

REPUBLIC OF BULGARIA
GRAND NATIONAL ASSEMBLY

LOCAL SELF-GOVERNMENT AND
LOCAL ADMINISTRATION ACT

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Amended, SG No. 24, 49 & 65/1995; 90/1996

Chapter One

GENERAL PROVISIONS

Article 1

This Act regulates the public relationships connected with local self-government and local administration.

Article 2

(1) The territory of the Republic of Bulgaria is divided into municipalities and regions.

(2) Mayoralties and districts shall be component administrative and territorial units of municipalities. They shall be created with such terms of reference and for the performance of such functions as decreed by law or by a resolution of the competent Municipal Council.

(3) There shall be elected in municipalities Municipal Councils and Mayors.

(4) There shall be elected in mayoralties Mayors, and in districts, District Councils.

Article 3

The administrative and territorial division of the Republic of Bulgaria shall be established by law.

Article 4

(1) When a new municipality is formed, the elections for a Municipal Council are held within three months of the relevant decision.

(2) In the cases under paragraph 1, the Regional Governor appoints an acting mayor whose powers are discontinued with the election of a mayor.

Article 5

The municipality is a principal administrative and territorial unit where local self-government is exercised.

Article 6

[Deleted]

Article 7

The region has an administrative purpose and no elected bodies of local self-government are instituted in it. Bodies and agencies of the central government may be instituted in the regional centre.

Article 8

(1) Sofia Municipality is an administrative and territorial unit, with status of region. It combines the self-government of the community with the implementation of government policies for the development of the capital city.

[Para 2, Deleted.]

Article 9

(1) The administrative and territorial units may form voluntary associations to solve problems and accomplish tasks of common interest.

(2) To protect their common interests, and to promote and develop local self-government, municipalities may form a national association and regional associations.

(3) The National Association of Municipalities shall have the right to:

1. Act as its members' legal representative before government agencies.
2. Draft proposals for the amendment and improvement of local self-government regulations.
3. Draft opinions and proposals respecting the section of the Draft National Budget on municipalities.
4. Establish contacts and interaction with similar organisations in other countries, and become a member of international associations.
5. Perform any other functions under its Articles of Association.

(4) The rights under the foregoing paragraph may only be exercised if more than two-thirds of all the municipalities in the country are members of the Association.

Chapter Two

MUNICIPALITY

Article 10

(1) The territory of a municipality shall be defined as the total of the territories of its component mayoralities or inhabited places..

(2) Any disputes concerning boundaries between inhabited places shall be referred to the local court.

Article 11

Local self-government in a municipality shall be reflected in the right of the citizens, or of their elected bodies with such terms of reference as thereon conferred, to resolve on issues relating to:

1. Municipal property, municipal enterprises, municipal finances, taxes and fees, municipal administration.
2. The organisation and development of the municipal territory and its component inhabited places.
3. Education, including: pre-school, primary, basic and secondary.
4. Health, including: out-patient and hospital care, health prevention, community care and sanitation.
5. Culture, including: community clubs, theatres, orchestras, libraries, museums and museum collections, amateur art, rituals, local traditions and customs.
6. Public works and utilities, including: water and sewer, electricity, heating, telephone, streets and squares, parks and gardens, street lighting, green spaces, adjustment of river courses and gullies, domestic waste disposal, local public transport, local bath-houses, laundries, hotels, garages and cemeteries.
7. Social assistance, including: social care and allowances, social housing, and other similar activities of local importance.
8. Protection of the natural environment and rational use of the natural resources of local importance.
9. Conservation of cultural, historic and architectural monuments of local importance.
10. Sports, recreation and tourism of local importance.

Article 12

Each municipality bears the name of the inhabited place which is its administrative centre.

Article 13

Residents of the municipality are all citizens who live on the territory and are entered in the population registers.

Article 14

The municipality is a corporation and can hold property rights and dispose of an autonomous municipal budget.

Article 15

The Municipal Council may establish departments of the municipal administration in individual mayoralities and inhabited places, districts and quarters.

Article 16

Municipalities may institute their symbols and honorary titles in conformity with the law.

Article 17

- (1) Citizens participate in local self-government by resolving directly - through general meetings, referendums, or in another manner - on local issues, or through the bodies they elect which formulate and implement the local policy in the interests of the community.
- (2) A local referendum can be held on issues relating to the municipality's policies in pursuance of Article 11. The decision to hold a referendum shall be made by the Municipal Council by the affirmative vote of more than half of its members.
- (3) Local referendums and general meetings of the municipal population shall be held under terms and procedure established by law.
- (4) The costs of holding local referendums and general meetings shall be funded from the municipal budget.

Chapter Three

MUNICIPAL AND DISTRICT COUNCIL

Article 18

(1) The Municipal Council is a body of local self-government, and is elected by the residents in the municipality under the terms and procedures provided by law.

(2) The Municipal Council comprises the elected Municipal Councillors.

(3) The District Council comprises the elected District Councillors.

Article 19

(1) The number of Municipal Councillors shall be determined as follows:

1. where the municipality has a population of up to 5,000, 11 councillors;
2. where the municipality has a population of up to 10,000, 19 councillors;
3. where the municipality has a population of up to 20,000, 25 councillors;
4. where the municipality has a population of up to 30,000, 29 councillors;
5. where the municipality has a population of up to 50,000, 39 councillors;
6. where the municipality has a population of up to 100,000, 45 councillors;
7. where the municipality has a population of over 100,000, 51 councillors;
8. in Sofia Municipality, 61 councillors.

(2) The number of District Councillors shall be determined as follows:

1. where the district has a population of up to 50,000, 11 councillors;
2. where the district has a population of up to 100,000, 15 councillors;
3. where the district has a population of over 100,000, 19 councillors

(3) The classification of municipalities and districts under the categories provided in the foregoing paragraphs shall be based on the size of their respective population as recorded in population registers maintained by the municipal administration.

Article 20

(1) The Municipal Council shall formulate the policy of the municipality's growth and development in connection with the activities under Article 11, as well as in connection with other activities provided by law.

(2) The District Council shall assist the Municipal Council by resolving such matters as relate to the basic necessities of the local population, the provision of administrative services to natural and legal persons, and public works and hygiene within the district's limits.

Article 21

(1) The Municipal Council shall:

1. set up standing and select committees, and elect their members;
2. establish the structure of the municipal administration and allocate funds from the municipal budget for staff wages;
3. elect and remove its Chairman.
4. elect and remove Vice Mayors on the advice of the Mayor;
5. determine the remuneration of Mayors within the existing regulations;
6. adopt the budget of the municipality, exercise control over its implementation and approve the relevant report;
7. set the size of local taxes and charges within the statutory limits;
8. make decisions on the acquisition, management, and disposal of municipal property, and define the Mayor's powers, and those of the District Councils, District Mayors and other Mayors;
9. make decisions on the formation, reorganisation, and termination of municipal companies, and designate its representatives in such companies;
10. make decisions on bank borrowing, interest-free lending, and municipal bond issues under terms and procedure provided by law;
11. make decisions on the design and approval of general and detailed territorial development plans for the municipality or parts thereof;
12. adopt municipal development strategies, projections, programmes and plans;
13. define such requirements governing the activities of natural and legal persons within municipal boundaries as arise from the environmental, historical, social, etc., characteristics of the inhabited

places, and from the condition of the existing technical and social infrastructure;

14. make decisions on the establishment and termination of municipal foundations, and on the management of donated property;

15. make decisions on the municipality's participation in local authority associations in this country and abroad, and designate its delegates to such associations;

16. create districts and mayoralties under terms and procedure provided by law;

17. make proposals respecting changes in the administrative and territorial division, such as affect the territory and the boundaries of the municipality;

18. make decisions to name or rename streets, squares, parks, engineering facilities, zones, recreation areas, etc., of local importance;

19. consider and adopt decisions on the advice of District Councils and Mayors within its terms of reference;

20. make decisions on the holding of referendums and general meetings on issues within its terms of reference;

21. approve the municipality's coat of arms and seal;

22. confer honorary citizenship on Bulgarian and foreign individuals.

(2) The Municipal Council shall resolve, also, other issues of local importance, provided that such issues do not fall within the exclusive terms of reference of any other authority.

(3) The Municipal Council shall adopt Rules of Organisation and Activity for the Council and the administration whereby such matters shall be regulated as relate to the Council's and its Committees' organisation and conduct of business, and those of the District Councils and the municipal administration, the municipality's participation in associations, and all other matters expressly provided by this Act.

Article 21a

(1) The District Council shall:

1. set up standing and select committees, and elect their members;

2. establish the structure of the municipal administration for the district within the overall municipal structure;

3. adopt programmes and plans to implement municipal policies concerning the district;
4. make decisions on the management of such municipal property as assigned thereto by the Municipal Council;
5. exercise control over budget spending under the district's section of the general municipal budget.

(2) The District Council shall perform, also, any other functions, such as assigned thereto under the Rules adopted in pursuance of Article 21(3).

Article 22

(1) The Municipal Council shall adopt rules, regulations, resolutions, and instructions on issues of local importance, which documents shall be delivered to the Regional Governor within seven days.

[Former paragraph 2, Deleted.]

(2) In case of offences against the regulations, penalties may be imposed such as fines of up to 50,000 levs, or a temporary divestment of the right to practice a certain profession or to carry out a certain activity in the case of a repeated offence.

(3) Penal orders are issued by the mayor of the municipality, or by a deputy thereof on the basis of a statement drawn by such officials as are designated by the regulations.

(4) The administrative penal proceedings are instituted under the terms and procedures of the Administrative Offences and Penalties Act.

Article 23

(1) The Municipal Council and the District Council shall be convened to its first sitting by the Regional Governor within 14 days of its election.

(2) The Municipal Council shall be convened to a sitting by its Chairman:

1. upon his initiative;
2. upon the request of one-third of the Municipal Councillors;
3. upon the request of one-fifth of the local constituency;
4. upon the request of the Regional Governor.

(3) The District Council shall be convened to a sitting by its Chairman:

1. upon his initiative;

2. upon the request of one-third of the District Councillors;
3. upon the request of one-fifth of the local district constituency;
4. upon the request of the Municipal Mayor.

(4) In the cases under subparagraphs 2, 3 and 4 of paragraphs 2 and 3, the Chairman must set the date for the sitting within seven days of the request. Failing that, the sitting shall be convened by the requesting party or by the Regional Governor.

Article 24

(1) The Municipal Council and the District Council shall elect a Chairman from among its members. The election shall be held by secret ballot. The candidate who has obtained more than half of the votes of all the Councillors shall be deemed elect.

(2) Where the Chairman's powers are terminated earlier than the expiry of his term, or in the Chairman's absence, or where the matter at hand concerns the Chairman's conduct, the sitting shall be chaired by another Councillor elected for the purpose.

Article 25

The Chairman of the Council shall:

1. convene the Council to sittings;
2. guide preparations for sittings;
3. chair the sittings;
4. coordinate the work of standing committees;
5. assist the Councillors with their activities;
6. represent the Council before outside persons and organisations.

Article 26

The Municipal Council may resolve to compensate its Chairman in proportion to the municipality's size and the Chairman's workload.

Article 27

- (1) The Municipal Council shall be convened at least six times per year.
- (2) The Municipal Council's sittings shall be valid, if more than half of all the Councillors are present.

(3) The Municipal Council's decisions shall be made by a majority of more than half of the Councillors present, in an open ballot. The Council may opt for a secret ballot.

(4) The Council's resolutions in pursuance of Article 21(1.1-4, 1.6-10, 1.16, 1.17 & 1.20) shall be made by a majority of more than half of all the Councillors.

(5) The Council's resolutions shall be announced to the public.

Article 28

The Municipal Council's and the District Council's sittings shall be public. The council may decide to hold some of the sittings in camera.

Article 29

Minutes shall be taken of each Municipal Council's and District Council's sitting. Within seven days after the date of the sitting, The Councillors shall have the right to examine the minutes and to request corrections to them within seven days. In the case of a dispute, the issue shall be settled by the Council at its next sitting.

Article 29a

The Municipal Council shall not have a permanent staff. Its activities shall receive staff support from the municipal administration.

Chapter Four

MUNICIPAL COUNCILLOR

Article 30

(1) The Municipal Councillor's powers arise as of the day of his election, and are terminated upon the expiry of the Municipal Council's tenure of powers.

(2) The legality of the Municipal Councillor's election may be appealed against before the County Court within 14 days after the polling day.

(3) The Municipal Councillor's powers are terminated ahead of term the in case:

1. of legal incapacity;
2. the councillor has been sentenced to imprisonment for a premeditated crime, and the sentence has come into force;
3. of resignation handed to the Council;

4. of his being elected Mayor or Vice Mayor, or appointed to the municipal administration;
5. of a continued incapacity, or a habitual dereliction of his duties for more than six months, by a resolution of the Council made with the majority of more than half of all the Councillors;
6. of death.

(4) The resolution under paragraph 3.5 may be appealed before the County Court within 14 days.

(5) The termination of powers in pursuance of paragraph 3(1.1-4 & 1.6) shall be announced to the Council by its Chairman.

Article 31

[Deleted.]

Article 32

(1) At the first sitting, the Municipal Councillor takes the following oath: "I take an oath, in the name of the Republic of Bulgaria, to abide by the Constitution and the laws of this country, and to be guided, in all my actions, by the interests of the inhabitants of the municipality, and to work for their prosperity."

(2) A Municipal Councillor who does not, for any valid reason, take the oath and does not sign the related statement within 45 days from the resolution of the election committee, shall forfeit his mandate.

(3) The Municipal Council's resolution in pursuance of paragraph 2 may be appealed before the County Court within 14 days, or in the case of Sofia, the Sofia City Court, which shall hear the appeal and rule thereon within three days. The Court's ruling shall be final.

Article 33

(1) The Municipal Councillor shall have the right to:

1. be elected to standing and interim committees of the council;
2. propose issues within the council's competence to be included in the agenda of the Municipal Council sittings, and submit draft decisions;
3. participate in the deliberations and settlement of all issues within the council's competence;
4. address queries to the mayor. The query gets an oral or written answer at the next sitting, unless the council decides otherwise;

5. [Deleted.]

(2) Government agencies, business and public entities shall co-operate with the Municipal Councillor and provide him with information and documents, such as are necessary in connection with his activities of a Councillor, except such that constitute state or official secret by law.

Article 34

(1) The Municipal Councillor obtains leave for the time when he is busy in connection with his activities as councillor, under terms and procedures specified by the Council's Rules of Procedure.

(2) The Municipal Councillor gets his full remuneration for the time when he has attended sittings of the Council or of a standing committee. His employer is reimbursed from the municipal budget. The Municipal Councillor who is not employed by any employer shall be compensated in a manner and amount determined by the Rules adopted in pursuance of Article 21(3).

(3) Travelling and other expenses incurred by the Municipal Councillor in connection with his work on the council, are covered by the municipal budget.

Article 35

The Municipal Councillor shall not be removed or dismissed from his permanent employment for the term of his mandate in the cases under Article 328(1.2-4) and Article 328a of the Labour Code.

Article 36

The Municipal Councillor shall:

1. attend the sittings of the Municipal Council and the standing committees to which he has been elected, and take part in the settlement of the issues under consideration;
2. keep in touch with the constituency and inform them of the activities and decisions of the Municipal Council.

Article 37

The Municipal Councillor shall not participate in making decisions referring to his personal interests or to the interests of his spouse and relatives in direct or collateral lineage, up to four times removed.

Article 37a

The provisions of this Chapter shall apply, as well, to District Councillors.

Article 37b

Subject to a resolution of the general meeting of the local population, Mayoral Councillors may be elected in Mayoralties under the terms and procedure provided in the Rules adopted in pursuance of Article 21(3). Such Councillors shall assist the Mayor with the performance of his functions in pursuance of Article 46.

Chapter Five

MAYORS AND MUNICIPAL ADMINISTRATION

Article 38

- (1) The Mayor is a body of the executive branch of government in the municipality.
- (2) The Mayor of the Municipality, and the mayors of the districts and mayoralties, shall be elected directly by the community under terms and procedures provided by law.
- (3) At the first sitting of the newly-elected Municipal Council, the mayors take the oath under Article 32, paragraph 1 of this Act.

Article 39

- (1) Upon the Mayor's motion, the Municipal Council shall elect one or more Vice Mayors by secret ballot.
- (2) If, after the Mayor's second motion, The Municipal Council fails to elect Vice Mayors, upon the Mayor's next motion, those candidates shall be deemed elect who receive more than half plus one of the votes cast by the Councillors.
- (3) Where the Mayor's powers are terminated ahead of term, or in the case of the Mayor's permanent incapacity for more than one month, and if there is no Vice Mayor at that time, the Councillors shall nominate and elect a Vice Mayor.

Article 40

The functions of mayor of the inhabited place which is the municipal centre are performed by the mayor of the municipality.

Article 41

- (1) Persons who have at least secondary education shall be elected mayors and vice mayors. They shall not hold positions in leading bodies of political parties or managerial bodies, or carry on any business activity within the meaning of the Companies Act, for the term of their mandate.
- (2) The mayors of municipalities and districts shall attend the council sittings with the right to a deliberative vote.

(3) The mayors of districts and mayoralties shall attend the council sittings with the right to a deliberative vote. They shall be recognised to speak on matters relating to their mayoralties or districts

Article 42

(1) The powers of the mayors are terminated ahead of term in case:

1. of handing in a resignation to the Municipal Council;
2. (Amended SG No. 90/1996) of permanent incapacity or habitual dereliction of duty for more than six months, subject to a resolution of the Municipal Council made with a majority of not less than two-thirds of all the Councillors. Where such a resolution cannot be made with the said majority, the Council may resolve, with a majority of not less than two thirds of all the Councillors, that a referendum be held on the issue;
3. of a sentence of imprisonment for a premeditated crime which has come into force;
4. of death.

(2) In case of the termination of the municipality mayor's powers ahead of term, his functions for the period up to holding elections are taken over by a vice mayor, upon the decision of the Municipal Council.

(3) Where the powers are terminated of a district mayor or mayoralty mayor, an interim acting mayor is assigned by decision of the Municipal Council until elections are held.

(4) [Deleted.]

Article 43

(1) The mayor of the municipality appoints a secretary of the municipality for an unlimited term.

(2) The Municipal Secretary must be a university graduate. To him the requirements under Article 41(1), sentence 2, shall apply.

(3) The Municipal Secretary shall:

1. organise the work of the municipal administration;
2. assume responsibility for staff working conditions and the equipment of services;
3. organise the municipality's book-keeping, document flows and archives;

4. assume responsibility for the work of civil registration and administrative services to the public;
5. assume responsibility for the maintenance of local voting registers;
6. monitor the drafting and publication of the municipality's acts;
7. assume responsibility for work on citizen's complaints and suggestions;
8. prepare and organise local referendums.

Article 44

(1) The mayor of the municipality:

1. manages the entire executive activities of the municipality;
2. guides and coordinates the activities of the specialised executive bodies;
3. appoints and removes from office the senior management and the staff of the municipal administration, except for those under Article 46(1.4); imposes the disciplinary penalties provided by law;
4. is responsible for the keeping of public order, and in order to ensure it, he shall issue ordinances binding the chiefs of the respective police departments;
5. organises the implementation of the municipal budget;
6. organises the implementation of long-term programmes;
7. organises the implementation of the Municipal Council decisions and reports to the Council accordingly;
8. organises the performance of tasks deriving from Acts of Parliament, decrees of the President of the Republic, and of the Council of Ministers;
9. delegates his functions to mayoral and district mayors; coordinates and exercises control over the lawfulness and appropriateness of actions taken for that purpose; exercises control over the lawfulness of the acts and actions of mayors in pursuance of their powers under Article 46(1);
10. keeps contacts with political parties, public organisations and movements, as well as with other bodies of local self-government in this country and abroad;

11. organises and implements activities relating to defence from disasters and accidents;
12. signs general and detailed development plans as approved by the Municipal Council; organises their implementation and enforcement; approves amendments and addenda thereto;
13. perform the functions of civil registrar; or delegates such functions by a written order to officials of the municipal administration;
14. represent the municipality before natural and legal persons, and the courts;
15. ensures the technical support of the Municipal Council.

(2) Exercising his powers, the mayor of the municipality issues ordinances.

(3) The ordinances under paragraph 1(4) may be appealed by the chiefs of the respective police departments before the Regional Governor within three days, such appeal not suspending the effect of such ordinances. The ruling of the Regional Governor shall be made in consultation with the Minister of Internal Affairs and shall be final.

(4) In the cases provided by law, the municipal mayor shall perform such functions as may be assigned to him by central government authorities.

Article 45

(1) The Municipal Council may rescind actions of the mayor's taken in contravention of its decisions under Article 21. Such rescission shall be voted at the next sitting, but not later than two months from the date of the mayor's act.

(2) The mayor of the municipality may challenge a Municipal Council decision when he deems it contradicts the municipal interests or violates the laws. The challenge shall be submitted in writing within 7 days, and it has a suspending force. If after the second deliberations the Municipal Council reaffirms its decision, the mayor shall execute it, or if it contradicts the law, shall seize the Court. The Council's second vote in such cases shall require a majority of more than half of all the Councillors.

Article 46

(1) The Mayor of a district or mayoralty shall:

1. implement of the municipal budget in the section referring to the district or mayoralty;
2. organise public works and other undertakings;

3. assume responsibility for the management of such municipal property as determined by the Municipal Council;
4. appoints and dismisses such municipal staff as assists him with his activities in accordance with the organisational structure approved by the Municipal Council;
5. takes measures to improve and rehabilitate the environment, and organises the policing of fields;
6. maintains population and civil registers;
7. organises the provision of administrative services to the community;
8. ensures the preservation of public order;
9. organises and manages defence from disasters and accidents;
10. represent the district or mayoralty before the public, public and political organisations, other districts and mayoralties.

(2) District and mayoral mayors may be assigned such other functions as provided by an act of Parliament or by another type of legislation, or by the Rules adopted in pursuance of Article 20(1), in accordance with the specifics of the municipality, the districts or mayoralties.

Article 47

The staff of the municipal administration have the status of government employees.

Chapter Six

STANDING COMMITTEES OF THE MUNICIPAL COUNCIL

Article 48

The Municipal Council elects, from among its members, standing and interim committees which may also include other experts.

Article 49

(1) The standing committees have the task of:

1. studying the community's needs in the relevant field, and making proposals as to how the problems are to be settled;
2. assisting the Municipal Council in preparing decisions on issues submitted for deliberation and settlement;

3. exercising control on the execution of the Municipal Council decisions.

(2) In the course of their proceedings, the standing committees may involve outside experts and consultants.

Article 50

The standing committees accept proposals and recommendations on the issues under consideration, and then transmit them to the Municipal Council and the respective persons concerned.

Chapter Seven

PROPERTY AND FINANCE OF THE MUNICIPALITY

Article 51

(1) The municipality has the right to ownership, the scope and manner of acquisition of which are regulated by law.

(2) Municipal property is entered in registers, and deeds are drawn up by the responsible official to be executed by the Municipal Mayor. Sample deeds shall be approved by the Minister of Finance.

(3) The municipality may carry on economic activities, set up municipal enterprises, and participate in forms of joint economic activity on conditions, and under terms and procedures established by law.

(4) The municipality may invest in economic activities property and unemployed cash funds, with the exception of the earmarked subsidies from the state budget.

(5) The municipality may only participate in such forms of economic activity where its liability does not exceed its equity.

Article 52

(1) The Municipal Council compiles an autonomous municipal budget, separate from the Central Government Budget, on the basis of its own sources of revenue and subsidies from the state, allocated between municipalities by criteria determined by law.

(2) The Central Government Budget may provide funds to pursue the national policy of developing particular regions of the country, as well as earmarked funds for concrete measures of national importance.

(3) The municipality may use bank loans under terms and conditions established by law, as well as interest-free loans from the budget under terms and conditions provided by the government.

- (4) The municipality has the right to issue bonds.
- (5) The municipality shall have no right to borrow for costs of a general nature (paying wages, running expenses, etc.)
- (6) The interest rate on the loans obtained by the municipality is insured by its current budget.

Article 53

The budget of the municipality receives the following revenues:

1. the full amount of local taxes, charges, and other local levies established by law;
2. the parts of other taxes and charges which are due to the municipalities, as established by law. When bodies corporate have entities in various municipalities, the contributions are distributed between the respective municipalities;
3. rents and other income from municipal property;
4. subsidies and other earmarked funds from the Central Government Budget;
5. bank loans and earmarked interest-free loans from the Central Government Budget;
6. shares and bonds issues;
7. other sources, specified by law or by acts of the Council of Ministers.

Article 54

- (1) The expenditures of the municipality are made to cover local needs, as well as for such needs which may arise in the performance of state functions.
- (2) The costs for the performance of state functions are covered by the Central Government Budget.
- (3) The Municipal Council may give financial assistance to municipal and other enterprises whose operations are related to meeting the needs of the community.

Article 55

The municipal budget finances:

1. the costs, the wages and social security contributions included, of municipality-supported health, social, educational, and cultural activities;
2. the public utilities, construction, extension, reconstruction, maintenance, and operating repair of municipal property, and the acquisition costs for municipal property;
3. joint initiatives with other municipalities;
4. the costs of the Municipal Council and the municipal administration;
5. the administrative and technical services for the community when they are free of charge, the town-planning and cadastral records;
6. the redemption of loans;
7. environmental protection activities;
8. capital investments in economic activities.

Article 56

(1) The municipality's budget shall be adopted by the Municipal Council on the advice of the Mayor not later than one month from the adoption of the National Budget Act for the current year.

(2) Where the National Budget for the current year has not been adopted by its beginning, up to its endorsement, revenues shall be collected and expenditures made by continuing appropriation - according to the budget for the respective period of the preceding year adjusted for inflation.

(2) The budget may be revised within the fiscal year in a manner in which it was adopted by a subsequent budget.

Article 57

The funds on the expenditure side, endorsed by the municipal budget, are allocated among the individual mayoralities and areas in conformity with concrete purposes.

Article 58

The budget of the municipality is public, and is under the control of the community.

Chapter Eight

COUNTY

[Deleted.]

Chapter Nine

REGION

Article 68

The region is an administrative and territorial unit where state authority is decentralised for the purpose of pursuing an effective regional policy.

Article 69

- (1) Government in the region is effected by a Regional Governor, assisted by Vice Governors, and by a regional administration, funded from the central government budget.
- (2) The Regional Governor is appointed by the Council of Ministers.
- (3) Vice Regional Governors shall be appointed by the Prime Minister.
- (4) The Regional Governor and his deputy shall not hold positions in leading bodies of political parties, and in managerial bodies, or perform any business activities within the meaning of the Companies Act for the duration of their term of office.

Article 70

Repealed, SG No. 24/14.03.1995

Article 71

The Regional Governor shall:

1. implement government policies in the region; assume responsibility for the implementation of the administrative and territorial reform; coordinate the work of government agencies within the region and their interaction with local authorities;
2. assume responsibility for the reconciliation of national and local interests; organise the development and implementation of regional strategies and programmes for regional development; interact with the bodies of local self-government and local administration;
3. assume responsibility for the preservation and protection of state property within the region;
4. ensure observance of the law within the region and exercise administrative control; monitor the implementation of enactments by the President of the Republic and the Council of Ministers;

5. exercise control over the lawfulness of the acts and actions of the bodies of local self-government and local administration;
6. control the lawfulness of the acts and actions of government agencies, organisations and enterprises within the region;
7. organise the defence-mobilisation readiness of the population; supervise civil defence in the event of disasters and accidents; and assume responsibility for the protection of public order.

Article 72

(1) The Regional Governor issues ordinances within the bounds of the powers conceded to him.

(2) The Regional Governor discontinues the execution of unlawful acts of Municipal Councils, and refers them to the respective County Court within one month of receiving notice thereof. Within the same period, he may rescind unlawful acts of municipal mayors and bodies under Article 71(6), where no special rescission procedure exists.

(3) The Regional Governor's ordinances under the preceding paragraphs may be appealed against before the competent Court.

Article 73

[Deleted.]

Chapter Ten

ADMINISTRATIVE AND TERRITORIAL CHANGES

[Deleted.]

Chapter Eleven

TRANSITIONAL AND CONCLUDING PROVISIONS

§ 1. This Act shall come into force as of the date of its promulgation in the State Gazette.

§ 2. [Deleted.]

§ 3. [Deleted.]

§ 4. [Deleted.]

§ 5. This Act repeals:

1. The People's Councils Act (promulgated, "Izvestiya", No. 95 of 1951, amend., No. 60 and 68 of 1953, No. 100 of 1955, No. 3, 37 and 54 of 1956, No. 30, 71, and 74 of 1957, No. 90 of 1958, No. 22 of 1959; the State Gazette, No. 47 of 1964, No. 54 of 1969, No. 35 of 1972, No. 32 of 1977, No. 97 of 1978, No. 52, and 65 of 1980, No. 97 of 1987, No. 72, and 88 of 1990).
2. The Rules for the ordinances under Art. 12 a of the People's Councils Act (promulg., SG, No. 3 of 1965, amend., No. 39 of 1978).
3. The Regulations for the enforcement of Art. 41 of the People's Councils Act, providing for the payment of labour remuneration and travelling allowances to councillors and members of standing committees (promulg., SG, No. 64 of 1966; amend., No. 60 of 1980).
4. The Formation of the Regions as New Administrative and Territorial Units Act (promulg., SG, No. 65 of 1987; amend., No. 45 of 1989).
5. The Members of Parliament and the People's Councillors Act as to the legal status of Municipal Councillors in the section on Municipal Councillors (promulg., SG, No. 32 of 1977; amend., No. 72 of 1981, No. 27, and 87 of 1986).
6. The Decree on the constituency assignments (SG, No. 12 of 1978).
7. Decree No. 296 on the powers of the district people's councils under Art.5, paragraph 4 of the People's Councils Act (SG, No. 19 of 1979).

§ 6. Amendments to other acts:

1. The Property Act (promulg., "Izvestiya", No. 92 of 1951; amend., No. 12 of 1958, No. 90 of 1960; SG, No. 99 of 1963, No. 26, and 27 of 1973, No. 54 and 87 of 1974, No. 55 of 1978, No. 36 of 1979, No. 19 of 1985, No. 14, and 91 of 1988, No. 38 of 1989, and No. 31 of 1990), Art. 6 is amended as follows:

"6. State ownership covers the property declared by the Constitution and the laws to be exclusive property of the state, as well as the property it acquires.

Municipal ownership covers the following property:

1. ceded by law as property of municipalities, and included in the authorized capital of municipal companies;
2. acquired against funds from the municipal budget, or out of an off-budget account of the municipality;
3. built by the voluntary labour and contributions of the community;
4. acquired through loans, obtained and redeemed by the municipality;
5. bestowed or bequeathed to the Municipal Council or to the individual inhabited places;
6. restored through restitution;
7. ceded gratuitously by the state;
8. transferred as property of the municipality pursuant to the preceding provisions of this Act."

2. To the Ministry of Internal Affairs Act, the following new Art. 13 a is added:

"Art. 13a. The interrelations between the Metropolitan and the Regional Directorates of the Ministry of Internal Affairs, the district police departments, on the one hand, and the Regional Governors, Regional Governors, and mayors, on the other hand, are regulated by the Local Self-government and Local Administration Act, and the Police Act."

§ 7. (1) When this Act comes into force, the following state property is also transferred to the ownership of municipalities:

1. water reservoirs, ground waters and mineral springs included, which are used by the respective municipality only, along with the water-pumping equipment and the transporting pipelines;
2. dams, lakes and adjacent beaches, inert and other materials quarries of local importance;
3. vacant lots and estates within inhabited places, intended for housing construction, public, urbanisation or public utilities undertakings, acquired through alienation proceedings, with the exception of such lots which are to be returned to their former owners;

4. the local roads, streets, boulevards, squares, public parking lots in inhabited places, and public green lawns;
5. houses built under the terms and procedures of Art. 117 of the Town Planning Act for rented flats or for social welfare measures, including renting to socially vulnerable families;
6. sites of the municipal infrastructure of local importance, intended for the administrative needs of municipalities, as well as for health, educational, cultural, commercial, household, sports, and public utilities services;
7. the networks and the equipment of the technical infrastructure of the transport, energy, water supply, sewerage, communications, and engineering protection network which service only the territory of the respective municipality and are not included in the authorized capital of commercial companies.

(2) The property under paragraph 1 is not transferred to the ownership of municipalities if it is included in the capital or in the fixed funds, or is kept under the balance-sheet of a partnership company or enterprise with state property.

§ 8. The enforcement of this Act is hereby assigned to the Prime Minister.

This Act was submitted to a vote and duly adopted by the Grand National Assembly on September 6th, 1991, and the State Seal was affixed hereto.

Chairman of the Grand National Assembly: Nikolai Todorov

REPUBLIC OF BULGARIA
37th NATIONAL ASSEMBLY

AMENDMENT AND ADDENDUM ACT
TO THE
LOCAL SELF-GOVERNMENT AND
LOCAL ADMINISTRATION ACT

Promulgated State Gazette No. 65/1995

[...]

TRANSITIONAL AND CONCLUDING PROVISIONS

[...]

§56. Any staff positions at Municipal Councils, existing at the time of this Act's coming into force, shall be closed upon the expiry of such Councils', elected on 13th October 1991, term.

[...]