred to in Art 2;
- 2) the goods and technologies are intended or may be used for the development, production, operation, handling, maintenance, storage and dissemination of mass destruction weapons;
- 3) sanctions exist in respect of a certain state, which are
 - 3.a. introduced by the Security Council of the UN;
 - 3.b. ensuing from international conventions or from the membership of the Republic of Bulgaria in international organizations, including international regimes for export control in which it participates;
 - 3.c. ensuing from the accession of the Republic of Bulgaria to acts, joint activities and common standpoints of the European Union;
 - 3.d. ensuing from the accession of the Republic of Bulgaria to decisions of international organizations and international regimes for export control of which it is not a full member;
- 4) the weapons, goods and technologies of dual use are intended for a country, in whose territory military operations are being conducted or which participates in a military conflict.

2. The list of the states and organizations in respect whereof the regime to Para 1, Item 3 and 4 is applied, shall be adopted and updated by the Council of Ministers and shall be published in the State Gazette.
3. The list of states for which the end-user certificate under Art 15, Para 2 is not required, shall be adopted and updated by the Council of Ministers and shall be published in the State Gazette.

Chapter Two

Foreign Trade Activity in Arms Regime

Article 5

1. Foreign trade activity in arms may be solely affected by trade companies registered under the Company Law, under observance of the provisions of the present Law.
2. Foreign trade activity in arms is effected on the basis of a license granted by the Interdepartmental Council on the Matters of the Military Industrial Complex and the Mobilization Preparedness of the Country with the Council of Ministers for the execution of the respective activity and a permit for every individual transaction, issued by the Interdepartmental Commission for Export Control and Non-Proliferation of Weapons of Mass Destruction with the Minister of Economy, hereafter referred to as “the Interdepartmental Council” and “the Interdepartmental Commission”, respectively, headed by Ministers. The composition and the terms of activity of the Interdepartmental Council and the Interdepartmental Commission shall be established by the Council of Ministers.
3. The intermediary activity related to foreign trade deals in arms may be effected by natural and legal persons who have been granted a licence by the Interdepartmental Council for the execution of the this kind of activity.
4. The licence and permit are issued by the bodies referred to in Para 2, with a certain period of validity and a certain scope. The initial licence is granted with a one-year term of validity, after the expiry of which each ensuing licence is granted with a three-year term of validity. The permit is issued with a six-month term of validity and may be solely extended for a single term of six months at most, which cannot be longer than the term of the licence.
5. The licence is personal and cannot be transferred or assigned to other person.
6. For the issue of the licenses and permits state fees shall be paid in amounts established by the Council of Ministers.

7. Where necessary, the bodies to Para 2 may request the opinion of other state bodies.
8. For the issue of licenses and permits the competent government bodies may perform inspections and designate experts who shall give their opinion on matters requiring specialist knowledge.

Article 6

1. A trade company under Art 5, Para 1 may be granted a licence when the requirements are satisfied related to its economic stability and reliability with regard to the conduction of foreign trade activity in arms.
2. The natural or legal persons under Art 5, Para 3 may be granted licenses when the requirements are satisfied related to their economic stability and reliability with regard to the conduction of foreign trade activity in arms, which requirements are established in the Regulation on the Implementation of the present Law.
3. The licensing body may deny granting a license when the requirements under Para 1 or Para 2 are not satisfied.
4. The licensing body may revoke the granted license when:
 - 4.1. circumstances occur which contravene the purposes and obligations referred to in Art 2;
 - 4.2. the terms of the granted license are not fulfilled, or they are breached;
 - 4.3. an obligation provided by the present Law has not been fulfilled, which is evidenced by a deed of a competent state body;
 - 4.4. the licensee has submitted false data on the base of which the license has been granted;
 - 4.5. the licensee has ceased to meet the requirements under Para 1 and 2.
5. When making a decision to revoke a license, the competent body sets forth a term in which the licensee cannot apply for a new license for the same activity. This term cannot be less than 2 years.
6. The licensing body may cancel the license
 - 6.1. when its term of validity is expired;
 - 6.2. when the license has been revoked;
 - 6.3. on request of the licensee;
 - 6.4. in case the respective trade company or legal person has ceased its activity;

6.5. in case of death of the licensed natural person.

7. The denial to grant a license or the revocation of a license is subject to appeal in the Supreme Administration Court except for the cases when the interests of national security are concerned.

8. The appeal under Para 7 shall not stop the execution of the administrative act.

Article 7

1. A permit to conclude a foreign trade deal in arms can solely be issued to the trade companies under Art 5, Para 1, which have got licenses to conduct such activity. The trade companies applying for a permit to conduct a trade deal in arms shall submit to the Interdepartmental Commission the documents determined under the regulations for application of the Law.

2. The Interdepartmental Commission shall issue a permit in case of existence of a consensus among the members – representatives of the authorized ministries. A decision may be taken as an exception also in the absence of the members if the protocol is signed without remarks by the members of the Interdepartmental Commission under an order set out in the regulations for application of the Law.

3. The Interdepartmental Commission shall refuse the issuance of a permit when:

3.a. there are circumstances that contradict the goals and obligations set out in article 2;

3.b. certain documents provided for in the regulations for application of the Law are missing;

3.c. the deal for which a permit is requested does not correspond to the issued license;

3.d. the applicant has provided incomplete data.

4. The Interdepartmental Commission shall revoke the granted permit upon proposal made by each of the members of the Commission, when:

4.1. circumstances arise which contradict the goals and obligations set out in article 2;

4.2. the activity which is performed does not correspond to the issued permit or license;

4.3. the applicant has not fulfilled the obligation provided for by this Law, which non-fulfilment has been established by means of an act of an authorized state body;

4.4. the applicant has submitted incorrect data.

5. The refusal or the decision for revoking of a permit may be appealed to the Supreme Admin-

istrative Court except in the cases when the national security interests are concerned.

6. The appeal under Para 5 shall not stop the fulfilment of the administrative act.

Article 8

Article 8 shall be revoked

Chapter Three

Foreign Trade Activity in Dual-Use Goods and Technologies Regime

Article 9

1. Persons registered under the Commercial Code of the Republic of Bulgaria may carry out trade activity with dual-use goods and technologies by observing the provisions of the present Law and in accordance with the effective legislation.

2. Export of dual-use goods and technologies shall be carried out on the grounds of a permit granted by the Interdepartmental Council and a decision for each deal issued by the Interdepartmental Commission.

3. Import of dual-use goods and technologies shall be carried out on the grounds of a permit issued by the Interdepartmental Commission for each deal.

4. The license and the permit shall be issued by the bodies under article 5, Para 2 for a determined period and with a determined scope. The license shall be initially issued for a period of one year, following the expiration of which each successive license shall be issued for a period of three years. The permit for deals shall be issued for a period of 6 months, and may be extended once for a period of up to 6 months, which period may not be longer than the term of the license.

5. The license is personal and it may not be transferred or assigned.

6. State fees at amounts set out by the Council of Ministers shall be paid for the issuance of a license and a permit.

7. If necessary the bodies under Article 5, Para 2 may require the opinion of other state bodies.

8. The bodies under Article 5, Para 2 may involve specialists-experts who shall provide an opinion on issues, which require specific knowledge.

9. Intermediary activity related to foreign trade deals with dual-use goods and technologies may be carried out by natural persons and legal entities who have obtained a license for performance of such activity issued by the Interdepartmental Council.

Article 10

1. The persons under Article 9, Para 1 registered under the Commercial Code shall be issued a license when:

1) they are reliable and economically stable

2) they certify that they have created conditions and the necessary organization for work with the goods and/or technologies indicated by them, depending on the goods and/or technologies

2. The persons under Article 9, Para 9 shall be granted a license when they meet the requirements for reliability for performance of intermediary activity related to foreign trade deals with dual-use goods and technologies, and they are economically stable, determined under the terms and the order provided for in the regulations for application of the Law.

3. The licensing body refuses the issuance of a license to the persons under Article 9, Para 1 and 9 when the requirements under Para 1 or Para 2 do not exist.

4. The licensing body revokes the granted license:

1) upon occurrence of circumstances which contradict the goals and obligations set out in Article 2;

2) in case of non-fulfilment or violation of the terms in the license;

3) upon non-fulfilment of an obligation provided for by this Law, established with an act of the authorized state body;

4) when the licensed person has provided incorrect data that served as grounds for the issuance of the license;

5) when the licensed person ceases to meet the requirements of Para 1 or Para 2.

5. With the decision for the revocation a term shall be determined in which the person shall not be allowed to apply for the issuance of a new license for the same activity. This term may not be less than 2 years.

6. The licensing body shall terminate the license:

- 1) due to expiration of its term;
- 2) due to its revocation;
- 3) as per request of the licensed person;
- 4) upon termination of the activity of the person registered under the Commercial Code or the legal entity;
- 5) upon death of the licensed natural person.

7. The refusal for issuance of a license or the revocation of a license shall be subject to appeal at the Supreme Administrative Court except in the cases when the national security interests are concerned.

8. The appeal under Article 7 shall not stop the fulfilment of the administrative act.

9. A permit for a foreign trade deal with dual-use goods and technologies shall be granted only to persons under Article 9, Para 1, registered under the Commercial Code, who possess a license for such an activity. The persons applying for a permit for a foreign trade deal with weapons, present to the Interdepartmental Commission documents set out in the regulations for application of the Law.

10. The Interdepartmental Commission shall grant permission in case of existence of a consensus between the members – representatives of the authorized ministries. A decision may be taken as an exception also in the absence of the members if the protocol is signed without remarks by the members of the Interdepartmental Commission under an order set out in the regulations for application of the Law.

11. The Interdepartmental Commission shall refuse the issuance of a permit when:

- 1) there are circumstances that contradict the goals and obligations set out in article 2;
- 2) certain documents provided for in the regulations for application of the Law are missing;
- 3) the deal for which a permit is requested does not correspond to the issued license;
- 4) the applicant has provided incomplete data.

12. The Interdepartmental Commission shall revoke the granted permit upon proposal made by each of the members of the Commission, when:

- 1) circumstances arise which contradict the goals and obligations set out in article 2;
- 2) the activity which is performed does not correspond to the issued permit or license;

3) the applicant has not fulfilled the obligation provided for by this Law, which non-fulfilment has been established by means of an act of an authorized state body;

4) the applicant has submitted incorrect data.

13. The refusal for issuance of a permit or revocation of a permit may be appealed to the Supreme Administrative Court except in the cases when the national security interests are concerned.

14. The appeal under Para 13 shall not stop the fulfilment of the administrative act.

Article 11 and Article 12 shall be revoked

Article 13

1. A permit upon export of dual-use goods and technologies, not include din the list under Article 1, Para 3 shall be required when the exporter has been informed in writing by the bodies under Article 5, Para 2, that:

1) the dual-use goods and technologies are or may be intended, in their entirety or in part, for the development, production, use, maintenance, storage, detection, identification or spreading of chemical, biological or nuclear weapons or other nuclear explosive devices or for the development, production, maintenance or storage of missiles-carriers of such weapons the regime for which is, covered by the international agreements for prohibition or non-proliferation of such weapons;

2) dual-use goods and technologies are intended for the countries and organizations included in the list under Article 4, Para 2;

3) the dual-use goods and technologies are intended for military end use.

2. If the exporter is aware that the dual-use goods and technologies, not included in the list under Article 1, Para 3, which it intends to export are intended in their entirety or in part for some of the goals set out in Article 1, points 1, 2, and 3, it shall be obliged to inform the bodies under Article 5, Para 2.

Chapter Three

Regime of the International Transportation of Weapons, of the Transit Transportation of Weapons and of Dual-use Goods

Article 13 a

The transportation of weapons by carters registered under the Commercial Code from and to the territory of the Republic of Bulgaria as well as from and to the territory of third states shall be carried out on the grounds of a license issued by the Interdepartmental Council under the terms and order set out in the regulations for application of the Law.

Article 13 b

1. Transit transportation of weapons through the territory of the Republic of Bulgaria shall be carried out on the grounds of a permit for transit transportation issued by the Interdepartmental Commission. The permit shall be issued for each individual case under the terms and order set out in the regulations for application of the Law.

2. Transit transportation of radio active, explosive, flammable, oxidizing, corrosive, bacteriological (biological), toxic and pathogen dual-use goods shall be carried out on the grounds of a transit transport permit issued by the Interdepartmental Commission, in which the customs terminals, the route and the period for passing shall be determined. The permit shall be issued for each individual case under the terms and order set out in the regulation for application of the Law.

Chapter Four

Obligations of the Parties to Foreign Trade Activity

Article 14

The persons engaged in foreign trade activity and/or intermediary activity in arms and in goods and technologies subject to control as stipulated in the present Law, are under the obligation to:

- 1) keep a separate register of the transactions effected as per the present Law, and retain transaction and transportation documents and the information related to the execution of the foreign trade deal for a period of not less than 10 years;
- 2) observe the terms and conditions under which this activity has been licensed, and immediately notify in writing the control bodies of any change thereof;
- 3) indicate the name, position and address of the representatives of the party to the transaction and of the end-user, in charge of the performance of the obligations to the transaction, and immediately notify of any replacement or change thereof;
- 4) inform the respective government bodies should a probability become apparent that the goods and technologies subject of foreign trade activity may be used in the way envisaged in Art 13.

Article 15

1. Importers and exporters of weapons shall be obliged to incorporate a provision in the foreign trade contract obliging the buyer that the purchased weapons shall not be transferred to third natural persons or legal entities without the express consent of the Interdepartmental Commission.
2. For certification of the end use or the end user the exporters of weapons and/or dual-use goods and technologies shall present to the Interdepartmental Commission a certificate for end use/end user and/or international import certificate issued by the authorized bodies of the end user's country.
3. Upon request by the country of the exporter the Bulgarian authorized bodies shall issue certificate for end use/end user and/or international import certificate. The order for the issuance of an end use/end user certificate and/or international import certificate shall be determined under the regulations for application of the Law.

Article 16

The license and permit obtained under the present Law may be used solely by the grantee thereof. The transference of the license and permit or of rights thereof to a third party shall invalidate the said license and permit whereas the transferor shall thereby forfeit any rights arising from them.

Chapter Five

Control on the Observance of the Foreign Trade Activity in Arms and in Dual-Use Goods and Technologies Regime

Article 17

1. The control on the fulfilment of this Law shall be enforced by the bodies under article 5, Para 2, by the authorized bodies of the Ministry of Interior, the Ministry of Economy and the Customs Agency or by officials authorized by them.
2. The control includes inspections before and after the issuance of the license or the permit for foreign trade activity under this Law.
3. In the performance of control the control bodies under Para 1 may:
 - 1) request by the persons performing foreign trade and/or intermediary activity with weapons and/or with dual-use goods and technologies the information necessary for the enforcement of control;
 - 2) require the opinions of other state bodies if necessary;
 - 3) visit the areas under customs control on the territory of the Republic of Bulgaria under the terms and order of the existing legislation.
 - 4) address requests to the authorized bodies of other countries for the provision of information necessary for the performance of control.
4. The control bodies shall be obliged to keep in confidence any official, production or commercial secrets of the persons undergoing inspection.
5. In the presence of information about a committed crime the bodies under Para 1 shall refer the matter to the prosecution authorities.
6. Representatives of a foreign state may participate in the enforcement of control in accordance with the international obligations of the Republic of Bulgaria assumed under international agreements or by virtue of participation in international organizations.
7. The Interdepartmental Council and the Interdepartmental Commission may require from the exporter the inclusion of a contractual provision allowing physical inspection by them or by officials authorized by them of the delivery under the foreign trade deal.

8. In relation to the goals under Article 2 the bodies under Article 5, Para 2 may require additional information regarding the foreign trade deal.

Article 18

1. The bodies under Article 5, Para 2 shall present to the Council of Ministers an annual report on the fulfilment of the Law.
2. The Council of Ministers shall present the report under Para 1 to the National Assembly.

Chapter Six

Administrative-Penal Provisions and Property Sanctions

Article 19

The persons engaged in foreign trade activity with weapons and/or dual-use goods and technologies who shall not fulfil their obligations under this Law shall be subject to:

- 1) natural persons, as well as commercial companies officials – a penalty between BGN 5,000 and BGN 50,000, if the committed does not represent a crime;
- 2) to the persons registered under the Commercial Code – property sanctions at the double amount of the foreign trade deal.

Article 20

The persons engaged in intermediary activity related to foreign trade deals with weapons and/or dual-use goods and technologies who do not fulfil their obligations under this Law shall be penalized with a fine amounting between BGN 5,000 and BGN 50,000, respectively a property sanction at the triple amount of the fine.

Article 21

Shall be revoked

Article 22

1. The protocol on the establishment of violations is prepared by officials of the organs of control to Art 17, Para 1.
2. Penal decrees shall be issued by the Head of the respective body under Para 1 or by an official authorized by him.
3. The drawing up of the protocol on the establishment of administrative violations, the imposition of administrative penalties, the appeal against and the enactment of the penal decrees shall take place as prescribed by the Law on Administrative Violations and Penalties.

Additional Provisions

1. In exceptional events, should the state's national security or the performance of international obligations assumed by the state be jeopardized, or should the state's foreign political interests be infringed, the Council of Ministers may ban the carrying out of import, export, re-export or transit transportation of arms and dual-use goods and technologies, regardless of the issued license and permit.

1 a. In accordance with this Law:

1) "Foreign trade activity with weapons and/or dual-use goods" is the aggregate of all activities for the preparation and/or performance of a foreign trade deal with goods and/or services, including the granting of customs directions, participation in an international bid, when one of the parties under the transaction despite of its type is a foreign natural person or legal entity registered with the right to perform this type of activity under its national legislation.

2) "Intermediary activity related to foreign trade deals with weapons and/or dual-use goods and technologies" represents part of a foreign trade activity and includes activities related to the preparation and/or performance of the foreign trade deal including forwarding services, transport services, consulting services, financing, when the person performing these activities is not the actual exporter, importer or re-exporter and when in some way these activities are related to the territory of the Republic of Bulgaria or with the use of telecommunication facilities for connection and/or postal services of the Republic of Bulgaria.

3) "Technology" represents technical information necessary for the development, production or use of the goods. This information may be in the form of technical data or technical assistance:

a) the technical assistance may be in the form of commands, skills, training, working training

4) "The export" includes also the transfer of programme products (software) and technologies via electronic devices, fax or telephone to a recipient outside the borders of the Republic of Bulgaria. This shall be applicable in respect of verbal transfer of technologies via technical device only in the cases when the technological data is contained in a document the respective part of which is read verbally or is described in such a manner that significantly the same result is achieved.

5) "Military end use" means:

a) introduction of military items included in the list under Article 1, Para 3;

b) use of equipment for production, testing and analysis and its components for the development, production or maintenance of military items included in the list under Article 1, Para 3;

c) the use of incomplete products in a plant for the production of military items included in the list under Article 1, Para. 3.

6) "International regimes for export control" are organizations without determined international legal status whose agreements are not mandatory, and are fulfilled by the countries voluntarily such as the Wassenaar Agreement, the Group of Nuclear Suppliers, the Australian Group, the Control Regime on Missiles Technologies, Zanger Committee, etc.

7) A commercial entity shall be considered reliable for the performance of foreign trade activities with weapons, if:

a) it has established the necessary organization for storage of weapons in accordance with the requirements of the existing legislation;

b) it has established the necessary organization for perseverance of the state confidentiality in accordance with the requirements of the existing legislation;

c) it has coordinated with the security bodies a list of the natural persons who are directly participating in the foreign trade activity with weapons;

d) a general manager, members of a management and control body of the commercial company or natural person (persons) under item (c) are not convicted with a general nature crime verdict entered into force;

e) there is no data that a general manager or members of a management or control body of the commercial company or a natural person (persons) who directly participate in the foreign trade activity with weapons represent a threat to the national security, the economic or foreign policy interests of the Republic of Bulgaria, the strengthening of international peace and security and

the fulfilment of the international obligations of the Republic of Bulgaria.

The circumstances shall be examined with a document from the respective authorized body.

8) A commercial company shall be considered economically stable for the performance of a foreign trade activity with weapons, if:

a) it has not been declared in bankruptcy or there are no proceeding for declaring bankruptcy;

b) no termination of the activity and announcement of liquidation have been registered;

c) there are no liquid and demandable public liabilities, liabilities to the securities funds as well as to natural persons or legal entities, where the obligation has been recognized to the enforced fulfilment body or where it is established by means of a court decision which has entered into force, by means of a notary certified document or a security promissory note.

9) The persons under Article 9, Para 1 registered under the Commercial Code are reliable and economically stable when they meet the requirements of item 7, points (c), (d), and (e) and item 8. The circumstances shall be examined with a document from the respective authorized body.

Transitional and Concluding Provisions

23. In the Law on Prohibition of Chemical Weapons and Control of the Toxic Chemical Substances and their precursors (SG, issue 8/2000) the following amendments shall be made:

1. In Article 9 Para 1 shall be amended as follows:

“(1) The licenses under Article 6, 7, 8 and 10 shall be issued by the Interdepartmental Council on the Military Industry Complex and the Mobilization Preparedness of the Country at the Council of Ministers for a determined period of time, determined quantities and under the terms and order set out in an ordinance passed by the Council of Ministers. The licenses shall be issued to persons registered under the Commercial Code and may not be assigned.”

2. In Article 11:

a) in Para 1 the words “The State Commission on Control of Toxic Chemical Substances and Their Precursors at the Council of Ministers” shall be replaced with “Interdepartmental Commission for Export Control and Non-proliferation of Mass Destruction Weapons with the Minister of Economy, under Article 5, Para 2 of the Law on Control of the Foreign Trade Activity with Weapons and Dual-Use Goods and Technologies”]

b) Para 2, 3, 4, 5 and 6 shall be revoked.

3. Article 12, item 8 shall be revoked.

4. Article 18 shall be revoked.

5. Everywhere in the Law the words "State/the State Commission" shall be replaced with "Interdepartmental/The Interdepartmental Commission".

24. The Law shall enter into force one month following its promulgation in the State Gazette. The fulfilment of the Law shall be assigned to the Council of Ministers, which shall pass regulations for its application within one month following the entering into force of this Law.

This Law was passed by the XXXIX National Assembly this 18-th day of July, in the year 2002 and the official Seal of the National Assembly was affixed thereto.

BULGARIA

Dual - Use and Arms Export Control

Dual-use and Arms Export Control

The Government of Bulgaria has introduced an effective export control regime of dual-use goods and arms and officially declared its adherence to the internationally harmonized guidelines and norms for control of the foreign trade with items and technologies, controlled by former COCOM, non-proliferation regimes of nuclear, chemical and biological weapons, as well as MTCR.

The Legal Basis

The legal base for arms and dual-use export control in Bulgaria is given by the Law on the Control of Foreign Trade Activity in Arms and Dual-Use Goods and Technologies as published in State Gazette No 102, 1995 and Regulation on Implementation of the Law (State Gazette No 21/1996)

List of Goods and Technologies Subject to Export Control

Export and import of “dual use” items are listed in four annexes to the Regulation:

1. List of nuclear equipment, materials and nuclear related technologies with potential nuclear weapons application (INFCIRC254/Rev.1/Part.I and Part. 2, former COCOM International Atomic Energy List and NSG List);
2. List of internationally controlled goods and technologies (former COCOM Industrial Core List);
3. List of Dual-Use chemical and biological precursors, materials, equipment and technologies (Australia Group);
4. List of Dual-Use goods and technologies with potential application in the systems capable of delivering chemical, biological or nuclear weapons (Missile Technology Control Regime - MTCR List)

Control List of Military and Special Products, Technical Assistance and Services is published in the State Gazette No. 57/95, which follows the former COCOM Munitions List.

Interdepartmental Council at the Council of Ministers

The Council issues licences for execution of foreign trade activity in arms and dual-use goods and technologies; proposes to the Council of Ministers drafts for acts about the state policy in the field of trade with arms and dual-use goods and technologies, issues licenses for transport of arms and dual-use goods and technologies; keeps a register of the companies, licensed for foreign trade activity or for transport of arms and dual-use goods and technologies; coordinates the activity of the Ministries and other departments about the integration of the Republic of Bulgaria in the international organisations, controlling the trade with arms and dual-use goods and technologies.

Members of the Council are: Chairman The Prime Minister, two Deputy Chairmen (appointed by the Prime Minister); permanent members the Deputy Ministers of Trade and Foreign Economic Cooperation, Industry, Defence, Finances, Foreign Affairs, the Interior, the Transport, Territorial Development and the Deputy Head of the General Staff of the Bulgarian Army.

Commission for Control and Permission of the Foreign Trade Transactions with Arms and Dual-use Goods and Technologies at the Ministry of Trade and Foreign Economic Cooperation

The Commission issues permits for foreign trade transactions with arms and dual-use goods and technologies; permits the participation of the commercial companies in international tenders for export or re-export of arms; submits to the Interdepartmental council regular information about the conducted sessions and the decisions taken by it.

Members of the Commission are: Chairman The Minister of Trade and Foreign Economic Cooperation, permanent members the Deputy Ministers of Trade and Foreign Economic Cooperation, Industry, Foreign Affairs, secretary of the Ministry of Interior, director of department of Ministry of Defence and two secretaries: Directors of Departments "Military economic cooperation" and "Internationally controlled trade".

Types of Licenses

The license for foreign trade activity in arms and dual-use goods and technologies shall be possible to be general and limited with regard to the implemented activities and the country end-user.

The foreign trade activity in arms may be effected by trade companies where Bulgarian equity participation exceeds 50%.

The license for foreign trade activity in arms and dual-use goods and technologies shall be issued with term of validity up to 1 year.

The permit for each individual transaction shall be valid till 180 days after the date of issuing and cannot be longer than the term of the issued license.

International import certificate, Export certificate, Statement by ultimate consignee and importer, Delivery Verification Certificate, Transit License, Transit statement are used for the control of internationally controlled goods and technology.

“Catch All” Clause (Article 13 in the Law)

A permit issued by the Commission at the Ministry of Trade and Foreign Economic Cooperation, shall be required for foreign trade activity with dual-use goods and technologies not included in the controlled lists if:

a) the dual-use goods and technologies may be intended, in their entirety or in part, for the development, production, handling, operation, maintenance, storage, detection, identification, or dissemination of chemical, biological or nuclear weapons or development, production, maintenance, or storage of missiles capable of delivering chemical, biological or nuclear weapons, covered by the corresponding international agreements for prohibition or non-proliferation of such weapons;

b) the dual-use goods and technologies are intended for a country with respect to which the Security Council of the United Nations has imposed measures for maintenance or re-establishment of the international peace or security, or with respect to a country, on whose territory military operations are conducted or which participates in a military conflict;

c) the exporter or importer is aware of or has been informed by relevant authorities that there are grounds for suspecting that the dual use goods and technologies are intended for the purposes referred to in the preceding a) and b) cases.

Transit

The transit of dual-use items and arms through the territory of the Republic of Bulgaria is effected on the basis of a Transit license. The exporter has to submit to the controlling bodies a

validated export license from the country of origin exclusively for the end-user referred to in the export license and an authorization for transit from the next country along the transit route.

Transportation of Arms and Dual-use Goods and Technologies

The transportation of arms and dual-use goods and technologies to and from the territory of the Republic of Bulgaria respectively to Bulgarian border customs department of entry or exit may be effected by Bulgarian or foreign transport companies. The Bulgarian carriers may effect this activity only if they have a license issued by the Interdepartmental council. The license for transportation of arms and of dual-use goods and technologies shall be issued for one year.

The foreign carriers or the companies using foreign carriers shall present document for registration and a certificate for suitability of the transport means by which the transportation of arms and dual use goods and technologies will be carried out.

Judgement of Applications

Export and import applications are submitted for opinion to other competent governmental bodies. Granting or denying an authorization for export within 30 days is based on consideration of the application documents and the results of possible joint inspections (by competent end-user country authorities and Bulgarian officials). Such inspections are envisaged also for enforcement purposes after delivery, in conformity with international obligations assumed by Bulgaria. Export applicants have to inform the Commission at the Ministry of Trade and Foreign Economic Cooperation about any changes in the information submitted through the end-user statement and export certificate. If the changes are significant the authorization is revoked and a new application has to be submitted.

An export or import authorization can be denied or revoked, if the requested export:

- a) is not compatible with Bulgarian legislation;
- b) endangers Bulgarian state interests;
- c) end-user and/or foreign partner activities violate national or international arrangements regarding dual-use goods and technologies;
- d) endangers international commitments accepted by Bulgaria;

e) is based on submission of incomplete, misleading, or false data and/or significant changes of the transfer's terms are not reported;

f) significant changes of the terms of transfer occur.

The resolution on refusing or revoking must be in writing and contain the motives for such a decision.

Pre-license and Post-shipment Verification Checks, Inspection by the Controlling Bodies

The control includes direct inspections before and after issuing an authorization, including the passing of goods through the customs border of the Republic of Bulgaria. In the execution of control the officials of the Internationally Controlled Trade Department, Military economic cooperation Department of the Ministry of trade and foreign economic cooperation and The General Customs Directorate of the Ministry of Finance are empowered to:

a) require information necessary to the execution of control procedures from the persons, whose obligation is to provide it.

b) request competent authorities of other states for information, necessary to the enforcement of control.

c) carry out inspections on the fulfilment of the applicant's and end-user's obligations, including inspection at the venue of their economic activity.

In compliance with the international commitments of the Republic of Bulgaria in the enforcement of arms and dual-use export controls, authorized representatives of the exporting country may participate in the execution of control jointly with Bulgarian officials. Bulgarian officials may take part in inspections in other countries when goods are exported or re-exported from the Republic of Bulgaria.

The officials are under obligation to keep in confidence any information concerning production and transaction, made known to them in the enforcement of control procedures.

The General Customs Directorate of the Ministry of Finance of Bulgaria plays an important role in ensuring efficient export/import controls. It is authorized to require the necessary export/import documentation, to carry out inspections concerning implementation of end-user and export applicants' obligations, to search premises, etc. Special training programs are carried out to secure the necessary number of qualified customs officers applying the specific requirements of the "dual-use" regulations.

Enforcement and Penalties

The natural persons, engaged in foreign trade activity with dual-use goods and technologies and arms and the representatives of the applicant and end-user who do not fulfil their obligations shall be penalized with a fine, ranging from 50 000 to 500 000 leva, if the deed does not constitute a crime. Property sanctions to the amount of five times the total sum value of the deal, on the basis of foreign trade contract data, shall be imposed on the legal persons, engaged in foreign trade activity on their failure to fulfil their obligations, if the deed does not constitute a crime.

In the Criminal Code a new Article 233 is incorporated:

“ARTICLE 233) A person or persons, engaged in foreign trade activity with dual-use goods and technologies and arms without authorization shall be penalized with imprisonment for a period of up to 8 years and with a fine to the amount of up to 1 000 000 leva. The dual-use goods and technologies, constituting the subject of crime, shall be seized on behalf of the state, irrespective whose property they are. In case of a lack of, or alienation of such dual-use goods and technologies and arms, their equal value, determined according to the foreign trade contract, is adjudged”.

Information on enforce crime sentences, or penal decrees on administrative violations, in relation to dual-use goods and technologies, may be made public by means of the mass media and may be published in the special editions.

National Controls

The Republic of Bulgaria is a Party to the Nuclear Non-proliferation Treaty and Biological Weapons Convention, an original Signatory of the Chemical Weapons Convention (the first of the East European States participating in the work of the OPCW Preparatory Commission at the Hague and became the 11 th. Signatory State of the ratification of CWC), a founding Member-State of the Nuclear Suppliers Group (NSG), IAEA Board of Governors and of the “Zangger” Committee.

Bulgaria strictly applies the guidelines and principles of the MTCR and of the Australia Group. The implementation of the Bulgarian “dual-use” and arms licensing control involves protection of intellectual property as well. Bulgaria ratified the Convention of the United Nations on Contracts for the International Sale of Goods (CISG) on March 13, 1990 and the Convention is in force for Bulgaria from August 1, 1991. Through the implementation of the CISG, Bulgaria

accepts international regulations aimed at exercising the freedom of trade and development of a market economy. Bulgaria has also been a party to the Paris Convention of Industrial Property since 1921, to the Rome Convention for the protection of performers, producers of phonograms and broadcasting organizations as well as the Geneva Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms, which have been ratified by Law, adopted by the National Assembly on 19 April 1995 (State Gazette No 89/95). A number of international acts have been taken into consideration in the new Patent Law adopted in Bulgaria in 1993.

Bulgaria enforces UN Security Council sanctions.

Sofia, April 1996